

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
November 17, 2014 6:00 PM**

In accordance with the Oklahoma Open Meeting Act, Title 25 O.S. Section 311, the agenda for this meeting was posted on the bulletin board in the lobby of City Hall, 116 W. Needles Ave., Bixby, Oklahoma on the date and time as posted thereon, a copy of which is on file and available for public inspection, which date and time was at least twenty-four (24) hours prior to the meeting, excluding Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

STAFF PRESENT:

Erik Enyart, AICP, City Planner
Patrick Boulden, Esq., City Attorney

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Prior to the meeting, Erik Enyart stated that Steve Sutton conveyed his regrets that he was not able to attend due to a schedule conflict.

Prior to the meeting, Chair Thomas Holland recognized Bixby Metro Chamber of Commerce's Leadership Bixby XIII intern Valerie Watson, who introduced herself and her position at PrimeSource Mortgage, Inc. The Planning Commissioners and Staff welcomed Ms. Watson.

Chair Thomas Holland called the meeting to order at 6:05 PM.

ROLL CALL:

Members Present: Larry Whiteley, Jerod Hicks, Thomas Holland, and Lance Whisman.
Members Absent: Steve Sutton.

CONSENT AGENDA:

1. Approval of Minutes for the October 20, 2014 Regular Meeting

Chair Thomas Holland introduced the Consent Agenda item and asked to entertain a Motion. Larry Whiteley made a MOTION to APPROVE the Minutes of the October 20, 2014 Regular Meeting as presented by Staff. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

2. Approval of schedule of meetings and application cutoff dates for 2015

Chair Thomas Holland introduced the Consent Agenda item. Erik Enyart noted that the only exceptions to the third Monday of each month were the meetings in January and February, when those Mondays fall on Federal holidays, and so the meetings will be held the following Tuesday. Mr. Enyart noted that it is this way every year.

Chair Thomas Holland asked to entertain a Motion. Lance Whisman made a MOTION to APPROVE the schedule of meetings and application cutoff dates for 2015 as presented by Staff as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Thursday, November 13, 2014
RE: Planning Commission meeting schedule and application deadlines for 2015

Staff proposes the following schedule for the Planning Commission:

<u>DATE</u>	<u>TIME</u>	<u>PLACE OF MEETING</u>
January 20, 2015 (Tues)	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
February 17, 2015 (Tues)	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
March 16, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
April 20, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
May 18, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
June 15, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
July 20, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
August 17, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
September 21, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
October 19, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
November 16, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby
December 21, 2015	6:00 PM	116 W. Needles, City Hall Council Chambers, Bixby

APPLICATION DEADLINES

Four (4) weeks prior to the Planning Commission meeting, or the Tulsa Business & Legal News' Public Notice publication deadline plus one (1) working day, whichever is sooner. The City Manager shall have the authority to make an exception to the deadline in cases of hardship or unusual circumstances.

Chair Thomas Holland SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

PUBLIC HEARINGS

- 3. **PUD 53-B – WoodMere – Major Amendment # 2 – Sack & Associates, Inc.** Public Hearing, discussion, and consideration of a rezoning request for approval of Major Amendment # 2 to Planned Unit Development (PUD) # 53 for Lot 11, Block 1 and Lot 1, Block 4, *WoodMere*, to be known and designated on the official Zoning Map as “PUD 53-B” with underlying zoning CS Commercial and RS-2 Residential.
Property Located: 6810 E. 121st St. S. and 12155 S. 68th E. Ave.

Chair Thomas Holland introduced the item. Erik Enyart stated that the Applicant had requested the item be Continued to the December 15, 2014 Regular Meeting.

Larry Whiteley made a MOTION to CONTINUE PUD 53-B to the December 15, 2014 Regular Meeting. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Hicks, and Whisman
 NAY: None.
 ABSTAIN: None.
 MOTION PASSED: 4:0:0

PLATS

- 4. **Preliminary Plat – “Seven Lakes V” – Tanner Consulting, LLC.** Discussion and consideration of a Preliminary Plat for and certain Modifications/Waivers for “Seven Lakes V” for approximately 13.787 acres in part of the W/2 of Section 02, T17N, R13E.
Property Located: South and east of the intersection of 121st St. S. and Sheridan Rd.

Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Wednesday, November 12, 2014
RE: Report and Recommendations for:
 Preliminary Plat of “Seven Lakes V”

LOCATION: – South and east of the intersection of 121st St. S. and Sheridan Rd.
 – North of Seven Lakes I, II, III, and IV
 – Part of the W/2 of Section 02, T17N, R13E.
SIZE: – 23 acres, more or less (parent tract parcel)
 – 13.787 acres, more or less (plat area)
EXISTING ZONING: RS-4 Residential Single Family District
SUPPLEMENTAL ZONING: None
EXISTING USE: Vacant
REQUEST: – Preliminary Plat approval for 55-lot residential subdivision
 – Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5’ along certain perimeters

- Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets to the unplatted tracts abutting to the northeast and east
- Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as certain lots appear to exceed this 2:1 maximum depth to width ratio standard

SURROUNDING ZONING AND LAND USE:

North: RS-3/PUD 80 & AG; 20-acre unplatted vacant/wooded area recently platted as Wood Hollow Estates, now under construction, and to the northeast, an unplatted 12-acre vacant tract owned by Tulsa County (“wetland mitigation area”) and zoned AG and an unplatted vacant and wooded 20-acre tract owned by the City of Bixby (“hardwood mitigation area”) and zoned AG.

South: RS-4; Single family residential homes and vacant lots in Seven Lakes I, Seven Lakes II, Seven Lakes III, and Seven Lakes IV.

East: AG & CG/PUD 76; The Fry Creek Ditch # 2 right-of-way with 92-acres of former agricultural land to the east of that zoned CG with PUD 76 proposed for development with multiple uses.

West: (across Sheridan Rd.) AG; Unplatted agricultural and vacant land, including 64 acres recently acquired by the Bixby School District, and the City of Tulsa’s lift station facility to the northwest, all in the City of Tulsa.

COMPREHENSIVE PLAN: Low Intensity + Vacant, Agricultural, Rural Residences, and Open Land
PREVIOUS/RELATED CASES:

BZ-309 – Wynona Brooks, Trustee of Mildred A. Kienlen A Revocable Living Trust – Request for rezoning from AG to RS-4 for area including all of the existing and planned “Seven Lakes” subdivisions and some vacant land to the south of Seven Lakes I – PC recommended Approval 01/18/2005 and City Council Approved 02/14/2005 (Ord. # 901).

Preliminary Plat of Seven Lakes I – Request for Preliminary Plat approval for Seven Lakes I to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Approval 06/20/2005 and City Council Approved 06/27/2005.

Final Plat of Seven Lakes I – Request for Final Plat approval for Seven Lakes I to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Approval 10/16/2006 and City Council Approved 10/23/2006 (Plat # 6113 recorded 04/26/2007).

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for “Seven Lakes II” for Seven Lakes II to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 05/19/2008 and City Council Conditionally Approved 05/27/2008.

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for Seven Lakes II to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 09/21/2011 and City Council Conditionally Approved 09/26/2011 (Approval recognized as expired 09/26/2012).

Preliminary Plat of Seven Lakes II (Resubmitted) – Request for Preliminary Plat approval for Seven Lakes II to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 11/19/2012 and City Council Conditionally Approved 11/26/2012.

Final Plat of Seven Lakes II – Request for Final Plat approval for Seven Lakes II to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 11/19/2012 and City Council Conditionally Approved 11/26/2012 (Plat # 6457 recorded 01/16/2013).

Sketch Plat of Seven Lakes III – Request for Sketch Plat approval for “Seven Lakes III” for 40.64 acres, including subject property parent tract and areas later platted as Seven Lakes III and Seven Lakes IV – PC Conditionally Approved 05/20/2013.

Preliminary Plat of Seven Lakes III – Request for approval of a Preliminary Plat and certain Modifications/Waivers for Seven Lakes III to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 11/18/2013 and City Council Conditionally Approved 11/25/2013.

Preliminary Plat of Seven Lakes IV – Request for approval of a Preliminary Plat and certain Modifications/Waivers for Seven Lakes IV to the south of subject property plat area, likely separating

from subject property parent tract – PC recommended Conditional Approval 11/18/2013 and City Council Conditionally Approved 11/25/2013.

Final Plat of Seven Lakes III – Request for Final Plat approval for Seven Lakes III for to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved 03/24/2014 (Plat # 6545 recorded 06/13/2014; surveyor of record changed prior to reprinting, signatures, and recording).

Final Plat of Seven Lakes IV – Request for Final Plat approval for Seven Lakes IV for to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved 03/24/2014 (Plat # 6544 recorded 06/13/2014; surveyor of record changed prior to reprinting, signatures, and recording).

Preliminary Plat of Seven Lakes VI – Request for approval of a Preliminary Plat and certain Modifications/Waivers for “Seven Lakes VI” for subject property parent tract to the west of subject property plat area – PC consideration pending 11/17/2014.

BACKGROUND INFORMATION:

ANALYSIS:

Property Conditions. The parent tract parcel contains approximately 23 acres and is vacant and zoned RS-4. “Seven Lakes V,” as per this Preliminary Plat, contains 13.787 acres. As with previous and other phases of “Seven Lakes,” this development will be designed to collect stormwater and drain it to the east to Fry Creek Ditch # 2. The “lakes” were platted in previous phases of the “Seven Lakes” development.

Based on GIS aerial and parcel data, it appears that northeastern-most area of the parent tract parcel includes the access road, and possibly even the concrete trickle-channel otherwise owned by Tulsa County and the City of Bixby (possibly known as a ‘wetland remediation’ or ‘wetland compensatory mitigation’ area). Per the Preliminary Plat of “Seven Lakes V,” there are two (2) easements in favor of Tulsa County in this area, affecting proposed Lots 16 and 17, Block 2. However, it is not clear that the easements contain all of the drainage features as designed or as necessary for the system to function. There appears to be a “drop off” area toward the back sides of these two (2) lots, along the drainage channel, as represented on the Sketch Plat of this area. Elevation contours and drainage channels, both of which are required for a Preliminary Plat, and such as would help elucidate the area, are not represented. This area should undergo careful study, the designs for this area must be approved by the City Engineer, and any remedial actions determined necessary should be taken (additional easement or right-of-way dedication to fully contain the drainageway system, recognition of any prescriptive easements or rights-of-way, imposing setbacks from any unstable areas along the drainageway, etc.).

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Low Intensity and (2) Vacant, Agricultural, Rural Residences, and Open Land.

The single family housing development anticipated by this plat would be consistent with the Comprehensive Plan.

General. This subdivision of 13.787, more or less, proposes 55 Lots, four (4) Blocks (a fifth is recommended), and one (1) Reserve Area.

The Seven Lakes development, and this plat, represents a conventional but attractive design, with uniquely crisscrossed curvilinear streets and no true cul-de-sacs, interspersed with Reserves for water amenities. Proposed “Seven Lakes V” and “Seven Lakes VI” are similar to Seven Lakes I, II, III, and IV to south, with relatively similar-sized and configured lots. Typical lots range from 65’ X 120’ (7,800 square feet, 0.18 acres) to 70’ X 120’ (8,400 square feet, 0.19 acres). As afforded by RS-4 zoning, however, a few lots are smaller than the typical lots, such as proposed Lot 17, Block 1, “Seven Lakes VI”: 62.76’ X ~123.29’ (7,738 square feet, 0.18 acres), Lot 1, Block 1, “Seven Lakes V”: 60’ X 120’ (7,200 square feet, 0.17 acres), and Lot 18, Block 3/4: 55’ X 120’ (6,600 square feet, 0.15 acres). However, all lots appear to meet RS-4 zoning standards.

Deed of Dedication and Restrictive Covenants (DoD/RCs) Section IV.B allows for incorporation of HOAs of different phases as previously recommended by Staff.

The Technical Advisory Committee (TAC) reviewed this Preliminary Plat on November 05, 2014. The Minutes of the meeting are attached to this report.

The Fire Marshal’s, City Engineer’s, and City Attorney’s memos are attached to this Staff Report (if received). Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

Access and Internal Circulation. Primary access to the subdivision would be via internal streets which ultimately connect all of the “Seven Lakes” subdivisions to Sheridan Rd. via 125th and 126th Streets South.

South 68th and S. 71st E. Avenues will be extended north into the subject property from Seven Lakes IV and II, respectively. Further, 124th St. S. will be extended westerly in the proposed "Seven Lakes VI," also on this agenda for consideration.

Staff Recommendation. Staff recommends Approval of the Preliminary Plat with the following corrections, modifications, and Conditions of Approval:

1. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as Lots 11:14, Block 2 and Lot 18, Block 3/4 (and potentially others) appear to exceed the 2:1 maximum depth to width ratio as per SRs Section 12-3-4.F.
2. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets to the unplatted tracts abutting to the northeast and east. The Modification/Waiver was described as justified as it abuts the 'wetland mitigation' area owned by Tulsa County and the Fry Creek Ditch # 2 right-of-way owned by the City of Bixby, neither of which are expected to develop.
3. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A for utility easements along the perimeters which would not achieve the 17.5' minimum width standards. Such request may be justified by observing most of the instances are mid-block and do not require U/Es, and otherwise by demonstrating where an 11' U/E will be back to back with another 11' in abutting subdivision, resulting in a 22'-wide U/E corridor between the subdivisions. Other justifications may be offered and deemed
4. All Modification/Waiver requests must be submitted in writing.
5. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.
6. It appears that the Reserve Areas are assigned unique letters A through H in the four (4) subdivisions. This may be for purposes of having a singular HOA responsible for maintenance of the Reserve Areas. Seven Lakes I has Reserve Areas D, E, F (part), G, and H. Seven Lakes II has Reserve Areas A, B, and C. Seven Lakes IV has Reserve Areas B (part), F (part), and I. Reserve Area B is a 20'-wide "handle" access Reserve Area which connects to Reserve Area B in Seven Lakes II. Also in Seven Lakes IV, Reserve Area "F" is one of the "lakes" which connects to the "handle" Reserve "F" in Seven Lakes I. Thus, in two (2) cases so far, uniquely named, singular Reserve Areas have been platted in two (2) parts. To ensure this is carried through for the balance of the Seven Lakes development, the 20'-wide "handle" access Reserve Area "B" connecting to Reserve Area B in Seven Lakes II should be renamed Reserve Area "B."
7. Lot 1, Block 3 is completely separated from the balance of Block 3 by a Reserve Area. Per the definition of "Block" in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.
8. Subdivision Contains statistics: Please update the number of blocks to incorporate new block as recommended hereinabove.
9. Per SRs Section 12-4-2.A.5, a Location Map is required and must include all platted additions within the Section; the following need to be corrected as follows:
 - Wood Hollow Estates (missing)
 - River Trail II (missing)
 - Seven Lakes I (misspelled)
 - Poe Acreage (misrepresented as to configuration)
 - Please identify project location in Location Map.
10. Please discuss design plans as pertain to proposed Lots 16 and 17, Block 2, containing easements and drainage infrastructure as described in the analysis above.
11. Please add angle/bearing and distance survey notation to the two (2) easements within Lots 16 and 17, Block 2, so that scaling the plat would not be required to determine the their location and extents. A detail diagram may be used to avoid unnecessary text/linework congestion.
12. Please add elevation contours (with labels) at one (1) foot maximum intervals as required per SRs Section 12-4-2.B.6.
13. The "Unplatted" label to the north should state "Wood Hollow Estates."
14. Consider replacing the "Unplatted" label to the west with "Seven Lakes VI (Proposed)," or something similar.
15. Please add proposed addresses to the lots. A table may be used if needed for map clarity.
16. Angle/bearing appears to be missing from north line of Lot 22, Block 2.

17. *The Subdivision Regulations requires sidewalks along interior streets and Sheridan Rd. To ensure this requirement is not inadvertently overlooked for the sidewalks along Sheridan Rd. and Reserve Area frontages (developer's responsibility prior to the construction of any homes), the engineering construction plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval.*
18. *Please consider adding lot areas either in a table as was done with Seven Lakes II or within each lot as was done with Seven Lakes III and Seven Lakes IV.*
19. *DoD/RCs: Language used is almost precisely the same between Seven Lakes III, Seven Lakes IV, and proposed "Seven Lakes V" and "Seven Lakes VI." Please ensure that recycled use of previous text does not cause internal conflicts, inaccurate self-references, etc. The subsections of DoD/RCs Section II pertaining to the Reserve Area(s) may benefit from specific attention.*
20. *DoD/RCs: Spacing appears to be off between pages 2 and 3.*
21. *DoD/RCs Section I.F.1: Please amend as follows: "...repair of damage to properly-permitted landscaping and paving occasioned..."*
22. *DoD/RCs Section II.B: Please rename "Reserve A" → "Reserve B" as recommended elsewhere herein.*
23. *DoD/RCs Section III.B.4 and III.E.2: Please discuss the appropriateness of allowing the minimum house size and minimum masonry standards to be waived by the Architectural Committee.*
24. *DoD/RCs Section V.B: Reference to "Seven Lakes IV" instead of "Seven Lakes V," as presumed intended.*
25. *DoD/RCs Section V.B: Please consider specifying that amendments to DoD/RCs Sections III.B and III.E also require the approval of the Bixby City Council; alternatively, please relocate these subsections to DoD/RCs Section II Land Use Restrictions.*
26. *DoD/RCs Section V.D: Please confirm intended use of date October 20, 2014.*
27. *DoD/RCs Signature Blocks: Specification of 2014 presumes plat will be recorded within this calendar year. Advisory.*
28. *Final Plat: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.*
29. *Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*

Erik Enyart stated that there was a design issue in that the extreme, northeast corner of the "Seven Lakes V" subdivision appears to contain part of a drainage channel, but that the elevation contours were not represented, such as would allow for the illustration of the issue. Mr. Enyart stated that, further, it appeared likely that the easements to Tulsa County did not entirely contain the drainage channel as originally intended or as may be required to allow the drainage system to work. Lance Whisman clarified with Erik Enyart that the drainage channel issue only concerned the two (2) lots, Lots 16 and 17, Block 2.

The Applicant was not present.

Chair Thomas Holland expressed concern regarding the possible Modification/Waiver from the stub-out street requirement, and as the matter related to other subdivisions in the area, including Wood Hollow Estates. Erik Enyart noted that the City had recently had extensive discussions on street connectivity and the stub-out street requirement in the context of other developments, and that this was specifically discussed when Wood Hollow Estates was being platted. Mr. Enyart stated that the Modification/Waiver could be justified by recognizing that it will connect to previous phases of the "Seven Lakes" development to the south and Sheridan Rd. to the west, because it was bounded on the east and northeast by the Fry Creek drainage system and on the north by Wood Hollow Estates, which was not required to connect to the subject property since it had private streets

and adequate access otherwise, and as the plans for the subject property were known at that time and did not need or intend to connect to Wood Hollow Estates. Mr. Enyart stated that Wood Hollow Estates was granted a Modification/Waiver from the stub-out street requirement for similar reasons: because it connected to Woodmere to the north, connected to Sheridan Rd. on the west, was bounded on the east by the Fry Creek drainage system [and other government-owned, non-developable lands], and did not require a connection to the south to the subject property, for which plans were known as that time and did not need nor show a connection.

Chair Thomas Holland noted that technology would help emergency access/response.

Discussion ensued regarding recommendations pertaining to minimum house standards. Erik Enyart noted, "We've been having discussions and conversations regarding minimum standards for home construction internally and with the development community." Mr. Enyart stated, "We need to have that conversation with them." Mr. Enyart stated that the recommendations in the Staff Report say to "discuss with us these standards" and "consider moving them to the subsection that automatically requires City Council approval, or otherwise, cite the subsections specifically in the Amendments section of the Deed of Dedication and Restrictive Covenants."

Erik Enyart noted that, for the recommendations pertaining to the minimum masonry requirement for homes, "we interpret 'masonry' traditionally to include stone, brick, or stucco" and any "other masonry alternatives they would propose, they should identify specifically so that we are all clear at this time as we grant the entitlements."

Chair Thomas Holland expressed concern over the proposed 55'-wide lot, and asked if there were not other occasions when 55' lot widths created a problem. Erik Enyart confirmed that reductions in lot widths had been the topic of much discussion lately, but that the subject property was rezoned to RS-4 several years ago, which RS-4 only required a [50' lot width]. Mr. Enyart stated that the "Seven Lakes" subdivisions just happened to be platted with wider lots. Mr. Enyart noted that the RS-4 district was relatively rare in Bixby. Mr. Holland expressed concern for setting a bad precedent. Patrick Boulden stated that there had been some discussion about abolishing the RS-4 district. Mr. Holland asked if RS-4 was in compliance with the Comprehensive Plan. Mr. Enyart stated that he did not know because it was introduced to the Zoning Code after the 2002 adoption of the Comprehensive Plan.

Discussion ensued regarding the minimum standards for homes to be constructed. Erik Enyart read from the proposed Deed of Dedication and Restrictive Covenants and noted that they stated the minimum house size would be 2,200 square feet, or 2,400 square feet if two (2) or three (3) stories, and would have 100% masonry including brick, stone, or stucco, excluding windows and doors, but that "it goes on to say these standards can be waived." Mr. Enyart stated that the recommendation was for the Applicant to discuss this issue with Staff.

The Commissioners expressed favor for placing an item on a future agenda to discuss whether RS-4 zoning does nor does not comply with the Comprehensive Plan. Erik Enyart and Patrick Boulden indicated agreement.

Lance Whisman expressed concern regarding a conflict between lot and house sizes, and Erik Enyart stated, "If the lots were smaller, you probably would not see such house sizes in the Covenants."

There being no further discussion, Lance Whisman made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat of "Seven Lakes V" subject to all of the corrections, modifications, and Conditions of Approval as recommended by Staff. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

5. **Preliminary Plat – "Seven Lakes VI" – Tanner Consulting, LLC.** Discussion and consideration of a Preliminary Plat for and certain Modifications/Waivers for "Seven Lakes VI" for approximately 8.263 acres in part of the W/2 of Section 02, T17N, R13E.
Property Located: South and east of the intersection of 121st St. S. and Sheridan Rd.

Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Wednesday, November 12, 2014
RE: Report and Recommendations for:
Preliminary Plat of "Seven Lakes VI"

LOCATION: – South and east of the intersection of 121st St. S. and Sheridan Rd.
– North of Seven Lakes I, II, III, and IV
– Part of the W/2 of Section 02, T17N, R13E.

SIZE: – 23 acres, more or less (parent tract parcel)
– 8.263 acres, more or less (plat area)

EXISTING ZONING: RS-4 Residential Single Family District

SUPPLEMENTAL ZONING: None

EXISTING USE: Vacant

REQUEST: – Preliminary Plat approval for 32-lot residential subdivision
– Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5' along certain perimeters
– Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as certain lots appear to exceed this 2:1 maximum depth to width ratio standard
– Modification/Waiver from Subdivision Regulations Section 12-3-4.H to have double-frontage along Sheridan Rd.

SURROUNDING ZONING AND LAND USE:
North: RS-3/PUD 80 & AG; 20-acre unplatted vacant/wooded area recently platted as Wood Hollow Estates, now under construction, and to the northeast, an unplatted 12-acre vacant tract owned by Tulsa County ("wetland mitigation area") and zoned AG and an unplatted vacant and wooded 20-acre tract owned by the City of Bixby ("hardwood mitigation area") and zoned AG.

South: RS-4; Single family residential homes and vacant lots in Seven Lakes I, Seven Lakes II, Seven Lakes III, and Seven Lakes IV.

East: AG & CG/PUD 76; The Fry Creek Ditch # 2 right-of-way with 92-acres of former agricultural land to the east of that zoned CG with PUD 76 proposed for development with multiple uses.

West: (across Sheridan Rd.) AG; Unplatted agricultural and vacant land, including 64 acres recently acquired by the Bixby School District, and the City of Tulsa's lift station facility to the northwest, all in the City of Tulsa.

COMPREHENSIVE PLAN: Low Intensity + Vacant, Agricultural, Rural Residences, and Open Land
PREVIOUS/RELATED CASES:

BZ-309 – Wynona Brooks, Trustee of Mildred A. Kienlen A Revocable Living Trust – Request for rezoning from AG to RS-4 for area including all of the existing and planned “Seven Lakes” subdivisions and some vacant land to the south of Seven Lakes I – PC recommended Approval 01/18/2005 and City Council Approved 02/14/2005 (Ord. # 901).

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Sketch Plat of Seven Lakes III – Request for Sketch Plat approval for “Seven Lakes III” for 40.64 acres, including subject property parent tract and areas later platted as Seven Lakes III and Seven Lakes IV – PC Conditionally Approved 05/20/2013.

Preliminary Plat of Seven Lakes III – Request for approval of a Preliminary Plat and certain Modifications/Waivers for Seven Lakes III to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 11/18/2013 and City Council Conditionally Approved 11/25/2013.

Preliminary Plat of Seven Lakes IV – Request for approval of a Preliminary Plat and certain Modifications/Waivers for Seven Lakes IV to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 11/18/2013 and City Council Conditionally Approved 11/25/2013.

Final Plat of Seven Lakes III – Request for Final Plat approval for Seven Lakes III for to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved 03/24/2014 (Plat # 6545 recorded 06/13/2014; surveyor of record changed prior to reprinting, signatures, and recording).

Final Plat of Seven Lakes IV – Request for Final Plat approval for Seven Lakes IV for to the south of subject property plat area, likely separating from subject property parent tract – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved 03/24/2014 (Plat # 6544 recorded 06/13/2014; surveyor of record changed prior to reprinting, signatures, and recording).

Preliminary Plat of Seven Lakes V – Request for approval of a Preliminary Plat and certain Modifications/Waivers for “Seven Lakes V” for subject property parent tract to the east of subject property plat area – PC consideration pending 11/17/2014.

BACKGROUND INFORMATION:

ANALYSIS:

Property Conditions. The parent tract parcel contains approximately 23 acres and is vacant and zoned RS-4. “Seven Lakes VI,” as per this Preliminary Plat, contains 8.263 acres. As with previous and other phases of “Seven Lakes,” this development will be designed to collect stormwater and drain it to the east to Fry Creek Ditch # 2. The “lakes” were platted in previous phases of the “Seven Lakes” development.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Low Intensity and (2) Vacant, Agricultural, Rural Residences, and Open Land.

The single family housing development anticipated by this plat would be consistent with the Comprehensive Plan.

General. This subdivision of 8.263, more or less, proposes 32 Lots, two (2) Blocks, and no (0) Reserve Areas.

The Seven Lakes development, and this plat, represents a conventional but attractive design, with uniquely crisscrossed curvilinear streets and no true cul-de-sacs, interspersed with Reserves for water amenities. Proposed “Seven Lakes V” and “Seven Lakes VI” are similar to Seven Lakes I, II, III, and IV to south, with relatively similar-sized and configured lots. Typical lots range from 65’ X 120’ (7,800 square feet, 0.18 acres) to 70’ X 120’ (8,400 square feet, 0.19 acres). As afforded by RS-4 zoning, however, a few lots are smaller than the typical lots, such as proposed Lot 17, Block 1, “Seven Lakes VI”: 62.76’ X ~123.29’ (7,738 square feet, 0.18 acres), Lot 1, Block 1, “Seven Lakes V”: 60’ X 120’ (7,200 square feet, 0.17 acres), and Lot 18, Block 3/4: 55’ X 120’ (6,600 square feet, 0.15 acres). However, all lots appear to meet RS-4 zoning standards.

Deed of Dedication and Restrictive Covenants (DoD/RCs) Section IV.B allows for incorporation of HOAs of different phases as previously recommended by Staff.

The Technical Advisory Committee (TAC) reviewed this Preliminary Plat on November 05, 2014. The Minutes of the meeting are attached to this report.

The Fire Marshal’s, City Engineer’s, and City Attorney’s memos are attached to this Staff Report (if received). Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

Access and Internal Circulation. Primary access to the subdivision would be via internal streets which ultimately connect all of the “Seven Lakes” subdivisions to Sheridan Rd. via 125th and 126th Streets South. South 66th E. Ave. will be extended north into the subject property from Seven Lakes IV, and 124th St. S. will be extended westerly into the subject property from the proposed “Seven Lakes V,” also on this agenda for consideration. “Seven Lakes VI” will need to be platted and built simultaneously with or subsequent to “Seven Lakes V” to ensure it has two (2) means of ingress/egress as required.

Staff Recommendation. Staff recommends Approval of the Preliminary Plat with the following corrections, modifications, and Conditions of Approval:

- 1. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as Lots 11:14, Block 2 and Lot 18, Block 3/4 (and potentially others) appear to exceed the 2:1 maximum depth to width ratio as per SRs Section 12-3-4.F.*
- 2. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A for utility easements along the perimeters which would not achieve the 17.5’ minimum width standards. Such request may be justified by observing most of the instances are mid-block and do not require U/Es, and otherwise by demonstrating where an 11’ U/E will be back to back with another 11’ in abutting subdivision, resulting in a 22’-wide U/E corridor between the subdivisions. Other justifications may be offered and deemed adequate.*
- 3. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.H to have double-frontage for those lots whose rear lines abut Sheridan Rd. Provided Limits of No Access (LNA) are placed along the Sheridan Rd. frontage, City Staff is supportive of this design, which is incidental and unavoidable due to existing geometries.*
- 4. All Modification/Waiver requests must be submitted in writing.*
- 5. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.*

6. *Per SRs Section 12-4-2.A.5, a Location Map is required and must include all platted additions within the Section; the following need to be corrected as follows:*
 - *Wood Hollow Estates (missing)*
 - *River Trail II (missing)*
 - *Seven Lakes I (misspelled)*
 - *Poe Acreage (misrepresented as to configuration)*
 - *Please identify project location in Location Map.*
7. *Please add elevation contours (with labels) at one (1) foot maximum intervals as required per SRs Section 12-4-2.B.6.*
8. *The “Unplatted” label to the north should state “Wood Hollow Estates.”*
9. *Please add proposed addresses to the lots. A table may be used if needed for map clarity.*
10. *The Subdivision Regulations requires sidewalks along interior streets and Sheridan Rd. To ensure this requirement is not inadvertently overlooked for the sidewalks along Sheridan Rd. and Reserve Area frontages (developer’s responsibility prior to the construction of any homes), the engineering construction plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval.*
11. *Please consider adding lot areas either in a table as was done with Seven Lakes II or within each lot as was done with Seven Lakes III and Seven Lakes IV.*
12. *DoD/RCs: Language used is almost precisely the same between Seven Lakes III, Seven Lakes IV, and proposed “Seven Lakes V” and “Seven Lakes VI.” Please ensure that recycled use of previous text does not cause internal conflicts, inaccurate self-references, etc. The subsections of DoD/RCs Section II pertaining to the Reserve Area(s) may benefit from specific attention.*
13. *DoD/RCs: Spacing appears to be off between pages 2 and 3.*
14. *DoD/RCs Section I.F.1: Please amend as follows: “...repair of damage to properly-permitted landscaping and paving occasioned...”*
15. *DoD/RCs Section I.G.4: indentation (on both ends) appears to have been compromised where paragraph is split between columns – advisory.*
16. *DoD/RCs Section III.B.2: indentation (on both ends) appears to have been compromised where paragraph is split between columns – advisory.*
17. *DoD/RCs Section III.B.4 and III.E.2: Please discuss the appropriateness of allowing the minimum house size and minimum masonry standards to be waived by the Architectural Committee.*
18. *DoD/RCs Section V.B: Reference to “Seven Lakes IV” instead of “Seven Lakes V,” as presumed intended.*
19. *DoD/RCs Section V.B: Please consider specifying that amendments to DoD/RCs Sections III.B and III.E also require the approval of the Bixby City Council; alternatively, please relocate these subsections to DoD/RCs Section II Land Use Restrictions.*
20. *DoD/RCs Section V.D: Please confirm intended use of date October 20, 2014.*
21. *DoD/RCs Signature Blocks: Specification of 2014 presumes plat will be recorded within this calendar year. Advisory.*
22. *Final Plat: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.*
23. *Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11” X 17”, and 1 electronic copy).*

Erik Enyart stated that the recommendations for “Seven Lakes VI” were similar to those for “Seven Lakes V,” except that this one was not complicated by the drainage system issue.

There being no further discussion, Larry Whiteley made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat of “Seven Lakes VI” subject to all of the corrections, modifications, and Conditions of Approval as recommended in the Staff Report. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

OTHER BUSINESS

Chair Thomas Holland asked if there was any Other Business to consider. Erik Enyart stated that he had none. No action taken.

OLD BUSINESS:

Chair Thomas Holland asked if there was any Old Business to consider. Erik Enyart stated that he had none. No action taken.

NEW BUSINESS:

Chair Thomas Holland asked, and Erik Enyart agreed to look into the proper density recommendation, as discussed earlier in the meeting, and report back to the Planning Commission.

Patrick Boulden noted that most of the Commissioners received, prior to the meeting, a subpoena pertaining to a case stemming from an incident located [in the *101 Memorial Square* shopping center]. Mr. Boulden read from the subpoena. Mr. Boulden ultimately counseled the Commissioners that they need not respond to the subpoena, as it was not issued by a court clerk, but rather by an attorney, who did not have the authority of the court to compel them. Mr. Boulden indicated that he would be handling the matter.

Chair Thomas Holland asked if there was any further New Business to consider. Erik Enyart stated that he had none. No action taken.

ADJOURNMENT:

There being no further business, Chair Thomas Holland declared the meeting Adjourned at 6:40 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary