

AGENDA
SAND SPRINGS PLANNING COMMISSION
Regular Meeting
Monday, February 15, 2016
4:00 p.m.

Sand Springs Municipal Building, 100 E. Broadway
City Council Chambers, Room 203

1. Call to Order
2. Roll Call
3. Consider Approval of Minutes of December 14, 2015
4. Ordinance 1277

Commission will discuss and consider recommendation to City Council Ordinance 1277, an ordinance amending Chapter 1 of the Zoning Code of the City of Sand Springs, concerning notification requirements of annexation requests attached to rezoning of property, repealing all prior conflicting ordinances, and providing for an effective date.

5. SSLC-603 Aubrey McDonald STR 11-19N-11E

Board will discuss and consider approval of the request by Aubrey McDonald to combine Lots 10 and 11, Block 22, Sand Springs Original Town, commonly known as 405 N. Roosevelt Ave. The purpose of the Lot Combination is to provide additional yard space. Property is zoned RS-3 (Residential Single-Family High Density).

6. Director's Report
7. Adjournment

This agenda was posted at 9:10 a.m./p.m. on Feb 10, 2016, on the Sand Springs website www.sandspringsok.org, and the digital display board in the lobby of the Sand Springs Municipal Building, 100 E. Broadway, Sand Springs, Oklahoma, by Cynthia Webster
Cynthia Webster

PLANNING COMMISSION

Regular Meeting Minutes

Monday, December 14, 2015

4:00 p.m.

**Sand Springs Municipal Building, 100 E. Broadway
City Council Chambers, Room 203**

MEMBERS PRESENT: Merle Parsons, Chairman 4-2
Paul Shindel, Vice-Chairman 6-0
Joe Shelton 4-2
Jason Mikles 5-1
Michael Phillips 4-0

MEMBERS ABSENT: Tom Askew 5-1
Jerry Riley 3-3

STAFF PRESENT: Elizabeth Gray, City Manager
Brad Bates, City Planner
Cynthia Webster, Recording Secretary

The Sand Springs Planning Commission met in regular session on Monday, December 14, 2015 in the Sand Springs Municipal Building, Room 203, pursuant to the agenda filed with the City Clerk's office and posted at 9:05 a.m., on the digital display board located in the first floor lobby of the Sand Springs Municipal Building, 100 E. Broadway, Sand Springs, Oklahoma on December 4, 2015 by Cynthia Webster, and posted on the City of Sand Springs website at www.sandspringsok.org.

1. Call to Order

Chairman Parsons called the meeting to order at the noted time of 4:00 p.m.

2. Roll Call

Chairman Parsons called for an individual roll call with members replying in the following manner: Mr. Riley, no response; Mr. Mikles, here, Mr. Shelton, here; Mr. Parsons, here; Mr. Shindel, here; Mr. Askew, no response; Mr. Phillips, here. Mr. Riley and Mr. Askew were noted as absent.

3. Minutes of November 16, 2015

Commissioners considered approval of the minutes from the November 16, 2015 meeting. Mr. Phillips made a motion that the minutes of November 16, 2015, be approved as presented. Mr. Mikles seconded the motion.

Chairman Parsons called for a voice vote recorded as follows: All ayes, no nays. The motion carried.

4. 2016 Planning Commission Calendar

Commissioners discussed and considered the proposed meeting dates for the 2016 Planning Commission Calendar. Mr. Shindel made a motion to approve the 2016 Planning Commission Calendar, as presented. Mr. Phillips seconded the motion.

With no further discussion, Chairman Parsons called for the vote recorded as follows: Mr. Mikles, aye; Mr. Shelton, aye; Mr. Parsons, aye; Mr. Shindel, aye; Mr. Phillips, aye. The motion carried 5-0-0.

5. SSZ-482 Gibson and Powell

City Planner Brad Bates presented the staff report. This case is a continuation from the September 21, 2015 Planning Commission meeting. At the prior meeting, there were questions regarding the access point into the neighborhood. The applicant requested a new survey and the issue has now been resolved. City Planner Bates advised that the remainder of the previous staff report remained unchanged and staff recommended approval.

Chairman Parsons inquired as to how wide the access entrance would be and the number of lots proposed in the development. City Planner Bates stated the access entrance would be 60' wide and there are anywhere from 100 to 115 lots proposed for development. City Planner Bates stated that subdivision requirements would call for two access points so there will probably be a secondary entrance to be determined.

Chairman Parsons noted that this case was a continuation of a previous public hearing and declared the public hearing open at 4:08 p.m. There were no citizens in attendance signed up to speak. Applicant's representative Craig Thurmond was present and stated he had nothing further to add to the staff report.

With no further discussion, Chairman Parsons closed the public hearing at 4:09 p.m.

Mr. Phillips made a motion to approve SSZ-482 as presented. Mr. Shelton seconded the motion.

With no further discussion, Chairman Parsons called for the vote recorded as follows: Mr. Mikles, aye; Mr. Shelton, aye; Mr. Parsons, aye; Mr. Shindel, aye; Mr. Phillips, aye. The motion carried 5-0-0.

6. Director's Report

City Planner Bates advised commission members that he appreciated all of their hard work and time committed to the Planning Commission.

City Manager Elizabeth Gray also thanked members for their time and service.

7. **Adjournment**

There being no other items, the meeting was adjourned at the noted time of 4:10 p.m.

Date of Approval

Joe Shelton, Secretary



CITY OF SAND SPRINGS

100 E. Broadway St. • P.O. Box 338 • Sand Springs, Oklahoma 74063
Phone: 918.246.2500 • sandspringsok.org

STAFF REPORT

TO: Planning Commission Members

DATE: February 15, 2016

CASE: Ord. 1277(Amended Section 1.02.C.2 of Chapter 1 of the City of Sand Springs Zoning Code)

LOCATION: Not Applicable

BACKGROUND AND HISTORY:

The City of Sand Springs Zoning Code currently in Chapter 1 allows for property to be annexed into the City of Sand Springs and to be rezoned at the same time if deemed appropriate. The code however does not speak to any notification requirements needing to be met in order to consider the rezoning of property as part of an annexation request. Generally, if a zoning request is not asked for the property would be brought into the City Limits as AG (Agricultural) zoned property.

The City Council Legislative Committee heard and discussed this item at their meeting on October 12th, 2015 and decided to move the proposed ordinance change forward with a recommendation in favor of the ordinance change.

STAFF Recommendation:

The proposed ordinance change will allow for a more open and transparent process as it relates to rezoning of property in conjunction with annexation requests. It would put in place the requirement that a zoning request that is part of an annexation would be required to give the same notification as a standalone zoning request. This would require 20 days prior to the scheduled meeting publication in a local paper, mailings to property owners within 300' of the subject property, and a sign to be placed on the property in question. This is an effort to provide the public with an opportunity to speak for or against applications that are being considered.

Staff recommends **APPROVAL** of the Ordinance amending the City of Sand Springs Zoning Code.

ORDINANCE NO. 1277

AN ORDINANCE AMENDING CHAPTER 1 OF THE ZONING CODE OF THE CITY OF SAND SPRINGS, CONCERNING NOTIFICATION REQUIREMENTS OF ANNEXATIONS REQUESTS ATTACHED TO REZONING OF PROPERTY, REPEALING ALL PRIOR CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Title 11 of Oklahoma Statutes provides for Notice Requirements for Proposed Zoning Changes and Reclassifications and Annexation by Governing Body Action.

WHEREAS, the Planning Commission has reviewed proposed changes to the zoning code dated _____, regarding Chapter 1, and has recommended approval;

WHEREAS, approval of these revisions to the zoning code is in the best interest of the residents of the City of Sand Springs.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAND SPRINGS, OKLAHOMA, THAT THE ZONING CODE OF THE CITY OF SAND SPRINGS ARE HEREBY AMENDED AS FOLLOWS:

Section One: The Zoning Code is hereby amended, in Chapter 1, to provide as follows:

SECTION 1.02.C.2

2. Annexed Territory:

- a. When any territory shall be brought into the jurisdiction of the City of Sand Springs, by annexation or otherwise, such territory shall be deemed to be an AG Agriculture District.
- b. At the option of the City Council, such territory with its existing zoning classification, may be brought into jurisdiction of the City of Sand Springs in a comparable zoning classification after review and recommendation by the Planning Commission giving due consideration to the surrounding existing uses as well as the Comprehensive Plan. Such consideration may only be given after standard notification requirements for a rezoning application are given in accordance with Section 20.03.C (Sand Springs Zoning Code).

- c. If a legal use of land exists at the time of annexation, the City Council may assign a supplemental designation, after review and recommendation by the Planning Commission that most closely matches the circumstances of the land, in order to permit the use to continue. This zoning classification shall be joined with the prefix "A" to indicate the nature of the assigned zoning. Such consideration may only be given after standard notification requirements for a rezoning application are given in accordance with Section 20.03.C (Sand Springs Zoning Code).
- d. The ordinance annexing such territory shall designate the appropriate ward.

Section Two: All ordinances in conflict with this ordinance are hereby repealed.

Section Three: This ordinance shall become effective within the time limits set by state law upon publication.

PASSED AND APPROVED at a regular meeting of the City Council of Sand Springs, Oklahoma, held the ____ day of _____, 2016.

CITY OF SAND SPRINGS, OKLAHOMA

Mike Burdge, Mayor

ATTEST:

Janice Almy, City Clerk

APPROVED AS TO FORM:

David L. Weatherford, City Attorney



CITY OF SAND SPRINGS

100 E. Broadway St. • P.O. Box 338 • Sand Springs, Oklahoma 74063
Phone: 918.246.2500 • sandspringsok.org

TO: Planning Commission

FROM: Planning Staff

DATE: 2/10/2016

SUBJECT: SSLC-630 Lot Combination (Aubrey McDonald) – Lots 10 and 11, Block 22, Sand Springs Original Town, commonly known as 405 N. Roosevelt Ave. Property is zoned RS-3 (Residential Single-Family High Density).

Recommendation

The application proposes to combine two (2) RS-3 (Residential Single-Family High Density) zoned properties into one parcel. The property owner wishes to expand the size of the yard space that they have. Currently, the two properties have been utilized as one but the applicant was recently made aware by City of Sand Springs Code Enforcement that the properties would need to be combined in order to continue using both properties as a single lot.

The applicant understands that by combining the properties that they will become one and thus will only be able to be utilized as one property with all the restrictions that come with that for developing. Additionally, the applicant understands that the lots cannot be sold or conveyed separate and apart from one another upon approval of this Lot-Combination without subdividing the parcels through a City approved process.

Sand Springs Public Works Department has reviewed the application and had no comments.

*Staff recommends **APPROVAL** of the request as submitted.*



W5 STS

N ROOSEVELT AVE

N GARFIELD AVE

Subject Tract

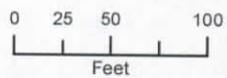
W4 STS



Subject Tract

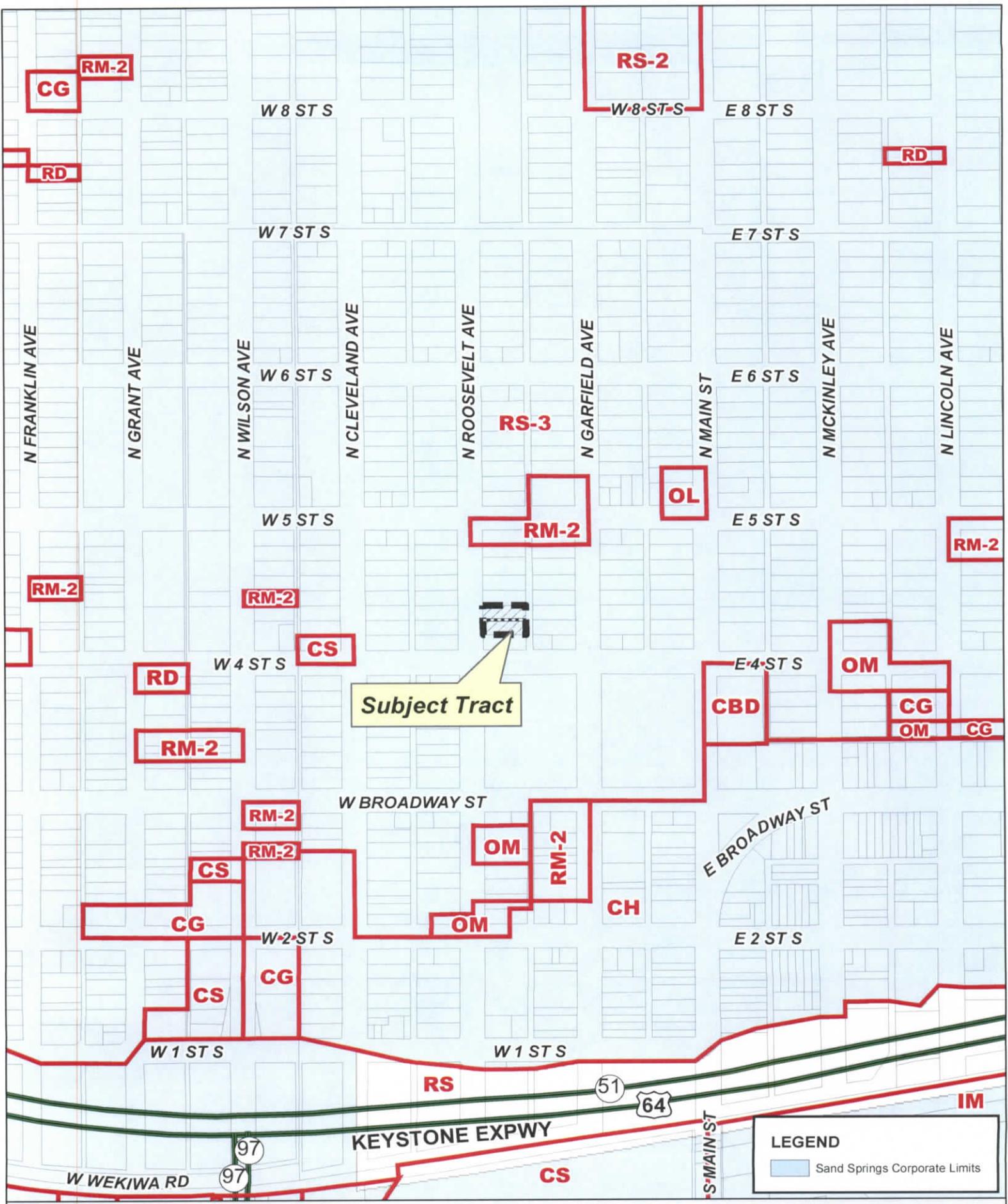
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2014

SSLC-630



11 19-11





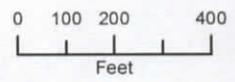
Subject Tract

LEGEND

Sand Springs Corporate Limits



SSLC-630



11 19-11



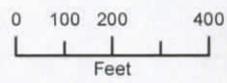
Subject Tract



Subject Tract

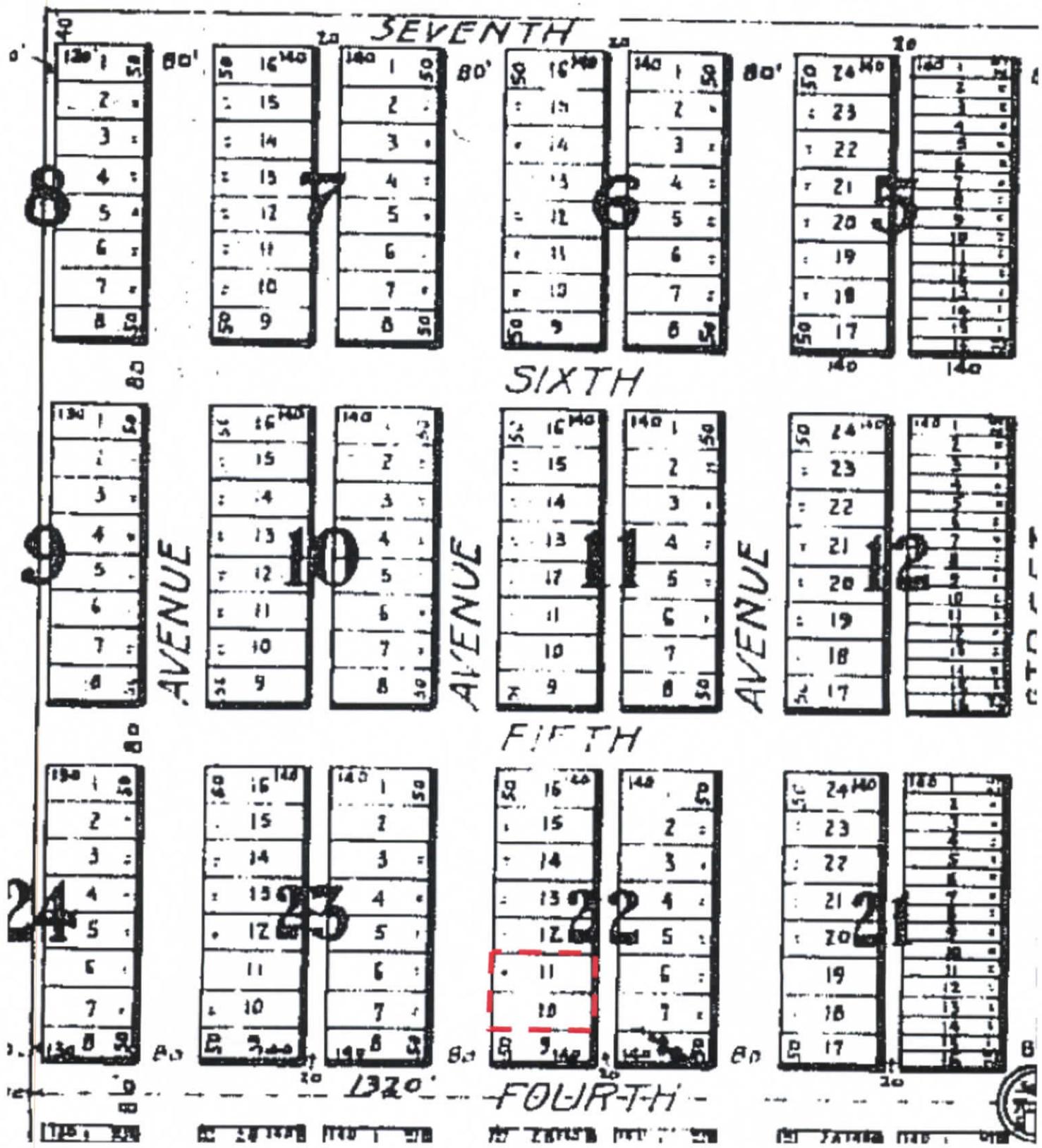
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2014

SSLC-630



11 19-11







AGREEMENT

THIS AGREEMENT made and entered into this 20 day of January, 2016, by and between Aubrey McDonald, hereinafter designated "First Parties", and the CITY OF SAND SPRINGS, OKLAHOMA, a Municipal Corporation, hereinafter designated "Second Party."

WITNESSETH:

WHEREAS, First Parties are the record owner(s) of the following described real property situated in the City of Sand Springs, Tulsa County, State of Oklahoma, to wit:

(Full Legal Description of all property under contract):

hereinafter designated "First Property," and

hereinafter designated "Second Property,"

and given this address for the combined Lots : 405 N Roosevelt Ave,

WHEREAS, the First Parties have requested approval to develop and use properties and construct improvements thereon in the same manner and to the same extent as would be permissible if said properties constituted one platted lot instead of one platted lot and a second platted lot; and

WHEREAS, the Second Party, is willing to grant the aforesaid requests of the First Parties, all upon the terms and subject to the conditions hereinafter set forth.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby agree as follows:

- (1) Subject to the conditions hereinafter set forth, the Second Party does hereby grant unto the First parties, their grantees, lessees, successors and assigns the following:
 - (a) The right to develop and use said properties of First Parties as though said real property constituted a single platted lot instead of a platted lot and a second platted lot.
- (2) The rights granted by the Second party under the provisions of numerical paragraph (1) above are subject to the following conditions:
 - (a) That the aforesaid First and Second Properties may not be sold, mortgaged or otherwise encumbered separate and apart from each other; and
 - (b) That construction of buildings and other improvements on said properties of First Parties shall otherwise comply with all ordinances of the City of Sand Springs, Oklahoma.
- (3) In consideration of the covenants and agreements of the Second party herein contained, the First Parties do hereby agree that so long as this Agreement is in force and effect they will not sell, mortgage or otherwise encumber said First and Second properties, separate and independent of each other.
- (4) This Agreement shall automatically terminate:
 - (a) Upon the replatting of the above described properties into a single lot as required by law; or
 - (b) At such time as it becomes unnecessary for any reason or cause to combine or use the aforesaid properties as a single lot in order to meet or satisfy the then existing bulk, area and off-street parking requirements of the City of Sand Springs, Oklahoma, Zoning Code then in force and effect.

Upon the occurrence of either of the events described in subparagraphs (a) and (b) of this numerical paragraph, the Second Party shall, immediately upon the request of the then record owner of the above described properties, execute in recordable form a release or mutual release of this Agreement.

- (5) This Agreement shall be binding upon the parties hereto and each of them, their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Property Owner / Seller

Property Buyer(s)
(First Parties)
Both must sign if husband and wife

CITY OF SAND SPRINGS, OKLAHOMA
Municipal Corporation

By _____
Mayor
(Second Party)

ATTEST:

City Clerk

APPROVED:

City Attorney

APPROVED this _____ day of _____, 20____.

STATE OF }
COUNTY OF }

Before me, the undersigned, a Notary Public in and for said County and State,
on this _____ day of _____, 20_____, personally appeared

_____ and _____

(husband and wife) known to me to be the identical person(s) who executed the
foregoing instrument and acknowledged to me that _____ executed the same as
_____ free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written. My Commission Expires:

NOTARY PUBLIC

Date

"CORPORATE ACKNOWLEDGEMENT"

STATE OF }
COUNTY OF }

Before me, the undersigned, a Notary Public in and for said County and State,
on this _____ day of _____, 20_____,

personally appeared _____ and _____

(husband and wife) known to me to be the identical person(s) who executed the foregoing
instrument and acknowledged to me that _____ executed the same as _____ free
and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written. My Commission Expires:

NOTARY PUBLIC

Date

"CITY OF SAND SPRINGS ACKNOWLEDGEMENT"

STATE OF }
COUNTY OF }

Before me, the undersigned, a Notary Public in and for said County and State,
on this _____ day of _____, 20_____, personally appeared

(MAYOR) known to me to be the identical person who executed the foregoing
instrument and acknowledged to me that _____ executed the same as _____ free
and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written. My Commission
Expires:

NOTARY PUBLIC

Date

S-T-R: 11-19N-11E

Application No. SSLC-630

Zoning: RS-3

**CITY OF SAND SPRINGS
LOT COMBINATION AGREEMENT APPLICATION**

PROPERTY OWNER OF RECORD: Aubrey McDonald

LEGAL DESCRIPTION: Lot 10 Blk 22 Subdivision SAND SPRINGS - ORIGINAL TOWN
of 1st Lot Size: _____ x _____
(approximately)

LEGAL DESCRIPTION: Lot 11 Blk 22 Subdivision SAND SPRINGS - ORIGINAL TOWN
of 2nd Lot Size: _____ x _____
(approximately)

The purpose of combining these lots is: make into one yard with my home.

If there is an existing structure or house, which lot is it on? Lot 10

Name of street the lots are on: Roosevelt Ave

PROPOSED ADDRESS OF THE COMBINED LOT: 405 N Roosevelt Ave

I CERTIFY THAT THIS INFORMATION IS TRUE AND CORRECT.

Name: Aubrey McDonald (✓) applicant (✓) owner

Address: 405 N Roosevelt Ave

Phones: (h) _____ (cell) 918 734 7141 (fax) _____ (w) 918 933 4904

SEND THE BILL TO THE ABOVE _____ OR SEND BILL TO:

FOR DEPARTMENT USE

Date Received: 1/22/16

ADDRESS FOR THE NEW SINGLE LOT SHOULD BE: 405 N Roosevelt

Planning Commission Date: 2/15/16 Action: _____

City Council Date: n/a Action: _____