

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
June 18, 2012 6:00 PM**

STAFF PRESENT:

Erik Enyart, AICP, City Planner

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Vice-Acting Chair Larry Whiteley called the meeting to order at 6:01 PM.

ROLL CALL:

Members Present: Jeff Baldwin, John Benjamin, and Larry Whiteley.

Members Absent: Lance Whisman and Thomas Holland.

CONSENT AGENDA:

1. Approval of Minutes for the May 21, 2012 Regular Meeting

Vice-Acting Chair Larry Whiteley introduced the Consent Agenda Number 1. It was determined that a quorum was not present of those who attended the May meeting. Vice-Acting Chair Larry Whiteley declared that the item would be moved to the July 16, 2012 Regular Meeting.

2. Case # AC-12-06-01. Discussion and possible action to approve a wall sign for “Bling Boutique” at 10907 S. Memorial Dr. in the “South Park Shopping Center,” part of the W/2 of the SW/4 Section 25, T18N, R13E.
3. Case # AC-12-06-02. Discussion and possible action to approve a ground sign for *Sutherlands* at 15050 S. Memorial Dr. on Lot 2, Block 1, Less and Except the E. 200’ thereof, *Wal-Mart Stores Addition* in the “Spartan Family Shopping Center.”
4. Case # AC-12-06-03. Discussion and possible action to approve a wall sign for *Mattress King* at 11083 S. Memorial Dr. in the “South Memorial Center” / “South Memorial Center II” shopping center, part of the SW/4 SW/4 Section 25, T18N, R13E.
5. Case # AC-12-06-04. Discussion and possible action to approve a wall sign for *Liberty Mutual Insurance* at 10462 S. 82nd E. Ave. # 106, Lot 7, Block 1, *Regal Plaza*.

Vice-Acting Chair Larry Whiteley introduced the Consent Agenda Numbers 2 through 5, inclusive, and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Tuesday, June 12, 2012
RE: AC-12-06-01, AC-12-06-02, AC-12-06-03, & AC-12-06-04

Agenda Items numbered 2 through 5, inclusive, involve approving sign permits. These permits have already been issued by the City.

This Staff Report covers all of the sign permit ratification cases: All sign permits comply with the Zoning Code and Staff requests ratification of prior approval given.

John Benjamin made a MOTION to APPROVE Consent Agenda Numbers 2 through 5, inclusive. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Baldwin, Benjamin, & Whiteley
NAY: None.
ABSTAIN: None.
MOTION CARRIED: 3:0:0

PUBLIC HEARINGS

PLATS

OTHER BUSINESS

6. **AC-12-06-05 – Bixby Public Schools – Graber & Associates, PC.** Discussion and possible action to approve a Detailed Site Plan and façade construction plans for the Use Unit 11 Bixby Public Schools Administration Center for Lots 2 through 10, inclusive, and the vacated alley adjacent, Block 20, *Midland Addition*.
Property located: 109 N. Armstrong St. & 7 E. Dawes Ave.
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Vice-Acting Chair Larry Whiteley introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Tuesday, June 12, 2012
RE: Report and Recommendations for:
AC-12-06-05 – Bixby Public Schools – Graber & Associates, PC

LOCATION: – Lots 2 through 10, inclusive, and the vacated alley adjacent, Block 20, *Midland Addition*
– 109 N. Armstrong St.
– 7 E. Dawes Ave.

SIZE: 2/3 acre, more or less, in three (3) parcels

EXISTING ZONING: CH Commercial High Intensity District

DEVELOPMENT Approval of a Detailed Site Plan and façade construction plans for the

TYPE: Use Unit 11 Bixby Public Schools Administration Center in the Central Business District.

SURROUNDING ZONING AND LAND USE:

North: CH; Commercial downtown storefront buildings along N. Armstrong St., a house at 1 E. Needles Ave. and properties belonging to the Bixby Historical Society, including some old commercial/storage buildings at 21 E. Needles Ave., an old filling station at 27 E. Needles Ave., the Bixby Historical Society Museum at 24 E. McKennon Ave., and vacant and underutilized lots

South: CH; Commercial downtown storefront buildings along N. Armstrong St. and E. Dawes Ave.

East: CH & IL; Commercial downtown storefront buildings along E. Dawes Ave., a parking lot owned by the Bixby Public Schools, and an outdoor storage business zoned IL.

West: CH; Commercial downtown storefront buildings along N. Armstrong St. and W. Dawes Ave., and the Dollar General store at 111 N. Cabanis St.

COMPREHENSIVE PLAN: Low Intensity + Commercial Area + Special District # 1.

PREVIOUS/RELATED CASES: (Not necessarily a complete list)

BL-320 – Houston Shirley, Attorney for Red Stevenson – request for Lot-Split to divide the abandoned Railroad Right-of-Way property between Blocks 19 and 20, Midland Addition, (includes subject property) to allow for the sale of the westerly part to Bixby Public Schools and retaining the easterly part for the property owner – PC Approved 03/21/2005.

BACKGROUND INFORMATION:

ANALYSIS:

Property Conditions. The subject property contains approximately 2/3 acres in three (3) tracts:

- (1) The approximately 2,200 square-foot parcel, containing the BPS Enrollment Center building at 7 E. Dawes Ave. (Lot 10 Less and Except the N. 60' of the W. 14' thereof, Block 20, Midland Addition; Tulsa County Assessor's Parcel # 57825732404380),
- (2) The approximately 20,000 square-foot parcel, containing most of the Administration Building complex, addressed 109 N. Armstrong St. (Lots 4 through 9 and the N. 60' of the W. 14' of Lot 10, and the vacated alley adjacent on the N. of Lots 7, 8, & 9, all in Block 20, Midland; Tulsa County Assessor's Parcel # 57825732404300), and
- (3) The approximately 7,300 square-foot parcel, containing the small "The Armory BPS Spartan Spirit Store" building and parking areas (Tulsa County Assessor's Parcel # 57825732404290).

The subject property is zoned CH Commercial High Intensity District and is relatively flat, but appears to drain through the streets generally to the south/west and south/east.

General. Bixby Public Schools is replacing the façade on the Administration Building on the subject property. The building is not being expanded.

This Detailed Site Plan was placed on the Technical Advisory Committee (TAC) agenda of June 06, 2012. However, no one attended the TAC meeting. Minutes for the meeting, including communication received on this Detailed Site Plan prior to the meeting, is attached to this report.

Access and Internal Circulation. The subject property has street frontage on N. Armstrong St., E. Dawes Ave., and E. Needles Ave. in downtown Bixby. All three (3) streets have sidewalks for pedestrian accessibility. The building complex has doors opening to N. Armstrong St. and E. Dawes Ave. The "Armory" building at the north end of the subject property has a door opening to N. Armstrong St. There is a parking lot covering certain northerly and easterly parts of the subject property, and it is accessed from Needles Ave.

The alleys separating Blocks 19 and 20 of Midland Addition are used as part of the parking lot, and also provide access to the back sides of buildings fronting on Dawes Ave. to the east. To the north and east of the alleys is another parcel owned by BPS, Lot 1, Block 20, and part of the abandoned Railroad Right-of-Way lying north thereof, which is also used for parking.

The façade improvement will not affect existing access.

Parking Standards. Parking and loading standards do not apply to subject property located in the CH district per Zoning Code Section 11-9-0.D. The subject property has on-street parking along N. Armstrong St., E. Dawes Ave., and E. Needles Ave., and a parking lot covers certain northerly and easterly parts of the subject property, accessed from Needles Ave. No changes to the parking are proposed for this façade replacement project Detailed Site Plan. The Detailed Site Plan is not required to represent existing parking as (1) parking is not required, (2) changes to parking are not proposed, and (3) the building is not being expanded.

Screening/Fencing. The Zoning Code does not require a sight-proof screening fence for the subject property, as it does not abut an R district. The Detailed Site Plan is not required to represent

screening/fencing as (1) screening is not required, (2) screening does not exist per a site inspection on June 12, 2012, (3) screening is not proposed, and (4) the building is not being expanded.

Landscape Plan. Zoning Code Section 11-12-2 provides an exemption for the current situation: The building is not being spatially expanded. Therefore, no new landscaping is required.

The Detailed Site Plan is not required to represent existing landscaping as (1) landscaping is not required, (2) landscaping is not proposed, and (3) the building is not being expanded.

Exterior Materials and Colors. Per drawings A1, A2, A3, and A4, the existing brick and concrete block building will be refaced with Nichiha © or equivalent fiber cement panels, brick pilasters for accent, and new awnings over windows and doors. Additional incidental work will be done to the exterior.

Per drawing A2, the fascia colors will be “Vintage Brick White Wash” and “Vintage Brick Alexandria Buff.” The colors appear on the plans as variations of conventional red brick, with gray-colored brick column pilasters. The awnings appear on the plans to be [Bixby Spartan] blue, and the canopy over the main entrance appears white.

Per drawing A1, the building is approximately 24’ in height at the highest point (southwest corner of building complex). The roof is not, and will not be visible at ground level. Existence of parapets is not clear.

Per Detail G on drawing A2, the pilasters will extend approximately 20” from the wall face. By email on June 12, 2012, the Architect has stated that this dimension has been changed to between 8” to 10”. Staff has requested revised drawings as of June 12, 2012, and they will be provided to the Planning Commission if received prior to the meeting date.

Assuming the building wall is currently (more or less) flush with the property line, as is typical for downtown Bixby, it would appear possible the column pilasters will extend into the right-of-way. A plan-view site plan drawing was not submitted representing the relationship of the building wall, existing and proposed, to the property line. Extension into the right-of-way may require City Council approval of a License Agreement, if the Architect determines an encroachment would occur.

Outdoor Lighting. There are existing downtown-theme streetlights adjacent to the subject property within the Dawes Ave., Armstrong St., and Needles Ave. rights-of-ways. It does not appear there are any pole-mounted lights on the subject property. There appears to be a conventional streetlight in the alley just beyond the northeast corner of the subject property. No new pole-mounted lights are proposed with this façade replacement project.

The provided drawings represent building-mounted lighting, including that underneath canopies, some of which will be replaced as noted.

As there are no adjacent R Districts and there is no parking lot lighting (save that underneath the former Citizens Security Bank drive-through lanes now used as covering for parking spaces), Zoning Code Section 11-10-4.G does not appear to apply.

Signage. Per the transmittal letter dated 5/21/2012, a wall sign consisting of the School’s logo and lettering will be placed over the main entrance.

“Bixby Administration Facade” drawing 0000-0001 indicates the general appearance and location over the entrance, and “Bixby Administration Facade” drawing 0000-0002 provides the dimensions, which are consistent with the display surface area standards of the CH district. This wall sign will be permitted as a part of the Detailed Site Plan approval request.

There is an existing pole-mounted ground sign at the northwest corner of the building advertising the “The Armory BPS Spartan Spirit Store.” The Detailed Site Plan is not required to represent the ground sign as (1) recognizing its existence, it is presumed legally conforming or legally nonconforming to the Zoning Code, (2) no changes to same are proposed, (3) approval of same is not hereby requested, and (4) the building is not being expanded.

Staff Recommendation. The Detailed Site Plan adequately demonstrates compliance with the Zoning Code and is in order for approval, subject to the following corrections, modifications, and Conditions of Approval:

1. Subject to the receipt of either:
 - a. A plan-view drawing demonstrating the column pilasters will be fully contained within the subject property, or
 - b. A statement from the Architect on whether or not the column pilasters will extend into the right-of-way.

2. *If the column pilasters will extend into the right-of-way by any amount, approval shall be subject to the City Council's approval of a License Agreement covering the encroachment, if / as required by the City Attorney.*
3. *Please submit complete copies of the Detailed Site Plan incorporating the changes to the depth of the pilasters as follows: Two (2) full-size hard copies, one (1) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).*

Erik Enyart described the License Agreement process, and stated that it was a document that (1) acknowledged the existence of improvement(s) encroaching on Public Property, (2) authorized the continued maintenance of the improvement(s), (3) subject to the City's right to remove the improvements at any time if needed for street widening, sidewalk repair, utilities replacement, etc., and (4) without obligation or expense to the City of Bixby to restore the same.

One of the Commissioners asked if this was likely to be approved, and if others had been approved. Erik Enyart responded that the Council had approved several License Agreements in the recent past, and that, if it was not opposed by the City Engineer or Public Works Director, most of them get the Council's approval.

Jeff Baldwin asked[, if the request was approved,] how the City would be covered for the future. Erik Enyart responded that, if the Commission approved the request using the recommended Conditions of Approval, the City would be covered as it concerns the proposed encroachment of the pilasters into the right-of-way.

Vice-Acting Chair Larry Whiteley indicated he had no problems with the request.

The Applicant was not present. No one else spoke on the item.

Vice-Acting Chair Larry Whiteley asked to entertain a Motion. John Benjamin noted that the City of Bixby had covered itself on the encroachment matter and that there would be no expense to the City of Bixby.

John Benjamin made a MOTION to APPROVE AC-12-06-05 with all of the Conditions of Approval as recommended by Staff. Jeff Baldwin SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Baldwin, Benjamin, & Whiteley
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	3:0:0

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ADJOURNMENT:

There being no further business, Vice-Acting Chair Larry Whiteley declared the meeting Adjourned at 6:23 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary