

**MINUTES  
PLANNING COMMISSION  
116 WEST NEEDLES  
BIXBY, OKLAHOMA  
October 21, 2013                      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

**OTHERS ATTENDING:**

See attached Sign-In Sheet

**CALL TO ORDER:**

Chair Thomas Holland called the meeting to order at 6:00 PM.

**ROLL CALL:**

Members Present: Larry Whiteley, Lance Whisman,<sup>1</sup> Jeff Baldwin, John Benjamin, and Thomas Holland.

Members Absent: None.

**CONSENT AGENDA:**

1. Approval of Minutes for the September 30, 2013 Special Meeting
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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 September 30, 2013 Meeting as presented by Staff. John Benjamin SECONDED the Motion. Roll was called:

**ROLL CALL:**

AYE: Holland, Benjamin, Baldwin, and Whiteley

NAY: None.

ABSTAIN: None.

MOTION CARRIED: 4:0:0

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<sup>1</sup> In at 6:02 PM

PUBLIC HEARINGS

2. **PUD 76 – Scenic Village Park – Major Amendment # 2.** Public Hearing, discussion, and consideration of Major Amendment # 2 to PUD 76 for approximately 70 acres located in the E/2 of Section 02, T17N, R13E, which amendment proposes making certain changes to land uses, making certain changes to development standards, and making certain other amendments.

Property Located: South and west of the intersection of 121<sup>st</sup> St. S. and Memorial Dr.

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Chair Thomas Holland introduced the item confirmed with Erik Enyart that the Applicant had requested that the application be “Tabled indefinitely.” Larry Whiteley made a MOTION to TABLE INDEFINTELY PUD 76 Scenic Village Park Major Amendment # 2. Jeff Baldwin SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Baldwin, Whiteley

(Discussion ensued and the Roll Call was not completed at this time).

Lance Whisman in at 6:02 PM.

Chair Thomas Holland recognized Jay Mauldin of 7341 E. 119<sup>th</sup> Pl. S. from the Sign-In Sheet. Mr. Mauldin asked for clarification on the meaning of “Tabled indefinitely.” Erik Enyart stated that it would mean the application was “off the table” and could not be acted upon, unless the Applicant wanted to “resurrect” the application, in which case the entire process would have to start over, including notice published in the newspaper, the sign posting, and mailed notices to property owners within ¼ mile, and the costs would have to be borne by the Applicant.

Roll was called:

ROLL CALL:

AYE: Holland, Whisman, Baldwin, Benjamin, and Whiteley

NAY: None.

ABSTAIN: None.

MOTION CARRIED: 5:0:0

3. **PUD 80 – “Wood Hollow Estates” – Sack & Associates, Inc.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 20 acres, the S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E.

Property Located: 12307 S. Sheridan Rd.

4. **BZ-367 – Sack & Associates, Inc.** Public Hearing, discussion, and consideration of a rezoning request from AG Agricultural District to RS-3 Residential Single-Family District for approximately 20 acres, the S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E.

Property Located: 12307 S. Sheridan Rd.

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Chair Thomas Holland introduced related items 3. (PUD 80 – “Wood Hollow Estates” – Sack & Associates, Inc.) and 4. (BZ-367 – Sack & Associates, Inc.) 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:** Thursday, October 17, 2013  
**RE:** Report and Recommendations for:  
PUD 80 – “Wood Hollow Estates” – Sack & Associates, Inc., and  
BZ-367 – Sack & Associates, Inc.

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**LOCATION:** – 12307 S. Sheridan Rd.  
– The S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E

**LOT SIZE:** 20 acres, more or less

**EXISTING ZONING:** AG Agricultural District

**EXISTING USE:** Vacant/wooded with a single-family house in the southwest corner

**REQUESTED ZONING:** RS-3 Residential Single-Family District & PUD 80

**SUPPLEMENTAL ZONING:** None

**SURROUNDING ZONING AND LAND USE:**

**North:** RS-2/CS/OL/PUD 53 and AG; The WoodMere commercial and residential subdivision on 20 acres and 121<sup>st</sup> St. S. to the north of that; to the northeast is a vacant/wooded 1-acre tract just east of WoodMere and a 2-acre “taxed Tribal Land” tract, which contains the Three Oaks Smoke Shop located at 7060 E. 121<sup>st</sup> St. S.; to the northwest are vacant commercial lots zoned CS in “Crestwood Crossing” section of Crestwood Village in the City of Tulsa.

**South:** RS-4; The Seven Lakes I and Seven Lakes II residential subdivisions, and additional vacant land zoned RS-4 for a future “Seven Lakes” phase or phases.

**East:** AG; Vacant/wooded land owned by Tulsa County and the City of Bixby for the “wetland mitigation” and “hardwood mitigation” areas, respectively, and a concrete-bottomed drainage channel, all related to the development of the Fry Creek channel system around the year 2000, and further east is the Fry Creek Ditch #2.

**West:** (Across Sheridan Rd.) AG; Agricultural land, including 64 acres recently purchased by Bixby Public Schools, and the City of Tulsa’s lift station facility, all in the Tulsa City Limits.

**COMPREHENSIVE PLAN:** Low Intensity + Vacant, Agricultural, Rural Residences, and Open Land.

**PREVIOUS/RELATED CASES:**

Preliminary Plat of “Wood Hollow Estates” – Sack & Associates, Inc. – Request for Preliminary Plat approval for “Wood Hollow Estates” for subject property – PC consideration pending 10/21/2013.

**RELEVANT AREA CASE HISTORY:** (not necessarily a complete list)

BZ-214 – City of Bixby – Request for FD Floodway Supplemental District for all of the (then proposed) Fry Creek Ditch drainage system right-of-way, including the Fry Creek # 2 section to the east of subject property – PC Tabled Indefinitely 11/20/1995.

BBOA-367 – Holley Hair for Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 “golf teaching and practice facility” on part of the former Knopp family acreage across Fry Creek # 2 to the east of subject property – BOA Conditionally Approved 04/02/2001 (not since built).

BZ-309 – Wynona Brooks, Trustee of Mildred A. Kienlen A Revocable Living Trust – Request for rezoning from AG to RS-4 for area including Seven Lakes I, Seven Lakes II, and an additional 23 acres of unplatted property abutting subject property to the south for a future phase or phases of “Seven Lakes” – 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 – PC recommended Approval 06/20/2005 and City Council Approved 06/27/2005.

BBOA-442 – Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 golf driving range (evidently same as BBOA-367) on part of the former Knopp family acreage across Fry Creek # 2 to the east of subject property. Approval of BBOA-367 expired after 3 years, per the Staff Report, and so required re-approval – BOA Approved 05/01/2006 (not since built).

BL-340 – JR Donelson for Charles Roger Knopp Revocable Trust – Request for Lot-Split approval to separate a 41.3384-acre tract from the southern end of the large 140-acre acreage tracts previously owned by Knopp across Fry Creek # 2 to the east of subject property – It appears it was Administratively Approved by the City Planner on 07/20/2006, but the Assessor's parcel records do not reflect that the land was ever since divided as approved.

Final Plat of Seven Lakes I – Request for Final Plat approval for Seven Lakes I to south of subject property – PC recommended Approval 10/16/2006 and City Council Approved 10/23/2006 (Plat # 6113 recorded 04/26/2007).

PUD 53 – WoodMere – Marc & Donna Bullock – Request to rezone from AG to CS and RS-2 and to approve PUD 53 for a commercial/office and single-family residential development for all of the N/2 NW/4 NW/4 of this Section (later platted as WoodMere), 20 acres abutting subject property to the north – PC recommended Conditional Approval 01/16/2007 and the City Council Conditionally Approved 02/12/2007 (Ord. # 961).

Preliminary Plat of WoodMere (PUD 53) – Request for Preliminary Plat approval for WoodMere on 20 acres abutting subject property to the north – PC recommended Approval 02/20/2007 and City Council Approved 02/26/2007.

Final Plat of WoodMere (PUD 53) – Request for Final Plat approval for WoodMere on 20 acres abutting subject property to the north – PC recommended Approval 04/16/2007 and City Council Conditionally Approved 12/10/2007 (Plat # 6176 recorded 01/07/2008).

V-23 – Sack & Associates, Inc. – Request to a request to Close/Vacate the four (4) foot Fence Easement and Close/Vacate part of the 15 foot U/E along the south side of the WoodMere Block 1 to reduce it to 11' in width – City Council approved an instrument 04/28/2008 (no ordinance).

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for Seven Lakes II, to the south of subject property, which at that time included additional acreage not ultimately platted with that subdivision – PC recommended Conditional Approval 05/19/2008 and City Council Conditionally Approved 05/27/2008.

PUD 70 & BZ-347 / PUD 70 (Amended) & BZ-347 (Amended) – Encore on Memorial – Khoury Engineering, Inc. – Request to rezone from AG to RM-3 and approve PUD 70 for a multifamily development on part of the former Knopp family acreage across Fry Creek # 2 to the east of subject property – PC Continued the application on 12/21/2009 at the Applicant's request. PC action 01/19/2010: A Motion to Recommend Approval failed by a vote of two (2) in favor and two (2) opposed, and no followup Motion was made nor followup vote held. The City Council Continued the application on 02/08/2010 to the 02/22/2010 regular meeting "for more research and information," based on indications by the developer about the possibility of finding another site for the development. Before the 02/22/2010 City Council Meeting, the Applicant temporarily withdrew the applications, and the item was removed from the meeting agenda, with the understanding that the applications were going to be amended and resubmitted.

The Amended applications, including the new development site, were submitted 03/11/2010. PC action 04/19/2010 on the Amended Applications: Recommended Conditional Approval by unanimous vote. City Council action 05/10/2010 on the Amended Applications: Entertained the ordinance Second Reading and approved the PUD and rezoning, with the direction to bring an ordinance back to the Council with an Emergency Clause attachment, in order to incorporate the recommended Conditions of Approval. City Council approved both amended applications with the Conditions of Approval written into the approving Ordinance # 2036 on 05/24/2010.

PUD 53-A – WoodMere – Major Amendment # 1 – Request for approval of a Major Amendment to PUD 53 for Lots 1, 2, & 3, Block 1, and Lot 1, Block 2, WoodMere, north of subject property – PC recommended Conditional Approval 04/18/2011 and City Council Conditionally Approved 05/09/2011 (Ord. # 2056).

BZ-353 – Sack & Associates, Inc. for New Woodmere Properties, LLC – Request for rezoning of Lot 1, Block 2, WoodMere from RS-2 to OL, north of subject property – PC recommended Approval 04/18/2011 and City Council Conditionally Approved 05/09/2011 (Ord. # 2056).

V-37 – Sack & Associates, Inc. – Request to a request to Close / Vacate part of the plat of WoodMere, concerning Lots 1, 2, & 3, Block 1, and Lot 1, Block 2 thereof, pending the recording of “WoodMere Square,” for property to the north of subject property – PC recommended Approval 04/18/2011 and City Council approved an instrument 05/09/2011 (no ordinance).

Preliminary Plat of WoodMere Square (PUD 53-A) – Request for Preliminary Plat approval for “WoodMere Square,” for property to the north of subject property – PC recommended Approval 04/18/2011 and City Council Conditionally Approved 04/25/2011.

Final Plat of WoodMere Square (PUD 53-A) – Request for Final Plat approval for “WoodMere Square,” for property to the north of subject property – PC recommended Approval 04/18/2011 and City Council Conditionally Approved 04/25/2011.

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for Seven Lakes II to the south of subject property (area reduced in size and to 59 lots as compared to original submittal) – PC recommended Conditional Approval 09/21/2011 and City Council Conditionally Approved 09/26/2011 (Approval expired 09/26/2012 per the Subdivision Regulations).

Preliminary Plat of Seven Lakes II (Resubmitted) – Request for Preliminary Plat approval for Seven Lakes II to the south of subject property (area reduced in size and to 59 lots as compared to original submittal) – 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 (area reduced in size and to 59 lots as compared to original submittal) – PC recommended Conditional Approval 11/19/2012 and City Council Conditionally Approved 11/26/2012 (Plat # 6457 recorded 01/16/2013).

PUD 76 “Scenic Village Park” & BZ-364 – Tanner Consulting, LLC – Request for rezoning from AG to CG and PUD approval for 92 acres acquired from the Knopp family acreage across Fry Creek # 2 to the east of subject property – PC recommended Approval 02/27/2013 and City Council Conditionally Approved 03/25/2013 as amended at the meeting.

Preliminary Plat of “Scenic Village Park” – Tanner Consulting, LLC – Request for approval of a Preliminary Plat and a Modification/Waiver from certain right-of-way and roadway paving width standards of Subdivision Regulations Ordinance # 854 Section 9.2.2 for 92 acres acquired from the Knopp family acreage across Fry Creek # 2 to the east of subject property – PC recommended Conditional Approval 02/27/2013 and City Council Conditionally Approved 03/25/2013.

Sketch Plat of Seven Lakes III – Request for Sketch Plat approval for “Seven Lakes III” on 40.64 acres abutting subject property to the south – PC Conditionally Approved 05/20/2013.

Final Plat of “Scenic Village Park” – Tanner Consulting, LLC – Request for approval of a Final Plat for a northerly approximately 22 acres of 92 acres acquired from the Knopp family acreage across Fry Creek # 2 to the east of subject property – PC recommended Conditional Approval 05/20/2013 and City Council Conditionally Approved 05/28/2013 (Plat # 6477 recorded 06/20/2013).

PUD 76 “Scenic Village Park” Major Amendment # 1 – Tanner Consulting, LLC – Request for approval of Major Amendment # 1 to PUD 76 for 92 acres acquired from the Knopp family acreage across Fry Creek # 2 to the east of subject property – PC recommended Conditional Approval 09/30/2013. City Council Conditionally Approved the application and held an Ordinance First Reading October 14, 2013. Ordinance Second Reading and consideration at a future City Council meeting is pending.

#### **BACKGROUND INFORMATION:**

According to the Tulsa County Assessor’s parcel data, the subject property was most recently owned by the Tiger family, and it was “Tribal land, taxed” per Tulsa World reporting on January 20, 2012. It was recently acquired by the Applicant, who plans to develop a residential subdivision on the subject property.

#### **ANALYSIS:**

Subject Property Conditions. The subject property of 20 acres is quite flat and appears to drain, if only slightly, in southerly and/or easterly directions. The development will be planned to drain to the east to Fry Creek Ditch # 2, or to a drainage channel which drains into Fry Creek Ditch # 2, using stormsewers and paying a fee-in-lieu of providing onsite stormwater detention. It is zoned AG (RS-3 and PUD 80 is requested) and is presently vacant and heavily wooded. It has a small, old house in its extreme southwest corner, addressed 12307 S. Sheridan Rd., which will be removed as a part of this development.

Plans for drainage are described in the “Drainage” section of the PUD Text as follows:

“Drainage within Wood Hollow Estates will be collected in standard drop inlets located in the private streets. The collected stormwater will then be conveyed in a system of pipes to an existing excavated stormwater holding facility. The stormwater holding facility is in the triangular tract of land that is owned by Tulsa County and is located just to the east of Wood Hollow Estates. The holding area will be a dry facility that will collect the stormwater and discharge it to several possible locations. These locations include the 121st and Sheridan Mitigation Area to the south, or possibly along the south property line directly to Fry Creek.”

*The subject property appears to presently be served by the critical utilities (water, sewer, electric, etc.) and has access to the stormwater drainage in the Fry Creek Ditch # 2 to the east. Plans for utilities are indicated on Exhibit B and are discussed in the City Engineer’s memo.*

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

*The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that RS-3 zoning is In Accordance with the Low Intensity designation of the Comprehensive Plan Land Use Map.*

*The Matrix does not indicate whether or not the requested RS-3 zoning would be in accordance with the Vacant, Agricultural, Rural Residences, and Open Land Land Use designation of the Plan Map. However, this Vacant, Agricultural, Rural Residences, and Open Land designation cannot be interpreted as permanently-planned land uses, and so the specific land use designation test as indicated on Page 7, item numbered 1 and page 30, item numbered 5 of the Comprehensive Plan, would not apply here.*

*Per the Matrix, PUDs (as a zoning district) are In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map, and thus PUD 80 is In Accordance with the Comprehensive Plan as a zoning district.*

General. *The primary purpose of PUD 80 is to allow for the creation of private/private-maintained and gated streets in “Wood Hollow Estates,” as required by Subdivision Regulations 3.2.10 / City Code Section 12-3-2.J. The submitted site plan and Preliminary Plat exhibit a large-lot, suburban-style subdivision design, with 51 single-family residential lots.*

*Because the review methodology is similar, and both applications are essentially rezoning-related and propose to prepare the subject property for the same single-family residential subdivision development, this review will, except as noted, include both applications simultaneously, and not attempt to differentiate between the analyses pertaining to each of the different applications.*

*In the interest of efficiency and avoiding redundancy, regarding PUD particulars for needed corrections and site development considerations, please review the recommended Conditions of Approval as listed at the end of this report.*

*The Fire Marshal’s, City Engineer’s, and City Attorney’s review correspondence 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.*

*The Technical Advisory Committee (TAC) discussed PUD 80 at its regular meeting held October 02, 2013. Minutes of that meeting are attached to this report.*

Access and Internal Circulation. *Although not described in any great detail in the PUD Text, plans for access can be inferred from the site plans. Primary access to the subdivision would be via one (1) street connecting to Sheridan Rd. It is proposed to be gated at the intersection, and the streets will be private. Emergency access would be additionally afforded via 67<sup>th</sup> E. Ave., a private street extension of the existing 67<sup>th</sup> E. Ave. in WoodMere to the north. It is proposed to have a gate at the point of intersection with the common subdivision line. Streets in WoodMere are also gated and private/private-maintained.*

*With the Preliminary Plat, the Applicant will request a Modification/Waiver from the Subdivision Regulations to reduce the minor residential street rights-of-way to 30’ from the 50’ required. Secondly, the Applicant will request a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets to unplatted tracts abutting to the south and east. The Modification/Waiver may be justified on the east as it abuts the ‘wetland mitigation’ area owned by Tulsa County, which is not expected to develop, and on the south by the fact that Bixby has reviewed and conditionally approved a Sketch Plat for “Seven Lakes III,” which did not propose a stub-out street connecting to the subject property, did not require additional access via the subject property, and as it is not always appropriate to allow private streets to connect to Public streets in such situations.*

Zoning Code Section 11-7I-8.B.1.c calls for the provision of plans for pedestrian access and circulation, in addition to vehicular access and circulation. 4'-wide sidewalks are proposed along Sheridan Rd. and along all interior streets. The Preliminary Plat also indicates a 10' Sidewalk Easement ("SWE") in these areas.

Surrounding Zoning and Land Use. Surrounding zoning is a mixture of AG, CS, OL, RS-2, and RS-4. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

To the north of the subject property is RS-2, CS, and OL zoning with PUD 53 in the WoodMere commercial and residential subdivision on 20 acres. 121<sup>st</sup> St. S. is to the north of that. To the northeast is a vacant/wooded 1-acre tract just east of WoodMere and a 2-acre "taxed Tribal Land" tract, which contains the Three Oaks Smoke Shop located at 7060 E. 121<sup>st</sup> St. S. To the northwest are vacant commercial lots zoned CS in the "Crestwood Crossing" section of Crestwood Village in the City of Tulsa.

South of the subject property are the Seven Lakes I and Seven Lakes II residential subdivisions, and additional vacant land for a future "Seven Lakes" phase or phases, all zoned RS-4.

Abutting to the east is vacant/wooded land owned by Tulsa County for the "wetland mitigation" area, further east is the City of Bixby's acreage for "hardwood mitigation," and between them is a concrete-bottomed drainage channel. All of this is related to the development of the Fry Creek channel system around the year 2000. Further east is the Fry Creek Ditch #2. All of this area is zoned AG.

Across Sheridan Rd. is agricultural land, including 64 acres recently purchased by Bixby Public Schools, and the City of Tulsa's lift station facility, all in the Tulsa City Limits. All is zoned AG.

Staff believes that the proposed RS-3 zoning and the specific development plans proposed by PUD 80 are consistent with the surrounding zoning, land use, and development patterns. In fact, the requested RS-3 zoning would be the most appropriate transition zone between the large RS-4 district to the south (containing the Seven Lakes subdivisions) and the larger lots and RS-2 zoning abutting to the north in WoodMere.

Zoning Code Section 11-7I-8.C requires PUDs be found to comply with the following prerequisites:

1. Whether the PUD is consistent with the comprehensive plan;
2. Whether the PUD harmonizes with the existing and expected development of surrounding areas;
3. Whether the PUD is a unified treatment of the development possibilities of the project site; and
4. Whether the PUD is consistent with the stated purposes and standards of this article.

Regarding the fourth item, the "standards" refer to the requirements for PUDs generally and, per Section 11-7I-2, the "purposes" include:

A. Permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties;

B. Permit flexibility within the development to best utilize the unique physical features of the particular site;

C. Provide and preserve meaningful open space; and

D. Achieve a continuity of function and design within the development.

Staff believes that the prerequisites for PUD approval per Zoning Code Section 11-7I-8.C are met in this application.

Staff Recommendation. For all the reasons outlined above, Staff believes that the surrounding zoning and land uses and the physical facts of the area weigh in favor of the requested PUD and rezoning applications generally. Therefore, Staff recommends Approval of both requests, subject to the following corrections, modifications, and Conditions of Approval:

1. *Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item may be addressed by adding a section to the PUD Text, such as "Standard requirements of the City of Bixby Fire Marshal, City Engineer and City Attorney shall be met."*
2. *Subject to City Engineer and/or County Engineer curb cut approval for the proposed access points to Sheridan Rd., and the Fire Marshal's approval of locations, spacing, widths, and curb return radii.*
3. *Development Standards, Area: Please explain discrepancy between gross and net land areas, recognizing the unplatted subject property does not appear to have existing right-of-way excluded from this S/2 of Government Lot 4 of this Section, per County Assessor's parcel records.*
4. *Exhibit D: Please replace the "Not Platted" label with Scenic Village Park.*
5. *For the recommended Conditions of Approval necessarily requiring changes to the Text or Exhibits, recognizing the difficulty of attaching Conditions of Approval to PUD ordinances due to the legal requirements for posting, reading, and administering ordinance adoption, please incorporate the changes into appropriate sections of the PUD, or with reasonable amendments as needed. Please incorporate also the other conditions listed here which cannot be fully completed by the time of City Council ordinance approval, due to being requirements for ongoing or future actions, etc. Per the City Attorney, if conditions are not incorporated into the PUD Text and Exhibits prior to City Council consideration of an approval ordinance, the ordinance adoption item will be Continued to the next City Council meeting agenda.*
6. *A corrected PUD Text and Exhibits package shall be submitted incorporating all of the corrections, modifications, and conditions of approval of this PUD: two (2) hard copies and one (1) electronic copy (PDF preferred).*

Chair Thomas Holland recognized Ted Sack from the Sign-In Sheet. Mr. Sack stated that this would be a "high-end residential" development with homes ranging in price from \$750,000 to \$1 Million plus; it would be gated, exclusive with private streets, and would have a "double-entrance" and an emergency access [street connection] to the north in WoodMere, consistent with the Fire Marshal's recommendations. Mr. Sack stated that the streets would have sidewalks on both sides, along the entrance street, and along Sheridan Rd.

Jeff Baldwin asked for clarification between the 26' and 30' street width measurements. Erik Enyart stated that there would be 26' of paving from curb-to-curb, and 30' was the width of the "Reserve [Area A] for private street right-of-way," so there would be "a couple feet on either side [of the curbs]." Ted Sack stated that there would be Sidewalk Easements [outside the 30' area] for sidewalks.

Chair Thomas Holland recognized Stuart Nyander from the Sign-In Sheet. Mr. Nyander had no comment.

Chair Thomas Holland asked if anyone else present had any questions. There were none.

Chair Thomas Holland expressed concern about drainage and asked if there was a potential problem with wetlands. Ted Sack responded, "No, I don't think so," and stated that he was getting approval from [a male representative of] Tulsa County to [allow drainage into] "the wetland [mitigation] area to the east. He's consistent with that and [said he] would work with us." Mr. Sack stated that his firm "did WoodMere to the north, so we're very familiar with the area."

Chair Thomas Holland asked about the Floodplain and the Base Flood Elevation in relation to the subject property. Erik Enyart responded that the 100-year Floodplain was entirely contained within Fry Creek # 2, but that the surrounding area was in the 500-year Floodplain. Mr. Holland acknowledged and asked again about the Base Flood Elevation. Ted Sack described elevations and responded that the development would “be above the Base Flood as we were in WoodMere to the north.”

Chair Thomas Holland asked if there were any further questions. There were none.

Chair Thomas Holland asked to entertain a Motion. Upon clarification of the Motion with John Benjamin, Larry Whiteley made a MOTION to RECOMMEND APPROVAL of PUD 80 and BZ-367 with the corrections, modifications, and Conditions of Approval as recommended by Staff. John Benjamin SECONDED the Motion. Roll was called:

**ROLL CALL:**

AYE: Holland, Whisman, Baldwin, Benjamin, and Whiteley  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 5:0:0

**PLATS**

5. **Preliminary Plat – “Wood Hollow Estates” – Sack & Associates, Inc.** Discussion and consideration of a Preliminary Plat for “Wood Hollow Estates” for approximately 20 acres, the S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E.  
Property Located: 12307 S. Sheridan Rd.

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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:** Thursday, October 17, 2013  
**RE:** Report and Recommendations for:  
Preliminary Plat of “Wood Hollow Estates” (PUD 80)

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**LOCATION:** – 12307 S. Sheridan Rd.  
– The S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E  
**SIZE:** 20 acres, more or less  
**EXISTING ZONING:** AG Agricultural District (RS-3 and PUD 80 for “Wood Hollow Estates” requested)  
**SUPPLEMENTAL ZONING:** None  
**EXISTING USE:** Vacant/wooded with a single-family house in the southwest corner  
**REQUEST:** Preliminary Plat approval  
**SURROUNDING ZONING AND LAND USE:**  
*North:* RS-2/CS/OL/PUD 53 and AG; The WoodMere commercial and residential subdivision on 20 acres and 121<sup>st</sup> St. S. to the north of that; to the northeast is a vacant/wooded 1-acre tract just east of WoodMere and a 2-acre “taxed Tribal Land” tract, which contains the Three

Oaks Smoke Shop located at 7060 E. 121<sup>st</sup> St. S.; to the northwest are vacant commercial lots zoned CS in “Crestwood Crossing” section of Crestwood Village in the City of Tulsa.

South: RS-4; The Seven Lakes I and Seven Lakes II residential subdivisions, and additional vacant land zoned RS-4 for a future “Seven Lakes” phase or phases.

East: AG; Vacant/wooded land owned by Tulsa County and the City of Bixby for the “wetland mitigation” and “hardwood mitigation” areas, respectively, and a concrete-bottomed drainage channel, all related to the development of the Fry Creek channel system around the year 2000, and further east is the Fry Creek Ditch #2.

West: (Across Sheridan Rd.) AG; Agricultural land, including 64 acres recently purchased by Bixby Public Schools, and the City of Tulsa’s lift station facility, all in the Tulsa City Limits.

COMPREHENSIVE PLAN: Low Intensity + Vacant, Agricultural, Rural Residences, and Open Land.

PREVIOUS/RELATED CASES:

PUD 80 “Wood Hollow Estates” & BZ-367 – Sack & Associates, Inc. – Request for rezoning to RS-3 and PUD approval for subject property – PC consideration pending 10/21/2013.

BACKGROUND INFORMATION:

According to the Tulsa County Assessor’s parcel data, the subject property was most recently owned by the Tiger family, and it was “Tribal land, taxed” per Tulsa World reporting on January 20, 2012. It was recently acquired by the Applicant, who plans to develop a residential subdivision on the subject property.

ANALYSIS:

Subject Property Conditions. The subject property of 20 acres is quite flat and appears to drain, if only slightly, in southerly and/or easterly directions. The development will be planned to drain to the east to Fry Creek Ditch # 2, or to a drainage channel which drains into Fry Creek Ditch # 2, using stormsewers and paying a fee-in-lieu of providing onsite stormwater detention. It is zoned AG (RS-3 and PUD 80 is requested) and is presently vacant and heavily wooded. It has a small, old house in its extreme southwest corner, addressed 12307 S. Sheridan Rd., which will be removed as a part of this development.

Plans for drainage are described in the “Drainage” section of the PUD 80 Text as follows:

“Drainage within Wood Hollow Estates will be collected in standard drop inlets located in the private streets. The collected stormwater will then be conveyed in a system of pipes to an existing excavated stormwater holding facility. The stormwater holding facility is in the triangular tract of land that is owned by Tulsa County and is located just to the east of Wood Hollow Estates. The holding area will be a dry facility that will collect the stormwater and discharge it to several possible locations. These locations include the 121st and Sheridan Mitigation Area to the south, or possibly along the south property line directly to Fry Creek.”

The subject property appears to presently be served by the critical utilities (water, sewer, electric, etc.) and has access to the stormwater drainage in the Fry Creek Ditch # 2 to the east. Plans for utilities are indicated on Exhibit B and are discussed in the City Engineer’s memo.

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

The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that the RS-3 zoning requested by BZ-367 is In Accordance with the Low Intensity designation of the Comprehensive Plan Land Use Map.

The Matrix does not indicate whether or not the RS-3 zoning requested by BZ-367 would be in accordance with the Vacant, Agricultural, Rural Residences, and Open Land Land Use designation of the Plan Map. However, this Vacant, Agricultural, Rural Residences, and Open Land designation cannot be interpreted as permanently-planned land uses, and so the specific land use designation test as indicated on Page 7, item numbered 1 and page 30, item numbered 5 of the Comprehensive Plan, would not apply here.

Per the Matrix, PUDs (as a zoning district) are In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map, and thus PUD 80 is In Accordance with the Comprehensive Plan as a zoning district.

The proposed subdivision plat is consistent with requested RS-3 zoning. Thus, the single-family residential subdivision anticipated by this plat should be consistent with the Comprehensive Plan.

General. This subdivision of 20 acres proposes 51 Lots, three (3) Blocks, and one (1) Reserve Area: Reserve Area A, the private street system. With the exceptions outlined in this report, the Preliminary Plat appears to conform to the Zoning Code and Subdivision Regulations and the proposed PUD 80.

The subdivision is of conventional design but with exceptionally large lots and private, gated streets. Enhanced landscaping and entry features are suggested by the site plans submitted with PUD 80. The subdivision is similar to WoodMere abutting to the north, with relatively similarly-sized and configured lots. However, whereas lots in WoodMere were fairly irregular, owing to its two (2) cul-de-sacs and its variegated street pattern with “knuckle” / “eyebrow” turnarounds at each intersection, this subdivision will have more regular, rectangular lots. Typical lots are 90’ X 158’ (14,220 square feet, 0.33 acres) and 95’ X 150’ (14,250 square feet, 0.33 acres). All lots appear to meet requested RS-3 and PUD 80 zoning standards.

The Fire Marshal’s, City Engineer’s, and City Attorney’s review correspondence 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.

The Technical Advisory Committee (TAC) discussed PUD 80 at its regular meeting held October 02, 2013. Minutes of that meeting are attached to this report.

Access and Internal Circulation. Primary access to the subdivision would be via one (1) street connecting to Sheridan Rd. It is proposed to be gated at the intersection, and the streets will be private. Emergency access would be additionally afforded via 67<sup>th</sup> E. Ave., a private street extension of the existing 67<sup>th</sup> E. Ave. in WoodMere to the north. It is proposed to have a gate at the point of intersection with the common subdivision line. Streets in WoodMere are also gated and private/private-maintained.

The Preliminary Plat indicates 10’ Sidewalk Easements (“SWE”) outside the 30’-wide Reserve A for private streets, in which 4’-wide sidewalks would be installed.

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

1. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and/or City Attorney recommendations.
2. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to reduce the minor residential street rights-of-way to 30’ from the 50’ required, which may be justified by noting these will be private streets, will be supported by front-yard U/Es in Block 3 and by Restricted Waterline and Sidewalk Easements, the latter which contain waterlines and sidewalks normally occupying the right-of-way difference, and by citing how the 30’ width has been used successfully in other private street applications.
3. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets to unplatted tracts abutting to the south and east. The Modification/Waiver may be justified on the east as it abuts the ‘wetland mitigation’ area owned by Tulsa County, which is not expected to develop, and on the south by the fact that Bixby has reviewed and conditionally approved a Sketch Plat for “Seven Lakes III,” which did not propose a stub-out street connecting to the subject property, did not require additional access via the subject property, and as it is not always appropriate to allow private streets to connect to Public streets in such situations.
4. At the TAC meeting held October 02, 2013, representatives from BTC Broadband and ONG expressed support for the AEP-PSO’s representative’s request that the Utility Easements along the north and south subdivision boundaries be a minimum of 17.5’ in width. The City Engineer’s memo includes expanding the 11’ U/Es here to 17.5’ in width as a review comment. Please expand to 17.5’ in width or request, along with justification, a Modification/Waiver from the 17.5’ minimum width Perimeter U/E standard of Subdivision Regulations Section 12-3-3.A.
5. All Modification/Waiver requests must be submitted in writing.
6. Subject to City Engineer and/or County Engineer curb cut approval for the proposed access points to Sheridan Rd., and the Fire Marshal’s approval of locations, spacing, widths, and curb return radii.
7. Per SRs Section 12-4-2.A.5, the Location Map must include:
  - All platted additions represented with the Section:
    - Crosscreek (missing)
    - Encore on Memorial (missing)
    - Scenic Village Park (missing)
    - Seven Lakes I (missing)
    - Seven Lakes II (missing)

- *Clyde Miller Acreage (misabeled)*
  - *Scale at 1" = 2,000' (currently uses 4" = 1 mile)*
8. *With the version of the plat received October 15, 2013, the elevation contours, as required by the Subdivision Regulations, have been removed – please restore.*
  9. *Please provide a property line separating the Sheridan Rd. Public street right-of-way dedication from Reserve A.*
  10. *Please adjust proposed addresses per the Address Schedule Recommendations provided to the Applicant.*
  11. *On the Exhibit A site plan to PUD 80, a Fence Easement (formerly designated thereon as a "Landscape Area") is shown at the west end of Block 3, but no Fence Easement area was found with the plat. Please discuss plans for landscaping here and how it would relate to the plat.*
  12. *Face of Plat and DoD/RCs: On the Exhibit A site plan to PUD 80, what appears to be an area for "fencing, walls, landscaping and subdivision identification [signage]" (reference DoD/RCs Section II.A) is shown at the subdivision's main entrance, but the Fence Easement does not appear to provide adequate spatial coverage. The Fence Easement language in the DoD/RCs does not mention signage.*
  13. *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).*

Jeff Baldwin asked if the recommendations were from the City Attorney. Erik Enyart responded, "There were no special recommendations from Patrick's office. These are all my own."

Larry Whiteley clarified with Erik Enyart that the 20-acre WoodMere subdivision, abutting the subject property to the north, was described as a "commercial and residential" subdivision because it got zoned commercial [in part] in 200[7].

A Commissioner asked about lot widths, and Erik Enyart referred to the Staff Report and stated that the typical lots were 90' X 158' and 95' X 150'. It was remarked how large these lots would be.

Chair Thomas Holland asked why the Applicant was requesting RS-3 zoning if the lots were so large. Erik Enyart stated that this was a recommendation by Staff, and that the RS-3 district would be a nice transition district, buffering between the RS-2 district to the north in WoodMere and the RS-4 district to the south [containing the] Seven Lakes [subdivisions]. Mr. Holland asked why it could not be RS-2 with these lot sizes. Ted Sack stated that it was a good transition between RS-2 and RS-4, and that his client would like to maintain the flexibility [of the RS-3 district].

Chair Thomas Holland asked to entertain a Motion. Larry Whiteley made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat of "Wood Hollow Estates" with the corrections, modifications, and Conditions of Approval as recommended by Staff. Lance Whisman SECONDED the Motion.

John Benjamin addressed the Applicant and stated, "My compliments on the [Restrictive Covenants]," adding that they were "very well written."

Roll was called:

ROLL CALL:

AYE: Holland, Whisman, Baldwin, Benjamin, and Whiteley  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 5:0:0

Wayne Farabough left at this time.

OTHER BUSINESS

6. **BSP 2013-05 – “Woodcreek Office Park” – Sack & Associates, Inc. (PUD 47-C).**  
Discussion and consideration of a PUD Detailed Site Plan and building plans for “Woodcreek Office Park,” a Use Unit 11 office development for approximately 1.1694 acres consisting All of Lot 1, Block 3, *Woodcreek Office Park*.  
Property Located: 7500-block of 111<sup>th</sup> St. S.

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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:** Thursday, October 17, 2013  
**RE:** Report and Recommendations for:  
BSP 2013-05 – “Woodcreek Office Park” – Sack & Associates, Inc. (PUD 47-C)

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LOCATION: – 7500-block of E. 111<sup>th</sup> St. S.  
– Lot 1, Block 3, Woodcreek Village Amended  
SIZE: 1.1694 acres, more or less  
EXISTING ZONING: CS Commercial Shopping Center District and PUD 47-C  
SUPPLEMENTAL PUD 47-C for “Woodcreek Office Park”  
ZONING:  
DEVELOPMENT TYPE: Approval of Detailed Site Plan including as elements: (1) Detailed Site Plan, (2) Detailed Landscape Plan, and (3) Detailed Lighting Plan, (4) Detailed Sign Plan, and (5) building plans and profile view / elevations pursuant to PUD 47-C for office development  
SURROUNDING ZONING AND LAND USE:  
North: (Across 111<sup>th</sup> St. S.) OL, RD, PUD 707, RS-3 & PUD 578A; Ravens Crossing residential subdivision, the The Office Suites of Ravenwood office park development, and the Wal-Mart Supercenter in the City of Tulsa.  
South: RT/PUD 47A; Residential in Woodcreek Village Amended.  
East: CS; Lowe’s in Bixby Commons.  
West: (Across 75<sup>th</sup> E. Ave.) RS-3; Residential in WoodCreek.  
COMPREHENSIVE PLAN: Corridor + Vacant, Agricultural, Rural Residences, and Open Land  
PREVIOUS/RELATED CASES: (Not necessarily a complete list and does not include TMAPC-jurisdiction areas)  
BZ-304 – Brumble Dodson Construction, LLC – Request for rezoning for approximately 65 acres from AG to RS-3, RT, & CS (subject property included in that part requested for CS) – PC Recommended Approval 06/21/2004 and City Council Approved 07/12/2004 (Ord. # 891).  
PUD 47 – Woodcreek Village – Sack & Associates, Inc. – Request for PUD approval for all of Woodcreek Village Amended, including subject property – PC Recommended Approval 11/21/2005 and City Council Approved 12/12/2005 (Ord. # 928).

Preliminary Plat of Woodcreek Village – Sack & Associates, Inc. – Request for Preliminary Plat approval for “Woodcreek Village” (now all of Woodcreek Village Amended), including subject property – PC Recommended Approval 12/19/2005 and City Council Approved 01/09/2006.

Final Plat of Woodcreek Village – Sack & Associates, Inc. – Request for Final Plat approval for “Woodcreek Village” (now all of Woodcreek Village Amended), including subject property – PC Recommended Approval 07/17/2006 and City Council Approved 07/24/2006 (Plat # 6084 recorded February 13, 2007; later replatted as Woodcreek Village Amended, Plat # 6165).

PUD 47A – Amendment to PUD 47 – Sack & Associates, Inc. – Request for Amendment to PUD 47 to allow commercial use in the commercially-zoned 111<sup>th</sup> St. S. frontage area (subject property) – PC Approved 05/21/2007 and City Council Approved 05/29/2007.

Preliminary Plat Woodcreek Village Amended – Sack & Associates, Inc. – Application for Preliminary Plat of Woodcreek Village Amended (including subject property) submitted on or about April 19, 2007 – No record of PC review of this application. Final Plat approved also as a Preliminary Plat (as required) by PC 10/15/2007 and by City Council 10/22/2007.

Final Plat Woodcreek Village Amended – Sack & Associates, Inc. – Request for Final Plat approval for Woodcreek Village Amended (including subject property) – Approved by PC 10/15/2007 and by City Council 10/22/2007. A Modification/Waiver from street standards was also approved (Plat # 6165 recorded 12/05/2007).

PUD 47-B – Woodcreek Office Park – Sack & Associates, Inc. – Request for Major Amendment to PUD 47-A for subject property – PC Continued from 12/15/2008 meeting to 01/20/2009 meeting to allow the Applicant to attend the meeting and represent the case. PC Tabled 01/20/2009 (Applicant did not attend either of PC meeting or other meeting schedule with Staff earlier that day 01/20/2009).

Preliminary Plat of Woodcreek Office Park – Sack & Associates, Inc. – Request for Preliminary Plat approval for subject property – PC Continued from 12/15/2008 meeting to 01/20/2009 meeting to allow the Applicant to attend the meeting and represent the case. PC Tabled 01/20/2009 (Applicant did not attend either of PC meeting or other meeting scheduled with Staff earlier that day 01/20/2009). New application filed in early 2013 (see below).

Modification/Waiver in Woodcreek Village Amended – Danny Brumble of Brumble Construction Co. – Request for Modification/Waiver from the sidewalk construction requirement along E. 112<sup>th</sup> Pl. S. in (Subdivision Regulations Section 12-3-2.N) – City Council Approved 09/26/2011.

PUD 47-C – Woodcreek Office Park – Sack & Associates, Inc. – Request for Major Amendment # C to PUD 47A for subject property – PC recommended Conditional Approval 04/18/2013 and City Council Approved 04/22/2013 as modified as recommended (Ord. # 2117).

Preliminary Plat of Woodcreek Office Park – Sack & Associates, Inc. – Request for Preliminary Plat approval for subject property – PC recommended Conditional Approval 04/18/2013 and City Council Conditionally Approved 04/22/2013.

#### **BACKGROUND INFORMATION:**

Per PUD 47A, a May, 2007 Major Amendment to the original PUD, the “Woodcreek Village” development was approved to convert the subject property area to a large, singular commercial lot, consistent with the original CS zoning conferred in 2004. Woodcreek Village was subsequently replatted as Woodcreek Village Amended. The subject property consists of Lot 1, Block 3, Woodcreek Village Amended.

Amendment # B “Woodcreek Office Park” to PUD 47-A, and the Preliminary Plat of “Woodcreek Office Park” were both proposed in late 2008. The proposal was to convert the large, singular commercial lot into an office park with several, smaller lots for detached office buildings. Due to a large number of outstanding issues identified by Staff and the lack of representation at the December 20, 2008 Planning Commission (PC) meeting and two (2) January 20, 2009 meetings (one with Staff and the PC Regular Meeting that evening), the Planning Commission Tabled both items indefinitely. Since then, the “Great Recession” technically ended in mid-2009 and development locally bottomed out and now appears to be in recovery.

In early 2013, the owner made new applications for PUD Major Amendment and Preliminary Plat approval, which the City Council Approved and Conditionally Approved, respectively, on April 22, 2013. To account for PUD 47-B, the latest Major Amendment application was designated Amendment # C, and the resulting Zoning Map designation is “PUD 47-C.”

With the early 2013 submittal, the overall concept changed significantly as compared to that proposed in 2008. The initial concept was to have a north-south drive connecting 111<sup>th</sup> St. S. to 75<sup>th</sup> E.

Ave., with most buildings oriented to face west onto the drive. The second concept proposed five (5) of the eight (8) buildings to face north toward 111<sup>th</sup> St. S., with three (3) behind, and the internal access drive located along the east line of the development.

This new PUD Detailed Site Plan significantly modifies the overall concept again, primarily by combining the westernmost lots into a larger lot, and rearranging the parking lot layout accordingly. The new development concept proposes five (5) lots. See the site plan for details.

ANALYSIS:

Subject Property Conditions. The vacant subject property contains 1.1694 acres and is zoned CS with PUD 47-C. It is moderately sloped and primarily drains to the southwest toward the stormwater detention pond in WoodCreek, in the watershed of an upstream tributary of Fry Creek # 2. It is bordered on the north by 111<sup>th</sup> St. S., on the west by the private 75<sup>th</sup> E. Ave. with residential in WoodCreek beyond that, on the south by residential in Woodcreek Village Amended, and on the east by Lowe's in Bixby Commons.

General. The Applicant is proposing a small, multiple-lot office park development.

Section VII of PUD 47-C requires a PUD Detailed Site Plan be approved for the subject property, prior to Building Permit issuance, as follows:

"As part of this PUD, a detailed site plan, detail lighting plan, and detail landscape plan for the entire development shall be submitted to the Bixby Planning Commission and approved as being in compliance with the development concept and the development standards prior to the issuance of the first building permit. Subsequent building permits may revise the overall detail site plan if necessary."

This PUD "overall" Detailed Site Plan is fairly basic, as specific building plans have not been received. Upon this approval, the PUD Text cited above would allow for revisions to the "overall" plan. This is what Staff recommended with the PUD Major Amendment, that the site planning and landscaping, etc. be coordinated, rather than done piecemeal on each individual lot as it develops. This is a somewhat unfamiliar arrangement, however, and so Staff must take care, after approval, to ensure that subsequent revisions by Building Permit application do not substantively undermine the overall site plan concept or PUD standards.

The submitted PUD Detailed Site Plan drawing consists of "Detail Site Plan" drawing by Sack & Associates, Inc. The landscaping plan consists of a "Detailed Landscape Plan." Per the Site Plan application form, signage, building elevations / height information, screening fences/walls and waste receptacle screening enclosures, and lighting information is all provided in the "text" and "notes" on the "Detail Site Plan."

The development consists of 1.1694 acres, more or less, proposed to be subdivided into five (5) lots in one (1) block and zero (0) Reserves. Interior lot dimensions have not been provided, and a plat application has not been submitted, so the lot layout has not been compared to PUD 47-C zoning standards. There is no "typical lot." Lot 1 would be the largest, Lots 2 and 3 would be the smallest and would be of rectangular configuration, and Lots 4 and 5 would be "flag lots," extending "handles" westerly in order to have frontage on 75<sup>th</sup> E. Ave.

75<sup>th</sup> E. Ave. has a sharp bend from northwest to southeast, as it approaches the gated entrance to the residential part of Woodcreek Village Amended. Earlier designs included buildings and/or parking spaces in fairly close proximity to the roadway surface. Due to the sharp curve and the tendency for motorists to 'cut corners,' especially on sharp curves, Staff expressed concerns for line-of-sight impedance, which could have presented a traffic safety hazard. With the PUD 47-C redesign, the 25' Building Line of the Woodcreek Village Amended plat was restored. With this latest redesign, parking has also been removed from the 25' setback area. Thus, this issue appears to have been satisfactorily addressed.

Commercial/nonresidential parking areas should be screened from view of residential streets, so screening here is in order. However, to mitigate future traffic accident hazards, landscaping should not impede the view of motorists coming from north to south and from south to north. One possible solution would be to depress the west end of the parking lot along the west side of Lot 8, along with height-limited berms and/or landscaping combinations. Depressing the west end of the parking lot would likely require the installation of a stormsewer drain, which this parking lot presently does not propose. PUD 47-C was updated to Section III Landscaping and Screening Concept regarding use of trees and berms for screening parking areas. These details can be refined when actual construction plans are proposed for the concerned lots in "Woodcreek Office Park" (Lots 1, 4, and 5).

The Site Plan represents a conventional, suburban-style design and indicates the proposed internal automobile traffic and pedestrian flow and circulation and parking. The subject property lot conforms to PUD 47-C. It is presumed the future buildings would conform to the applicable bulk and area standards for PUD 47-C and the underlying CS district, as the site plan merely states the applicable bulk and area standards. The site plan indicates each building will be only one (1) story, but the PUD allows up to 40' of building height, with allowable exceedances for architectural features.

As measures of site design flexibility, Staff suggested the reduction in the number of parking spaces can be reduced through the PUD, if this is desired by the developer, and reducing the 17.5' Utility Easement along the east side to 11' in width, recognizing the 50' Utility Easement abutting to the east. These were not ultimately included in PUD 47-C, but could be done by future PUD amendment if future development designs dictate.

Fire Marshal's and City Engineer'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.

The Technical Advisory Committee (TAC) reviewed this application on October 02, 2013. The Minutes of the meeting are attached to this report.

Access and Internal Circulation. Primary access to the subdivision would be via one (1) proposed entrance drive on 111<sup>th</sup> St. S., with two (2) secondary access points on 75<sup>th</sup> E. Ave., an existing private street providing access to the residential lots in Woodcreek Village Amended.

The site plan and Preliminary Plat both indicate internal Mutual Access Easement (MAE) drives are proposed to provide inter-lot access between the lots in the development and between 111<sup>th</sup> St. S. and 75<sup>th</sup> E. Ave. The MAEs will presumably be relocated on the plat to coincide with the revised parking lot/drive lane configuration.

By the approval and recording of the future Final Plat, the Limits of No Access (LNA) along the entire 111<sup>th</sup> St. S. frontage of the subject property will be amended to allow a 40'-wide Access Opening toward the east end of the frontage, which is subject to the approval of the City Engineer and County Engineer. This is suggested in the PUD 47-C text. However, the LNA and Access Openings are not represented on the site plan; they should be added.

The provided drawings indicate driveway access points and certain widths of proposed driveways. However, they do not specify all drive widths or any proposed curb return radii. All these dimensions must comply with applicable standards and City Engineer and/or Fire Marshal requirements.

Sidewalks are shown along both 111<sup>th</sup> St. S. and 75<sup>th</sup> E. Ave., as required by the Subdivision Regulations and PUD 47-C. Sidewalks are part of complete streets, providing a safe and convenient passageway for pedestrians, separate from driving lanes for automobile traffic.

Because the right-of-way for 75<sup>th</sup> E. Ave., at approximately 30' in width, is too narrow to contain a sidewalk (a 26' roadway leaves only 2' on either side), it appears it will be necessary to add a "sidewalk easement" along the northeast side of 75<sup>th</sup> E. Ave., along with appropriate language in the Deed of Dedication/Restrictive Covenants specifying that the lot owners collectively, or the affected lot owner only, are responsible for their maintenance. Alternatively, an additional width should be added to the 30' current right-of-way width on the subject property side to accommodate the sidewalk. The former alternative was shown on the Preliminary Plat and is also provided for in the PUD 47-C text.

Pedestrian accessibility will also be afforded via proposed internal sidewalks, connecting pedestrians between parking areas and most buildings within the development (reference Zoning Code Section 11-10-4.C). The sidewalks are adequately dimensioned on the plans and appear appropriate in width. However, a sidewalk would not connect the three (3) northernmost buildings to the two (2) southernmost buildings. It is likely that the front/northernmost parking areas will fill first, and additional parking will subsequently be sought in the southern parking lot, but there would be no sidewalk to connect between the two areas. A sidewalk connection is recommended.

An accessible path is not clear between the streetside sidewalks and the building entrances. These should be provided or described as appropriate; the same should comply with ADA standards.

Parking & Loading Standards. PUD 47-C Section II "Off-Street Parking" provides:

"As required by City of Bixby Zoning Code (1[ parking space]/300[ square feet of building floor area]). 'Cross parking' shall be permitted across Woodcreek Office Park.

'Parking spaces. Parking space requirements established by the City of Bixby Zoning Code for buildings on lots in the Development Areas and which shall be applicable at the time of issuance of a building occupancy permit may be met by excess parking spaces available in other lots in PUD [47-C].

*For purposes of this provision, the term “excess parking spaces” shall mean the total number of parking spaces provided in PUD [47-C] as developed, less the number of parking spaces required for all buildings for which occupancy permits previously have been issued. Provided, it is understood that mutual parking privileges shall be granted by restrictive covenants in the Deed of Dedication recorded in the office of the Tulsa County Clerk.’*

*All parking area and access [a]isles within Woodcreek Village to be maintained by the Property Owner’s Association.”*

*The provided drawings indicate parking lots on the west, north, and south sides of the buildings with a total of 44 parking spaces proposed. PUD 47-C provides a minimum parking space ratio of 1 parking space per 300 square foot building floor area. The site plan indicates a 13,060 or 13,080 aggregate building square footage. Thus, the total site would require a minimum of 44 parking spaces in either instance. Zoning Code Section 11-10-2.H provides a “minimum plus 15%” maximum parking number cap, to prevent excessive parking that results in pressure to reduce greenspaces on the development site. The 44 total spaces proposed are in compliance.*

*Three (3) handicapped-accessible parking spaces are indicated on the provided Site Plan. At 44 spaces, the three (3) handicapped-accessible parking spaces meet the minimum number required by ADA standards (Table 208.2 Parking Spaces / IBC Table 1106.1 Accessible Parking Spaces). It appears that each of the three (3) parking lot areas would have one (1) handicapped-accessible space.*

*ADA guidelines require one (1) van-accessible design for the handicapped-accessible space, for up to seven (7) accessible spaces (reference New ADAAG Section 208.2.4, DOJ Section 4.1.2(5)b, and IBC/ANSI Section 1106.5). The Site Plan needs to indicate which one (1) ADA space will be of van-accessible design, as required.*

*The Applicant should determine whether the entire development will be considered as a singular parking lot for ADA compliance purposes, or whether the lot lines and/or plainly evident divisions between the parking areas (i.e. westerly, northerly, and southerly) will require each section (or lot) have its own accessible space, and if that space should not be of van-accessible design.*

*If the accessible space in the southerly parking lot area should be of van-accessible design for ADA compliance purposes, the Applicant should consider assigning van-accessible ADA space such that the access aisle will be on the right/passenger side of the van-accessible space.*

*Only two (2) of the three (3) handicapped-accessible parking spaces and access aisles are dimensioned, but they do not indicate compliance with the space width or striping standards Zoning Code Section 11-10-4.C Figure 3. Secondly, signage to reserve the regular handicapped-accessible and van-accessible spaces is not indicated. The Applicant should make use of a handicapped-accessible parking space/access aisle/accessible route detail diagram as needed to demonstrate compliance with applicable standards, including both ADA and Bixby Zoning Code standards. During the design of these features, the Applicant should consult with the Building Inspector to confirm the plans will comply with ADA standards. Van-accessible space designs are not subject to Zoning Code Section 11-10-4.C Figure 3.*

*The parking lot setback/landscaped strip width along 111<sup>th</sup> St. S. is approximately 11.2’, which complies with the 10’ minimum setback per Zoning Code Section 11-10-3.B Table 1. The parking lot setback/landscaped strip width along 75<sup>th</sup> E. Ave. ranges between 14.2’ along the northerly section of frontage to something less than 25’ (per the B/L) toward the middle, to something less than 15’ (per RWE) at the southerly end. It is subject to a 7.5’ minimum setback per Zoning Code Section 11-10-3.B Table 1. The two (2) areas that are not dimensioned need to be so, and the southernmost sections’ setback/landscaped strip needs to be increased to 7.5’ in width if not already such. Zoning Code Section 11-10-3.B Table 1 also requires a 10’ setback between the parking lot and the R district abutting to the south. The setback here is proposed to be 10.8’, which would meet this requirement.*

*The plans show internal drives and parking spaces being paved over Utility Easements along the northerly, easterly, and southerly sides of the subject property. Further, the waste disposal enclosure area is proposed at the southerly end of the easterly 17.5’ U/E. Paving and constructing improvements over public Utility Easements is subject to City Engineer and Public Works Director approval.*

*A loading berth is not indicated, but none are required, as no Use Unit 11 building would meet the 10,000 square foot threshold per Zoning Code Section 11-9-11.D.*

*Screening/Fencing. The “Site Plan” drawing represents an “Existing 8’ wooden screening fence” along the east line of the PUD. Per the Text and Exhibits A and B of PUD 47-C, there is an “Existing brick masonry wall” along the south line of the subject property, which “will remain.” Linework suggesting a fence or wall of some sort is indicated on the site plan needs to be labeled and described as to*

composition and height and the Applicant needs to provide a profile view/elevation drawing showing the required screening wall along the south property line.

The site plan indicates the trash dumpster area will be located at the southerly end of the 17.5'-wide U/E along the east line of the subject property. Siting such features on a U/E requires specific City Engineer and Public Works Director approval, as noted elsewhere in this report. It is labeled as

“8'X14' solid waste disposal

- screening south & west
- gates on north
- exist screening wall east”

Recognizing the immediate residential adjacency for this feature, the waste disposal enclosure screening needs to be described as to composition and height. Staff respectfully requests a profile view/elevation exhibit be submitted for the Planning Commission’s review and approval as a part of this Detailed Site Plan. Please also confirm the existing screening on the east is a “wall,” and not a 6’ wooden fence as indicated elsewhere on the site plan.

Landscape Plan. The Landscape Plan consists of a “Detail Landscape Plan” drawing. PUD 47-C provides that landscaping shall meet or exceed minimum landscaping standards of the Zoning Code, and that landscaping will be planned for the entire development, rather than lot-by-lot.

PUD 47-C also provides,

“Landscape Buffer

From southern boundary of development area: 10 feet

Required Trees\* 1 tree per 20 linear feet of southern boundary

\*Screening trees are required to be evergreen and a minimum of 10’ tall at the time of planting.”

At 121.30’ of south property line length,  $6.065 = 7$  ten-foot-high evergreen trees would be required along the south 10’ “landscape buffer” (65/1,000 of a tree is not possible and required minimum landscape trees are not rounded down). However, the landscape plan only proposes six (6) Loblolly Pine trees, at 8’ in height. This will need to be resolved.

Landscape information is further compared to the PUD requirements and the Landscape Chapter standards of the Zoning Code as follows:

1. 15% Street Yard Minimum Landscaped Area Standards (Section 11-12-3.A.1): Standard is not less than 15% of the Street Yard area shall be landscaped. The Street Yard is the Zoning setback along an abutting street [right-of-way]. Notes on the plan indicate this standard will be exceeded along both 111<sup>th</sup> St. S. and 75<sup>th</sup> E. Ave. **This standard is met.**
2. Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7): Standard is minimum Landscaped Area strip width shall be 7.5’, 10’, or 15’ along abutting street rights-of-way. Per the “Detail Site Plan,” the parking lot setback/landscaped strip width along 111<sup>th</sup> St. S. is approximately 11.2’, which exceeds the 10’ required here.

Also per the “Detail Site Plan,” the parking lot setback/landscaped strip width along 75<sup>th</sup> E. Ave. ranges between 14.2’ along the northerly section of frontage to something less than 25’ (per the B/L) toward the middle, to something less than 15’ (per RWE) at the southerly end. It is subject to a 7.5’ minimum setback per Zoning Code Section 11-10-3.B Table 1. The two (2) areas that are not dimensioned on either the “Detail Site Plan” or the “Detail Landscape Plan,” and need to be so, and the southernmost sections’ setback/landscaped strip needs to be increased to 7.5’ in width if not already such.

**Compliance with this standard cannot be determined.**

3. 10’ Buffer Strip Standard (Section 11-12-3.A.3): Standard requires a minimum 10’ landscaped strip between a parking area and an R Residential Zoning District. There is an R district abutting to the south. The parking lot setback/landscaped strip width here is proposed to be 10.8’. **This standard is met.**
4. Building Line Setback Tree Requirements (Section 11-12-3.A.4): Standard is one (1) tree per 1,000 square feet of building line setback area. Building setbacks per PUD 47-C include a 20’ setback along the south PUD boundary. Resultant tree requirement calculations are as follows:

South Boundary Setback Tree Requirements: 20’ setback X DA A south property line at 121.30’ – 75<sup>th</sup> E. Ave. Street Yard width of 25’ =)  $96.3' = 1,926 \text{ square feet} / 1,000 \text{ square feet} = 2 \text{ trees}$

required in the South Boundary Setback Area. However, as noted above, PUD 47-C requires seven (7) 10'-tall evergreen trees every 20' in the south 10' "landscape buffer." The landscape plan only proposes six (6) Loblolly Pine trees, at 8' in height. This will need to be resolved. **This standard is not met.**

5. Maximum Distance Parking Space to Landscaped Area Standard (Sections 11-12-3.B.1 and 11-12-3.B.2): Standard is no parking space shall be located more than 50' or 75' from a Landscaped Area, which Landscaped Area must contain at least one (1) or two (2) trees. For a lot containing 1.17 acres, the standard calls for a maximum of 50' spacing, with one (1) tree. **This standard is met.**
6. Street Yard Tree Requirements (Section 11-12-3.C.1.a): Standard is one (1) tree per 1,000 square feet of Street Yard. The Street Yard is the Zoning setback along an abutting street [right-of-way], and calculations are as follows:

*111<sup>th</sup> St. S. Street Yard Tree Requirements:* The subject property has approximately 193.5' of frontage along 111<sup>th</sup> St. S., for which PUD 47-C provides a 35' setback. However, the Zoning Code does not allow a PUD to reduce landscaping standards by virtue of setback reductions, and the Zoning Code would otherwise require a 50' setback here.  $(193.5' - 75^{\text{th}} \text{ E. Ave. Street Yard width of } 25' =) 168.5' \times 50' = 8,425 \text{ square feet} / 1,000 = 8.4 = 9 \text{ trees in the } 111^{\text{th}} \text{ St. S. Street Yard } (425/1,000 \text{ of a tree is not possible and required minimum landscape trees are not rounded down}).$  Nine (9) trees are proposed in the 111<sup>th</sup> St. S. Street Yard area.

*75<sup>th</sup> E. Ave. Street Yard Tree Requirements:* The subject property has approximately 317.63' of frontage along 75<sup>th</sup> E. Ave., for which PUD 47-C and the CS district provide a 25' setback.  $317.63' \times 25' = 7,940.75 \text{ square feet} / 1,000 = 8 \text{ trees in the } 75^{\text{th}} \text{ E. Ave. Street Yard.}$  Eight (8) trees are proposed in the 75<sup>th</sup> E. Ave. Street Yard area.

**This standard is met.**

7. Tree to Parking Space Ratio Standard (Section 11-12-3.C.2): Standard is one (1) tree per 10 parking spaces. 44 parking spaces proposed.  $44 / 10 = 4.4 = 5 \text{ trees required by this standard.}$  Excluding the Setback Area and Street Yard trees already accounted for, five (5) additional trees are proposed. **This standard is met.**
8. Parking Areas within 25' of Right-of-Way (Section 11-12-3.C.5.a): Standard would be met upon and as a part of compliance with the tree standard per Section 11-12-3.C.1.a.
9. Irrigation Standards (Section 11-12-3.D.2): PUD text suggests an irrigation system may be employed. The Legend in the Detail Landscape Plan notes, "Irrigation required" for [all] "Landscape Area[s]." Zoning Code Section 11-12-4.A.7 requires the submission of plans for irrigation. An irrigation plan was not submitted. **This standard is not met.**
10. Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.): Standard tree planting diagram(s), reported calipers of proposed trees, and notes on plan drawings and other information adequately demonstrate compliance with other miscellaneous standards with the following exceptions:

*Please add the percentage of Block 1 total landscaped area from the "Detail Site Plan" to the "Detail Landscape Plan."*

*The proposed 1 ½" caliper of the Shumard Oaks does not meet the 2" minimum if recognized as a "canopy tree."*

*The South Boundary landscaping requirement of the "Landscape Summary" is inconsistent with the City of Bixby's interpretation as provided herein and should be reconciled or removed.*

*Until the above are resolved, this standard is not met.*

11. Lot Percentage Landscape Standard (Section 11-7I-5.F; PUDs only): Standard is 15% of an office lot must be landscaped open space. Per the notes on the "Detail Site Plan" drawing, 25% of Block 1 would be "landscape area." **This standard is met.**

Exterior Materials and Colors. No elevations or building plans were submitted with the application. The property is not in the Corridor Appearance District and the PUD does not require building elevations or

plans be approved as a part of the Detailed Site Plan. Individual buildings will be reviewed in the context of their respective Building Permit application for Zoning Code and PUD compliance.

Outdoor Lighting. The Detail Site Plan does not provide information on proposed locations, types, heights, etc. of proposed outdoor lighting, pole- or building-mounted. Notes on the plan state, "Site lighting for Woodcreek Office Park shall be coordinated" and repeats the first paragraph of the relevant part of the PUD text.

PUD 47-C requires for lighting: "Light standards shall not exceed 25 feet in height or 12 feet within 50 feet of adjacent residential areas. All lighting shall be hooded and directed downward and away from the property lines in common with residential areas.

Lighting for Woodcreek Office Park shall be coordinated, installed for the entire development. A Detailed Lighting Plan shall be submitted and approved at the time of Detail Site Plan approval prior to issuance of a building permit."

The notes on the Detail Site Plan drawing do not appear to be sufficient to satisfy the PUD requirement of a "Detailed Lighting Plan."

There are residential areas to the south and west, and proposed lighting should be clearly represented and described in detail. A photometric plan and the customary "cut sheets" showing actual lighting fixtures to be used, with specific mounting height information (grade to top of lighting element) should be required. Recognizing the houses abutting to the east, the photometric lighting plan should demonstrate that the footcandle effects of the proposed lighting will be reduced to 0.0 at all points on the south and west lines of the development.

Signage. PUD 47-C provides for signage:

"A. One center identification ground sign not exceeding 30 feet in height and 200 square feet in display surface area shall be permitted along the East 111<sup>th</sup> Street frontage. Individual business identification shall be permitted on the center identification sign.

B. Wall signs shall not be permitted to exceed 2.0 square feet of display surface area per lineal foot of building wall to which attached. The length of a tenant wall sign shall not exceed seventy-five percent of the frontage of the tenant space."

The Detail Site Plan represents the proposed location of the one (1) "pylon signage" sign at the northwest corner of the subject property. Details as to height and appearance have not been submitted.

Most developments of this size will have incidental signage for traffic control and general identification information, but the site plan does not indicate locations of incidental signage. Zoning Code Section 11-9-21.C.3.k allows standard directional signs at a maximum of 3 square feet in display surface area. Signs reserving the ADA accessible parking spaces and directional signage painted to the pavement of the driveways (not visible from adjoining public streets) should conform to applicable standards or are otherwise exempt Federal standards.

The subject property is not in a Corridor Appearance District and PUD 47-C does not require submission of detailed information for signage. Sign Permit applications for the one (1) ground sign, the wall signs, and incidental signage may be submitted at a future date and will be reviewed for compliance with PUD and Zoning Code standards. Since no details on any particular sign have been submitted, this Detailed Site Plan will not confer any signage approval.

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 compliance with all Fire Marshal and City Engineer recommendations and requirements.
2. As per the Condition of Approval of the Preliminary Plat, please represent/dimension centerline, extent of improved roadway, and rights-of-way of both abutting streets.
3. As per the Condition of Approval of the Preliminary Plat, please add proposed addresses to the lots.
4. Please represent the east-west 11' and 11' U/Es shown on the Preliminary Plat, and any other internal easements, along with appropriate qualifiers "per Plat # 6165" or "proposed by plat."
5. Building sizes and setbacks need to be dimensioned on the site plans, so that math, scaling the site plan, and/or "guesstimation" are not required for zoning, Fire Marshal, and City Engineer review. Site plan can be qualified as "conceptual only" as needed. Missing dimensions include, but may not be limited to:

- a. Lot 1 setback from 75<sup>th</sup> E. Ave.

- b. *Lot 1 north-south and southwest corner building dimensions.*
  - c. *Lots 2 and 3 north-south building dimensions.*
  - d. *Lots 4 and 5 building dimensions.*
6. *Although the buildings proposed Lots 4 and 5 are not dimensioned, they appear to be of similar size to those on proposed Lots 2 and 3, 28' X [50'] = 1,400 square feet. However, they are labeled as 2,100 square feet in size. The buildings on the south are labeled as one (1) story. Reconciliation is recommended.*
  7. *Mutual Access Easements (MAE) in Legend needs to be qualified as "proposed by plat" or as otherwise appropriate.*
  8. *Detail Site Plan's Location Map should point to the project's location.*
  9. *Detail Site Plan's Location Map should correspond with the Location Map required with the Preliminary Plat, and so should accurately represent the following subdivisions:*
    - a. *Resubdivision of Lots 3 and 4 of Bixby Commons (missing)*
    - b. *The Links at Bixby (misrepresented as to configuration)*
    - c. *The Estates of Graystone (mislabeled)*
    - d. *Amended Plat of Block 7, North Heights Addition (mislabeled)*
    - e. *Bixby Centennial Plaza II (missing)*
  10. *Please add the proposed LNA and Access Openings corresponding to the Preliminary Plat.*
  11. *Please add missing drive widths and curb return radii.*
  12. *The proposed driveways and their curb return radii must comply with applicable standards and City Engineer and/or Fire Marshal requirements.*
  13. *Please consider adding a sidewalk connecting the northern and southern development areas as described in the analysis above.*
  14. *An accessible path is not clear between the streetside sidewalks and the building entrances. Please provide or describe as appropriate; the same should comply with ADA standards.*
  15. *The Site Plan needs to indicate which of the proposed ADA spaces will be of van-accessible design, as required.*
  16. *The Applicant should determine whether the entire development will be considered as a singular parking lot for ADA compliance purposes, or whether the lot lines and/or plainly evident divisions between the parking areas (i.e. westerly, northerly, and southerly) will require each section (or lot) have its own accessible space, and if that space should not be of van-accessible design.*
  17. *If the accessible space in the southerly parking lot area should be of van-accessible design for ADA compliance purposes, the Applicant should consider assigning van-accessible ADA space such that the access aisle will be on the right/passenger side of the van-accessible space.*
  18. *Only two (2) of the three (3) handicapped-accessible parking spaces and access aisles are dimensioned, but they do not indicate compliance with the space width or striping standards Zoning Code Section 11-10-4.C Figure 3. Secondly, signage to reserve the regular handicapped-accessible and van-accessible spaces is not indicated. The Applicant should make use of a handicapped-accessible parking space/access aisle/accessible route detail diagram as needed to demonstrate compliance with applicable standards, including both ADA and Bixby Zoning Code standards. During the design of these features, the Applicant should consult with the Building Inspector to confirm the plans will comply with ADA standards. Van-accessible space designs are not subject to Zoning Code Section 11-10-4.C Figure 3.*
  19. *The parking lot setback/landscaped strip width along 75<sup>th</sup> E. Ave. ranges between 14.2' along the northerly section of frontage to something less than 25' (per the B/L) toward the middle, to something less than 15' (per RWE) at the southerly end. It is subject to a 10' minimum setback per Zoning Code Section 11-10-3.B Table 1. The two (2) areas that are not dimensioned need to be so, and the southernmost sections' setback/landscaped strip needs to be increased to 7.5' in width if not already such.*
  20. *The plans show internal drives and parking spaces being paved over Utility Easements along the northerly, easterly, and southerly sides of the subject property. Further, the waste disposal enclosure area is proposed at the southerly end of the easterly 17.5' U/E. Paving and constructing improvements over public Utility Easements is subject to City Engineer and Public Works Director approval.*

21. *Per the Text and Exhibits A and B of PUD 47-C, there is an "Existing brick masonry wall" along the south line of the subject property, which "will remain." Linework suggesting a fence or wall of some sort is indicated on the site plan needs to be labeled and described as to composition and height and the Applicant needs to provide a profile view/elevation drawing showing the required screening wall along the south property line.*
22. *Recognizing the immediate residential adjacency for this feature, the waste disposal enclosure screening needs to be described as to composition and height. Staff respectfully requests a profile view/elevation exhibit be submitted for the Planning Commission's review and approval as a part of this Detailed Site Plan.*
23. *Please confirm the existing screening on the east is a "wall," and not a 6' wooden fence as indicated elsewhere on the site plan.*
24. *PUD 47-C requires minimum 10'-tall evergreen trees be planted within a 20'-wide "landscape buffer" along the south property line. At 121.30' of south property line length, 12.13 = 13 ten-foot-high evergreen trees would be required along the south 10' "landscape buffer" (13/100 of a tree is not possible and required minimum landscape trees are not rounded down). However, the landscape plan only proposes six (6) Loblolly Pine trees, at 8' in height. This will need to be resolved.*
25. *Please resolve the Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7) matter as described in the Landscape Plan analysis above.*
26. *Please resolve the Building Line Setback Tree Requirements (Section 11-12-3.A.4) matter as described in the Landscape Plan analysis above.*
27. *Please resolve the Irrigation Standards (Section 11-12-3.D.2) matter as described in the Landscape Plan analysis above.*
28. *Please resolve the Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.) matter as described in the Landscape Plan analysis above.*
29. *The notes on the Detail Site Plan drawing do not appear to be sufficient to satisfy the PUD requirement of a "Detailed Lighting Plan." There are residential areas to the south and west, and proposed lighting should be clearly represented and described in detail. A photometric plan and the customary "cut sheets" showing actual lighting fixtures to be used, with specific mounting height information (grade to top of lighting element) should be required.*
30. *Recognizing the houses abutting to the east, the photometric lighting plan should demonstrate that the footcandle effects of the proposed lighting will be reduced to 0.0 at all points on the south and west lines of the development.*
31. *Copies of the Preliminary Plat including all recommended corrections shall be submitted for placement in the permanent file: 1 full size folded to 8.5" X 11", 1 11" X 17", and 1 electronic (PDF preferred).*
32. *Please submit complete, corrected copies of the Detailed Site Plan incorporating all of the corrections, modifications, and conditions of approval as follows: Two (2) full-size hard copies, one (1) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).*
33. *Minor changes in the placement / locating individual trees or parking spaces, or other such minor site details, are approved as a part of this Detailed Site Plan, subject to administrative review and approval by the City Planner. The City Planner shall determine that the same are minor in scope and that such changes are an alternative means for compliance and do not compromise the original intent, purposes, and standards underlying the original placement as approved on this Detailed Site Plan, as amended. An appeal from the City Planner's determination that a change is not sufficiently minor in scope shall be made to the Board of Adjustment in accordance with Zoning Code Section 11-4-2.*

Erik Enyart noted that this was a different PUD site plan arrangement than was customary, as it included all the lots together, as Staff had recommended when the PUD Major Amendment was approved earlier in the year. Mr. Enyart stated that this application would give overall site plan [approval] coverage for the entire development, and then Staff would compare the individual Building Permits to the overall site plan for consistency. Mr. Enyart stated that, otherwise, each

Building Permit would potentially have its own [theme] as far as setbacks and landscaping, and this could result in a mix-match of different [themes], rather than having a consistent theme.

Chair Thomas Holland expressed concern about the residential uses abutting to the south and confirmed with Ted Sack that the screening to the south would be the same as proposed with [PUD 47-C].

A Commissioner asked how this had changed [since the last time the Planning Commission saw it], and Erik Enyart responded that the biggest change was that the original plan and plat had about seven (7) or eight (8) lots, and this plan combined the westernmost lots into one bigger one, and now had five (5) lots total. Ted Sack confirmed that the previous plat had eight (8) lots, and that the large lot was to allow them to build a bigger building. Mr. Sack stated that “The building on the table right now is 6,000 square feet.” Mr. Sack stated that the market called for the smaller lots for individual offices at the prior time, and still called for the smaller lots for the balance of the subdivision. Mr. Sack stated that he had “no problem with the [recommended] conditions—we can meet the conditions.”

Jeff Baldwin recognized Betsy Bromley from the Sign-In Sheet and noted that she did not indicate if she was signed up for this or another item. Mr. Baldwin asked Ms. Bromley if she cared to speak on the item. Ms. Bromley declined.

Jeff Baldwin confirmed with Ted Sack that he had prepared the overall site plan at the request of the City, and that he was okay with the recommendations.

Chair Thomas Holland asked about the landscaping trees along the south property line, and Ted Sack responded, “We’re short one—we’ll add another one.”

Chair Thomas Holland asked to entertain a Motion. John Benjamin made a MOTION to APPROVE BSP 2013-05 with the corrections, modifications, and Conditions of Approval as recommended by Staff. Jeff Baldwin SECONDED the Motion. Roll was called:

**ROLL CALL:**

AYE: Holland, Whisman, Baldwin, Benjamin, and Whiteley  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 5:0:0

7. **PUD 67 – SourceOne Carwash Company – Minor Amendment # 1.** Discussion and possible action to approve a Minor Amendment to PUD 67 to increase the maximum ground sign height allowance and make certain other amendments.  
Property located: Part of the NW/4 SW/4 of Section 25, T18N, R13E; Lot 1, Block 1, *Panda Express*; 10535 S. Memorial Dr.

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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:** Thursday, October 17, 2013  
**RE:** Report and Recommendations for:  
PUD 67 – SourceOne Carwash Company – Minor Amendment # 1

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**LOCATION:** – 10535 S. Memorial Dr.  
– Part of the NW/4 SW/4 of Section 25, T18N, R13E  
**SIZE:** 48,352 square feet; 1.11 acres, more or less  
**EXISTING ZONING:** CS and PUD 67 for “SourceOne Carwash Company”  
**EXISTING USE:** Vacant (Use Unit 12 Panda Express restaurant under construction)  
**REQUEST:** Minor Amendment to PUD 67, which amendment proposes to increase the maximum ground sign height allowance and make certain other amendments

**SURROUNDING ZONING AND LAND USE:**

**North:** CS & PUD 40; The Applebee’s restaurant, the Hampton Inn & Suites hotel, and a commercial strip shopping center, all in Regal Plaza.  
**South:** CS; The Home Hardware / Builder’s Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby’s Carpet Center subdivision.  
**East:** RS-3; Residential in South Country Estates.  
**West:** (Across Memorial Dr.) CS/PUD 619 and CS/PUD 370; The First Priority Bank, the Avalon Park commercial/office development, and the Life Time Fitness and other businesses being developed in Memorial Commons and/or “The Vinyards on Memorial,” all in the City of Tulsa.

**COMPREHENSIVE PLAN:** Medium Intensity + Commercial Area

**PREVIOUS/RELATED CASES:** (not necessarily a complete list)

**BBOA-283 – L.C. Neel** – Request for Special Exception for a Use Unit 17 used car sales lot – Approved by BOA 08/01/1994.  
**PUD 67 –SourceOne Carwash Company – Crafton Tull Sparks** – Request for PUD approval for subject property – PC Recommended Conditional Approval 12/15/2008 and City Council Conditionally Approved 01/28/2009 (Ord. # 2008 [1008]).  
**Preliminary Plat of Legend’s Carwash** – Request for Final Plat approval for the “Legend’s Carwash” subject property – PC Recommended Conditional Approval 12/15/2008 and City Council Conditionally Approved 01/05/2009.  
**Final Plat of “Legend’s Carwash” / “Boomerang Carwash”** – Request for Final Plat approval for “Legend’s Carwash” for the subject property – PC Recommended Conditional Approval 03/16/2009 and City Council Conditionally Approved 03/23/2009. Approval expired 03/23/2010 per Subdivision Regulations / City Code Section 12-2-6.F. By memo dated 04/14/2010, Developer requested City Council re-approve the Final Plat, to be renamed “Boomerang Carwash.” City Council re-approved Final Plat 04/26/2010. Final Plat approval expired 04/26/2011 per Subdivision Regulations / City Code Section 12-2-6.F.  
**BSP 2009-02 & AC-09-02-02 – “Legend’s Carwash” – Crafton Tull Sparks** – Request for PUD Detailed Site Plan approval for a carwash and retail development as required by PUD 67 – Conditionally Approved by the Planning Commission and Architectural Committee 02/17/2009.  
**BSP 2010-02 / AC-10-06-01 – Boomerang Carwash – The McLain Group, LLC (PUD 67)** – Request for PUD Detailed Site Plan approval for a carwash and retail development as required by PUD 67 – PC Conditionally Approved 06/21/2010.  
**BSP 2013-02 – Panda Express – Bannister Engineering, LLC (PUD 67)** – Request for PUD Detailed Site Plan approval for a Use Unit 12 restaurant development as required by PUD 67 – PC Conditionally Approved 05/20/2013.  
**Preliminary Plat and Final Plat of Panda Express – Crafton Tull & Associates, Inc. (PUD 67)** – Request for PUD Detailed Site Plan approval for a Use Unit 12 restaurant development as required by PUD 67 – PC Conditionally Approved 07/15/2013 and City Council Conditionally Approved 07/22/2013 (Plat # 6491 recorded 09/13/2013).

**BACKGROUND INFORMATION:**

The subject property was previously a small used car sales lot, previously operated by Nelson Mazda, occupying the front/west approximately 120’. It was previously Conditionally Approved for a Use Unit 17 “Legend’s Carwash” / “Boomerang Carwash” development, including PUD 67, Preliminary and Final

*Plats, and PUD Detailed Site Plans. However, that proposal was not ultimately developed. The current application is to develop a Use Unit 12 Panda Express restaurant. PUD 67 allows the proposed use. The Planning Commission Conditionally Approved the Detailed Site Plan per BSP 2013-02 on May 20, 2013. The Preliminary Plat and Final Plat were approved in July, 2013, and Plat # 6491 was recorded September 13, 2013.*

ANALYSIS:

Subject Property Conditions. *The subject property moderately slopes downward to the south and east, in the watershed that drains to the Oliphant Drainage and Detention system (an upstream portion of Fry Creek # 1). It is presently vacant and zoned CS with PUD 67. It has been issued a Building Permit and construction has commenced. It is bordered on the north by a private drive separating it from the Applebee's restaurant and the Hampton Inn & Suites hotel in Regal Plaza, on the south by the existing or former Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision, on the east by residential in South Country Estates, and on the west by Memorial Dr.*

Comprehensive Plan. *The Comprehensive Plan designates the subject property as (1) Medium Intensity and (2) Commercial Area.*

*The Use Unit 12 commercial restaurant use is consistent with the Comprehensive Plan.*

*Due to the relatively limited scope of proposed changes, the proposed PUD 67 Minor Amendment # 1 should be recognized as being not inconsistent with the Comprehensive Plan.*

General. *Per PUD 67, the property is permitted one (1) ground sign, a maximum of 10' in height, which may include an LED/Electronic Message Board sign element. The Applicant is requesting a Minor Amendment to an approved PUD, to provide for a cul-de-sac street design for Kingston Ave., provide certain requirements pertaining thereto, and make certain other amendments.*

*Per the signage drawings, the proposed ground sign is 25' in height. The Zoning Code would allow up to 25' by right, and thus it is the PUD itself which restricts the sign height. Ground signs in the area, especially those for fast-food and sit-down restaurants, typically have signs at or about the 25' height maximum (in PUDs) or 30' maximum (outside PUDs).*

*To the north is the Applebee's restaurant in Regal Plaza, and to the south is the Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision. Both appear to have pole-mounted ground signs at or about the 25' height. Between 101<sup>st</sup> St. S. and 111<sup>th</sup> St. S. on the east (Bixby) side of Memorial Dr., it appears only the Dry Clean Super Center's sign at 10401 S. Memorial Dr. and the South Park Self Storage's new LED sign at 10901 S. Memorial Dr. are of "monument style," with heights below 25'.*

Staff Recommendation. *Staff has no objection to the proposed change.*

Erik Enyart noted that this property was the one with the *Panda Express* under construction at this time.

Erik Enyart stated that it appeared to him that, with perhaps two (2) exceptions, most of the ground signs along the Bixby side of Memorial Dr. between 101<sup>st</sup> St. S. and 111<sup>th</sup> St. S. were "pole signs" at about 25' in height. Chair Thomas Holland asked Erik Enyart, rhetorically, if they were not beautiful, and Mr. Enyart responded, "No comment."

Chair Thomas Holland recognized Brian Ward of *A-Max Sign Company, Inc.*, 9520 E. 55<sup>th</sup> Pl. S., from the Sign-In Sheet. Mr. Ward stated that he was representing the application, and noted that the sign for *Panda Express* would be the standard 25' height, but would not have an LED message board component.

Chair Thomas Holland asked to entertain a Motion. Larry Whiteley made a MOTION to APPROVE PUD 67 Minor Amendment # 1. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whisman, Baldwin, Benjamin, and Whiteley  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 5:0:0

Erik Enyart addressed Chair Thomas Holland and noted that at least one (1) intern from the Bixby Metro Chamber of Commerce’s Leadership Bixby program was present. Dave Myers introduced himself and stated that he was with *Atlas General Contractors*. Rachel Brewer introduced herself and stated that she was with *Liberty Mutual*. Mr. Enyart observed that both of this year’s two (2) interns were present. The Commissioners recognized and welcomed Mr. Myers and Ms. Brewer to the Planning Commission. Chair Thomas Holland expressed his hope that they would get good things from their experience.

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 if there was any 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 6:34 PM.

APPROVED BY:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Planner/Recording Secretary