

AGENDA
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
December 17, 2012 **6:00 PM**

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

- ③ 1. Approval of Minutes for the November 19, 2012 Regular Meeting

PUBLIC HEARINGS

③1



2. **BCPA-7 – JR Donelson, Inc. for Clinton Miller and Roger Metcalf.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan of the City of Bixby, Oklahoma, specifically to redesignate certain property on the Comprehensive Plan Land Use map from “Water” to “Medium Intensity” with no specific land use designation.
Property Located: North dead-end of Riverview Rd.; Northwest corner of the intersection of Riverview Rd. and E. Westminster Pl. N.
3. **PUD 74 – RiverLoft ADDITION – JR Donelson, Inc.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for part of Government Lot 7 lying West of the Centerline of Old U.S. Hwy 64 and lying North of Bentley Park in Section 13, T17N, R13E.
Property Located: North dead-end of Riverview Rd.; Northwest corner of the intersection of Riverview Rd. and E. Westminster Pl. N.
4. **BZ-362 – JR Donelson, Inc. for Clinton Miller and Roger Metcalf.** Public Hearing, Discussion, and consideration of a rezoning request from RS-2 Residential Single-Family District to RM-1 Residential Multi-Family Medium Density District for part of Government Lot 7 lying West of the Centerline of Old U.S. Hwy 64 and lying North of Bentley Park in Section 13, T17N, R13E.
Property located: North dead-end of Riverview Rd.; Northwest corner of the intersection of Riverview Rd. and E. Westminster Pl. N.

③2



5. **BCPA-8 – JR Donelson for Roger & LeAnn Metcalf.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan of the City of Bixby, Oklahoma, specifically to redesignate certain property on the Comprehensive Plan Land Use map from “Low Intensity” and/or “Special District # 4” to “Medium Intensity” and to remove the “Special District #4” designation.
Property Located: 15329 S. Sheridan Rd.

6. **PUD 75 – LeAnn Acres – JR Donelson, Inc.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for part of the W/2 of the NW/4 of Section 23, T17N, R13E.
Property located: 15329 S. Sheridan Rd.
7. (Continued from October 15 and November 19, 2012)
BZ-359 – Roger & LeAnn Metcalf. Public Hearing, Discussion, and consideration of a rezoning request from AG Agricultural District to RM-2 Residential Multi-Family District for part of the W/2 of the NW/4 of Section 23, T17N, R13E.
Property located: 15329 S. Sheridan Rd.
- 33 8. **BZ-363 – Kevin Blake.** Public Hearing, Discussion, and consideration of a rezoning request from RS-1 Residential Single-Family District to RT Residential Townhouse District for the W. 100' of Lot 7, Block 1, *Clyde Miller Acreage*.
Property located: 7739 E. 129th St. S.
- 48 9. **BZ-361 – City of Bixby.** Public Hearing, Discussion, and consideration of a rezoning request to extend the Corridor Appearance District overlay district, 600' in width along the centerline of 151st St. S. from Memorial Dr. east to Riverview Rd., pursuant to Zoning Code Section 11-7G.
Property located: Along 151st St. S. from Memorial Dr. east to Riverview Rd.
- 53 10. **Zoning Code Text Amendment.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, to replace the guidelines with new minimum standards within the Corridor Appearance District and Central Business District overlay districts, pursuant to Zoning Code Sections 11-7G and 11-7H.

PLATS

OTHER BUSINESS

- 56 11. **BSP 2012-02 – “Andy’s Frozen Custard” – Lewis Engineering, P.L.L.C. (PUD 63).** Discussion and consideration of a Detailed Site Plan and building plans for “Andy’s Frozen Custard,” a Use Unit 12 restaurant development for Lot 2, Block 3, *101 South Memorial Plaza*.
Property located: 8251 E. 102nd St. S.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Eryant Date: 11/26/2012 Time: 2:10 PM

AGENDA – Bixby Planning Commission

December 17, 2012

Page 2 of 2

All items are for Public Hearing unless the item is worded otherwise

2

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA**

November 19, 2012

6:00 PM

STAFF PRESENT:

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

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Vice/Acting Chair Larry Whiteley called the meeting to order at 6:00 PM.

ROLL CALL:

Members Present: Larry Whiteley, Jeff Baldwin, Lance Whisman, and John Benjamin Lance.
Members Absent: Thomas Holland.

CONSENT AGENDA:

1. Approval of Minutes for the October 15, 2012 Regular Meeting
2. Approval of Minutes for the October 24, 2012 Special/Called Meeting

Vice/Acting Chair Larry Whiteley introduced the Consent Agenda Item Numbers 1 and 2. John Benjamin made a MOTION to APPROVE to the Minutes of the two meetings as presented by Staff. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Benjamin, Whiteley, & Whisman
NAY: None.
ABSTAIN: Baldwin.
MOTION CARRIED: 3:0:1

PUBLIC HEARINGS

3. (Continued from August 20 and September 17, 2012)
BZ-357 – JR Donelson for Clinton Miller and Roger Metcalf. Public Hearing, Discussion, and consideration of a rezoning request from RS-2 Single Family Dwelling District to CS Commercial Shopping Center District for part of Government Lot 7 lying

West of the Centerline of Old U.S. Hwy 64 and lying North of Bentley Park in Section 13, T17N, R13E.

Property located: North dead-end of Riverview Rd.; Northwest corner of the intersection of Riverview Rd. and E. Westminster Pl. N.

Vice/Acting Chair Larry Whiteley introduced the item. Erik Enyart noted that the Applicant had withdrawn this application. Mr. Enyart addressed the audience and stated, for those present who were interested, this [property] would return to the agenda on December 17, 2012 for a new rezoning application, a PUD, and a request to amend the Comprehensive Plan. Mr. Enyart stated that, with the new applications, the acreage has been reduced to less than one (1) acre.

No action was taken.

4. (Continued from October 15, 2012)

BZ-359 – Roger & LeAnn Metcalf. Public Hearing, Discussion, and consideration of a rezoning request from AG Agricultural District to RM-2 Residential Multi-Family District for part of the W/2 of the NW/4 of Section 23, T17N, R13E.

Property located: 15329 S. Sheridan Rd.

Vice/Acting Chair Larry Whiteley introduced the item. Erik Enyart noted that Applicant's agent JR Donelson had requested that the item be Continued to the December 17, 2012 Regular Meeting. Mr. Enyart recommended the Applicant's request be granted.

Lance Whisman addressed Vice/Acting Chair Larry Whiteley and asked if there was not someone present who would like to speak on the item at this time.

Erik Enyart stated that there was an individual signed in as an interested party, and provided Vice/Acting Chair Larry Whiteley with the Sign-In Sheet.

Vice/Acting Chair Larry Whiteley recognized Gerry Tabio of 15425 S. Sheridan Rd. Mr. Tabio stated that he was happy to come back on December 17th.

John Benjamin made a MOTION to CONTINUE BZ-359 to the December 17, 2012 Regular Meeting. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Benjamin, Baldwin, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

5. **PUD 73 – Eagle SPE Multi I, Inc. – Rosenbaum Consulting, LLC.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for Lot 7 and the N. 42' of Lot 8, Block 1, *Bixby Centennial Plaza*.
Property Located: Approximately the 11900-block of S. Memorial Dr.

Vice/Acting Chair Larry Whiteley introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, November 09, 2012
RE: Report and Recommendations for:
PUD 73 – Eagle SPE Multi I, Inc. – Rosenbaum Consulting, LLC

LOCATION: – Approximately the 11900-block of S. Memorial Dr.
– Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza

LOT SIZE: 1 acre, more or less, in two (2) parcels

EXISTING ZONING: CS Commercial Shopping Center District

SUPPLEMENTAL ZONING: Corridor Appearance District

EXISTING USE: Vacant commercial lots

REQUEST: Approval of PUD 73

SURROUNDING ZONING AND LAND USE:

North: CS, OL, and CG/OL + PUD 54; Vacant lots and the IBC Bank in Bixby Centennial Plaza and the Jiffy Lube.

South: CS; The former Santa Fe Cattle Co. restaurant and a Bank of Oklahoma bank branch in Bixby Centennial Plaza.

East: (Across Memorial Dr.) CS & CG; The Town and Country Shopping Center and to the northeast, the Bank of the West and a multi-tenant building at 11835 S. Memorial Dr. containing the Rod Smith Company real estate business and DTAGS, LLC (Digital Transport Agnostic Gateway Solutions) video services general business office.

West: CS; Vacant lots in Bixby Centennial Plaza and an unplatted 11-acre vacant/agricultural tract zoned CS/OL + PUD 51.

COMPREHENSIVE PLAN: Corridor + Medium Intensity + Commercial Area.

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

BZ-279 – Charles Norman/Martha Plummer Roberts et al. – Request for rezoning from AG to CS, OM, RM-1, and RS-2 for 73 acres, more or less, which became Bixby Centennial Plaza and Fox Hollow and an unplatted 11-acre tract later approved as PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on November 19, 2001 and Approved by City Council December 10, 2001 (Ord. # 842). Subject property included in that part approved for CS zoning.

Preliminary Plat of Bixby Centennial Plaza – Request for Preliminary Plat approval including subject property – PC Approved 07/17/2006 and City Council Approved 07/24/2006.

Final Plat of Bixby Centennial Plaza – Request for Final Plat approval including subject property – PC Approved 10/16/2006 and City Council Approved 10/23/2006 (plat recorded 04/04/2007).

BL-351 – Khoury Engineering, Inc. – Request for Lot-Split approval to separate the north 42' of Lot 8 and add to Lot 7 of Bixby Centennial Plaza (included subject property) – PC Conditionally Approved 03/17/2008.

BL-387 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc. – Request for Lot-Split approval to divide Lot 7 portion of subject property – Pending PC consideration 11/19/2012.

V-43 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc. – Request to close a Utility Easement within subject property – Pending PC consideration 11/19/2012.

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

BZ-182 – Eugene Green – Request for rezoning from RS-1 to CG for Lots 1 and 2 of Block 5, North Heights Addition (the Jiffy Lube property at 11800 S. Memorial Dr.) for a car lot – Approved by City Council August 11, 1987 (Ord. # 569).

BBOA-449 – Patrick Moore for SBM Corporation – Request for Special Exception to authorize a Use Unit 17 Automotive and Allied Activities for a Jiffy Lube auto service facility at 11800 S. Memorial Dr. – Denied by Board of Adjustment 10/02/2006.

BZ-318 – SBM Corporation for Eugene & Norma Green – Request for rezoning from RS-1 to OL for Lot 3 Block 5, North Heights Addition (the Jiffy Lube property at 11800 S. Memorial Dr.) – PC

Recommended Approval October 16, 2006 and City Council Approved November 13, 2006 (Ord. # 953).

PUD # 54 – Jiffy Lube – Request for PUD overlay zoning for the Jiffy Lube property at 11800 S. Memorial Dr. – PC Recommended Approval 03/19/2007 and City Council Approved 04/09/2007 (Ord. # 963).

BL-350 – Khoury Engineering, Inc. – Request for Lot-Split approval to separate the south 46.08' of Lot 5 of Bixby Centennial Plaza and add to Lot 6 (north of subject property) – PC Conditionally Approved January 2008.

AC-08-06-05 – Santa Fe Cattle Co. – Request for Detailed Site Plan approval for a Use Unit 12 restaurant at 11982 S. Memorial Dr., the S. 264.00' of Lot 8, Block 1, Bixby Centennial Plaza (south of subject property) – Architectural Committee Conditionally Approved 06/16/2008.

AC-08-07-01 – IBC Bank – Request for Detailed Site Plan approval for a Use Unit 11 bank at 11886 S. Memorial Dr., The N. 158.42' of Lot 5, Block 1, Bixby Centennial Plaza (north of subject property) – Architectural Committee Conditionally Approved 07/21/2008.

AC-09-05-02 & AC-09-05-05 – IBC Bank – Request for approval for wall signs and a ground sign, respectively, for the IBC Bank at 11886 S. Memorial Dr., The N. 158.42' of Lot 5, Block 1, Bixby Centennial Plaza (north of subject property) – Architectural Committee Approved both on 05/18/2009.

BBOA-529 – Khoury Engineering, Inc. – Request for Special Exception per Zoning Code Section 11-7D-2 Table 1 to allow a Use Unit 17 automotive repair and sales business use in the CS Commercial Shopping Center District for Lot 6 to the north of subject property – BOA Approved 12/06/2010.

BL-376 – Khoury Engineering, Inc. for Bixby Investors, LP – Request for Lot-Split approval for Lot 6 (north of subject property) – PC Conditionally Approved 12/20/2010.

BBOA-535 – Khoury Engineering, Inc. – Request for Variance from (1) the 150' minimum lot-width / minimum ground sign spacing standard of Zoning Code Section 11-9-21.C.[8].a, (2) from the maximum display surface area restrictions of Zoning Code Section 11-9-21.D.3, and (3) any other Zoning Code restriction preventing the erection of two (2) freestanding ground signs at three (3) square feet in display surface area [each], all for Lot 6 (north of subject property) – BOA Approved 01/03/2011.

BBOA-536 – Khoury Engineering, Inc. – Request for Variance from the 150' minimum lot-width / minimum ground sign spacing standard of Zoning Code Section 11-9-21.C.[8].a for the North 154.5' of Lot 6, and the S. 46.08' of Lot 5, Block 1, Bixby Centennial Plaza (north of subject property) – BOA Approved 02/07/2011.

AC-11-02-01 – Firestone Complete Auto Care – Khoury Engineering, Inc. – Request for Detailed Site Plan approval for a Use Unit 17 automotive repair and sales business for the S. 165.5' of Lot 6, Block 1, Bixby Centennial Plaza (north of subject property) – Withdrawn by Applicant prior to Planning Commission meeting 02/22/2011.

BL-381 – Khoury Engineering, Inc. for Bixby Investors, LP – Request for Lot-Split approval for Lot 6 (north of subject property) – PC Conditionally Approved 11/21/2011.

BBOA-544 – Khoury Engineering, Inc. – Request for Variance (A) from the 150' minimum lot-width / minimum ground sign spacing standard of Zoning Code Section 11-9-21.C.[9].a, (B) from the maximum display surface area restrictions of Zoning Code Section 11-9-21.D.3 to allow three (3) square feet of display surface area per ground sign, and (C) from any other Zoning Code restriction preventing the erection of three (3) freestanding ground signs at three (3) square feet in display area each for Lot 6, and the South 46.08' of Lot 5, Block 1, Bixby Centennial Plaza (north of subject property) – BOA Approved 10/03/2011.

BBOA-556 – Sack & Associates, Inc. – Request for Special Exception per Zoning Code Section 11-10-2.H to allow a total of 30 parking spaces, in excess of the 13 space maximum standard for a proposed bank in the CS Commercial Shopping Center District part of Lot 6, Block 1, Bixby Centennial Plaza (north of subject property) – BOA Approved 04/02/2012.

AC-12-04-02 – Communication Federal Credit Union – Sack & Associates, Inc. – Request for Detailed Site Plan approval for a Use Unit 11 bank on part of Lot 6 (north of subject property) – PC Conditionally Approved 04/16/2012.

BACKGROUND INFORMATION:

Per BL-351, Lot 8 was approved for Lot-Split to separate the north 42' from the balance of that lot (S. 264'), which was sold and developed with a Santa Fe Cattle Co. restaurant. Per the Planning

6

Commission's Conditional Approval on March 17, 2008, because it would otherwise violate the 150' minimum frontage requirement of the CS district, that 42' "sliver tract" was required to be attached to Lot 7, Block 1, Bixby Centennial Plaza. It appears Lot 7 was divided by the conveyance of the southerly 264' to Bixby Cattle OK, LLC (Santa Fe Cattle Co. restaurant). The 42' "sliver tract" balance was evidently never conveyed by itself, allowing for the use of attachment deed restriction language. It was conveyed as a part of a larger acreage conveyance to Eagle SPE Multi I, Inc. by deed in early 2012. The deed to the subject property must fulfill the Lot-Split approval condition prior to or as a part of the next Lot-Split application, BL-387, also pending Planning Commission consideration at this November 19, 2012 Regular Meeting. Upon conveyance of the individual new tracts to their respective owners, as recommended herein, prior to Building Permit issuance, both owners of the two (2) lots produced by Lot-Split must plat their property cooperatively in a singular replat, in fulfillment of the PUD platting requirement.

This PUD primarily proposes to reduce the 150' minimum lot frontage/width requirement in the CS district to allow for a Lot-Split per BL-387, and to provide additional flexibility in terms of parking and ground signage. The two (2) new lots would be for a proposed business office development, consisting of a dental clinic and an optometry clinic, on individually-owned lots.

Also pending Planning Commission consideration at this November 19, 2012 Regular Meeting, the Applicant is requesting approval of an application (V-43) to close a Utility Easement within the subject property that would otherwise frustrate development plans.

ANALYSIS:

Subject Property Conditions. The subject property is vacant and zoned CS. It consists of Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza. It has a total of 174' of frontage on Memorial Dr., but access directly to Memorial Dr. is restricted by Limits of No Access (LNA) per the plat of Bixby Centennial Plaza. Instead, access is afforded via existing private drives within Mutual Access Easements (MAEs).

Part of the north and west sides of the property are covered by parts of MAEs, which MAEs contain existing private commercial drives. This is represented on the Exhibit 1 Conceptual Site Plan included with the PUD.

Per the Exhibit 2 Topographic Survey, the land is relatively flat and appears to drain to the north and east, ultimately to the borrow ditch along S. Memorial Dr., which drains south. When developed, the land should drain through a stormsewer system to the temporary stormwater detention pond located to the southwest of the subject property. This pond is ultimately planned to be replaced in favor of a stormsewer system to be installed along 121st St. S. and to drain west to the Fry Creek Ditch # 2.

General. This PUD primarily proposes to reduce the 150' minimum lot frontage/width requirement in the CS district to allow for a Lot-Split per BL-387, and to provide additional flexibility in terms of parking and ground signage.

The PUD provides plans for the critical areas of site development, including, but not limited to: access and internal circulation (vehicular and pedestrian), parking, signage, screening and landscaping, soils, utilities, and the anticipated development schedule.

Staff has observed the following typographical and minor errors which should be corrected:

1. Entire document: Please add PUD number where appropriate (PUD # 73 presuming approval).
2. Page 4 Development Standards, Use Regulations: Please clarify this section as follows:

"All uses allowed by right in the CS ~~use unit 11~~ zoning district, and specifically, Use Unit 11 offices and studios"

3. Page 4 Development Standards, Transportation and Access: Please describe plans for creating a new MAE connecting the former restaurant on the southerly part of Lot 8 to the east-west shopping center access drive, as indicated on the site plan.
4. Page 4 Development Standards, Sidewalks: Please correct street citation, in both instances, to "South Memorial Drive."
5. Page 5 Development Standards, Signs: Please correct street citation to "South Memorial Drive."
6. Page 5 Development Standards, Signs: Incorrect citation to signage within a Residential district (may be leftover language from PUD 72): "Signs shall be installed as per City of Bixby Zoning Code Regulations Section 11-7B-3.B.4.b."

7. *Page 5 Development Standards, Parking:* Please research, determine positively, and specify in the text that the ADA standards will allow the handicap-accessible access aisles and pedestrian route on the east and west sides of the buildings to be divided in by a common property line which will separate differently-owned lots. Specify in the text what accommodations will be used to ensure continued maintenance and shared expenses of the shared area (easement agreement, etc.). If ADA standards do not allow this even with accommodations, please amend the site plan such that the areas are wholly on one lot or the other and such that both lots comply in terms of number and type of accessible spaces and space designs.
8. *Page 6 Development Standards, Lot Split:* Please include language acknowledging that, prior to Building Permit issuance, both owners of the two (2) lots produced by Lot-Split will plat their property cooperatively in a singular replat, in fulfillment of the PUD platting requirement.
9. *The following corrections or enhancements should be made to the Exhibit 1 Conceptual Site Plan:*
 - a. Please dimension the building footprints.
 - b. Please use arrows to clarify the extent of the "24' Mutual Access" designations.
 - c. Please qualify the "24' Mutual Access" designations as "proposed" or otherwise please cite Document # where easement(s) are recorded with the Tulsa County Clerk.
 - d. Please dimension the proposed front parking lot setback and increase to a minimum of 15' per Zoning Code if not already that width.
 - e. Please dimension widths of handicap-accessible access aisles and pedestrian route on the east and west sides of the buildings.
 - f. The plans indicate parking lot paving will encroach the 17.5' U/E along the east and west property lines. Paving over easements requires the specific approval of the City Engineer and Public Works Director. Please adjust if/as required.
 - g. Drive widths and particulars must be approved by the Fire Marshal and City Engineer. Please adjust if/as required.
 - h. The four (4) handicapped-accessible parking spaces (1 per parking lot area per lot) appears consistent with ADA requirements in terms of number at a 1:25 ratio. Per the Building Inspector, the ADA guidelines require one (1) van-accessible design for the handicapped-accessible space, for up to seven (7) accessible spaces. Please indicate which spaces will be of van-accessible design in compliance with ADA standards and please provide a detail diagram demonstrating compliance with applicable standards, including both ADA and Bixby Zoning Code standards (see striping standards of Figure 3 in Section 11-10-4.C). The designer should consult with the Building Inspector to confirm the plans will comply with ADA standards.
 - i. The northwest corner of Lot 7 is cut off on the drawing – please restore.
 - j. Please qualify "1/250 parking" notation with "minimum."

The Technical Advisory Committee (TAC) reviewed this PUD Major Amendment on November 07, 2012. The Minutes of the meeting are attached to this report.

Comprehensive Plan. The Comprehensive Plan designates the subject property as Corridor + Medium Intensity + Commercial Area.

The underlying CS district is In Accordance with the Corridor, Medium Intensity, and Commercial Area designations of the Comprehensive Plan. The proposed PUD and proposed Use Unit 11 office use development should be recognized as being not inconsistent with the Corridor, Medium Intensity, or Commercial Area designations or the Comprehensive Plan itself.

Surrounding Zoning and Land Use Compatibility. The subject property is located toward the center of the Memorial Dr. frontage of the Bixby Centennial Plaza subdivision, which contains 40 acres and is primarily zoned CS. To the west are larger vacant lots in Bixby Centennial Plaza and, further west is an unplatted 11-acre vacant/agricultural tract zoned CS/OL + PUD 51.

To the east is the (across Memorial Dr.) is a 9+ acre CS district containing the Town and Country Shopping Center and to the northeast is a large CG district containing the Bank of the West and a multi-tenant building at 11835 S. Memorial Dr. containing the Rod Smith Company real estate business and DTAGS, LLC (Digital Transport Agnostic Gateway Solutions) video services general business office.

To the north are vacant commercial lots and the IBC Bank bank branch zoned CS in Bixby Centennial Plaza and, further north is the Use Unit 17 Jiffy Lube zoned CG/OL + PUD 54.

The PUD proposing business office development, consisting of a dental clinic and an optometry clinic, appears to be consistent with surrounding Zoning or land use patterns.

Staff Recommendation. Staff believes that the proposed PUD is consistent with Zoning Code Section 11-71-8.C and the purposes and intent of the Zoning Code generally and recommends Approval subject to the following corrections, modifications, and Conditions of Approval:

- 1. Subject to the satisfaction of any outstanding Fire Marshal, City Engineer, and City Attorney recommendations.*
- 2. Subject to the correction of the above-listed "typographical and minor errors."*
- 3. 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 per the City Attorney, 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 are not completed by the time of City Council ordinance approval and/or which cannot be fully completed otherwise.*
- 4. A corrected PUD text and exhibits package shall be submitted incorporating all of the corrections, modifications, and conditions of approval of this PUD: One (1) hard copy and one (1) electronic copy (PDF preferred).*

Lance Whisman asked Erik Enyart for clarification on the 150' lot width matter. Mr. Enyart explained that the CS district requires a minimum of 150' of lot width and/or frontage on a Public street, and that the lot currently had just a little more than that, and so could not be split into northern and southern parts. Mr. Enyart stated that the PUD would provide the flexibility to allow for the Lot-Split [BL-387], to be considered later on this meeting agenda.

Lance Whisman clarified with Erik Enyart that the proposed uses of the lots, a dentist's office and an optometrist's office, were consistent with CS zoning.

John Benjamin made a MOTION to Recommend APPROVAL of PUD 73 with the corrections, modifications, and Conditions of Approval as recommended by Staff.

Erik Enyart addressed Vice/Acting Chair Larry Whiteley and stated that the Applicant was present and could speak on this item as well.

Vice/Acting Chair Larry Whiteley recognized Barrick Rosenbaum. Mr. Rosenbaum stated "We are in agreement with the Staff recommendation."

Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Benjamin, Baldwin, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

Vice/Acting Chair Larry Whiteley asked if there was anyone present with an organization that wanted to speak. Bixby Metro Chamber of Commerce's Leadership Bixby XI interns Rachel Wagner of Rachel Wagner Etiquette and Protocol and Reta Hallam of Manhattan Construction Company were present but had no comment at this time.

PLATS

6. **Preliminary Plat (Resubmitted) / Final Plat – Seven Lakes II – HRAOK, Inc.**
Discussion and consideration of a Preliminary Plat and a Final Plat and certain Modifications/Waivers for “Seven Lakes II,” part of the W/2 of Section 02, T17N, R13E.
Property located: Intersection of 67th E. Ave. and 125th Pl. S.
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Vice/Acting Chair Larry Whiteley introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, November 09, 2012
RE: Report and Recommendations (Revised 11/19/2012 to reflect the revised plats and information received 11/19/2012) for:
Preliminary Plat (Resubmitted) & Final Plat of “Seven Lakes II”

LOCATION: – Intersection of 67th E. Ave. and 125th Pl. S.
– North of Seven Lakes I
– Part of the W/2 of Section 02, T17N, R13E.

LOT SIZE:
Parent Tract: 36.24 acres, more or less (and that part of the Phase III tract of 23 acres, more or less, lying south of the NW/4 of this Section)
Subject Property Area: 17.70 acres, more or less

EXISTING ZONING: RS-4 Residential Single Family District

EXISTING USE: Vacant

REQUEST: (1) Preliminary Plat approval for 59-lot residential subdivision
(2) Modification/Waiver from Subdivision Regulations Section 12-3-4.F to exceed the 2:1 maximum depth to width ratio*
(3) Modification/Waiver from Subdivision Regulations Section 12-3-3.A, if any utility easements would not achieve the minimum width standards at 17.5’ for perimeters

SURROUNDING ZONING AND LAND USE:

North: RS-4 & AG; Approximately 23-acres of unplatted land owned by the developer and zoned RS-4, and a 20-acre unplatted tract containing a house and otherwise vacant/wooded land owned by John Tiger et al., an unplatted 12-acre vacant tract owned by Tulsa County, and an unplatted vacant and wooded 20-acre tract owned by the City of Bixby, all zoned AG.

South: RS-4; Single family residential in Seven Lakes I.

East: AG; The Fry Creek Ditch Channel with agricultural land to the east of that.

West: RS-4; Unplatted vacant land for a future phase of “Seven Lakes” and single family residential in Seven Lakes I.

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

PREVIOUS/RELATED CASES:

BZ-309 – Wynona Brooks, Trustee of Mildred A. Kienlen A Revocable Living Trust – Request for rezoning from AG to RS-4 for area including Seven Lakes I, subject property, and 23 acres abutting to the north – PC recommended Approval 01/18/2005 and City Council Approved 02/14/2005 (Ord. # 901).

* Modification/Waivers have not yet been requested.

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for “Seven Lakes II” for the subject property plat area and the balance of the 36.24-acre parent tract – PC recommended Conditional Approval 05/19/2008 and City Council Conditionally Approved 05/27/2008.

Preliminary Plat of Seven Lakes II – Request for Preliminary Plat approval for “Seven Lakes II” for the subject property plat area – PC recommended Conditional Approval 09/21/2011 and City Council Conditionally Approved 09/26/2011 (Approval expired 09/26/2012 per the Subdivision Regulations).

RELEVANT AREA CASE HISTORY: (not a complete list)

Preliminary Plat of Seven Lakes I – Request for Preliminary Plat approval for Seven Lakes I abutting subject property to the south – PC recommended Approval 06/20/2005 and City Council Approved 06/27/2005.

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

BACKGROUND INFORMATION:

The second phase of the “Seven Lakes” residential development, to be known as “Seven Lakes II,” was previously approved for Preliminary Plat in May of 2008. At that time, it included all of the parent tract of 36.24 acres (more or less) and proposed 114 lots. The current plat proposes to develop the eastern portion of the parent tract at 59 lots, presumably more in line with a more conservative market demand than in 2008. This current plat was proposed and approved in September of 2011. However, the Preliminary Plat approval expires after one (1) year, per the Subdivision Regulations. The plat has been revised and resubmitted as a Preliminary Plat and is also submitted for Final Plat approval.

ANALYSIS:

Property Conditions. The subject property is vacant and zoned RS-4. The development will be designed to collect stormwater and drain it to the east to Fry Creek Ditch # 2. East 125th Place South already exists to the south of the subject property, and part of the westerly boundary is formed by South 68th East Avenue, both streets having been built with Seven Lakes I. Within this plat area, the other streets, and what appears to be two (2) additional “lakes” in “Seven Lakes,” were already “rough cut” during or after the development of the first phase.

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

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

General. This subdivision of 36.24 acres, more or less, proposes 59 lots, four (4) blocks, and three (3) Reserves.

The Seven Lakes development, and this plat, represents a conventional but attractive design, with uniquely crisscrossed curvilinear streets and no true cul-de-sacs, interspersed with Reserves for water amenities. The subdivision is similar to Seven Lakes I, abutting to the south, with relatively similar-sized and configured lots. Typical lots range from 65' X 120' (7,800 square feet, 0.18 acres) to 70' X 120' (8,400 square feet, 0.19 acres). All lots appear to meet RS-4 zoning standards.

The Technical Advisory Committee (TAC) reviewed this Preliminary Plat on November 07, 2012. The Minutes of the meeting are attached to this report.

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

Access and Internal Circulation. Primary access to the subdivision would be via Seven Lakes I to the south, to which this subdivision will connect. Seven Lakes I has a street connection at 126th St. S. and has a temporary construction entrance and second means of ingress/egress about a block to the north of that.

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

1. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as Lot 15, Block 2, and Lot 7, Block 1 (and potentially others) appear to exceed the 2:1 maximum depth to width ratio as per SRs Section 12-3-4.F. The Modification/Waiver may be justified by citing its necessity as a product of an attractive subdivision design defined by the crisscrossing, curvilinear street network with no true cul-de-sacs, interspersed with Reserves for water amenities.

11

2. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A, if any utility easements would not achieve the minimum width standards at 17.5' for perimeters. Such request may be justified by demonstrating where an 11' U/E will be back to back with another 11' in abutting subdivision, resulting in a 22'-wide U/E corridor between the subdivisions. Other justifications may be offered and deemed adequate.
3. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.
4. Unlike the other water amenity reserves in Seven Lakes I, Reserve B has no 'handle' to provide access. Access is necessary for routine maintenance and emergency access. Handle access is to be a minimum of 20' in width, per previous City Engineer recommendations. However:
 - a. Formats, widths, locations, and improved surface design and construction standards for access are all subject to the approval of the Fire Marshal and City Engineer;
 - b. It appears a 15'-wide TA/E Temporary Access Easement is now proposed from the northeast corner of the north dead-end of S. 68th E. Ave. Being located outside the plat boundary and not dedicated in the Deed of Dedication, this would have to be done by separate instrument, if allowed in lieu of the standard 'handle' access;
 - c. If to be allowed in lieu of the standard 'handle' access and if done by separate instrument, please execute and provide citation on the plat of the Document # where the instrument is recorded with the Tulsa County Clerk;
 - ~~d. If to be allowed in lieu of the standard 'handle' access, the TA/E as represented would not appear to allow for public access as it does not have frontage along a public street; and~~
 - e. If to be allowed in lieu of the standard 'handle' access and if it is extended into the future S. 68th E. Ave. right-of-way projected (pursuant to the item above), the separate instrument (and the DoD/RCs if/as appropriate) needs to have language providing for its termination/defeat upon (1) the dedication of right-of-way over the concerned area, providing clear title to the City of Bixby at such time, and (2) upon the provision of alternative means of public access.
5. Elevation contours at (presumably) one (1) foot intervals represented as required per SRs Section 12-4-2.B.6. However, please label.
6. "Owner / Developer" block on face of plat, Legal Description, and Owner Signature Block: "Owner / Developer" block on the face of the plat and the Owner Signature Block at the end of the DoD/RCs states "PRHR Properties, LLC." As of ~~October 31,~~ **November 19, 2012**, the name in title recognized by the Tulsa County Assessor on its website is "Seven Lakes II, LLC."
7. As per an earlier version of this plat, the street connecting E. 125th St. S. to S. 71st E. Ave. was previously designated E. 124th Pl. S. Based on the provided addresses, S. 71st E. Ave. is implied. Depending on the future street network layout of the future phase of Seven Lakes immediately to the north, it may more appropriately be designated E. 124th Pl. S. or S. 71st E. Ave. For emergency 911 response, mail service, and general addressing purposes, please provide this street name and clearly differentiate street segments at the intersections. If to be E. 124th Pl. S., re-address the affected lots.
8. Based on existing addresses and street names, please adjust addresses such as follows:
 - Lot 1, Block 4: 12503 → 12504 S. 68th E. Ave.
 - Lot 1, Block 3: 6871 → 6803 E. 125th St. S.
 - Lot 2, Block 3: 6891 → 6807 E. 125th St. S.
 - Lot 3, Block 3: 6911 → 6811 E. 125th St. S.
 - Lot 4, Block 3: 6931 → 6817 E. 125th St. S.
 - Lot 5, Block 3: 6961 → 6861 E. 125th St. S.
 - Lot 6, Block 3: 6981 → 6881 E. 125th St. S.
 - Lot 7, Block 3: 7001 → 6909 E. 125th St. S.
 - Lot 8, Block 3: 7021 → 6921 E. 125th St. S.
 - Lot 9, Block 3: 7041 → 6941 E. 125th St. S.
 - Lot 12, Block 3: 7101 → 7091 E. 125th St. S.
 - Lot 13, Block 3: 7121 → 7097 E. 125th St. S.
 - Lot 1, Block 2: 6903 → 6808 E. 125th St. S.
 - Lot 2, Block 2: 6930 → 6814 E. 125th St. S.

- ~~Lot 3, Block 2: 6960 → 6868 E. 125th St. S.~~
- ~~Lot 4, Block 2: 6980 → 6885 6884 E. 125th St. S.~~
- ~~Lot 5, Block 2: 7000 → 6910 E. 125th St. S.~~
- ~~Lot 6, Block 2: 7020 → 6922 E. 125th St. S.~~
- ~~Lot 7, Block 2: 7040 → 6944 E. 125th St. S.~~
- ~~Lot 8, Block 2: 7060 → 7070 E. 125th St. S.~~
- ~~Lot 10, Block 2: 7105 → 7086 E. 125th St. S.~~
- ~~Lot 11, Block 2: 7122 → 7090 E. 125th St. S.~~
- ~~Lot 12, Block 2: 7140 → 7096 E. 125th St. S. and
12503 → 12508 S. 71st E. Ave.~~
- ~~Lot 23, Block 2: 7041 → 7007 E. 125th Pl. S.~~
- ~~Lot 24, Block 2: 7021 → 6951 E. 124th Pl. S.~~
- ~~Lot 25, Block 2: 7001 → 6919 E. 124th Pl. S.~~
- ~~Lot 26, Block 2: 6981 → 6911 E. 124th Pl. S.~~
- ~~Lot 27, Block 2: 6961 → 6861 E. 124th Pl. S.~~
- ~~Lot 28, Block 2: 6951 → 6819 E. 124th Pl. S.~~
- ~~Lot 29, Block 2: 6925 → 6767 E. 124th Pl. S.~~
- ~~Lot 30, Block 2: 6853 → 6707 E. 124th Pl. S.~~
- ~~Lot 31, Block 2: 12507 → 12575 S. 68th E. Ave.~~

9. Per SRs Section 12-4-2.A.5, the Location Map must include:

- All platted additions represented with the Section:
 - ~~LaCasa Movil Estates (misrepresented as to configuration)~~
 - ~~LaCasa Movil Estates 2nd (missing)~~
 - ~~Encore on Memorial (missing)~~
 - ~~Village Ten Addition (misrepresented as to configuration)~~
 - ~~Clyde Miller Acreage (misrepresented as to configuration)~~
 - ~~Poe Acreage (misrepresented as to configuration)~~
- ~~Scale at 1" = 2,000'.~~

10. ~~Land Summary statistics on the plat face report two (2) Reserve Areas instead of three (3).~~

11. ~~25' B/L and U/E along all streets – is a full 25' needed? If not, consider a 20' U/E to provide a 5' buffer area, or the amount necessary to protect the integrity of the foundation and supporting wall, in the event of excavation of the U/E up to its interior edge.~~

12. ~~Block 1, Lots 7, 8, 9, & 10: Has incomplete linework suggestive of an additional U/E.~~

13. ~~Deed of Dedication / Restrictive Covenants (DoD/RCs) Preamble: Missing critical wording such as "And has caused the above described land to be surveyed, staked, platted, granted, donated, conveyed, dedicated, access rights reserved, and subdivided into blocks, lots, reserve areas, and streets...." as per the City Attorney's recommendations regarding fee simple ownership of rights-of-ways.~~

14. ~~DoD/RCs Preamble: describes as "...a Subdivision in the City of Bixby." Title Block on face of plat describes as "An Addition to the City of Bixby." Recommend reconciliation. See also Surveyor's Certificate; other occurrences possible.~~

15. ~~DoD/RCs Section I.A First Sentence: please precede the first instance of the word "dedicates" with "grants, donates, conveys, and..." as per the City Attorney's recommendations regarding fee simple ownership of rights-of-ways.~~

16. ~~DoD/RCs Section I.A Final Sentence: Due to U/E encroachment experiences in Bixby, please modify as follows, "...provided, however, that nothing herein shall be deemed to prohibit properly-permitted drives, parking areas, curbing, landscaping and customary screening fences and walls." Wording added but "properly" misspelled.~~

17. ~~DoD/RCs Section II.B.3: Should reference not be to "...the adopted standards of the City of Bixby" rather than "...of Tulsa County"?~~

18. ~~DoD/RCs Section II.E.1: Use of "Architecture" in place of "Architectural" in reference to the named committee.~~

19. ~~DoD/RCs Section V.A: Use of word "hereon" in place of "herein," as presumed intended. Two (2) instances observed.~~

20. ~~DoD/RCS Section V.B: Reference to "Seven Lakes" instead of "Seven Lakes II," as presumed intended.~~
21. ~~DoD/RCS Section V.B: Missing words "...be effective from and after the date the instrument is properly recorded."~~
22. DoD/RCS Signature Blocks: Specification of 2012 presumes plat will be recorded within this calendar year. Advisory.
23. Final Plat: Elevation contours, floodplain boundaries, physical features, underlying Zoning district boundaries, minimum improvements acknowledgement, and other such mapping details as required per SRs Section 12-4-2.B.6, by approval of this Final Plat, shall not be required on the recording version of the Final Plat, as such would be inconsistent with Final Plat appearance conventions and historically and commonly accepted platting practices.
24. Submit release letters from all utility companies serving the addition as per SRs Section 12-2-6.B.
25. A copy of the Preliminary Plat including all recommended corrections shall be submitted for placement in the permanent file.
26. A copy of the Final Plat including all recommended corrections shall be submitted for placement in the permanent file.

Erik Enyart noted that he had received a revised set of plats prior to the meeting and had revised the Staff Report to reflect the recommended corrections which had been taken care of. Mr. Enyart stated that, prior to the meeting, he had provided the Commissioners copies of the revised Staff Report, updated review correspondence from the City Engineer, which included review correspondence from the City Attorney, and copies of the revised plats.

John Benjamin asked if this was considered to be Floodplain. Erik Enyart stated that certain areas around here used to be in the 100-year Floodplain, but were removed upon completion of the Corps of Engineer's Fry Creek system approximately 12 years ago. Mr. Enyart stated that *Seven Lakes I* and all of the future Seven Lakes phases land to the north of that were shown on the FEMA maps to be outside the 100-year Floodplain. Mr. Enyart stated that the land to the south of *Seven Lakes I* was in the 100-year Floodplain but the subject property was not.

Jeff Baldwin asked if Staff supported the Modification/Waiver due to the subdivision design. Erik Enyart stated that, due to the innovative street design, he felt a good case could be made for the Modification/Waiver for the lot width to depth ratio matter. Mr. Enyart stated that the Subdivision Regulations do provide for Modifications/Waivers, and requires that they be justified. Mr. Enyart stated that, for the Modification/Waiver on the 17.5' Perimeter Utility Easement width matter, it was common in Bixby and this area for Utility Easements to be 11' backing up to 11' in the next addition, and there were no objections from the utility providers or the Public Works Director, so Staff could support this Modification/Waiver as well.

Lance Whisman made a MOTION to Recommend APPROVAL of the Preliminary Plat, Final Plat, and Modifications/Waivers as recommended by Staff. John Benjamin SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Benjamin, Baldwin, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

Roy Bingham of HRAOK, Inc., 1913 W. Tacoma Suite A, Broken Arrow, OK 74012, provided a letter requesting the Modifications/Waivers and had additional hard copies of the plats. Erik Enyart provided the letter to Vice/Acting Chair Larry Whiteley and noted that the revised plats were already provided to the Commissioners with the updated Staff Report.

OTHER BUSINESS

7. **BL-387 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc.** Discussion and possible action to approve a Lot-Split for Lot 7 and the N. 42' of Lot 8, Block 1, *Bixby Centennial Plaza*.
Property Located: Approximately the 11900-block of S. Memorial Dr.

Vice/Acting Chair Larry Whiteley introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, November 09, 2012
RE: Report and Recommendations for:
BL-387 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc.

LOCATION: – Approximately the 11900-block of S. Memorial Dr.
– Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza
LOT SIZE: 1 acre, more or less, in two (2) parcels
ZONING: CS Commercial Shopping Center District
SUPPLEMENTAL ZONING: Corridor Appearance District
EXISTING USE: Vacant commercial lots
REQUEST: Lot-Split approval
COMPREHENSIVE PLAN: Corridor + Medium Intensity + Commercial Area.
PREVIOUS/RELATED CASES: (Not necessarily a complete list)

BZ-279 – Charles Norman/Martha Plummer Roberts et al. – Request for rezoning from AG to CS, OM, RM-1, and RS-2 for 73 acres, more or less, which became Bixby Centennial Plaza and Fox Hollow and an unplatted 11-acre tract later approved as PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on November 19, 2001 and Approved by City Council December 10, 2001 (Ord. # 842). Subject property included in that part approved for CS zoning.

Preliminary Plat of Bixby Centennial Plaza – Request for Preliminary Plat approval including subject property – PC Approved 07/17/2006 and City Council Approved 07/24/2006.

Final Plat of Bixby Centennial Plaza – Request for Final Plat approval including subject property – PC Approved 10/16/2006 and City Council Approved 10/23/2006 (plat recorded 04/04/2007).

BL-351 – Khoury Engineering, Inc. – Request for Lot-Split approval to separate the north 42' of Lot 8 and add to Lot 7 of Bixby Centennial Plaza (included subject property) – PC Conditionally Approved 03/17/2008.

PUD 73 – Eagle SPE Multi I, Inc. – Rosenbaum Consulting, LLC – Request for approval of PUD 44 supplemental zoning for subject property – Pending PC consideration 11/19/2012.

V-43 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc. – Request to close a Utility Easement within subject property – Pending PC consideration 11/19/2012.

BACKGROUND INFORMATION:

Per BL-351, Lot 8 was approved for Lot-Split to separate the north 42' from the balance of that lot (S. 264'), which was sold and developed with a Santa Fe Cattle Co. restaurant. Per the Planning Commission's Conditional Approval on March 17, 2008, because it would otherwise violate the 150' minimum frontage requirement of the CS district, that 42' "sliver tract" was required to be attached to Lot 7, Block 1, Bixby Centennial Plaza. It appears Lot 7 was divided by the conveyance of the southerly 264' to Bixby Cattle OK, LLC (Santa Fe Cattle Co. restaurant). The 42' "sliver tract" balance was

evidently never conveyed by itself, allowing for the use of attachment deed restriction language. It was conveyed as a part of a larger acreage conveyance to Eagle SPE Multi I, Inc. by deed in early 2012. The deed to the subject property must fulfill the Lot-Split approval condition prior to or as a part of this Lot-Split application, pending Planning Commission consideration at this November 19, 2012 Regular Meeting. Upon conveyance of the individual new tracts to their respective owners, as recommended herein, prior to Building Permit issuance, both owners of the two (2) lots produced by Lot-Split must plat their property cooperatively in a singular replat, in fulfillment of the PUD platting requirement.

PUD 73 primarily proposes to reduce the 150' minimum lot frontage/width requirement in the CS district to allow for a Lot-Split per BL-387, and to provide additional flexibility in terms of parking and ground signage. The two (2) new lots would be for a proposed business office development, consisting of a dental clinic and an optometry clinic, on individually-owned lots.

Also pending Planning Commission consideration at this November 19, 2012 Regular Meeting, the Applicant is requesting approval of an application (V-43) to close a Utility Easement within the subject property that would otherwise frustrate development plans.

ANALYSIS:

Subject Property Conditions. The subject property is vacant and zoned CS. It consists of Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza. It has a total of 174' of frontage on Memorial Dr., but access directly to Memorial Dr. is restricted by Limits of No Access (LNA) per the plat of Bixby Centennial Plaza. Instead, access is afforded via existing private drives within Mutual Access Easements (MAEs).

Part of the north and west sides of the property are covered by parts of MAEs, which MAEs contain existing private commercial drives. This is represented on the Exhibit 1 Conceptual Site Plan included with PUD 73.

Per the PUD 73 Exhibit 2 Topographic Survey, the land is relatively flat and appears to drain to the north and east, ultimately to the borrow ditch along S. Memorial Dr., which drains south. When developed, the land should drain through a stormsewer system to the temporary stormwater detention pond located to the southwest of the subject property. This pond is ultimately planned to be replaced in favor of a stormsewer system to be installed along 121st St. S. and to drain west to the Fry Creek Ditch # 2.

General. The Lot-Split is proposed to allow for the creation of two (2) tracts from the subject property. The resulting tracts would not meet the 150' minimum lot frontage/width requirement in the CS district. However, PUD 73 would reduce the lot frontage/width requirement such that would allow the Lot-Split.

The Technical Advisory Committee (TAC) reviewed this Lot-Split application on November 07, 2012. The Minutes of the meeting are attached to this report.

Staff Recommendation. Staff recommends Approval subject to:

1. The approval of PUD 73, and
2. The deed(s) to the subject property must fulfill the BL-351 Lot-Split approval condition to combine lots prior to or as a part of this Lot-Split application.

Erik Enyart clarified with a Commissioner that, provided the PUD is approved as recommended, the only remaining recommended Condition of Approval is the use of a deed restriction to cause the attachment of the smaller tracts to the adopting lots, pursuant to the Lot-Split from previous years. Mr. Enyart described the deed restriction attachment matter, and sequencing considerations, and stated, "whatever deed they bring to me for the approval certificate and signature will have to meet that requirement."

John Benjamin made a MOTION to APPROVE BL-387 subject to the two (2) Conditions of Approval as recommended by Staff. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Benjamin, Baldwin, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

8. **V-43 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc.** Discussion and consideration of a request to Close a Utility Easement within Lot 7 and the N. 42' of Lot 8, Block 1, *Bixby Centennial Plaza*.
Property Located: Approximately the 11900-block of S. Memorial Dr.

Vice/Acting Chair Larry Whiteley introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, November 09, 2012
RE: Report and Recommendations for:
V-43 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc.

LOCATION: – Approximately the 11900-block of S. Memorial Dr.
– Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza
LOT SIZE: 1 acre, more or less, in two (2) parcels
EXISTING ZONING: CS Commercial Shopping Center District (PUD 73 requested)
EXISTING USE: Vacant commercial lots
REQUEST: Close a Utility Easement
PREVIOUS/RELATED CASES: (Not necessarily a complete list)

BZ-279 – Charles Norman/Martha Plummer Roberts et al. – Request for rezoning from AG to CS, OM, RM-1, and RS-2 for 73 acres, more or less, which became Bixby Centennial Plaza and Fox Hollow and an unplatted 11-acre tract later approved as PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on November 19, 2001 and Approved by City Council December 10, 2001 (Ord. # 842). Subject property included in that part approved for CS zoning.
Preliminary Plat of Bixby Centennial Plaza – Request for Preliminary Plat approval including subject property – PC Approved 07/17/2006 and City Council Approved 07/24/2006.
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PUD 73 – Eagle SPE Multi I, Inc. – Rosenbaum Consulting, LLC – Request for approval of PUD 44 supplemental zoning for subject property – Pending PC consideration 11/19/2012.
BL-387 – Rosenbaum Consulting, LLC for Eagle SPE Multi I, Inc. – Request for Lot-Split approval to divide Lot 7 portion of subject property – Pending PC consideration 11/19/2012.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property is vacant and zoned CS. It consists of Lot 7 and the N. 42' of Lot 8, Block 1, Bixby Centennial Plaza. It has a total of 174' of frontage on Memorial Dr., but access directly to Memorial Dr. is restricted by Limits of No Access (LNA) per the plat of Bixby Centennial Plaza. Instead, access is afforded via existing private drives within Mutual Access Easements (MAEs).

Part of the north and west sides of the property are covered by parts of MAEs, which MAEs contain existing private commercial drives. This is represented on the Exhibit 1 Conceptual Site Plan included with PUD 73.

Per the PUD 73 Exhibit 2 Topographic Survey, the land is relatively flat and appears to drain to the north and east, ultimately to the borrow ditch along S. Memorial Dr., which drains south. When developed, the land should drain through a stormsewer system to the temporary stormwater detention pond located to the southwest of the subject property. This pond is ultimately planned to be replaced in favor of a stormsewer system to be installed along 121st St. S. and to drain west to the Fry Creek Ditch # 2.

General. The Applicant is requesting approval of an application (V-43) to close a Utility Easement within the subject property that would otherwise frustrate development plans. The U/E consists of the northerly 10' of Lot 8, Block 1, Bixby Centennial Plaza. Per the Applicant, the easement is not in use by any utility lines, and no objections to its closure have been received by Staff.

The Technical Advisory Committee (TAC) reviewed this Lot-Split application on November 07, 2012. The Minutes of the meeting are attached to this report.

Staff Recommendation. Staff recommends Approval.

In response to a question, Erik Enyart stated that it did not appear there were any utility lines within the easement and a utility company could always request an easement again when something is built.

Lance Whisman made a MOTION to Recommend APPROVAL of the easement closing request as recommended by Staff. Jeff Baldwin SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Benjamin, Baldwin, Whiteley, & Whisman
NAY: None.
ABSTAIN: None.
MOTION CARRIED: 4:0:0

NEW BUSINESS:

Vice/Acting Chair Larry Whiteley confirmed with Erik Enyart that there was no other business to consider. No action taken.

OLD BUSINESS:

Vice/Acting Chair Larry Whiteley confirmed with Erik Enyart that there was no other business to consider. No action taken.

ADJOURNMENT:

There being no further business, Vice/Acting Chair Larry Whiteley declared the meeting Adjourned at 6:18 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary



CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner *EE*
Date: Friday, November 09, 2012
RE: Report and Recommendations (Revised 11/19/2012 to reflect the revised plats and information received 11/19/2012) for:
Preliminary Plat (Resubmitted) & Final Plat of "Seven Lakes II"

LOCATION:
– Intersection of 67th E. Ave. and 125th Pl. S.
– North of *Seven Lakes I*
– Part of the W/2 of Section 02, T17N, R13E.

LOT SIZE:
Parent Tract: 36.24 acres, more or less (and that part of the Phase III tract of 23 acres, more or less, lying south of the NW/4 of this Section)
Subject Property Area: 17.70 acres, more or less

EXISTING ZONING: RS-4 Residential Single Family District

EXISTING USE: Vacant

REQUEST:

- (1) Preliminary Plat approval for 59-lot residential subdivision
- (2) Modification/Waiver from Subdivision Regulations Section 12-3-4.F to exceed the 2:1 maximum depth to width ratio*
- (3) Modification/Waiver from Subdivision Regulations Section 12-3-3.A, if any utility easements would not achieve the minimum width standards at 17.5' for perimeters

* Modification/Waivers have not yet been requested.

ANALYSIS:

Property Conditions. The subject property is vacant and zoned RS-4. The development will be designed to collect stormwater and drain it to the east to Fry Creek Ditch # 2. East 125th Place South already exists to the south of the subject property, and part of the westerly boundary is formed by South 68th East Avenue, both streets having been built with *Seven Lakes I*. Within this plat area, the other streets, and what appears to be two (2) additional “lakes” in “Seven Lakes,” were already “rough cut” during or after the development of the first phase.

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

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

General. This subdivision of 36.24 acres, more or less, proposes 59 lots, four (4) blocks, and three (3) Reserves.

The Seven Lakes development, and this plat, represents a conventional but attractive design, with uniquely crisscrossed curvilinear streets and no true cul-de-sacs, interspersed with Reserves for water amenities. The subdivision is similar to *Seven Lakes I*, abutting to the south, with relatively similar-sized and configured lots. Typical lots range from 65' X 120' (7,800 square feet, 0.18 acres) to 70' X 120' (8,400 square feet, 0.19 acres). All lots appear to meet RS-4 zoning standards.

The Technical Advisory Committee (TAC) reviewed this Preliminary Plat on November 07, 2012. The Minutes of the meeting are attached to this report.

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

Access and Internal Circulation. Primary access to the subdivision would be via *Seven Lakes I* to the south, to which this subdivision will connect. *Seven Lakes I* has a street connection at 126th St. S. and has a temporary construction entrance and second means of ingress/egress about a block to the north of that.

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

1. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as Lot 15, Block 2, and Lot 7, Block 1 (and potentially others) appear to exceed the 2:1 maximum depth to width ratio as per SRs Section 12-3-4.F. The Modification/Waiver may be justified by citing its necessity as a product of an attractive subdivision design defined by the crisscrossing, curvilinear street network with no true cul-de-sacs, interspersed with Reserves for water amenities.

- ~~Lot 2, Block 3: 6891 → 6807 E. 125th St. S.~~
 - ~~Lot 3, Block 3: 6911 → 6811 E. 125th St. S.~~
 - ~~Lot 4, Block 3: 6931 → 6817 E. 125th St. S.~~
 - ~~Lot 5, Block 3: 6961 → 6861 E. 125th St. S.~~
 - ~~Lot 6, Block 3: 6981 → 6881 E. 125th St. S.~~
 - ~~Lot 7, Block 3: 7001 → 6909 E. 125th St. S.~~
 - ~~Lot 8, Block 3: 7021 → 6921 E. 125th St. S.~~
 - ~~Lot 9, Block 3: 7041 → 6941 E. 125th St. S.~~
 - ~~Lot 12, Block 3: 7101 → 7091 E. 125th St. S.~~
 - ~~Lot 13, Block 3: 7121 → 7097 E. 125th St. S.~~
 - ~~Lot 1, Block 2: 6903 → 6808 E. 125th St. S.~~
 - ~~Lot 2, Block 2: 6930 → 6814 E. 125th St. S.~~
 - ~~Lot 3, Block 2: 6960 → 6868 E. 125th St. S.~~
 - Lot 4, Block 2: 6980 → 6885 6884 E. 125th St. S.
 - ~~Lot 5, Block 2: 7000 → 6910 E. 125th St. S.~~
 - ~~Lot 6, Block 2: 7020 → 6922 E. 125th St. S.~~
 - ~~Lot 7, Block 2: 7040 → 6944 E. 125th St. S.~~
 - ~~Lot 8, Block 2: 7060 → 7070 E. 125th St. S.~~
 - ~~Lot 10, Block 2: 7105 → 7086 E. 125th St. S.~~
 - ~~Lot 11, Block 2: 7122 → 7090 E. 125th St. S.~~
 - ~~Lot 12, Block 2: 7140 → 7096 E. 125th St. S. and
12503 → 12508 S. 71st E. Ave.~~
 - ~~Lot 23, Block 2: 7041 → 7007 E. 125th Pl. S.~~
 - ~~Lot 24, Block 2: 7021 → 6951 E. 124th Pl. S.~~
 - ~~Lot 25, Block 2: 7001 → 6919 E. 124th Pl. S.~~
 - ~~Lot 26, Block 2: 6981 → 6911 E. 124th Pl. S.~~
 - ~~Lot 27, Block 2: 6961 → 6861 E. 124th Pl. S.~~
 - ~~Lot 28, Block 2: 6951 → 6819 E. 124th Pl. S.~~
 - ~~Lot 29, Block 2: 6925 → 6767 E. 124th Pl. S.~~
 - ~~Lot 30, Block 2: 6853 → 6707 E. 124th Pl. S.~~
 - ~~Lot 31, Block 2: 12507 → 12575 S. 68th E. Ave.~~
9. Per SRs Section 12-4-2.A.5, the Location Map must include:
- All platted additions represented with the Section:
 - ~~LaCasa Movil Estates (misrepresented as to configuration)~~
 - ~~LaCasa Movil Estates 2nd (missing)~~
 - ~~Encore on Memorial (missing)~~
 - ~~Village Ten Addition (misrepresented as to configuration)~~
 - ~~Clyde Miller Acreage (misrepresented as to configuration)~~
 - ~~Poe Acreage (misrepresented as to configuration)~~
 - ~~Scale at 1" = 2,000'.~~
10. ~~Land Summary statistics on the plat face report two (2) Reserve Areas instead of three (3).~~
11. 25' B/L and U/E along all streets – is a full 25' needed? If not, consider a 20' U/E to provide a 5' buffer area, or the amount necessary to protect the integrity of the

Erik Enyart

From: Jared Cottle
Sent: Monday, November 19, 2012 3:10 PM
To: Erik Enyart; Bea Aamodt; Patrick Boulden
Subject: RE: Legal Review of the Draft Final Plat for the Seven Lakes II Addition

Erik,

The Infrastructure Plans (water, sewer, storm sewer, paving, and grading) have all been reviewed and approved. Provided that the Plat does not deviate from the Plans, I have no additional comments.

Jared Cottle, City Engineer
City of Bixby
Ph: 918/366-4430
Fax: 918/366-4416

From: Erik Enyart [mailto:eenyart@bixby.com]
Sent: Monday, November 19, 2012 2:56 PM
To: Jared Cottle; Bea Aamodt; Jim Sweeden; 'Joey Wiedel'; Patrick Boulden
Cc: rbingham@hraok.com
Subject: FW: Legal Review of the Draft Final Plat for the Seven Lakes II Addition

All:

Please see the attached revised plats for your consideration.

Erik

From: Roy Bingham [mailto:rbingham@hraok.com]
Sent: Monday, November 19, 2012 2:27 PM
To: 'Erik Enyart'
Subject: RE: Legal Review of the Draft Final Plat for the Seven Lakes II Addition

Erik,

Please see the attached PDF's for your review and comment. Formal modification/waiver will be brought to PC tonight.

Roy Bingham
Director of Production
HRAOK, Inc.
918.258.3737 Tel
918.258.2554 Fax
1913 West Tacoma | Suite A | Broken Arrow, Oklahoma 74012
www.hraok.com

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From: Erik Enyart [mailto:eenyart@bixby.com]
Sent: Monday, November 19, 2012 1:54 PM

22

Roy Bingham:

Please find the following review comments from the City Attorney.

We have a quorum for tonight's Planning Commission meeting.

Thanks, and see you at City Hall, 116 W. Needles Ave., at 6:00 PM.

Erik Enyart

From: Patrick Boulden
Sent: Sunday, November 18, 2012 3:35 PM
To: Erik Enyart
Subject: Legal Review of the Draft Final Plat for the Seven Lakes II Addition

I have reviewed the draft final plat for the Seven Lakes II addition and would require the following before it is released for final approvals, signatures and filing:

(1) On the Face of the Plat, in the Plat's Legend: On the face of the plat map, in the plat's legend, the following abbreviation is listed: "RW/E Restricted Waterline Easement". I cannot find where this abbreviation is actually used on the plat map. Either this abbreviation must be used on the plat map or it must be deleted from the plat's legend.

(2) The Last Paragraph following the Legal Description of the Addition and Immediately prior to Section I: The last paragraph following the legal description of this addition, begins with the following phrase: "And has caused the above described tract..." This paragraph must immediately follow the legal description of the subdivision, following the words "Block 6 of said Seven Lakes I a distance of 54.74 feet to the point of beginning,". (Note that a typo is within the previously quoted language ("Bock 6" instead of "Block 6) and the period-punctuation must be changed to a comma.)

(3) Section III - Private Building and Use Restrictions, Subsection F, Traffic Calming Devices: This provision is purportedly a private restriction, but the subdivision has no authority to regulate or permit speed bumps within public right-of-way. This restriction must be deleted or modified to reflect that the subdivision does not regulate public streets. Some suggest language might be: "If the City of Bixby requires the approval of the lot owners of the Seven Lakes II Subdivision before it determines it will install Speed Bumps within the subdivision, approval of the subdivision shall not be provided unless approved by 75% of the lot owners."

That's it.

Patrick

Patrick Boulden, Bixby City Attorney
City of Bixby, City Attorney's Office
116 West Needles Avenue, Post Office Box 70, Bixby, OK 74008
T: 918-366-0417
F: 918-366-6373
E: pboulden@bixby.com
www.bixby.com

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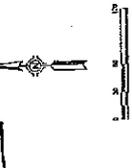
Preliminary Plat

Seven Lakes II

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, BEING A SUBDIVISION OF A PART OF THE WEST HALF OF SECTION 02, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN

Owner / Developer
PRAR PROPERTIES, LLC
 1805 SOUTH TULSA AVENUE
 TULSA, OKLAHOMA 74106
 CONTACT: MR. DANIEL BURN
 MCKINNON, OKLA

Engineer / Surveyor
NRACK, INC.
 1813 WEST TULSA, SUITE A
 BROOKSIDE, OKLAHOMA 74116
 CONTACT: MR. DANIEL BURN
 MCKINNON, OKLA



Legend

- MONUMENTATION
- TURFWAY ACCESS EASEMENT
- UTILITY EASEMENT
- STREET EASEMENT
- STREET FURNISHING

Monumentation
 ALL CORNERS SHOWN HEREON WERE SET USING THE FOLLOWING METHODS:
 STAMPED "S" SET AT ALL CORNERS

Basis of Bearings
 THE BEARINGS AND DISTANCES FOR THIS SURVEY ARE OUR MEASUREMENTS MADE ON THE OKLAHOMA STATE SURVEY SYSTEM, NORTH ZONE, NAD 83.

ADS Benchmark
 ALL STREET MONUMENTS SHALL BE DEDICATED TO THE PUBLIC AND LOCATED AT THE NORTHWEST CORNER OF SECTION 02, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN.

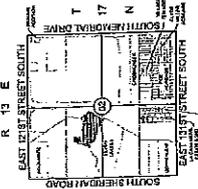
Notes
 ALL STREET MONUMENTS SHALL BE DEDICATED TO THE PUBLIC AND LOCATED AT THE NORTHWEST CORNER OF SECTION 02, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN. ALL MONUMENTS ARE SUBJECT TO CHANGE AND LOCAL DISCRETION. ALL WATER AND SANITARY SEWER SERVICES ARE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY.

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE
1	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
2	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
3	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
4	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
5	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
6	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
7	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
8	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
9	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
10	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
11	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
12	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
13	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
14	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
15	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
16	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
17	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
18	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
19	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
20	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
21	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
22	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
23	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
24	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
25	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
26	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
27	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
28	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
29	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
30	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
31	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
32	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
33	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
34	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
35	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
36	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
37	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
38	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
39	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
40	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
41	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
42	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
43	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
44	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
45	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
46	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
47	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
48	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
49	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00
50	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00	S 89° 59' 54" W	100.00

LOT AREA TABLE

LOT NO.	AREA (SQ. FT.)	AREA (ACRES)
1	10,000	0.23
2	10,000	0.23
3	10,000	0.23
4	10,000	0.23
5	10,000	0.23
6	10,000	0.23
7	10,000	0.23
8	10,000	0.23
9	10,000	0.23
10	10,000	0.23
11	10,000	0.23
12	10,000	0.23
13	10,000	0.23
14	10,000	0.23
15	10,000	0.23
16	10,000	0.23
17	10,000	0.23
18	10,000	0.23
19	10,000	0.23
20	10,000	0.23
21	10,000	0.23
22	10,000	0.23
23	10,000	0.23
24	10,000	0.23
25	10,000	0.23
26	10,000	0.23
27	10,000	0.23
28	10,000	0.23
29	10,000	0.23
30	10,000	0.23
31	10,000	0.23
32	10,000	0.23
33	10,000	0.23
34	10,000	0.23
35	10,000	0.23
36	10,000	0.23
37	10,000	0.23
38	10,000	0.23
39	10,000	0.23
40	10,000	0.23
41	10,000	0.23
42	10,000	0.23
43	10,000	0.23
44	10,000	0.23
45	10,000	0.23
46	10,000	0.23
47	10,000	0.23
48	10,000	0.23
49	10,000	0.23
50	10,000	0.23



Location Map
SCALE: 1"=100'

Land Summary

SUBDIVISION CONTAINS FIFTY-ONE (51) LOTS IN FOUR (4) BLOCKS AND THREE (3) RESERVE LOTS. TOTAL AREA IS 1.13 ACRES.

BLOCK 1: 10 LOTS
 BLOCK 2: 10 LOTS
 BLOCK 3: 10 LOTS
 BLOCK 4: 10 LOTS

RESERVE A: 1.13 ACRES
 RESERVE B: 1.13 ACRES
 RESERVE C: 1.13 ACRES

SUBDIVISION CONTAINS 17.30 ACRES

FINAL PLAT
CERTIFICATE OF APPROVAL

THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE COMMISSIONER OF THE CITY OF BIXBY, OKLAHOMA.

DATE: _____
 MAYOR: _____
 VICE MAYOR: _____

THIS APPROVAL IS VOID IF THE ABOVE SIGNED BY THE CITY MANAGER OR CITY CLERK.

CITY MANAGER: _____
 CITY CLERK: _____

72

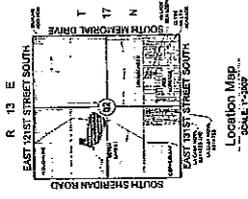
Final Plat

Seven Lakes II

A SUBDIVISION IN THE CITY OF BERRY, TULSA COUNTY, OKLAHOMA, BEING A SUBDIVISION OF A PART OF THE WEST HALF OF SECTION 02, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN.

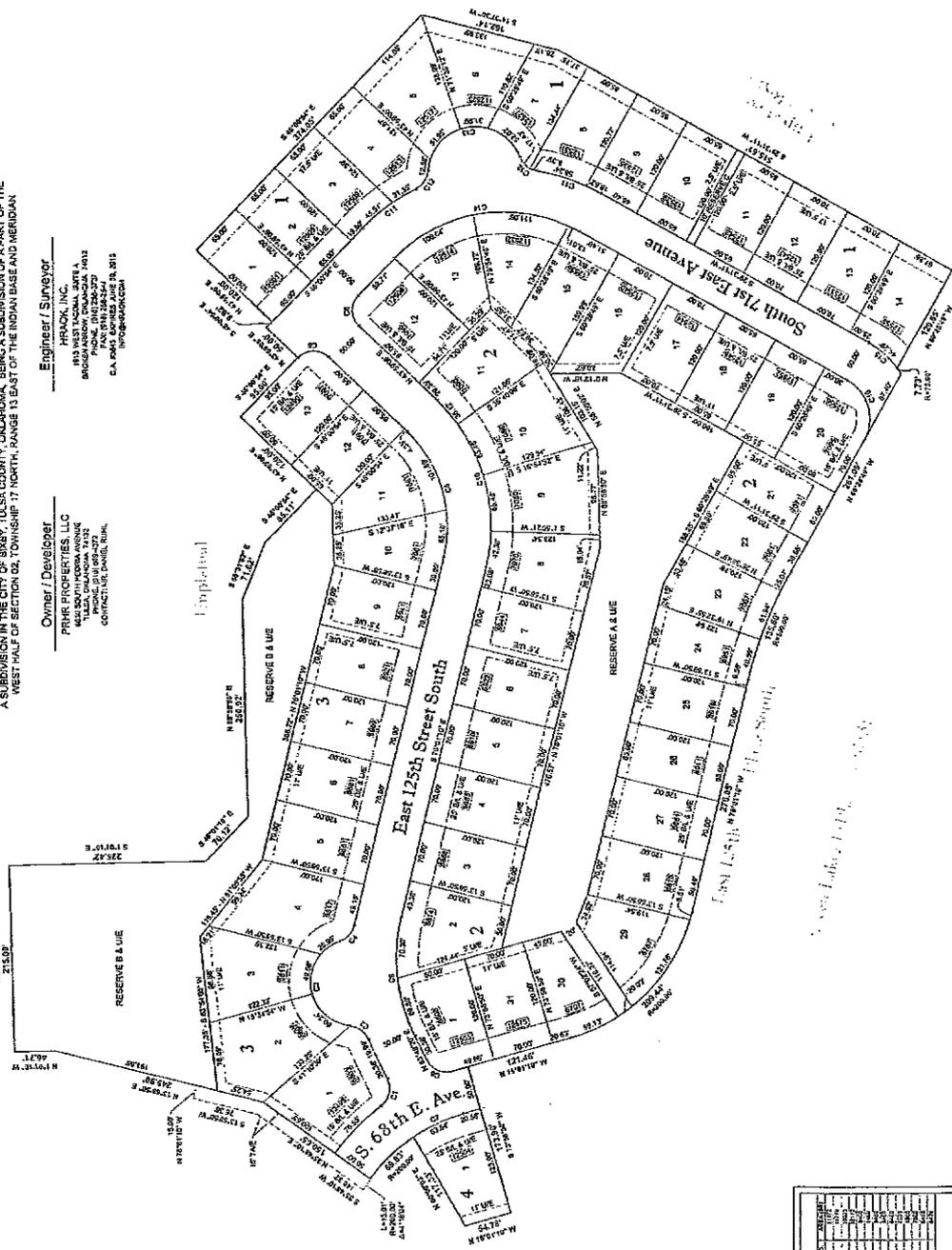
Engineer / Supervisor
 HRSO, INC.
 8743 N.W. 10TH AVE.
 BROOKHURST, OKLAHOMA 74116
 (918) 281-1111
 FAX: (918) 281-1111
 E.A. PARK SERVICE, JR. & SONS, INC.
 1000 W. 17TH ST., SUITE 100
 TULSA, OKLAHOMA 74103

Owner / Developer
 PRIME PROPERTIES, LLC
 1000 W. 17TH ST., SUITE 100
 TULSA, OKLAHOMA 74103
 (918) 281-1111
 FAX: (918) 281-1111
 E.A. PARK SERVICE, JR. & SONS, INC.
 1000 W. 17TH ST., SUITE 100
 TULSA, OKLAHOMA 74103



Land Summary
 SUBDIVISION CONTAINS SEVEN (7) LOTS IN FOUR (4) BLOCKS AND THREE (3) RESERVE LOTS.
 BLOCK 1 31 LOTS
 BLOCK 2 31 LOTS
 BLOCK 3 31 LOTS
 RESERVE A 12.00 ACRES
 RESERVE B 12.00 ACRES
 RESERVE C 12.00 ACRES
 SUBDIVISION CONTAINS 87.75 ACRES

FINAL PLAT
CERTIFICATE OF APPROVAL
 I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE CITY OF BERRY, OKLAHOMA, RECORD OF THE CITY ENGINEER.
 DATE _____
 MAYOR _____
 CITY CLERK _____
 THIS APPROVAL IS VOID IF THE ABOVE APPROVED BY THE CITY ENGINEER OF THE CITY OF BERRY, OKLAHOMA.
 CITY ENGINEER: _____



Legend
 BOUNDARY LINE
 CURVE CENTER
 TEMPORARY EASEMENT
 UTILITY EASEMENT
 STREET ADDRESS

Monumentation
 ALL CORNERS SHOWN HEREON WERE SET USING A W.P.L. UP STATION PIN WITH A PLASTIC CAP SHOWN IN THE PLAN AT ALL CORNERS.

Basis of Bearings
 THE BEARING BASE FOR THIS SURVEY IS CHD CORNER OF SECTION 02, T17N, R13E, TULSA COUNTY, OKLAHOMA, BEING A NORTH ZONE PLANE COGNOMINE SYSTEM NORTH ZONE, NAD83 (1983).

ADS Benchmark
 ADS CORNER AT THE NORTHEAST CORNER OF SECTION 02, T17N, R13E, TULSA COUNTY, OKLAHOMA, BEING A NORTH ZONE PLANE COGNOMINE SYSTEM NORTH ZONE, NAD83 (1983).

Notes
 ALL STREET INTERSECTIONS SHALL BE DEMONSTRATED AS PUBLIC STREETS BY THE PLAT.
 ADDRESSERS SHOWN ON THIS PLAT WERE ADDRESSERS SHOWN ON THE PREVIOUS PLAT AND ADDRESSERS ARE SUBJECT TO CHANGE AND SHALL BE SHOWN ON THE NEXT PLAT.
 ALL UNDEVELOPED AND BARRIAGE SERVICES SHALL BE SUPPLIED AND MAINTAINED BY THE CITY OF BERRY.

CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH
1	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
2	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
3	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
4	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
5	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
6	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
7	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
8	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
9	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
10	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
11	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
12	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
13	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
14	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
15	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
16	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
17	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
18	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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20	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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28	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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34	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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70	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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77	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
78	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
79	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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81	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
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83	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
84	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W	100.00	100.00	100.00
85	S 89° 59' 59" W	100.00	100.00	100.00	S 89° 59' 59" W			

BIXBY PLANNING COMMISSION
SIGN IN SHEET
DATE: November 19, 2012

NAME	ADDRESS	ITEM
1. <u>GERRY TABIO</u>	<u>15425 So Sheridan</u>	<u>(#16) BZ-359</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
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CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission

From: Erik Enyart, AICP, City Planner *EE*

Date: Tuesday, December 11, 2012

RE: Report and Recommendations for:
BCPA-7 – Comprehensive Plan Amendment – JR Donelson, Inc. for Clinton Miller and Roger Metcalf,
PUD 74 – “RiverLoft ADDITION” – JR Donelson, Inc., and
BZ-362 – JR Donelson, Inc. for Clinton Miller and Roger Metcalf

LOCATION:

- North dead-end of Riverview Rd.
- Northwest corner of the intersection of Riverview Rd. and E. Westminster Pl. N.
- Part of Government Lot 7 lying West of the Centerline of Old U.S. Hwy 64 and lying North of Bentley Park in Section 13, T17N, R13E

ANALYSIS:

For any rezoning application that requests to approve multifamily uses, State Statutes now require the Public Notices be mailed to property owners within a ¼ mile radius of the property, rather than the 300' that is required for all other cases: Title 11 O.S. Section 43-106 amended by HB 1424, c. 226, § 2, eff. November 1, 2009.

BCPA-7, PUD 74 “RiverLoft ADDITION,” BZ-362, BCPA-8, PUD 75 “LeAnn Acres,” and BZ-359 all request zoning approval for multifamily developments. All were all advertised using the customary 300' radius mailing, and thus, adequate Public Notice has not been achieved. Staff discovered this problem this past week. Staff recommends all of them be Continued to the 01/21/2013 Planning Commission meeting, to allow for revised, corrected Public Notice to be issued.



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(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission

From: Erik Enyart, AICP, City Planner *EE*

Date: Tuesday, December 11, 2012

RE: Report and Recommendations for:
BCPA-8 – Comprehensive Plan Amendment – JR Donelson, Inc. for Roger & LeAnn Metcalf,
PUD 75 – “LeAnn Acres” – JR Donelson, Inc., and
BZ-359 – Roger & LeAnn Metcalf

LOCATION:

- 15329 S. Sheridan Rd.
- Part of the W/2 of the NW/4 of Section 23, T17N, R13E

ANALYSIS:

For any rezoning application that requests to approve multifamily uses, State Statutes now require the Public Notices be mailed to property owners within a ¼ mile radius of the property, rather than the 300’ that is required for all other cases: Title 11 O.S. Section 43-106 amended by HB 1424, c. 226, § 2, eff. November 1, 2009.

BCPA-7, PUD 74 “RiverLoft ADDITION,” BZ-362, BCPA-8, PUD 75 “LeAnn Acres,” and BZ-359 all request zoning approval for multifamily developments. All were all advertised using the customary 300’ radius mailing, and thus, adequate Public Notice has not been achieved. Staff discovered this problem this past week. Staff recommends all of them be Continued to the 01/21/2013 Planning Commission meeting, to allow for revised, corrected Public Notice to be issued.



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STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Monday, December 10, 2012
RE: Report and Recommendations for:
BZ-363 – Kevin Blake

LOCATION: – 7739 E. 129th St. S.
– The W. 100' of Lot 7, Block 1, *Clyde Miller Acreage*

LOT SIZE: 1 acre, more or less

EXISTING ZONING: RS-1 Residential Single-Family District

EXISTING USE: Single-family dwelling partitioned into two (2) dwelling units

REQUESTED ZONING: RT Residential Townhouse District

SUPPLEMENTAL ZONING: None

SURROUNDING ZONING AND LAND USE:

North: CS/PUD 37 & AG; Heavy commercial uses within the *Crosscreek* “trade center” with the Fry Creek Ditch north of that zoned AG.

South: RS-1; Residential in *Clyde Miller Acreage*.

East: RS-1 & CG; Residential, with commercial businesses along Memorial Dr., all in *Clyde Miller Acreage*.

West: RS-1 & RS-2; Residential in *Poe Acreage*, *Village Ten Addition*, and unplatted residential areas fronting along E. 129th St. S.

COMPREHENSIVE PLAN: Low Intensity + Residential Area

PREVIOUS/RELATED CASES: None found.

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

BZ-116 – Carl Ketchum for Land Development Corporation – Request for rezoning from RS-2 to RMH for 6 of the 10 lots in *Village Ten Addition* to the west of subject property – PC recommended Denial 03/29/1982 and appealed to the City Council (letter dated 04/07/1982), but evidently not approved as no ordinance was found.

PUD 37 – Crosscreek – Randall Pickard for Remy Co., Inc. – Request for rezoning from AG to CS and PUD 37 for *Crosscreek*, abutting to the north of subject property – Recommended for Approval by PC 03/21/2005 and Approved by City Council April 11, 2005 (Ord. # 980 – number assigned to the approved blank ordinance in the year 2007 after discovery of the discrepancy).

Preliminary Plat of Crosscreek – Request for Preliminary Plat approval for *Crosscreek*, abutting to the north of subject property – Recommended for Approval by PC 06/20/2005 and Approved by City Council 06/25/2005.

Final Plat of Crosscreek – Request for Final Plat approval for *Crosscreek*, abutting to the north of subject property – Recommended for Approval by PC 11/21/2005 and Approved by City Council 11/28/2005.

AC-06-04-01 – Request for Architectural Committee [Site Plan and building plans] approval for Phase 1, consisting of buildings 1 through 5, inclusive, of *Crosscreek*, abutting to the north of subject property – Believed to have been approved by AC April 17, 2006 (Minutes not found in case file).

BZ-327 – Doeksen Real Estate, LLC – Request for rezoning from RS-1 to RT for Lot 2, Block 1, *Clyde Miller Acreage* (just behind/west of the commercial lots on Memorial Dr.) located to the east of subject property – PC recommended Denial 03/19/2007, and evidently not appealed to the City Council.

BBOA-453 – Dennis Larson – Request for Special Exception to allow a Use Unit 17 indoors sales of used automobiles in the CS district with PUD 37 for the land platted as *Crosscreek*, and specifically, 12804 S. Memorial Dr. Unit # 109, abutting to the north of subject property – Approved by BOA 05/07/2007 on the condition that sales be indoors with no storage of automobiles outside of the building.

BBOA-487 – Keith Whitehouse for Cross Creek Office Warehouses, LLC – Request for Special Exception to allow a Use Unit 17 internet-based/indoor used automobile sales in the CS district with PUD 37 for Lot 2, Block 1, *Crosscreek*, and specifically, 12818 S. Memorial Dr. Unit # 111 abutting to the north of subject property – Approved by BOA 08/04/2008.

BBOA-494 – David Owens for Cross Creek Office Warehouses, LLC – Request for Special Exception to allow a Use Unit 17 indoor lawnmower and small engine repair business in the CS district with PUD 37 for Lot 3, Block 1, *Crosscreek*, and specifically, 12806 S. Memorial Dr. Unit # 115, located northwest of subject property – Withdrawn by Applicant in October/November 2008.

BBOA-498 – Cross Creek Office Warehouses, LLC and/or Remy Enterprises – Request for Special Exception to allow a Use Unit 19 indoor gymnasium, health club, baseball and basketball practice and training, enclosed commercial recreation establishments not elsewhere classified, and other such related uses within Use Unit 19, in the CS Commercial Shopping Center District with PUD 37 for *Crosscreek* abutting to the north of subject property – Approved by BOA 03/02/2009.

34

PUD 37 – Crosscreek – Minor Amendment # 1 – Request for Minor Amendments to PUD 37 for *Crosscreek* abutting to the north of subject property – PC recommended Denial 05/18/2009 and City Council Approved on appeal 05/26/2009.

PUD 37 – Crosscreek – Minor Amendment # 2 – Request for Minor Amendments to PUD 37 for *Crosscreek* abutting to the north of subject property – PC Conditionally Approved 05/16/2011.

BACKGROUND INFORMATION:

The subject property contains a house at the south end of the parcel, which the Applicant has remodeled and partitioned to allow for living quarters in the front and back ends of the house. If occupied as partitioned, the Zoning Code would recognize the structure as a “duplex,” which is not allowed in the RS-1 district. The lowest-intensity Zoning districts in which a duplex is allowed “by right” are the RD Residential Duplex and RT Residential Townhouse districts. The Applicant has expressed to Staff the desire to get the property “zoned” to allow for the use of the building as a two-family residential structure.

The Applicant’s submitted narrative and other information, attached to this report, helps explain the request and situation.

ANALYSIS:

Subject Property Conditions. The subject property is an approximately 1-acre tract with 100’ of frontage on 129th St. S. Abutting to the east is a 50’-wide right-of-way parcel belonging to the City of Bixby, which contains a gravel drive. It may be known as 78th E. Ave. The subject property has 435.2’ of frontage on this right-of-way parcel, and thus the rectangular parcel measures 100’ X 435.2’.

The subject property contains a house at the south end of the parcel, which the Applicant has remodeled and partitioned to allow for living quarters in the front and back ends of the house.

The subject property appears to drain to the west, via a low-lying drainageway along the back/north sides of the lots fronting on 129th St. S. It ultimately empties into Fry Ditch around the north dead-end of 73rd E. Ave. The subject property is entirely located within Shaded Zone X, the 500-year (0.2% Annual Chance) Floodplain.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Low Intensity and (2) Residential Area.

RT zoning was adopted (Ord. # 845) after the Comprehensive Plan in or around 2002 so it is not included in the “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan. However, based on the Matrix’s treatment of similar districts, including RD, RT zoning should be recognized as *May Be Found In Accordance* with the Low Intensity designation of the Comprehensive Plan.

Page 7, item numbered 1 of the Comprehensive Plan states:

“ The Bixby Comprehensive Plan map depicts desired land uses, intensities and use and development patterns to the year 2020. Intensities depicted for undeveloped lands are intended to develop as shown. Land uses depicted for undeveloped lands are recommendations which may vary in accordance with the Intensities depicted for those lands.” (emphasis added)

This language is also found on page 30, item numbered 5.

This text introduces a test to the interpretation of the Comprehensive Plan Land Use Map, in addition to the Matrix: (1) If a parcel is within an area designated with a specific “Land Use” (other than “vacant, agricultural, rural residences, and open land,” which cannot be interpreted as permanently-planned land uses), and (2) if said parcel is undeveloped, the “Land Use” designation on the Map should be interpreted to “recommend” how the parcel should be zoned and developed. Therefore, the “Land Use” designation of the Comprehensive Plan Land Use Map should also inform/provide direction on how rezoning applications should be considered by the Planning Commission and City Council.

Staff believes that the RT zoning and proposed duplex residential use is consistent with the Residential Area land use designation of the Comprehensive Plan Land Use map.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning includes CS/PUD 37, AG, RS-1, RS-2, and CG.

To the north is approximately 19-acre CS district containing heavy commercial uses within the *Crosscreek* “trade center” development, with the Fry Creek Ditch north of that zoned AG.

To the east, south, and west is primarily single-family residential in *Clyde Miller Acreage*, *Poe Acreage*, *Village Ten Addition*, and in unplatted residential areas fronting along E. 129th St. S., zoned RS-1 and RS-2.

Further to the east, along Memorial Dr. are commercial businesses zoned CG in *Clyde Miller Acreage*. The two (2) commercial lots on the north side of 129th St. S. include *Rib Crib* and a multitenant office building containing the *Stumpff & Cooke Insurance* and *Valencia Salon & Spa* businesses.

Single-family residential lots to the east and west are large, deep lots, and contain typically 1 acre in lot area. The lot abutting to the west contains over 1.5 acres. Lots on the south side of 129th St. S. in *Clyde Miller Acreage* are also fairly large, and contain typically 0.5 acres in lot area.

While it would be considered a buffer district between the CS district abutting to the north and the RS-1 to the south, the requested RT is not particularly compatible with RS-1 zoning or the single-family homes on large lots surrounding on three sides. While the RT zoning would “legalize” a former house converted to a two-family structure, it would also allow for the development of townhouses or other high-intensity land uses on the subject property, at a density far in excess of the surrounding context. Redevelopment and increasing the densities commensurate with that which RT zoning would allow should only be done with a PUD,

36

designed to ensure that the development is maximally compatible with the surrounding neighborhood, by use of setbacks, screening, landscaping, and other such buffering measures.

A somewhat similar request was made in 2007. BZ-327 – Doeksen Real Estate, LLC was an application to rezone Lot 2, Block 1, *Clyde Miller Acreage* from RS-1 to RT, in order to “build duplex[es] and triplex[es].” That property is located just behind/west of the commercial lots on Memorial Dr., zoned CG. Per the approved Minutes of the March 19, 2007 meeting, the Staff at the time did not recommend the application based on the difficulty of providing access to the lot if developed, and the Applicant in that case did not attend the meeting. The Planning Commission recommended Denial, and evidently the Applicant did not appeal the recommendation to the City Council. That property was arguably a better candidate for RT zoning than the subject property, as it was immediately behind CG zoning and businesses fronting on Memorial Dr., and could have provided a transitional zoning district and buffer use between the commercial and the balance of single-family residential uses to the west of it.

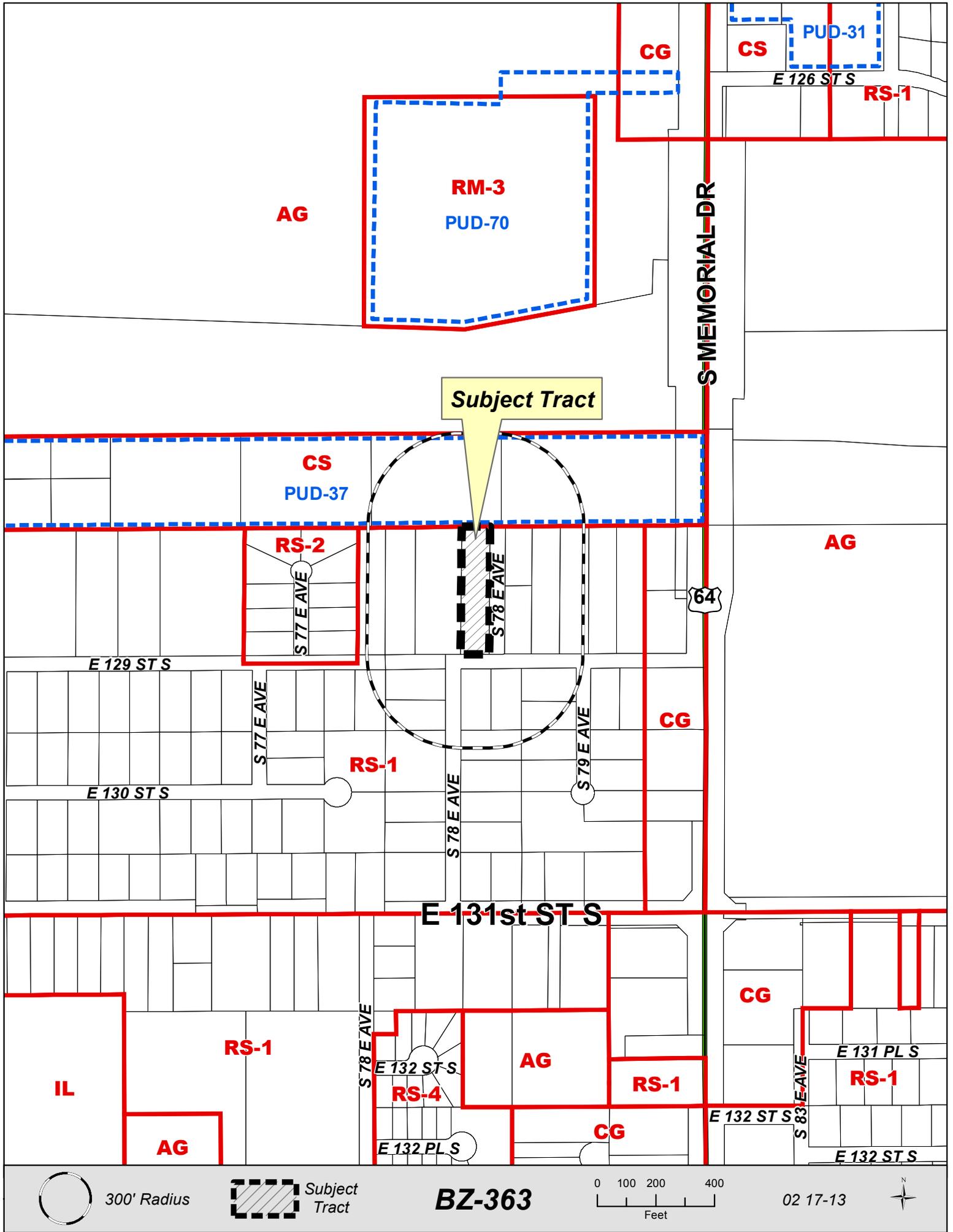
The subject property is located over 500’ from the CG district along Memorial Dr., and is separated from it by the 50’-wide 78th E. Ave. right-of-way and four (4) lots platted in *Clyde Miller Acreage*. As such, the establishment of an RT district here would not be the most appropriate Zoning or land use pattern. However, recognizing the intent of the application is to “legalize” the use of an existing house partitioned into two (2) dwelling units, the same could be done by rezoning the subject property to RS-3 and being granted a Special Exception to allow the existing structure to be occupied as a duplex. The Board of Adjustment could place a Condition on the approval creating a sunset provision, such as the approval shall expire upon the substantial damage or destruction of the existing structure. RS-3 zoning should be found compatible with the surrounding Zoning and land use patterns and would be fully *In Accordance* with the Comprehensive Plan.

Zoning Code Section 11-5-4.B.1.a provides:

“Notice of a proposed RM-2 rezoning shall confer jurisdiction on the planning commission and city council to consider and act upon RM-2, RM-1, RD, RS-3, RS-2, RS-1 and RE, or combinations thereof, in the disposition of the application, and in like manner, notice of any R district, including RMH, shall confer jurisdiction to consider any less dense R district, except RMH.” (emphasis added)

RS-3 zoning is a lesser-density district than the requested RT district.

Staff Recommendation. Using the flexibility afforded in Zoning Code Section 11-5-4.B.1.a, Staff recommends approval of RS-3 zoning, with the Planning Commission to give direction to the Applicant to seek the legalization of the two-family structure by subsequent Special Exception application.



Subject Tract

S MEMORIAL DR

64

E 131st ST S

300' Radius

Subject Tract

BZ-363

0 100 200 400
Feet

02 17-13



November 15, 2012

Hello.

My name is Kevin Blake and I have lived in Bixby with my family (wife and two young boys) since 2004. We attend Bixby North Elementary, Bixby United Methodist Church and have plans to be here for a very long time. It's a great place to do business, live and raise a family. I currently have five rentals in the city of Bixby and all have been rehabbed into nice places for middle income families. Our properties are rarely vacant because nice and affordable rentals in Bixby are hard to find.

In Feb 2011, I acquired an unfinished and foreclosed property at 7739 E 129th St in Bixby that was in very bad shape. This was undoubtedly the worst house in the neighborhood, an eyesore and vacant. Interestingly, the one acre property was divided into two separate residences and it certainly appeared the intentions of the previous owner was for the add-on to be a separate residence. Renting was the primary reason we purchased the property and the potential income from two units was very appealing.

After acquiring the property, we invested \$35K that included a new Roof, Central Heat/Air, Flooring, Siding, Windows, Paint, Appliances, etc, and we now have a very nice place that's been rented (front unit only) for the last twelve months.

Per, Bixby's City Planner, Erik Enyart, in order for us to rent the rear unit we need different zoning (preferably RT) and that requires the City's approval.

The rear unit is ready to rent except for separate electric and water meters and with this application I am asking for the city's approval to move forward RT Zoning.



Please call with any questions.

Regards,

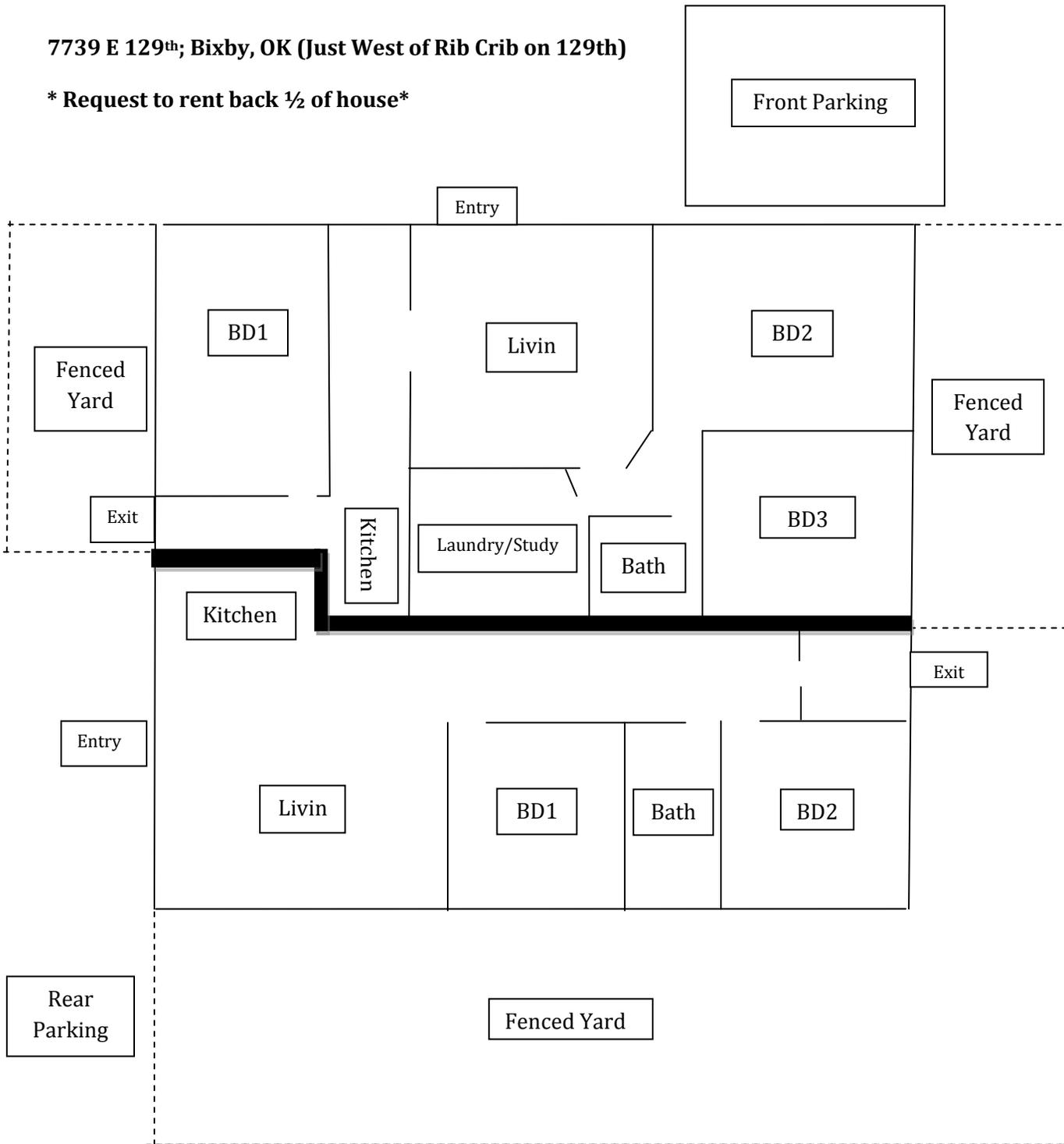
Kevin Blake – Owner

918-232-4668

South (129th Street)

7739 E 129th; Bixby, OK (Just West of Rib Crib on 129th)

* Request to rent back ½ of house*



Important Notes:

- No additional work on the home is needed except installing separate water and electric meters
- Service Roads exist on the east and west side of property, allowing for easy access to rear unit
- Lot is 400 ft deep and backs up to a large commercial complex
- Property has history of multiple mobile home rentals but all have been cleared off

Front Unit



Rear Unit



East Side Access Road to Rear Unit



West Side Access Road to Rear Unit



Rear Unit - Access to Bedrooms and Bath



Rear Unit - Living Room



Rear Unit - Exit into Backyard



View of back lot from backyard



**APPLICATION FOR ZONING
CITY OF BIXBY**

BZ-363 CZM N/A
STR 273 ATLAS N/A
PD N/A

GENERAL LOCATION 7739 E 12th St Bixby, OK 74008
 REQUESTED ZONING PT PROPOSED USE Renta
 RECORD OWNER Kevin Blake PRESENT USE Renta

LEGAL DESCRIPTION OF TRACT (ATTACHED PLAT OF SURVEY IF METES AND BOUNDS):

Subdivision: Clyde Miller Acreage
 Legal: W100 Lot 7 Block 1
 Section: 02
 Township: 17
 Range: 13
 Parcel #: 57650-73-02-00100 Lot Size: 43,500

Does Record Owner consent to the filing of this application? YES NO

If Applicant is other than Owner, indicate interest: _____

? Is subject tract located in 100 year floodplain? YES NO

BILL ADVERTISING CHARGES TO: Kevin Blake
 (NAME)
8812 E 110th St Tulsa, OK 74133 918-232-4668
 (ADDRESS) (CITY) (PHONE)

I do hereby certify that the information submitted herein is complete, true and accurate:
 Signature: [Signature] Date: 11-12-12
 Address: 8812 E 110th St Tulsa, OK 74133 Phone: 918-232-4668

APPLICANT - DO NOT WRITE BELOW THIS LINE

P.H. Date 12/17/2012 Date Received 11/15/2012 Received By Enyart
 PRESENT ZONING RS-1 RECEIPT NOS. 01027801
 FEES: TYPE ZONING ACREAGE BASE FEE ADD. TOTAL
 L M H M P _____

Sign(s) at \$ _____ each = \$ _____ Postage \$ _____ Total Sign / postage \$ 100.00

PC ACTION _____ CITY ACTION _____
 PROVISIONS _____ PROVISIONS _____
 DATE / VOTE _____ DATE / VOTE _____
 STAFF REC. _____ ORD. NO. _____



Google earth

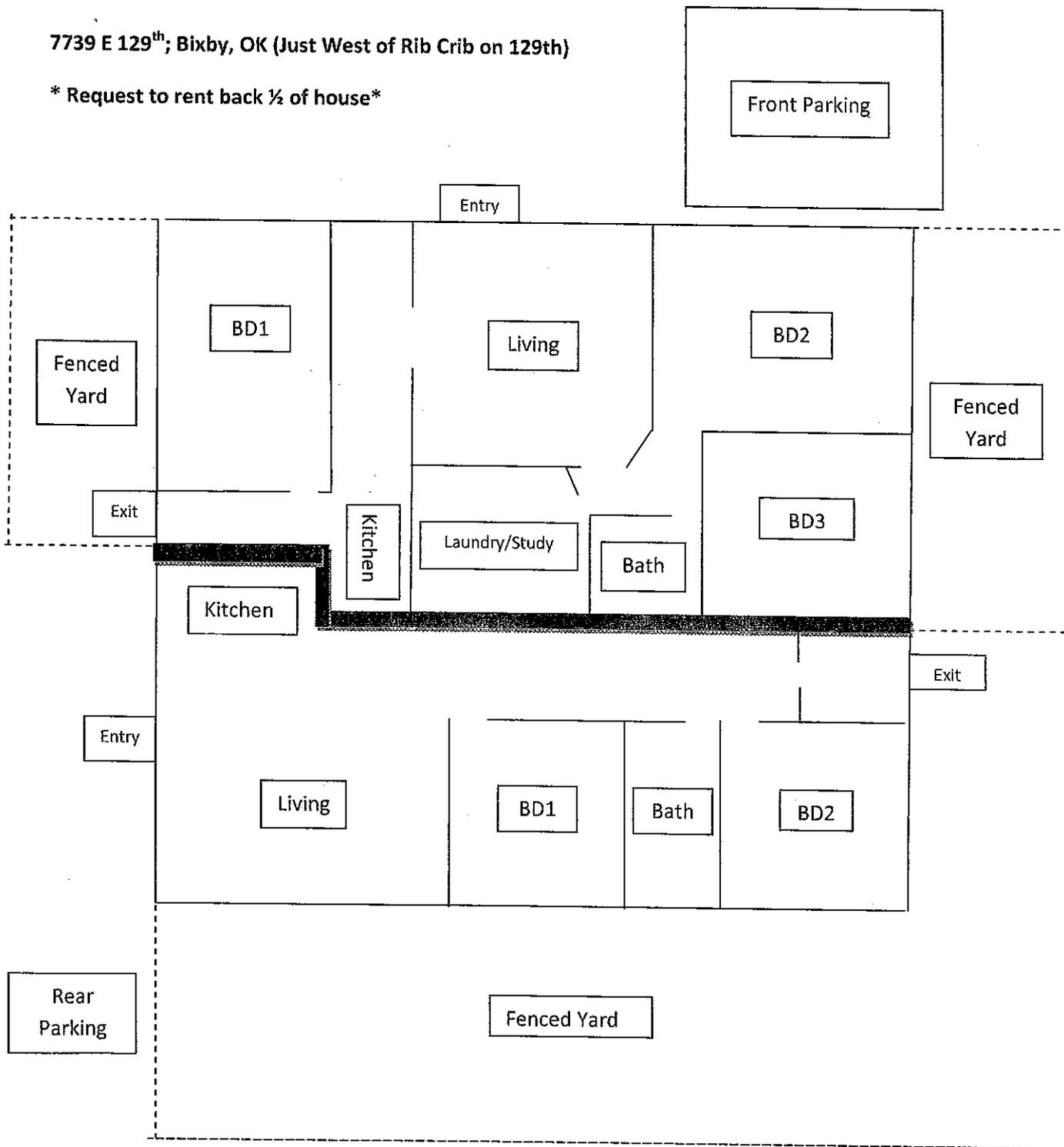
feet
meters



44

7739 E 129th; Bixby, OK (Just West of Rib Crib on 129th)

* Request to rent back ½ of house*



Important Notes:

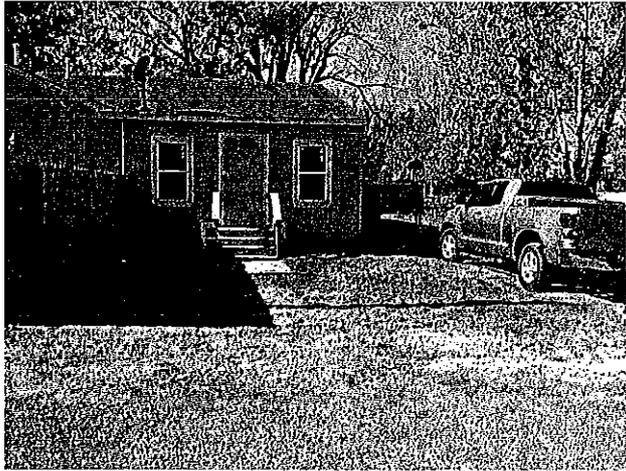
- No additional work on the home is needed except installing separate water and electric meters
- Service Roads exist on the east and west side of property, allowing for easy access to rear unit
- Lot is 400 ft deep and backs up to a large commercial complex
- Property has history of multiple mobile home rentals but all have been cleared off

4/5

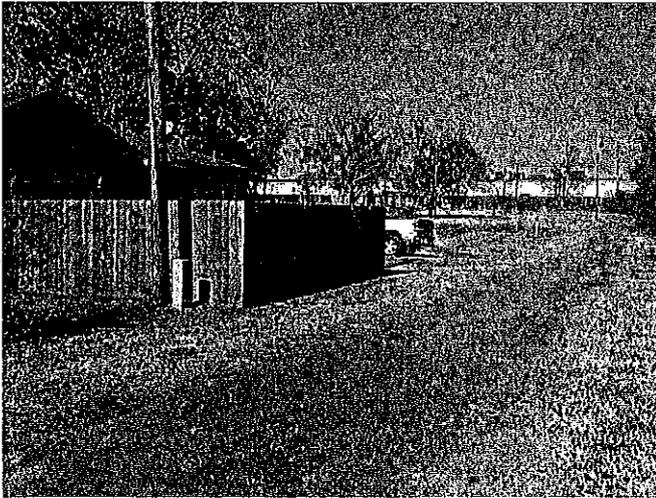
Front Unit



Rear Unit



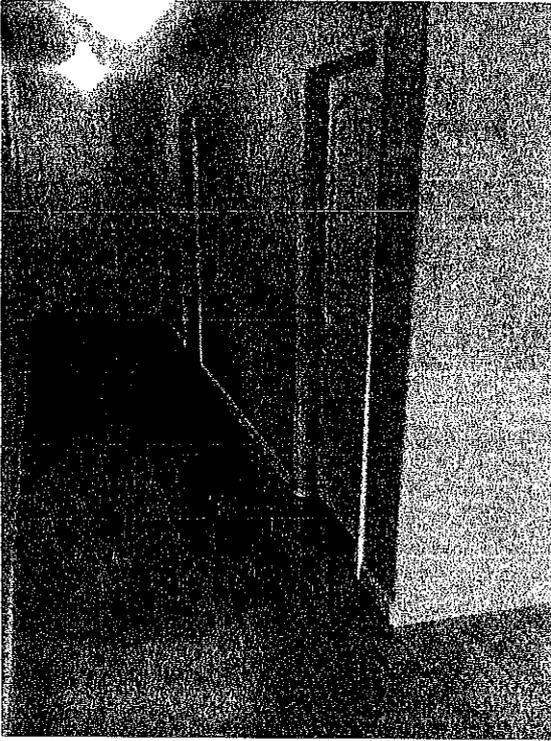
East Side Access Road to Rear Unit



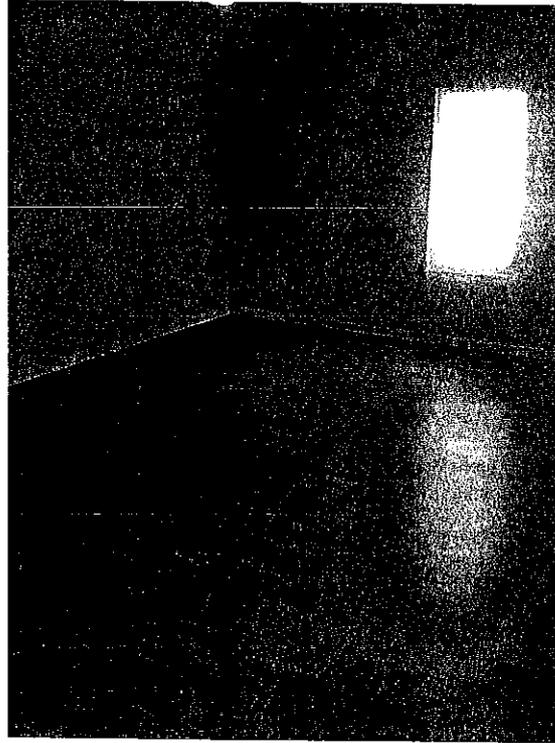
West Side Access Road to Rear Unit



Rear Unit – Access to Bedrooms and Bath



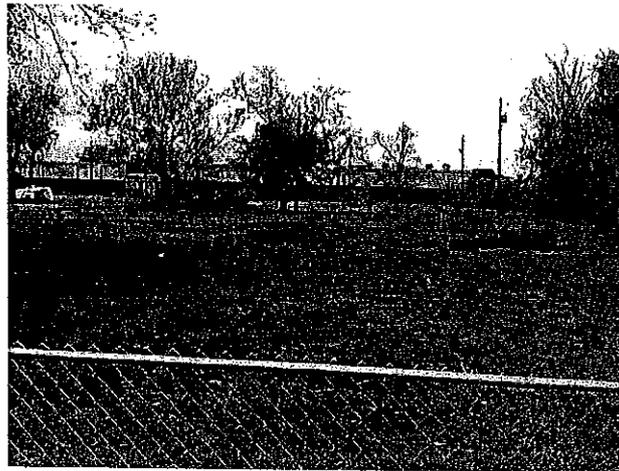
Rear Unit – Living Room



Rear Unit – Exit into Backyard



View of back lot
from backyard





CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner *EE*
Date: Monday, December 10, 2012
RE: Report and Recommendations for:
BZ-361 – City of Bixby

LOCATION: Along 151st St. S. from Memorial Dr. east to Riverview Rd
AREA: 36 acres, more or less
EXISTING ZONING: Multiple / various
EXISTING USE: Multiple / various
REQUESTED ZONING: Corridor Appearance District overlay district

BACKGROUND INFORMATION:

The Corridor Appearance District and similar Central Business District overlay districts were established by Ordinance # 814 passed 05/08/2000. They are now found in Title 11 Zoning Code Chapters 7G and 7H. The primary effect of those overlay districts was to mandate Planning Commission approval of a Detailed Site Plan, and to allow for the application of architectural / appearance standards. Design standards (“Guidelines”) were adopted by the Architectural Committee, but they had no ordinance authority; they were “Guidelines” and have been treated as such.

The Corridor Appearance District currently exists along Memorial Dr. and 151st St. S. west of Memorial Dr., along 131st St. S. east of Memorial Dr., and 171st St. S. east of Memorial Dr. The Central Business District is defined as: “The “downtown area” of Bixby, to include the areas adjoining Needles, Dawes, and Breckenridge Avenues, up to and including the alleys

48

north of and parallel to Needles Avenue and south of and parallel to Breckenridge Avenue, from Memorial Drive to Riverview Road.”

In a City Staff meeting held September 04, 2012, the Mayor and City Staff discussed and reached a consensus on the propriety of replacing the Corridor Appearance District and Central Business District “guidelines” with enforceable Minimum Standards as follows:

- (1) Prohibiting bare metal sides of buildings facing public streets, requiring the same be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry-like product, stone, finished concrete tilt-up panels, or some combination thereof,
- (2) An Appeal/Waiver provision: Applicant can appeal the interpretation of the masonry/finish standard or ask the Council to reduce or Waive it altogether, and
- (3) City Council prerogative on exceptional architecture: The City Planner may refer a proposed structure to the Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

This matter was an outgrowth of a recent Zoning Code Text Amendment, which the Planning Commission reviewed and recommended on August 20, 2012. The overlay districts were amended by Ordinance # 2091, approved by the City Council on September 10, 2012. Among other things, that amendment did the following:

- Removed the requirement for Planning Commission approval of Detailed Site Plans within the overlay districts.
- Removed the requirement for Planning Commission approval of all signs within the overlay districts.
- Required a site plan application for building permits for buildings other single-family and duplex residential structures and those used agriculturally. Such site plans are approved by City Staff in the context of a Building Permit application.
- Replaced the suggestive “guidelines” in each overlay district with new, enforceable “Minimum Standards,” to be promulgated and adopted by the City Council later.

This final item is what is being presented to the Planning Commission for review and recommendation at this time. On October 16, 2012, the City Manager directed Staff to proceed with the Minimum Standards amendment to the Zoning Code.

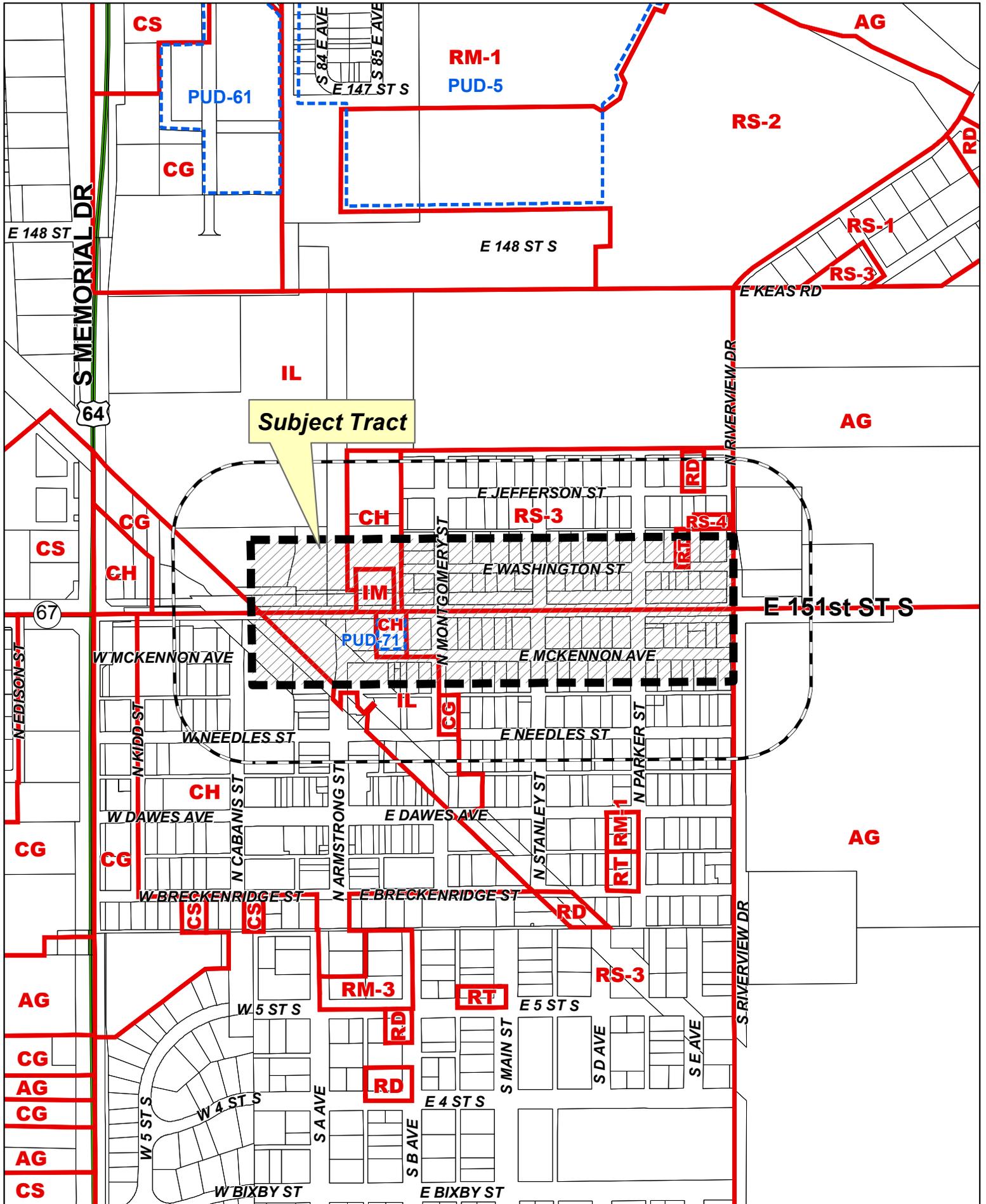
Also in that September 04, 2012 meeting, the Mayor expressed favor for extending the Corridor Appearance District overlay district along 151st St. S. from Memorial Dr. to Riverview Rd. On October 25, 2012, the City Manager signed the rezoning application BZ-361, to extend the Corridor Appearance District.

Also as related to this matter, Staff prepared a site plan application capturing all the information needed by the different departments to compare development plans to the requirements of the Zoning Code, Building Code, Fire Code, and other applicable codes. To ensure the most efficient and expeditious development project reviews, architects, engineers, planners, or other design professionals can use the form as a checklist of information to submit with the Building Permit application. Staff also updated the other planning- and zoning-related application forms to create a consistency of design, including the City’s logo, and to reconcile the forms with the

information actually required for each application. The City Manager indicated his approval of the site plan application form by email on 11/08/2012 and reported his approval of all the application forms to the City Council at a recent meeting.

ANALYSIS:

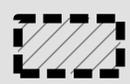
The public's recent investment in the widening of this section of 151st St. S. appears to have set the stage for redevelopment pressures. This section of 151st St. S. is a "gateway" into the heart of Bixby, and is used by citizens and visitors to access the Bixby Public Schools' sports facilities and the City's Bentley Park Sports Complex. Ensuring a basic minimum standard for quality of design in new developments should add to the aesthetic value of the City, and help leave a good "first impression" for all new visitors using this widened corridor. Staff recommends Approval of the extension of the Corridor Appearance District overlay as per BZ-361.



Subject Tract

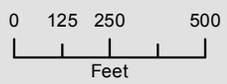


300' Radius



Subject Tract

BZ-361



13 & 24 17-13



APPLICATION FOR ZONING
CITY OF BIXBY

BZ-361 CZM N/A
STR ATLAS N/A
PD N/A

13-17-13 +
24-17-13

GENERAL LOCATION An area 600' in width centered along the centerline of 151st St. S. from Memorial Dr. to Riverview Rd.
 REQUESTED ZONING _____ PROPOSED USE N/A
 RECORD OWNER multiple PRESENT USE multiple
Corridor Appearance District (overlay district)

LEGAL DESCRIPTION OF TRACT (ATTACHED PLAT OF SURVEY IF METES AND BOUNDS):

An area 600' in width centered along the centerline of 151st St. S. starting at the east right-of-way line of Memorial Dr. and proceeding east to the centerline of Riverview Rd.

Does Record Owner consent to the filing of this application? YES NO

If Applicant is other than Owner, indicate interest: City of Bixby

Is subject tract located in 100 year floodplain? YES NO

BILL ADVERTISING CHARGES TO: City of Bixby
PO Box 70 Bixby, OK 74008 (NAME) 918 366 4430 (PHONE)

I do hereby certify that the information submitted herein is complete and accurate:
 Signature: [Signature] Date: 10-25-12
 Address: PO Box 70, Bixby, OK 74008 Phone: 918 366 4430

APPLICANT - DO NOT WRITE BELOW THIS LINE

P.H. Date _____	Date Received _____	Received By _____			
PRESENT ZONING _____	RECEIPT NOS. _____				
FEES: TYPE	ZONING	ACREAGE	BASE FEE	ADD.	TOTAL
L M H M P	_____	_____	_____	_____	_____
Sign(s) at \$ _____	each = \$ _____	Postage \$ _____	Total Sign / postage \$ _____		

PC ACTION _____ CITY ACTION _____
 PROVISIONS _____ PROVISIONS _____
 DATE / VOTE _____ DATE / VOTE _____
 STAFF REC. _____ ORD. NO. _____



CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner *EE*
Date: Tuesday, December 11, 2012
RE: Report and Recommendations for:
Zoning Code Text Amendment – Minimum Standards in Corridor Appearance
District and Central Business District overlay districts

AGENDA ITEM:

Zoning Code Text Amendment. Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, to replace the guidelines with new minimum standards within the Corridor Appearance District and Central Business District overlay districts, pursuant to Zoning Code Sections 11-7G and 11-7H.

BACKGROUND INFORMATION:

The Corridor Appearance District and similar Central Business District overlay districts were established by Ordinance # 814 passed 05/08/2000. They are now found in Title 11 Zoning Code Chapters 7G and 7H. The primary effect of those overlay districts was to mandate Planning Commission approval of a Detailed Site Plan, and to allow for the application of architectural / appearance standards. Design standards (“Guidelines”) were adopted by the Architectural Committee, but they had no ordinance authority; they were “Guidelines” and have been treated as such.

The Corridor Appearance District currently exists along Memorial Dr. and 151st St. S. west of Memorial Dr., along 131st St. S. east of Memorial Dr., and 171st St. S. east of Memorial Dr. The Central Business District is defined as: “The “downtown area” of Bixby, to include the areas adjoining Needles, Dawes, and Breckenridge Avenues, up to and including the alleys

Staff Report – Zoning Code Text Amendment – Minimum Standards in Corridor Appearance
District and Central Business District overlay districts December 17, 2012 Page 1 of 3

SB

north of and parallel to Needles Avenue and south of and parallel to Breckenridge Avenue, from Memorial Drive to Riverview Road.”

In a City Staff meeting held September 04, 2012, the Mayor and City Staff discussed and reached a consensus on the propriety of replacing the Corridor Appearance District and Central Business District “guidelines” with enforceable Minimum Standards as follows:

- (1) Prohibiting bare metal sides of buildings facing public streets, requiring the same be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry-like product, stone, finished concrete tilt-up panels, or some combination thereof,
- (2) An Appeal/Waiver provision: Applicant can appeal the interpretation of the masonry/finish standard or ask the Council to reduce or Waive it altogether, and
- (3) City Council prerogative on exceptional architecture: The City Planner may refer a proposed structure to the Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

This matter was an outgrowth of a recent Zoning Code Text Amendment, which the Planning Commission reviewed and recommended on August 20, 2012. The overlay districts were amended by Ordinance # 2091, approved by the City Council on September 10, 2012. Among other things, that amendment did the following:

- Removed the requirement for Planning Commission approval of Detailed Site Plans within the overlay districts.
- Removed the requirement for Planning Commission approval of all signs within the overlay districts.
- Required a site plan application for building permits for buildings other single-family and duplex residential structures and those used agriculturally. Such site plans are approved by City Staff in the context of a Building Permit application.
- Replaced the suggestive “guidelines” in each overlay district with new, enforceable “Minimum Standards,” to be promulgated and adopted by the City Council later.

This final item is what is being presented to the Planning Commission for review and recommendation at this time. On October 16, 2012, the City Manager directed Staff to proceed with the Minimum Standards amendment to the Zoning Code.

Also in that September 04, 2012 meeting, the Mayor expressed favor for extending the Corridor Appearance District overlay district along 151st St. S. from Memorial Dr. to Riverview Rd. On October 25, 2012, the City Manager signed the rezoning application BZ-361, to extend the Corridor Appearance District. BZ-361 is also on this December 17, 2012 Planning Commission agenda for consideration.

Also as related to this matter, Staff prepared a site plan application capturing all the information needed by the different departments to compare development plans to the requirements of the Zoning Code, Building Code, Fire Code, and other applicable codes. To ensure the most efficient and expeditious development project reviews, architects, engineers, planners, or other design professionals can use the form as a checklist of information to submit with the Building Permit application. Staff also updated the other planning- and zoning-related application forms

to create a consistency of design, including the City's logo, and to reconcile the forms with the information actually required for each application. The City Manager indicated his approval of the site plan application form by email on 11/08/2012 and reported his approval of all the application forms to the City Council at a recent meeting.

ANALYSIS:

While imposing absolute minimum standards for architectural / construction quality is the prerogative of the City Council, Staff believes the same should add to the aesthetic value of the City. The proposed amendments are the product of City Staff consensus, and are thus recommended for Approval.



CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, November 30, 2012
RE: Report and Recommendations for:
BSP 2012-02 – “Andy’s Frozen Custard” – Lewis Engineering, P.L.L.C.

LOCATION: – Lot 2, Block 3, *101 South Memorial Plaza*
– 8251 E. 102nd St. S.

SIZE: 0.73 acres, more or less

EXISTING ZONING: CG General Commercial District & CS Commercial Shopping Center District with PUD 63 for “101 South Memorial Plaza”

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 63 for a Use Unit 12 frozen custard restaurant development

SURROUNDING ZONING AND LAND USE:

North: CS/PUD 65; The *Sprouts Farmers Market* specialty grocery store (under construction), the *CVS/Pharmacy*, and the vacant commercial Lot 5, Block 1, *101 Memorial Square*.

South: (South of 102nd St. S.) CS, CG, & PUD 63; vacant commercial Lot 1, Block 2, *101 South Memorial Plaza* and the *ALDI* grocery store in *101 South Memorial Center*.

East: (east of 83rd E. Ave.) CS & CS/PUD 63; The *Holiday Inn Express & Suites Tulsa South/Bixby* in *101 South Memorial Plaza*, the vacant Tract D in *101 South Memorial Center* east of 85th E. Ave., the vacant north balance of Tract C in *101*

South Memorial Center to the northeast, the *Warren Clinic* doctor's office in *Landmark Center* to the northeast across 85th E. Ave., and the *Dickinson Starworld 20* movie theater to the southeast in *101 South Memorial Center*.

West: CG, CS, & PUD 65; The new *Whataburger* fast-food restaurant, the *Schlotzsky's Deli* restaurant and the vacant commercial Lot 1, Block 1, *101 South Memorial Plaza* to the southwest across 102nd St. S., and Memorial Dr.

COMPREHENSIVE PLAN: Corridor + Medium Intensity + Commercial Area

PREVIOUS/RELATED CASES: (Not a complete list and does not include TMAPC-jurisdiction areas)

BZ-89 – Ron Koepp – Request for rezoning from AG to CG for 3.6 acres, which included most of subject property – Recommended for Approval by PC 04/28/1980 and Approved by City Council 05/19/1980 (Ord. # 401).

BZ-231 – American Southwest Properties, Inc. & Memorial Drive, LLC – Request for rezoning from RM-2 to CS for approximately 6 acres, which included part of the east side of subject property – PC Recommended Approval 05/17/1997 and City Council Approved 12/08/1997 (Ord. # 761).

BL-352 – American Southwest Properties, Inc. – Request for Lot-Split to separate northern part of Tract C of *101 South Memorial Center* from balance of property, which was later included in PUD 63 and the plat of *101 South Memorial Plaza* (PUD and plat include subject property) – Conditionally approved by PC 04/21/2008.

PUD 63 – 101 South Memorial Plaza – American Southwest Properties, Inc. – Request for PUD approval for land later platted as *101 South Memorial Plaza* (includes subject property) – Conditionally approved by PC and City Council in April/May of 2008 (Ord. # 1004).

Preliminary Plat of 101 South Memorial Plaza – Request for Preliminary Plat approval for *101 South Memorial Plaza* (includes subject property) – Conditionally approved by PC and City Council in April of 2008. The City Council also approved a Modification/Waiver from the street right-of-way widths to allow the 30' to 40' right-of-way widths as proposed.

Final Plat of 101 South Memorial Plaza – Request for Final Plat approval for *101 South Memorial Plaza* (includes subject property) – PC recommended Conditional Approval on 10/20/2008 and City Council Conditionally Approved 10/27/2008.

Revised Final Plat of 101 South Memorial Plaza – Request for Revised Final Plat approval for *101 South Memorial Plaza* (includes subject property) – PC recommended Conditional Approval on 04/19/2010 and City Council Conditionally Approved 04/26/2010 (plat recorded 07/30/2010).

BACKGROUND INFORMATION:

ANALYSIS:

Property Conditions. The vacant subject property consists of Lot 2, Block 3, *101 South Memorial Plaza* and is zoned CG with a narrow strip of CS along the easterly side, and is within PUD 63. The subject property is gently sloped and will drain through an underground stormsewer system in a southeasterly direction to an upstream tributary of Fry Creek # 1, which tributary flows to the southeast through *101 South Memorial Center, Regal Plaza, South*

Country Estates, and the *Legacy* additions before its confluence with Fry Creek No. 1 near 107th St. S. and 91st E. Ave.

Tract F in *101 South Memorial Center*, located immediately south of the *Dickinson Starworld 20* movie theater, contains a stormwater detention facility. This facility has been enlarged, and the stormsewer pipe systems have been extended and enlarged, to accommodate the additional stormwater detention and drainage capacity necessary to serve the new commercial developments in *101 South Memorial Plaza* and *101 Memorial Square*.

General. The submitted plan-view Site Plan drawings consist of (1) a "Site Plan" drawing by Bill Lewis of Lewis Engineering, P.L.L.C. and (2) a "Site Plan" drawing A101 by architect Hufft Projects. Per building footprint dimensions on the Lewis Engineering, P.L.L.C. "Site Plan" drawing and the number reported on the "Landscape Plan," the building will have 2,150 square feet of floor area. Based on building "Elevations" drawings A301 and A302, the building will not exceed 15' 2 1/8" in overall height.

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 63 and, per the plans generally, the 1-story building would conform to the applicable bulk and area standards for PUD 63 and the underlying CG and CS districts.

Fire Marshal's and City Engineer's memos are attached to this Staff Report. 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 Detailed Site Plan on December 05, 2012. The Minutes of the meeting are attached to this report.

Access and Internal Circulation. The development will have a driveway entrances on 102nd St. S. and 83rd E. Ave., both private streets located within Mutual Access Easements (MAEs).

The provided drawings indicate driveway access points and the widths of the proposed driveways and their curb return radii. All these dimensions must comply with applicable standards and City Engineer and/or Fire Marshal requirements.

Both 102nd St. S. and 83rd E. Ave. are subject to 8'-wide Sidewalk Easements per the plat of *101 South Memorial Plaza*. The Sidewalk Easements need to be represented if they are not already, and labeled as appropriate. The Site Plans do not currently, and need to show the sidewalks to be constructed along both streets within the Sidewalk Easements.

A sidewalk will flank the south/front and east/side of the building, and will connect pedestrians between the parking lots to the building entrances on these sides (reference Zoning Code Section 11-10-4.C). The sidewalks are not dimensioned on the plans, but appear appropriate in width.

Parking Standards. The provided drawings indicate parking lots on the east and west sides of the building with a total of 31 parking spaces. Zoning Code Section 11-9-12.D requires a minimum of 14 parking spaces for a 2,150 square foot building. 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 maximum number of parking spaces allowed for this property, for 2,150 square feet, is 16 parking spaces (reference Zoning Code Section 11-9-12.D), and a total of 31 parking spaces is proposed. Therefore, a Special Exception or PUD Major Amendment may be requested to allow the additional parking spaces proposed.

The proposed 8.5’ X 18’ regular parking space dimensions (most at a 90° angle but the strip along the west property line at an undefined, acute angle) comply with the minimum standards for the same per Zoning Code Section 11-10-4.A, or otherwise are appropriate and may be approved by this Detailed Site Plan per Section 11-10-4. However, the proposed angle of the parking needs to be labeled.

Two (2) handicapped-accessible parking spaces are indicated on the provided Site Plans, one (1) of which is stated will be of a van-accessible design. At 31 spaces, the two (2) handicapped-accessible parking spaces meet the minimum number required by ADA standards (Table 208.2 Parking Spaces / IBC Table 1106.1 Accessible Parking Spaces).

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 indicates one (1) ADA space will be of van-accessible design, as required.

The Applicant has provided Parking Space Detail showing the regular and van-accessible handicapped-accessible parking spaces and access aisle with dimensions as required. While the van-accessible space does, the regular accessible space does not indicate compliance with the 4” “hairpin” striping standards Zoning Code Section 11-10-4.C Figure 3. During the design of these features, the Applicant should confirm with the Building Inspector that the parking and the entire site complies with applicable ADA requirements, including accessible parking spaces and access aisles, appropriate signage reserving the spaces, etc.

The provided Parking Space Detail indicates the sign reserving the van-accessible space will be mounted to the building. However, based on the relative location of the access aisle to the front/south end of the building on the Lewis Engineering, P.L.L.C. “Site Plan” drawing, and recognizing the surface of this part of the building is glass panel, building mounting would not appear possible. It is possible that the accessible parking spaces will be located further north, as per the “Site Plan” drawing A101. At that location, the building exterior is still glass panel, and the sign location centered on the access aisle centerline would put it on the main entrance doors. The provided photo of the Joplin example indicates a standard pole-mounted sign. Whether building-mounted or pole-mounted, signage to be used for reserving the space needs to be provided and approved as a part of this PUD Detailed Site Plan.

Zoning Code Section 11-10-3.B Table 1 would normally require a 7.5’ minimum parking lot setback from both 102nd St. S. and 83rd E. Ave. However, those streets have no public or

private right-of-way per the plat of *101 South Memorial Plaza*. The setback cannot be reduced less than 5', however, due to minimum landscaping requirements (see landscaping analysis in this report).

The plans show internal drives and parking spaces being paved over certain Utility Easement areas along the north and west sides of the subject property. If allowed, paving over such easements requires the specific approval of the City Engineer and Public Works Director.

A loading berth is not indicated. A minimum of one (1) loading berth is required per Zoning Code Section 11-9-12.D and the same must comply with the dimensional standards of Zoning Code Section 11-10-5.A, or a Variance or PUD Major Amendment may be requested in order to remove the loading berth requirement.

Screening/Fencing. The subject property does not abut an R district, and so the Zoning Code and PUD 63 do not require sight-proof screening for any of the property lines. No fences are proposed.

PUD 63 Section E.4.a provides:

“There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.”

A “Trash Container” area will be placed at the northwest corner of the site within a three-sided screening enclosure. However, it does not indicate a gate, as required by PUD 63. Further, the dumpster area enclosure is not detailed in profile view / elevations or plan view on any of the provided drawings. It is represented on both Site Plan drawings, but its composition, dimensions, color, and other such details have not been indicated. These details need to be provided and approved as a part of this Detailed Site Plan.

Recognizing the curblin indicated, the “Trash Container” area does not appear to be shown on a paved surface. The “Site Plan” drawing by Lewis Engineering, P.L.L.C. indicates an extra paving thickness for “dumpster concrete,” suggesting paving is intended (and paving is necessary to function properly, anyway). This should be addressed as appropriate, including adjusting paved versus non-paved surface calculations if/as required.

Depending on the particular waste disposal needs of the respective restaurants, the Applicant may want to consider approaching the adjacent *Whataburger* restaurant to see if agreement can be reached to share the usage and costs of their waste facility.

Landscape Plan. The Landscape Plan consists of the “Landscape Plan” drawing by Bill Lewis of Lewis Engineering, P.L.L.C. The proposed landscaping is compared to 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

westerly curblineline of 83rd E. Ave. may not be located west of the 15' Mutual Access Easement, as Staff has noted elsewhere in this report. Provided the westerly curblineline along 83rd E. Ave. is coterminous with the 15' setback line along same, by interpretation or, if slightly west of the 15' line, by the Planning Commission's approval of this Site Plan using the flexibility afforded by language pertaining to landscaping in PUD 63, the landscaped strip west of and including this line will be recognized as a connected, extended Street Yard landscaped area for purposes of compliance with this and related landscaping standards. However, percentage calculations for Street Yard landscaped area have not been provided, and parking lot setbacks have not been provided along either 102nd St. S. or 83rd E. Ave., which would allow for determination by Staff. **Compliance with this standard cannot be determined.**

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. The subject property does not have the typical 7.5' landscaped strip requirement along non-arterial streets 102nd St. S. or 83rd E. Ave., as those streets have no right-of-way and the setback applies to the property lines (presumably the centerlines) per PUD 63. However, the landscaped areas must have a minimum diameter or strip width of 5' per Zoning Code Section 11-12-3.B.1 and contain at least one (1) tree. Landscaped strip widths along the north, south, and east property lines have not been provided. If it is not wide enough to meet the minimum standard, the deficiency must be corrected. **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 are no R districts abutting. **This standard is not applicable.**
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 Development Area B of PUD 63 are as follows:

From the west boundary	11 feet
From the east boundary	15 feet (presumably also the centerline of 83 rd E. Ave.)
From the north boundary	11 feet
From the south boundary	25 feet (presumably also the centerline of 102 nd St. S.)

Resultant tree requirement calculations are as follows:

West Boundary Setback Tree Requirements: 11' setback X west property line at 165' = 1,815 square feet / 1,000 square feet = 2 trees required in the West Boundary Setback Area. Two (2) trees not otherwise allocated are proposed in this Setback Area. **This standard is met for the West Boundary Setback Area.**

East Boundary Setback Tree Requirements: 15' setback X width of 83rd E. Ave. frontage at 164.59' = 2,469 square feet / 1,000 square feet = 3 trees required in the East Boundary Setback Area. By interpretation (see above), three (3) trees are proposed in this Setback Area. **This standard is met for the East Boundary Setback Area.**

61

North Boundary Setback Tree Requirements: 11' setback X north property line at (192 feet – West Boundary Setback width of 11' – East Boundary Setback width of 15' =) 166' = 1,826 square feet / 1,000 square feet = 2 trees required in the North Boundary Setback Area. 0 are proposed in this Setback Area. **This standard is not met for the North Boundary Setback Area.**

South Boundary Setback Tree Requirements: 25' setback X width of E. 102nd St. S. frontage at (192 feet – West Boundary Setback width of 11' – East Boundary Setback width of 15' =) 166' = 4,150 square feet / 1,000 square feet = 5 trees required in the South Boundary Setback Area. Three (3) trees not already counted are proposed in this Setback Area. **This standard is not met for the South Boundary Setback Area.**

Due to the North and South Boundary Setback Areas, which are each missing two (2) trees, **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. 75' radii have been added, centered on certain landscaping trees (though not required to be). For a lot containing 0.73 acres, the standard calls for a maximum of 50' spacing, with one (1) tree. The spaces along the north side of the parking lot strip immediately east of the building may not comply with this standard. **Compliance with this standard cannot be determined.**
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]. Because neither 102nd St. S. nor 83rd E. Ave. have rights-of-way and PUD 63 provided setbacks applicable to Development Area boundaries instead, and because the tree ratio standard is the same as required for Setback Areas per Section 11-12-3.A.4, analysis for this standard is provided in the section pertaining to Section 11-12-3.A.4.
7. Tree to Parking Space Ratio Standard (Section 11-12-3.C.2): Standard is one (1) tree per 10 parking spaces. 31 parking spaces proposed. $31 / 10 = 3.1 = 4$ (1/10 of a tree is not possible, and minimum numbers of required trees are not rounded-down) trees required by this standard. Excluding the Setback Area and Street Yard trees already accounted for, there are no additional trees proposed. **This standard is not 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): A note on the "Landscape Plan" drawing provides "Trees will be irrigated underground." Zoning Code Section 11-12-3.D.2 requires all required landscaping be irrigated, not just trees. Zoning Code Section 11-12-4.A.7 requires the submission of plans for irrigation. **This standard is not met.**
10. Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.): The tree planting diagram(s), reported heights and calipers of the proposed trees, the

notes on the "Landscape Plan" drawing, and other information indicates compliance with other miscellaneous standards, with the following exceptions:

- a. The proposed tree height is not provided (6' height minimum if Amur Maple is considered "ornamental," or otherwise 8' in height if considered a "canopy" tree).
- b. A note on the Landscape Plan misspells "caliper" as "calipher."
- c. Another note on the Landscape Plan uses numbers "5" and "8" in regard to the number of Amur Maple trees to be planted. The incorrect "(5)" should be 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 10% of a commercial lot must be landscaped open space. Per the notes on the plan, 4,896 square feet would be landscape area, which would be approximately 15% of the lot area of approximately 0.73 acres. However, Staff is not confident in the numbers provided since the lot area reported was 0.661 acres, which is not consistent with the 0.73 acres reported on the recorded plat of *101 South Memorial Plaza*. Further, these numbers may change with the addition of the required sidewalks, dumpster area concrete, and any other amendments which may be determined necessary to comply with code requirements. **Compliance with this standard cannot be determined.**

Exterior Materials and Colors. "Elevations" drawings A301 and A302, an un-named conceptual artists' rendering with page number "5," a daytime photo of an *Andy's* location in Joplin, MO, and an evening photo of the same location, indicate the proposed exterior materials and colors. The exterior material will primarily consist of (1) glass panels mounted to an "EFCO 5500 curtain wall system," (2) "reclaimed masonry veneer," and (3) "Western Red Cedar siding." Color information was not specified, but is no longer required within the Corridor Appearance District per Ordinance # 2091 approved September 10, 2012, and is not required by PUD 63. Based on the un-named conceptual artists' rendering with page number "5," the "reclaimed masonry veneer" would appear to be mottled mix of different shades of brown and tan bricks or brick veneer. Based on the photos of the Joplin, MO location, the bricks/veneer may be more uniformly colored dark brown. Based on the same sources, the "Western Red Cedar siding" appears to be just that with a finish.

Based on building "Elevations" drawings A301 and A302, the building will have an architecturally-distinctive concave roofline, extended beyond the building to form a large overhanging eave to the south and east, and will not exceed 15' 2 1/8" in overall height. The roof will not be visible at ground level.

Outdoor Lighting. The lighting plans consist of (1) "Site Lighting Plan," and (2) "cut sheets" showing the proposed sizes and models of pole-mounted lights, which appear typical for a suburban restaurant application.

The eave trim will include red and white runs of neon lights, per the elevations drawings and other exhibits. Also, what appear to be recessed dome lights will be located on the undersides of eaves.

PUD 63 limits lighting to 20' in vertical height. The words "(ON 20' SQUARE STEEL POLE)" used in each case of pole-mounted lights suggests a 20' pole light height. Assuming a 20' mounting height and recognizing the short stature of the building, the proposed lighting complies with applicable standards. As there are no single family residential areas within relatively close proximity, and recognizing the location of the property in relation to existing and planned commercial in all directions, the proposed lighting appears appropriate for this development in its context.

Signage. As per PUD 63 Section E.2.b, the required PUD "detail sign plan" is recognized as consisting of (1) a wall sign plan by Pinnacle Sign Group, (2) a pylon ground sign plan by Pinnacle Sign Group, and (3) representation of signage information on other plan sheets.

The building "Elevations" drawings A301 and A302 indicate the locations and relative sizes of the five (5) wall signs: one (1) neon-lighted identification sign on the east/side elevation, one (1) neon-lighted identification sign on the west/side elevation, and three (3) "movie poster" signs to advertise sale products. The Pinnacle Sign Group represents the appearance of the identification sign, and the Joplin, MO example photos indicate the likely appearance of the "movie poster" signs. In aggregate, the wall signage complies with the maximum display surface area standards for PUD 63.

The "Site Plan" drawing A101 indicates the location of one (1) "monument" (actually a pylon) ground sign at the southwest corner of the lot, and two (2) menuboard signs north of the building at the drive-through entrance. The "Site Plan" drawing by Lewis Engineering, P.L.L.C. indicates the location of this ground sign, but does not identify it, and does not indicate or identify either menuboard sign.

Because the "Site Plan" drawing by Lewis Engineering, P.L.L.C. is more detailed and contains required information that the "Site Plan" drawing A101 does not, it is recognized as the primary site plan, and A101 is an ancillary site plan providing the same, but less information. Therefore, the primary "Site Plan" drawing by Lewis Engineering, P.L.L.C. needs to have the all the critical features listed on A101, including the ground sign and menuboard signs.

None of the sign plans represent dimensions or details of the menuboard signage. Presuming they face north toward the driver's side windows of cued cars, as supported by interpretation of the "Site Plan" drawing A101, the signs would not appear visible from a public street, and so appear to be permit-able per Zoning Code Sections 11-7I-4.B.2.f.3 and 11-9-21.C.3.d. However, these menuboard signs need to be represented on sign plans and approved as a part of this PUD Detailed Site Plan (PUD 63 Section E.2.b).

A structure is indicated on the building "Elevations" drawings A301 and A302, which the provided Joplin, MO example photos indicate may be a menuboard sign, which would likely face east in this case. The structure is not labeled on drawings A301 or A302, and is not indicated on the plan-view site plan drawings. The Applicant should label as appropriate and

provide signage information, if it is to be a sign, or remove from plans if not actually proposed for this site. If it is a menuboard sign, and if facing east, it would not appear visible from a public street, and so would appear to be permit-able per Zoning Code Sections 11-7I-4.B.2.f.3 and 11-9-21.C.3.d.

The Pinnacle Sign Group sign plan represents the one (1) proposed pylon ground sign. It appears to have a main identification sign element measuring approximately 8' horizontally by 8' horizontally by approximately 4' vertically. Thus, it forms a cube-like design, with opposing sides having the same copy, alternating between "Andy's" and "Frozen Custard." The pylon will also support, underneath the main identification sign, a changeable-letter message board sign element measuring 7 1/3' X 4'. Finally, at the top, the pylon would support a large, 50" X 105", 3-dimensional frozen custard cone. The total sign height has not been provided. Although there is no maximum height restriction in the underlying CG district, Zoning Code Section 11-7I-4.B.2.d restricts ground signs to 25' in height in PUDs.

The ground sign's aggregate display surface area has not been provided. When counting the sign faces of the 4-sided main identification sign all four (4) times (not allowing for the double-faced sign exclusion per Zoning Code Section 11-7I-4.B.2.e) and recognizing the 3-dimensional cone signage element's reported dimensions (50" X 105") as if each facet from every possible direction will contain an equal visible display surface area, but counting it only once because it is only humanly possible to see one facet at a time, Staff calculated the aggregate display surface area at approximately 197 square feet, well shy of the 576 square feet allowable for 192' of street frontage in the CG district with PUD 63.

Per the "Site Plan" drawings, it appears that the ground sign is proposed to be placed within the 15'-wide Utility Easement platted with *101 South Memorial Plaza*. If allowed, placement of signage in such easements requires the specific approval of the City Engineer and Public Works Director. Otherwise, the signs must be relocated out of the easements.

Also, the sign would appear to overhang 8'-wide Sidewalk Easement platted with *101 South Memorial Plaza*, and may be in conflict with the sidewalk which is required there (but not yet represented on the plans). The Applicant should check the mounting height of the changeable-letter message board sign element and compare it to applicable sidewalk clearance standards for pedestrians and those covered by ADA standards, and make adjustments as required.

Most restaurants and other developments of this size will have incidental signage for traffic control and general identification information. The photographs of the Joplin, MO example indicate incidental signage. Standard directional signs at a maximum of 3 square feet in display surface area (reference Zoning Code Section 11-9-21.C.3.k), signs reserving the ADA accessible parking spaces, and any other such incidental signage must be provided for review for conformance to applicable Zoning standards.

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. The proposed driveways and their curb return radii must comply with applicable standards and City Engineer and/or Fire Marshal requirements.
3. Both 102nd St. S. and 83rd E. Ave. are subject to 8'-wide Sidewalk Easements per the plat of *101 South Memorial Plaza*. The Sidewalk Easements need to be represented if they are not already, and labeled as appropriate.
4. The Site Plans do not currently, and need to show the sidewalks to be constructed along both streets within the Sidewalk Easements.
5. Per Zoning Code Section 11-10-2.H, the maximum number of parking spaces allowed for this property, for 2,150 square feet, is 16 parking spaces (reference Zoning Code Section 11-9-12.D), and a total of 31 parking spaces is proposed. Therefore, a Special Exception or PUD Major Amendment may be requested to allow the additional parking spaces proposed.
6. Please label the angle of the parking spaces along the west property line.
7. For the regular handicapped-accessible parking space, please add to the Parking Space Detail the 4" "hairpin" striping per Zoning Code Section 11-10-4.C Figure 3.
8. During the design of the parking lots, the Applicant should confirm with the Building Inspector that the parking and the entire site complies with applicable ADA requirements, including accessible parking spaces and access aisles, appropriate signage reserving the spaces, etc.
9. The provided Parking Space Detail indicates the sign reserving the van-accessible space will be mounted to the building. However, based on the relative location of the access aisle to the front/south end of the building on the Lewis Engineering, P.L.L.C. "Site Plan" drawing, and recognizing the surface of this part of the building is glass panel, building mounting would not appear possible. It is possible that the accessible parking spaces will be located further north, as per the "Site Plan" drawing A101. At that location, the building exterior is still glass panel, and the sign location centered on the access aisle centerline would put it on the main entrance doors. The provided photo of the Joplin example indicates a standard pole-mounted sign. Whether building-mounted or pole-mounted, signage to be used for reserving the space needs to be provided and approved as a part of this PUD Detailed Site Plan.
10. Please dimension the proposed parking lot setbacks along both 102nd St. S. and 83rd E. Ave. and increase to 5' in width if not that already.
11. The plans show internal drives and parking spaces being paved over certain Utility Easement areas along the north and west sides of the subject property. If allowed, paving over such easements requires the specific approval of the City Engineer and Public Works Director.
12. Please add a minimum of one (1) loading berth per Zoning Code Section 11-9-12.D; the same must comply with the dimensional standards of Zoning Code Section 11-10-5.A, or a Variance or PUD Major Amendment may be requested in order to remove the loading berth requirement.
13. For the "Trash Container" area at the northwest corner of the site, please indicate a gate to be used to comply with the screening requirement of PUD 63 Section E.4.a.
14. For the "Trash Container" area at the northwest corner of the site, please provide, in profile view / elevations or plan view on any of the provided drawings, information on

- proposed composition, dimensions, color, and other such details, to be approved as a part of this Detailed Site Plan.
15. As described in the analysis above, please address the paving configuration to attend the “Trash Container” area as appropriate. Adjust paved versus non-paved surface calculations if/as required.
 16. Please resolve the 15% Street Yard Minimum Landscaped Area Standards (Section 11-12-3.A.1) matter as described in the Landscape Plan analysis above.
 17. 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.
 18. Please resolve the Building Line Setback Tree Requirements (Section 11-12-3.A.4) matter as described in the Landscape Plan analysis above.
 19. Please resolve the Maximum Distance Parking Space to Landscaped Area Standard (Sections 11-12-3.B.1 and 11-12-3.B.2) matter as described in the Landscape Plan analysis above.
 20. Please resolve the Tree to Parking Space Ratio Standard (Section 11-12-3.C.2) matter as described in the Landscape Plan analysis above.
 21. Please resolve the Irrigation Standards (Section 11-12-3.D.2) matter as described in the Landscape Plan analysis above.
 22. 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.
 23. Please resolve the Lot Percentage Landscape Standard (Section 11-7I-5.F; PUDs only) matter as described in the Landscape Plan analysis above.
 24. Please correct “monument” qualifier of the ground sign on the “Site Plan” drawing A101 to “pylon” or “ground” sign.
 25. On the “Site Plan” drawing by Lewis Engineering, P.L.L.C., please label the one (1) ground sign and indicate and label the two (2) menuboard signs along the north side of the property.
 26. Please represent all proposed menuboard signs on the sign plans for approval as a part of this PUD Detailed Site Plan (PUD 63 Section E.2.b).
 27. A structure is indicated on the building “Elevations” drawings A301 and A302, which the provided Joplin, MO example photos indicate may be a menuboard sign, which would likely face east in this case. The structure is not labeled on drawings A301 or A302, and is not indicated on the plan-view site plan drawings. The Applicant should label as appropriate and provide signage information, if it is to be a sign, or remove from plans if not actually proposed for this site. If it is a menuboard sign, and if facing east, it would not appear visible from a public street, and so would appear to be permissible per Zoning Code Sections 11-7I-4.B.2.f.3 and 11-9-21.C.3.d.
 28. On the ground sign plan by Pinnacle Sign Group, provide the proposed total ground sign height and reduce if/as required to comply with the 25’ maximum height restriction of Zoning Code Section 11-7I-4.B.2.d.
 29. Per the “Site Plan” drawings, it appears that the ground sign is proposed to be placed within the 15’-wide Utility Easement platted with *101 South Memorial Plaza*. If allowed, placement of signage in such easements requires the specific approval of the City Engineer and Public Works Director. Otherwise, the signs must be relocated out of the easements.
 30. The ground sign would appear to overhang 8’-wide Sidewalk Easement platted with *101 South Memorial Plaza*, and may be in conflict with the sidewalk which is required there

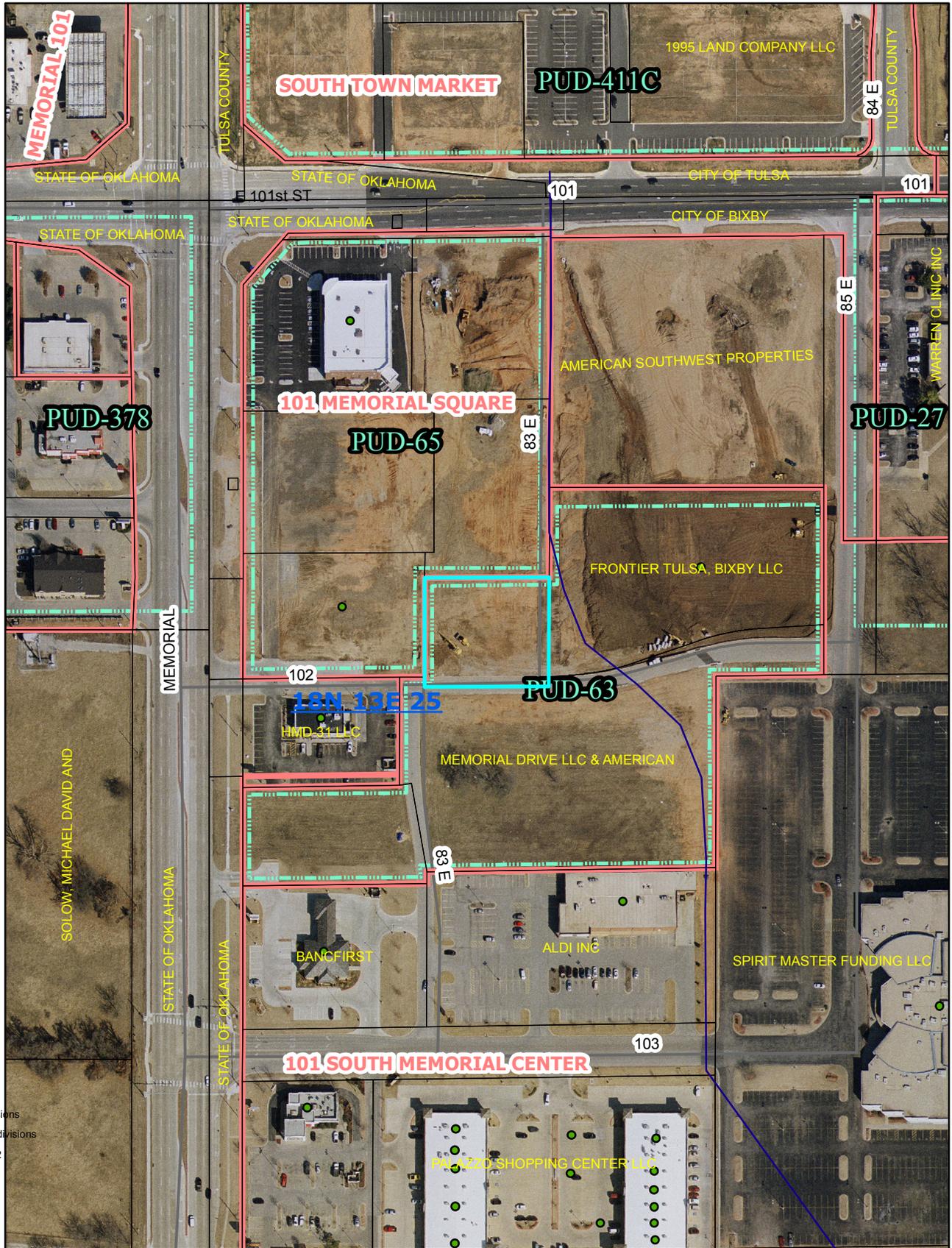
(but not yet represented on the plans). The Applicant should check the mounting height of the changeable-letter message board sign element and compare it to applicable sidewalk clearance standards for pedestrians and those covered by ADA standards, and make adjustments as required.

31. Most restaurants and other developments of this size will have incidental signage for traffic control and general identification information. The photographs of the Joplin, MO example indicate incidental signage. Standard directional signs at a maximum of 3 square feet in display surface area (reference Zoning Code Section 11-9-21.C.3.k), signs reserving the ADA accessible parking spaces, and any other such incidental signage must be provided for review for conformance to applicable Zoning standards.
32. Please correct minor errors as follows:
 - a. Both "Site Plan" drawings represent certain linework indicating easements, but only a few are labeled along with their respective widths and applicable Document # citations on the "Site Plan" drawing by Lewis Engineering, P.L.L.C. All easements need to be labeled as to type, width, and Document # citations on all site plan drawings. Linetypes may be included in the Legend in lieu of labeling.
 - b. The "CS Zoning" label on both the "Site Plan" and "Landscape Plan" drawings by Bill Lewis of Lewis Engineering, P.L.L.C. do not appear to point to the correct linetype per the recorded plat of *101 South Memorial Plaza*.
 - c. The relative location of the linetypes and labels for the 8' Sidewalk Easement and (presumably) a Utility Easement on both the "Site Plan" and "Landscape Plan" drawings by Bill Lewis of Lewis Engineering, P.L.L.C. appear to be off as compared to the recorded plat of *101 South Memorial Plaza*.
 - d. The curblineline for 83rd E. Ave. appears to exceed the 15' Mutual Access Easement width. Unless it is being widened by the developer as a part of this project or is skewed, this relative representation may be off. This is based on the street section showing a 26' total width roadway per Exhibit A of PUD 65 and the 13' half-street roadway indicated by the easement lines designated on the plat of *101 Memorial Square*. Please adjust as appropriate.
 - e. South 83rd E. Ave. is not labeled on any of the site plan drawings – please add.
 - f. "Site Plan" drawing by Bill Lewis of Lewis Engineering, P.L.L.C.: Please include word "(Private)" next to 102nd St. S.
 - g. The building "Elevations" drawings A301 and A302 appear to have the following errors:
 1. South-facing elevation labeled "East Elevation"
 2. East-facing elevation labeled "South Elevation" and appears inverted
 3. North-facing elevation labeled "West Elevation"
 4. West-facing elevation labeled "North Elevation" and appears inverted
 - h. The handicapped-accessible parking spaces on the two "Site Plan" drawings are inconsistent – please reconcile. Considering the building elevations drawings indicate the main entrance on the [east] side will be toward the center of the building (notwithstanding the possible building elevations mislabeling and inversion on the elevations drawings), the accessible spaces as indicated (albeit without access aisle) seem more appropriately situated on the "Site Plan" drawing A101.
 - i. Any changes made to site plan drawings made by either Lewis Engineering, P.L.L.C. or Hufft Projects need to correspondingly be made to all other drawings affected by the change.

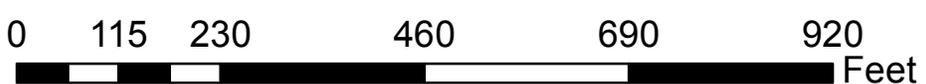
68

- j. The width of the bypass lane west of and paralleling the drive-through lane is inconsistent on the "Site Plan" drawings by Lewis Engineering, P.L.L.C. and Hufft Projects.
 - k. A 22'-wide linetype is indicated on "Site Plan" drawing A101 and on the "Site Plan" drawing by Lewis Engineering, P.L.L.C., but at 22' 2" in that case. The linetype does not appear to correspond to any geospatial features on the plat of *101 South Memorial Plaza*. The linytypes need to be labeled and, if pointing to the same geospatial feature, they need to be reconciled as to width.
 - l. Any other existing inconsistencies between drawings, even if missed from this list, must be reconciled.
33. To complete the application submittal, please submit two (2) full-size copies and one (1) 11" X 17" copy (if any of them have a native size being 11" X 17", submit only 3 in that size in that case; if any of them have a native size 8.5" X 11", submit only 3 in that size in that case):
- a. "Detailed Site Plan" cover sheet
 - b. "Site Plan" drawing A101
 - c. Conceptual rendering with page number "5"
 - d. Daytime photo of Andy's location in Joplin
 - e. Evening photo of Andy's location in Joplin
 - f. Pinnacle Sign Group wall sign plan
 - g. Pinnacle Sign Group ground/pylon sign plan
34. 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).
35. 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.

BSP 2012-02 – “Andy’s Frozen Custard” Lewis Engineering, P.L.L.C. (PUD 63)



- Businesses
- bixby_streams
- Tulsa Parcels 08/12
- WagParcels 08/12
- TulsaCountySubdivisions
- WagonerCountySubdivisions
- WagRoads_Aug2012
- E911Streets
- PUD
- bixby_s-t-r



Memo

To: Erik Enyart
From: Jared Cottle *JWC*
CC: Bea Aamodt
File
Date: 11/26/12
Re: Andy's Frozen Custard
Plan Review

General Comments:

1. The Site Plan and data submitted do not include any Grading, Drainage, or Utility information.
2. Other than the general comments provided below, no additional comments can be provided until receipt of Engineering design information.
3. At minimum, a Drainage Memorandum and an Earth Change Permit will be required.
4. The Drainage Memorandum should, besides all drainage calculations, include a comparison of the original storm sewer system design performance and capacity to the proposed drainage design.
5. The Earth Change Permit should include proposed site grading.
6. All proposed fire hydrant locations must be reviewed and approved by the Fire Marshall.
7. Water meter locations should be shown and placed within road rights-of-way.

Memo

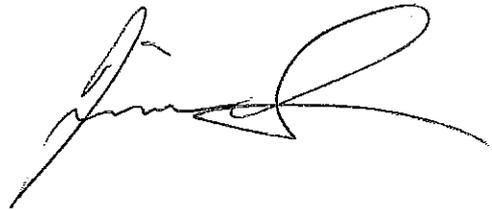
To: ERIK ENYAET, AICP, CITY PLANNER

From: JIM SWEEDEN

Date: 11/27/2012

Re: BSP 2012-02—DETAILED SITE PLAN FOR "ANDY 'S FROZEN
CUSTARD

SITE PLANS FOR ANDY'S FROZEN CUSTARD IS APPROVED BY THIS OFFICE.



72

Erik Enyart

From: Erik Enyart
Sent: Friday, November 30, 2012 3:22 PM
To: 'Bill Lewis'
Cc: 'JR Donelson'
Subject: Letters dated 11/29/2012 - Wright Shopping Center and Andy's Frozen Custard

Bill Lewis:

I received your above-referenced letters requesting an exception from the maximum parking space standard of Zoning Code Section 11-10-2.H.

For the Wright Shopping Center project, the Special Exception application submission deadline for the 01/07/2013 Board of Adjustment meeting is Friday, 12/07/2012.

For the Andy's Frozen Custard project, in the report I just sent you, I identified another issue, the lack of a loading berth, for which a Variance is the only form of relief short of a PUD Major Amendment. Rather than requesting a Special Exception on the parking and a Variance on the loading berth, and potentially other Special Exceptions or Variances for other design elements causing difficulty, I would recommend you make application for a PUD Major Amendment. It's a much 'cleaner' method. The application submission deadline for the 01/21/2013 PC meeting is Friday, December 21, 2012 (but earlier submittals are appreciated).

All the referenced application forms are available at <http://bixby.com/city-government/planning>

Copy: JR Donelson

Erik Enyart, AICP, City Planner
City of Bixby, PO Box 70
Bixby, OK 74008
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918/254-4689

918/254-8256 FAX

CITY OF BIXBY

NOV 30 2012

RECEIVED

By Enyart

cf. BSP 2012-02

November 29, 2012

Mr. Erik Enyart, City Planner
City of Bixby
116 W. Needles Ave.
Bixby, OK 74008

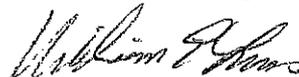
Re: Andy's Frozen Custard
101 South Memorial Plaza

Dear Mr. Enyart:

We hereby request an exception to Chapter 10 Section 11-10-2H of the Bixby Zoning Code, namely to allow the number of parking spaces to exceed the 15% limit of spaces required for the referenced project. The owner feels that the number of spaces shown on the plans are needed for the proper function of the project.

Thank you for this consideration. If you have any questions or desire additional information, please let us know.

Very truly yours,
Lewis Engineering, P.L.L.C.



William E. Lewis, P.E.
Manager

74



City of Bixby Site Plan Application

Applicant: LEWIS ENGINEERING P.L.L.C
Address: 6420 S. 221ST E. AVE, BROKEN ARROW, OK 74014
Telephone: _____ Cell Phone: 918.254.8256 Email: blewis@TULSAcoxmail.com

Property Owner: JRS LAND COMPANY LLC If different from Applicant, does owner consent? YES
Property Address: 8251 E. 102nd ST. So.
Existing Zoning: CG Existing Use: VACANT Proposed Use: COMMERCIAL Use Unit #: _____

LEGAL DESCRIPTION (If unplatted, attach a survey with legal description or copy of deed):

LOT 2, BLOCK 3, 101 SOUTH MEMORIAL PLAZA
PLD # 63

Is subject tract located in the 100 year floodplain? YES NO

All new structures requiring a Building Permit, other than a small job permit, within Use Units 2, 5, and 8 through 27, inclusive, shall require the submission of a site plan demonstrating compliance with the requirements of the Zoning Code. A site plan shall be submitted with the Building Permit application as follows: Five (5) full-size hard copies, four (4) 11" X 17" hard copies, and one (1) copy in an acceptable electronic file format. Compliance with the approved site plan shall be a condition of Building Permit approval and continued occupancy. The site plan shall specifically include:

- All property lines with dimensions of the parcel or parcels on which the building permit is sought.
- All existing and proposed improvements represented to scale and dimensioned from the lot lines.
- The names and widths of all adjacent street, road, highway, alley, and railroad rights-of-way of record.
- Any roadway paving edges, curb lines, sidewalks, culverts, and/or borrow ditch centerlines, if the same are located within or along the boundary of the subject property.
- Any road, access, drainage, utility, and other such easements, including County Clerk recording references (i.e. Book/Page or Document #) for each.
- Amount of post-construction impervious area in square feet and percentage of lot area, calculated by a surveyor, architect, or engineer.
- The topographical layout of the land at no greater than two (2) foot contours if site elevation changes 10 feet or more, or if necessary for proper site design review in the opinion of City staff.
- N/A Any Special Flood Hazard Areas and Flood zone designations as identified by the adopted, effective Floodplain maps.
- N/A Any significant streams, swales, ditches, or natural drainageways.
- N/A Any existing or proposed ponds or stormwater detention or retention facilities.
- N/A All existing and/or proposed driveways and internal drives, to include labeling the surface material to be used (e.g. concrete or asphalt) for each.
- Dimensions and labels for any existing access limitations and access openings.
- N/A Water wells, septic or other on-site disposal systems, oil or gas wells or underground lines, significant oil or gas extraction appurtenances, and other critical site features.
- Unique identifiers so that the plan may be related to the subject property if ever separated from the file, such as property owner's name, property or building address, and/or legal description.
- Name, address, and contact information of the site plan preparer.
- A unique drawing number or name to distinguish the site plan from any other drawings submitted.

City of Bixby Site Plan Application

- Seal and signature of the design professional preparing the site plan if/as required.
- Date of the site plan, including any dates of revision.
- North arrow.
- Graphic scale; a numeric scale may also be used if the native paper size is specified on the site plan.
- Location map identifying the site within the land Section, arterial or larger streets within or along the boundaries of the land Section, along with sufficient subdivisions or other land features to allow for the identification of the site within the land Section.
- Other existing and/or proposed critical features not listed above if necessary for proper site design review in the opinion of City staff.
- Representation of critical features within a sufficient area outside the site if necessary for proper site design review in the opinion of City staff.

All information and items listed below must be completed and submitted prior to application review.

Included		Submittal Items	Comments
Yes	N/A		
<input checked="" type="checkbox"/>		Site plan showing the information listed above	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A landscape plan representing all existing and/or proposed landscaping.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A sign plan representing all existing and/or proposed signs.	SHOWN IN ARCH SUBMITALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building elevations or building height information.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A screening and fence plan or representation on another drawing of all existing and/or proposed fences, walls, gates, and trash receptacle screening enclosures.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A lighting plan and lighting information.	

Is the subject property located in a Planned Unit Development (PUD)? YES PUD #: 63

If within a PUD, does the PUD require Planning Commission approval of a site plan? YES

I do hereby certify that the information submitted herein is complete, true and accurate:

Signature: JR DONELSON FOR LEWIS ENGR. Date: 11/21/2012

~~APPLICANT - DO NOT WRITE BEYOND THIS LINE~~

.....
 Date Received _____ Received By _____ Date Approved _____
 Building Permit # _____ Case Reference # _____

LEGEND

SS	SANITARY SEWER LINE
W	WATER LINE
—	PROPOSED FENCE
RAD	RADIUS
B/L	BUILDING LINE
U/E	UTILITY EASEMENT
FH	FIRE HYDRANT
tc	TOP OF CURB
tp	TOP OF PAVEMENT
g	GUTTER
TR	TOP OF RIM
FL	FLOWLINE
F.F.	FINISH FLOOR
696+0	SPOT ELEVATION
SAN	SANITARY
M.H.	MANHOLE
→	FLOW DIRECTION ARROW
●	PROPOSED TREES
♿	HANDICAP SPACE
○	PROPOSED CONTOURS

OWNER:
JRS LAND COMPANY LLC
P.O. BOX 634
CARTHAGE, MO. 64836
417-546-2333

ENGINEER:
LEWIS ENGINEERING PLLC
6420 SO. 221ST E. AVE.
BROKEN ARROW, OK. 74014
918-254-4689
C.A. NO. 3480 EXP. DATE 6/30/13
EMAIL: BLEWIS@TULSACOMAIL.COM
CONTACT: BILL LEWIS

PROPERTY DESCRIPTION
LOT 2, BLOCK 3, 101 SOUTH MEMORIAL PLAZA, AN ADDITION TO
THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

PROPERTY ADDRESS:
8251 E. 102ND ST. SO.

ZONING: CG ZONING

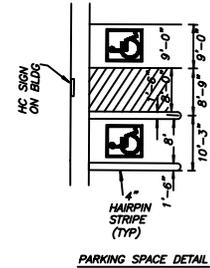
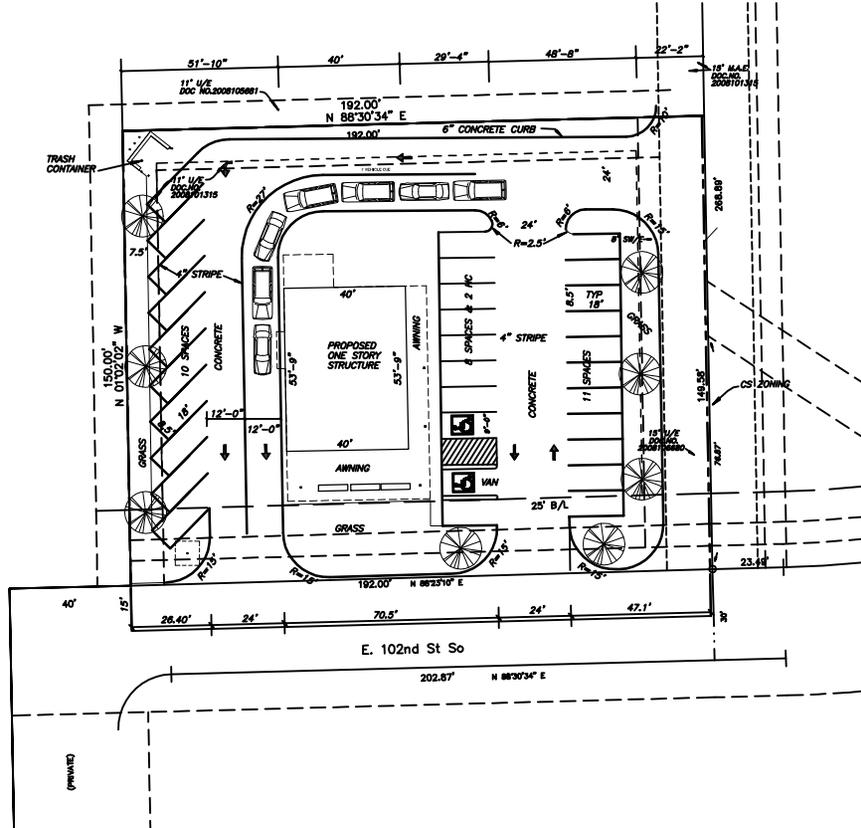


1	Portland Cement Concrete, 3500 psi (DOT Sec. 414) w/ #30 18" o.c., eo. way
2	Aggregate Base (DOT Sec. 303)
3	Lime Treated Subgrade (DOT Sec. 307) 2#-6# Lime or 1#-18" Fly Ash to achieve P.I. < 18 Compoisted to 95% std Proctor density

DUMPSITER CONCRETE

1	Portland Cement Concrete, 3500 psi (DOT Sec. 414) w/ #30 18" o.c., eo. way
2	Lime Treated Subgrade (DOT Sec. 307) 2#-6# Lime or 1#-18" Fly Ash to achieve P.I. < 18 Compoisted to 95% std Proctor density

LIGHT DUTY CONCRETE



HORIZONTAL CONTROL:
The Basis of Bearings for the Survey shown thereon is the plotted bearing of the north line of Tract C.101 South Memorial Center; S 88°30'32" W, 3/8" iron pins are set at of property corners.



DATE OF PRINT:				101 SOUTH MEMORIAL PLAZA			
CITY OF BIXBY OK:				CITY OF BIXBY, OK.			
DESIGNED BY:				PLANS & SPECIFICATIONS BY:			
DRAWN BY:				LEWIS ENGINEERING, P.L.L.C.			
REVISION:				DATE: 11/18/2012			
BY:				APPROVED:			
DATE:				DATE:			
SCALE:				SCALE:			
PROJECT:				PROJECT:			
SHEET:				SHEET:			



DETAILED SITE PLAN

198-12-1119

ANDY'S FROZEN CUSTARD TULSA

8251 E. 102nd St.

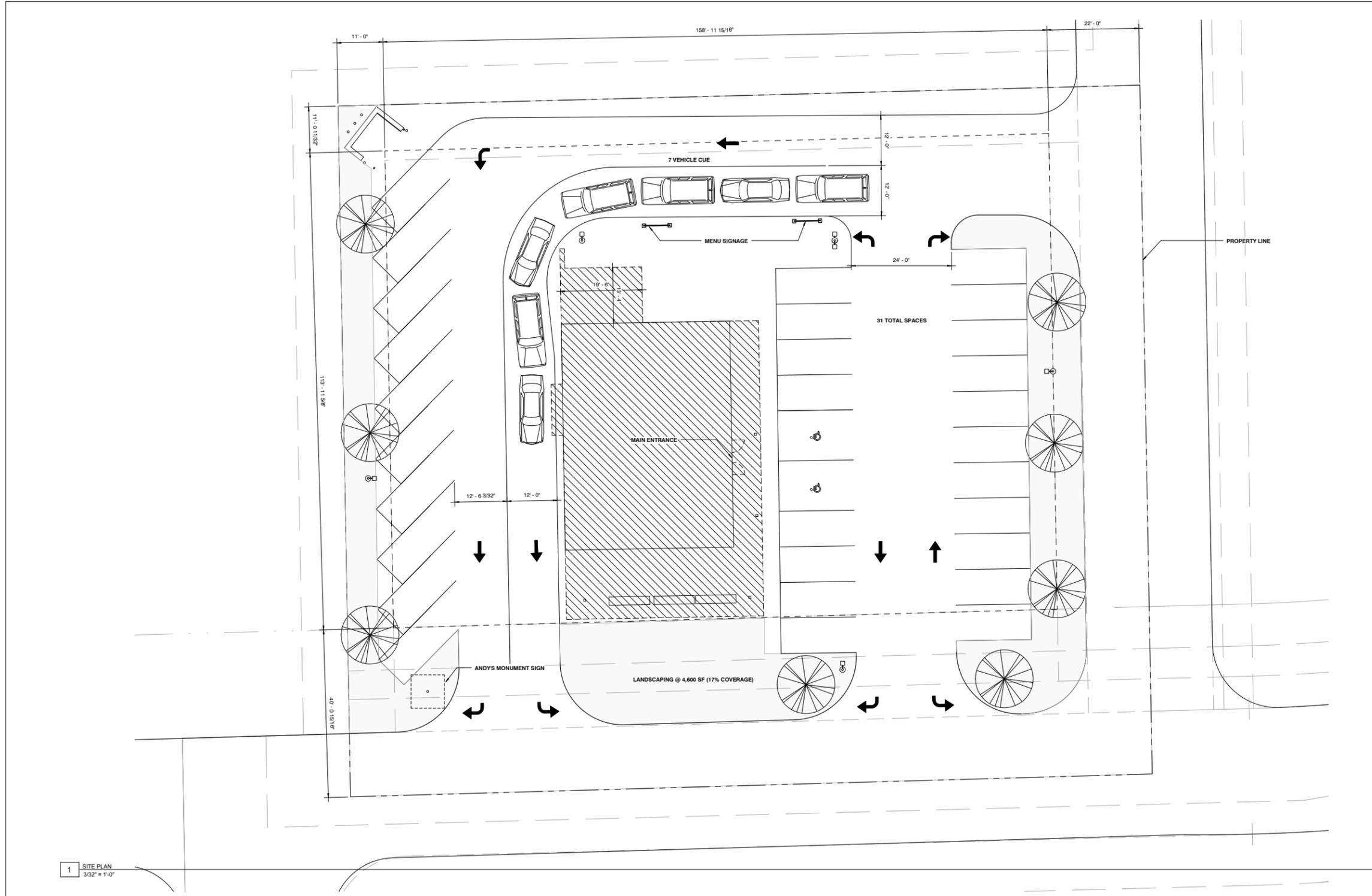
Tulsa, OK 74133



Hufft Projects

321 W. 40th St.
Kansas City, MO 64111
P: 816.531.0200
F: 816.531.0201

hufft.com



KEYNOTES:

ANDY'S FROZEN CUSTARD TULSA, 8251 E. 102nd. St., Tulsa, OK, 74133

Site Submittal | Nov. 19, 2012

1 SITE PLAN
3/32" = 1'-0"

This drawing has been prepared under the architect's supervision. The architect disclaims any responsibility for the existing building structure, existing site conditions, existing construction elements, and any drawings or documents used for this project that are not signed and sealed by the architect. The information herein is of proprietary nature and is submitted in confidence for the use of our clients only. Unauthorized reproduction, distribution, or dissemination, in whole or in part is prohibited. The information contained herein is and remains the property of Hufft Projects LLC and receipt or possession of this information confers no right in or license to disclose to others the subject matter contained herein for any but authorized purposes. All rights reserved. Copyright © 2011

REVISION SCHEDULE:	
NO.	DATE

ARCHITECT:
Hufft Projects
321 West 40th Street
Kansas City, MO 64111
P: 816-531-0200
F: 816-531-0201

www.hufft.com
Hufft Projects, LLC
Missouri State Certificate of Authority #

CONSULTANT:
STRUCTURAL
ADDRESS
SPRINGFIELD, MO

CONSULTANT:
MEP
301 DUCK ROAD
KANSAS CITY, MO 64109

CONSULTANT:
CONSULTANT 3
ADDRESS

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SITE PLAN

A101

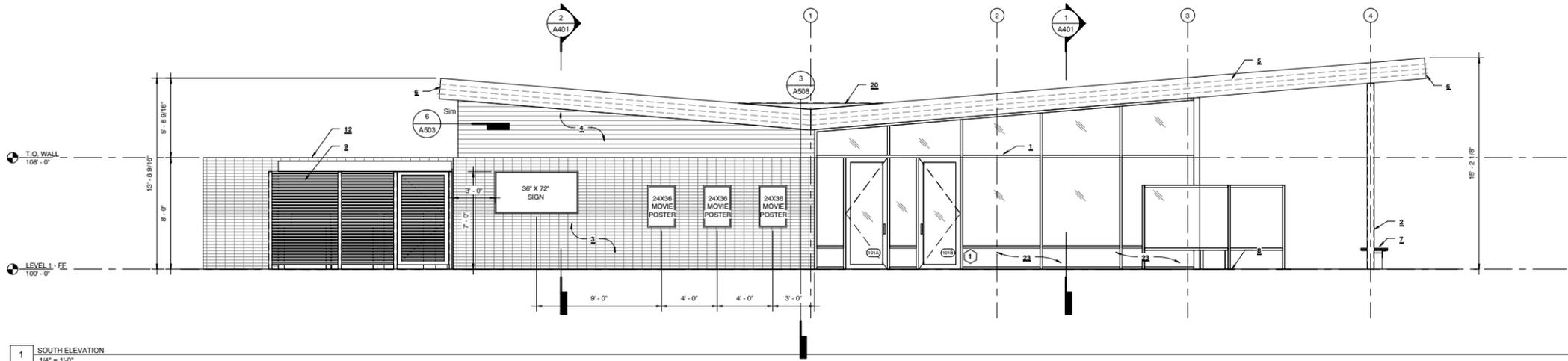
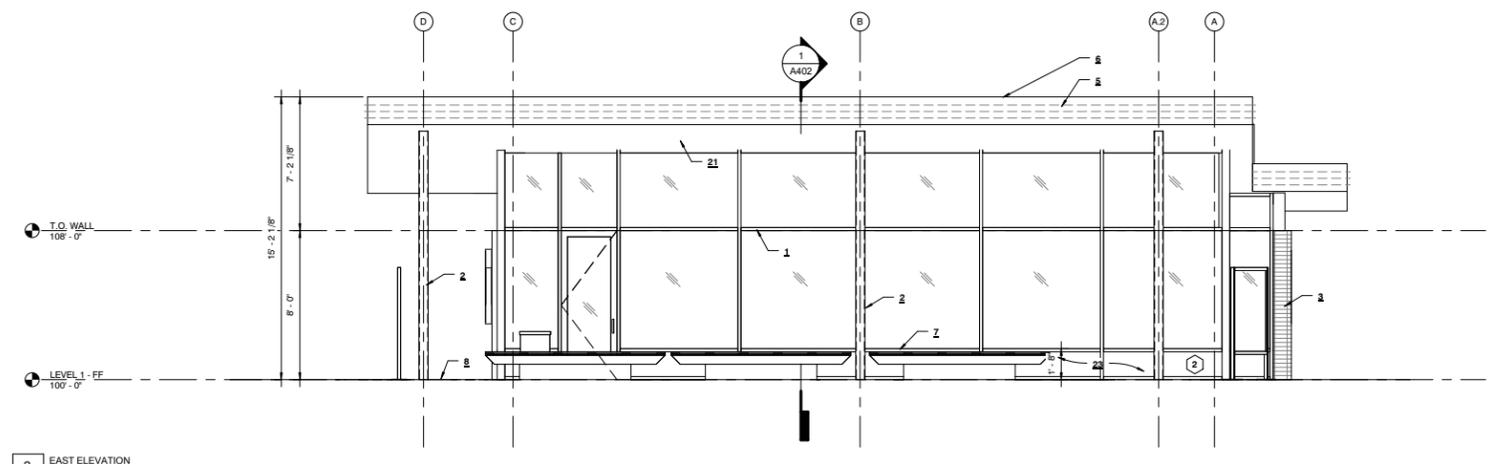


ANDY'S FROZEN CUSTARD TULSA, 8251 E. 102nd St., Tulsa, OK, 74133



HUFFT PROJECTS
321 West 4th Street
Kansas City, MO 64111
P: 816-531-0200
F: 816-531-0201
www.hufft.com
Hufft Projects, LLC
Missouri State Certificate of Authority #

1. EFCO 5500 CURTAIN WALL SYSTEM WITH 1" INSULATED GLAZING AND SPANDREL PANEL AS NOTED.
2. COLUMNS PER STRUCTURAL
3. RECLAIMED MASONRY VENEER W/ MASONRY TIES @ 16" O.C. VERT., 32" O.C. HORIZ. W/ CLEAR SEALANT
4. 3/4" T + G WESTERN RED CEDAR SIDING.
5. PERIMETER NEON LIGHTING ON EXTENTS OF ALUMINUM FASCIA BY OWNER
6. SQUARE CUT ROOF EDGE
7. SITE-SPECIFIC BENCH
8. SITE WORK PER CIVIL PLANS AND SPECIFICATIONS
9. IPE LOUVERS ON GALVANIZED TUBE STEEL FRAME
10. 60 MIL WHITE TPO ROOFING MECHANICALLY FASTENED ON 1" RIGID INSULATION
11. EAS-SERV PRODUCTS INC. - SS SERIES IN-LINE SIDE SLIDER - DRIVE THRU WINDOW PER WINDOW AND CURTAIN WALL SCHEDULE
12. CAP AND SILL FLASHING AT TOP DATUM OF MASONRY VENEER AND FREESTANDING WALL, TYP.
13. FOUNDATION PER STRUCTURAL
14. WALL TYPE PER PLAN
15. DUCTWORK LOCATION AND SIZING PER MEP
16. ALL INTERIOR FINISHES - D.T.F.
17. MENU SIGNAGE
18. LARGE ANDY'S IDENTITY SIGNAGE
19. ROOF CONSTRUCTION - 60 MIL WHITE TPO ROOFING MECHANICALLY FASTENED ON 1" RIGID INSULATION OVER TJI'S PER STRUCTURAL WITH BATT INSULATION - MINIMUM OF R-30
20. CRICKET - SEE ROOF PLAN FOR ADDITIONAL INFORMATION
21. 3/4" EXTRA PANELING - PAINTED WHITE
22. APPLY AN OPAQUE WHITE VINYL TO THE INSIDE FACE OF THE VISION GLAZING IN THIS AREA EXTENDING FROM THE BOTTOM OF F.F.E. TO A DATUM 5' A.F.F. - LOWER WHITE SPANDREL PANELS TO REMAIN - COORDINATE EXTENTS TO CONCEAL FRAMED INTERIOR WALLS
23. WHITE SPANDREL GLAZING - ALL SPANDREL GLASS TO BE WHITE, U.O.N.



REVISION SCHEDULE

NO.	DATE	ISSUE

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Architect: ARCHITECT
License Number: 8034
Drawn By: JST
Project Number: 11138

ELEVATIONS

A301

For Construction Set Nov. 19, 2012



ANDY'S FROZEN CUSTARD TULSA, 8251 E. 102nd St., Tulsa, OK, 74133



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www.hufft.com

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Kansas City, MO 64111
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Missouri State Certificate of Authority #

REVISION SCHEDULE		
NO.	DATE	ISSUE

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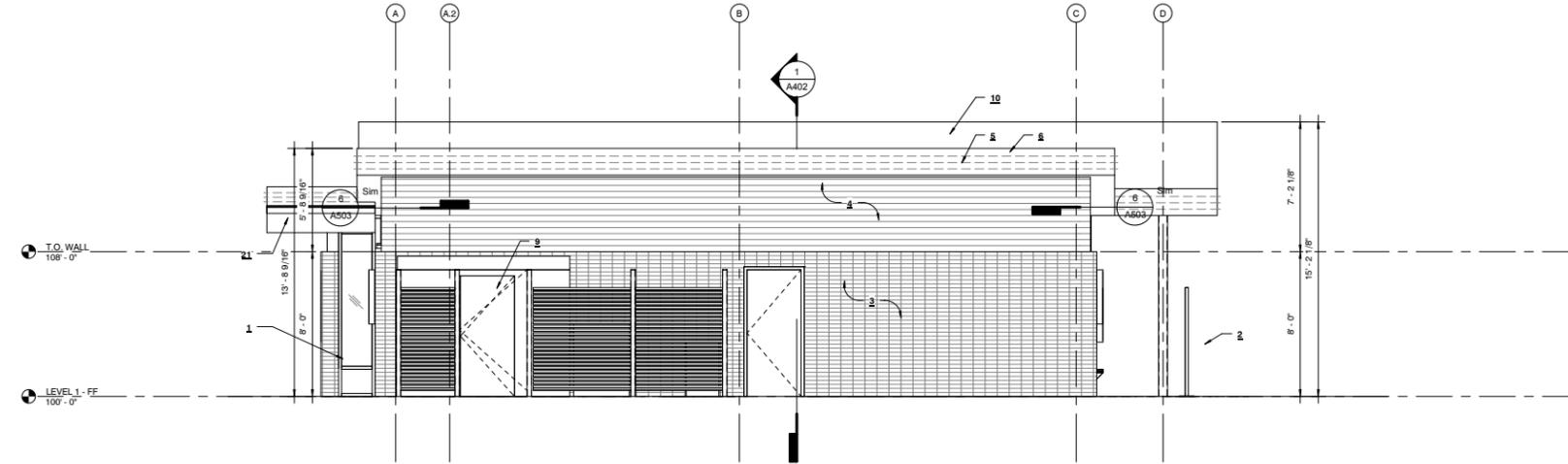
Architect: ARCHITECT
License Number: 8034
Drawn By: JST
Project Number: 11108

ELEVATIONS

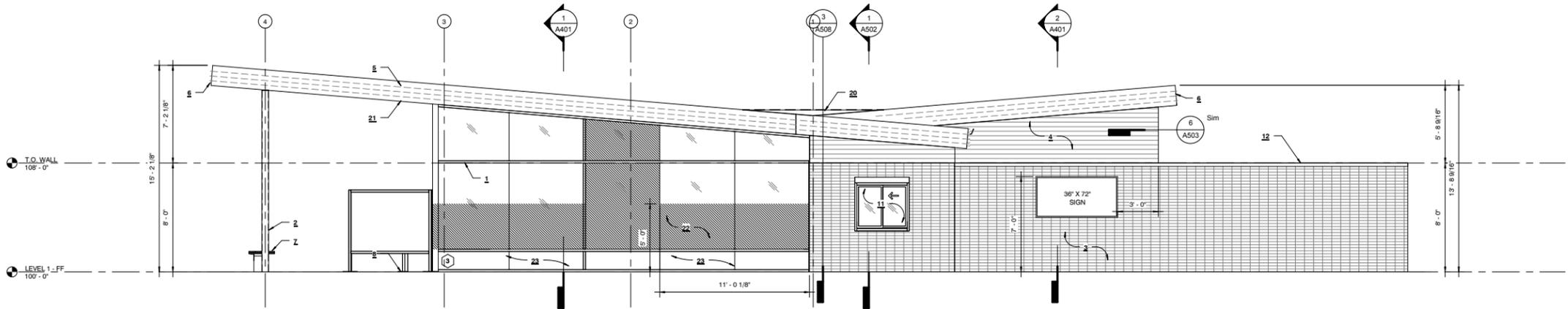
A302

For Construction Set | Nov. 19, 2012

1. EFCO 5500 CURTAIN WALL SYSTEM WITH 1" INSULATED GLAZING AND SPANDREL PANEL AS NOTED.
2. COLUMNS PER STRUCTURAL
3. RECLAIMED MASONRY VENEER W/ MASONRY TIES @ 16" O.C. VERT.; 32" O.C. HORIZ.; W/ CLEAR SEALANT
4. 3/4" T + G WESTERN RED CEDAR SIDING.
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23. WHITE SPANDREL GLAZING - ALL SPANDREL GLASS TO BE WHITE, U.O.N.



1 WEST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"

11/19/2012 11:42:27 AM

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0221-12-EWAL-1 EXTERIOR WALL MOUNT SIGN

COLOR GUIDE

□ TBD □ TBD

PSG
 505 N. GLENSTONE
 SPRINGFIELD, MO. 65802
 P. 417.869.6468
 F. 417.869.1545

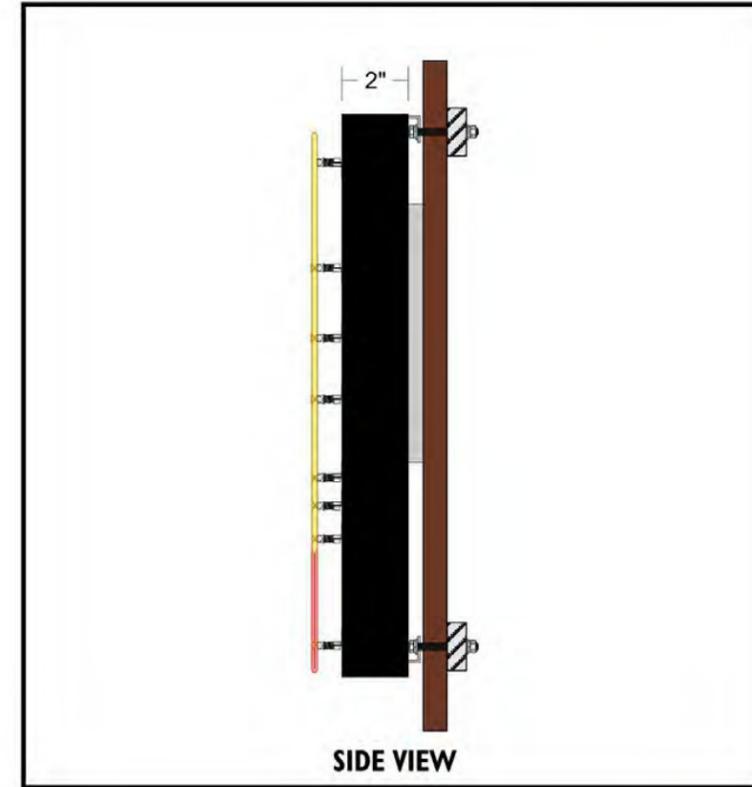
PROJECT NAME
 ANDY'S FROZEN
 CUSTARD
 JOPLIN, MO

PROJECT MANAGER
 DAN COGSWELL

DESIGNER
 N.TARR

SCALE
 1" = 1'-0"

DATE PRINTED
 02.21.12



APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 DATE: ____/____/____
 AUTHORIZED SIGNATURE

THIS DRAWING OR ANY REASONABLE FACSIMILE IS THE PROPERTY OF PINNACLE SIGN GROUP UNLESS PURCHASED OR THERE IS WRITTEN CONSENT FROM PINNACLE SIGN GROUP.

- NOTES**
- NEW NEON ILLUMINATED SIGN PER CUSTOMER'S SIGN STANDARDS
 - FLAT ALUMINUM FACE w/ 2" BLACK RETURNS
 - -CUT VINYL GRAPHICS
 - MOUNTED TO RACEWAY
 - 13mm NEON TUBING (COLOR TBD)
 - 1.5" STANDOFF FROM WALL



pinnaclesigngroup.com COPYRIGHT PINNACLE SIGN GROUP 2012

0221-I2-PYLO-I 4 SIDED PYLON SIGN

TBD  TBD  **COLOR GUIDE**

PSG
 505 N. GLENSTONE
 SPRINGFIELD, MO. 65802
 P. 417.869.6468
 F. 417.869.1545

PROJECT NAME
 ANDY'S FROZEN CUSTARD
 JOPLIN, MO

PROJECT MANAGER
 DAN COGSWELL

DESIGNER
 N.TARR

SCALE
 1/4" = 1'-0"

DATE PRINTED
 02.21.12

APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 DATE: ___/___/___
 AUTHORIZED SIGNATURE

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- SPECIFICATIONS**
- NEW 4 SIDED PYLON SIGN ON SINGLE POLE TO MATCH CUSTOMER'S SIGN STANDARDS
 - INTERNALLY ILLUMINATED
 - PAN FACES-BACK SPRAYED (COLORS TBD)
 - DOUBLE SIDED CHANGEABLE COPY BAORD w ATM RIDER -NEON ON ATM
 - DIMENSIONAL CONE-TO BE PROVIDED FROM VENDOR



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DESCRIPTION

The Lumark Tribute is the most versatile, functionally designed, universally adaptable outdoor luminaire available. The Tribute brings outstanding performance to walkways, parking lots, roadways, loading docks, building areas, and any security lighting application. U.L. listed and CSA certified for wet locations.

Catalog #	Type
Project	
Comments	Date
Prepared by	

SPECIFICATION FEATURES

Construction

Rugged one-piece die-cast aluminum housing and door frame. One-piece silicone gasket protects the optical chamber from performance degrading contaminants. One (1) stainless spring latch and two (2) stainless hinges allow toolless opening and removal of door frame.

Reflector

Choice of nine (9) high efficiency optical distributions, including five (5) segmented optical systems constructed of premium 95% reflective oxidized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs or other means of attachment which may cause streaking in the light distribution. Optical modules are

field rotatable in 90° increments and offered standard with mogul base lampholders for High Pressure Sodium and 200-400W Metal Halide assemblies or medium-base lampholders for Metal Halide 150W and below.

Electrical

Ballast and related electrical componentry are hard mounted to die-cast housing for optimal heat transfer and operating efficiency. Optional swing-down galvanized steel power tray with integral handle and quick disconnects allows tray to be completely removed from housing providing ample room for fixture installation and maintenance.

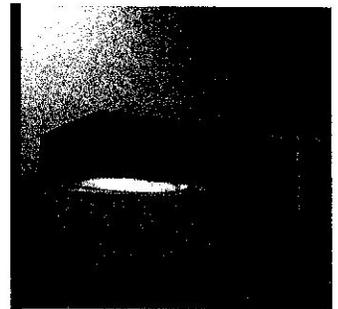
Mounting

Extruded 8" aluminum arm features internal bolt guides for easy positioning of fixture during installation to pole or wall surface.

Standard single carton packaging of housing, square pole arm and round pole adapter allow for consolidated product arrival to site. Optional internal mast arm mount accepts a 1 1/4" to 2 3/8" O.D. horizontal tenon, while a 4-bolt clamping mechanism secures fixture. Cast-in leveling guides provide +/-5° vertical leveling adjustment.

Finish

Housing and arm finished in a 5 stage premium TGIC bronze polyester powder coat paint. Optional colors include black, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.



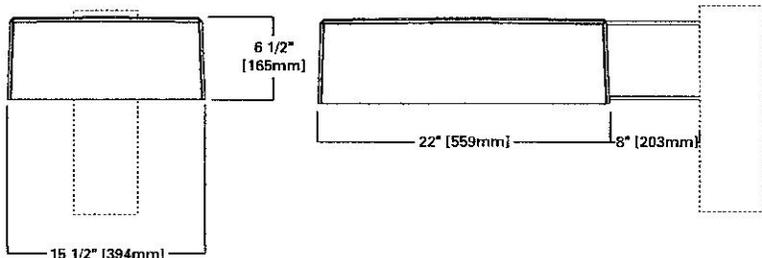
TR TRIBUTE

70 - 400W
High Pressure Sodium
Pulse Start Metal Halide
Metal Halide

AREA LUMINAIRE

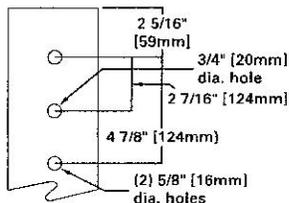


DIMENSIONS

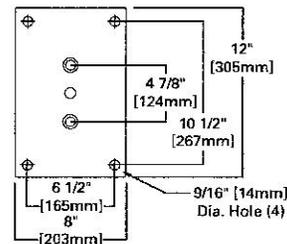


DRILLING PATTERNS

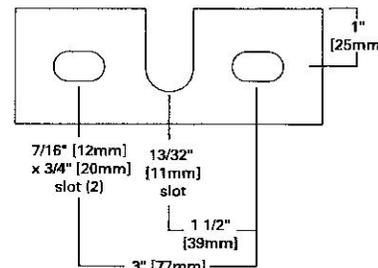
TYPE "M"



WALL MOUNT (MA1219-XX)



TRUNNION MOUNT



TECHNICAL DATA

UL Wet Locations Listed
CSA Certified
EISA Compliant ©

ENERGY DATA

HI-Reactance Ballast Input Watts

- 70W HPS HPF (95 Watts)
- 100W HPS HPF (130 Watts)
- 150W HPS HPF (190 Watts)
- 150W MP HPF (185 Watts)

CWI Ballast Input Watts

- 250W HPS HPF (300 Watts)

CWA Ballast Input Watts

- 175W MH HPF (210 Watts)
- 200W MP HPF (227 Watts) ©
- 200W HPS HPF (250 Watts)
- 250W MH HPF (295 Watts)
- 250W MP HPF (283 Watts) ©
- 320W MP HPF (365 Watts) ©
- 350W MP HPF (397 Watts) ©
- 400W MP HPF (452 Watts) ©
- 400W MH HPF (455 Watts)
- 400W HPS HPF (465 Watts)

EPA

Effective Projected Area: (Sq. Ft.)
Without Arm: 1.19

SHIPPING DATA

Approximate Net Weight:
39 lbs. (17.73 kgs.)



ORDERING INFORMATION

Sample Number: MPTR-SL-400-MT-LL

--	--	--	--	--	--	--	--

Lamp Type

MP=Pulse Start Metal Halide
MH=Metal Halide
HP=High Pressure Sodium

Series ¹

TR=Tribute (Arm Included)

Distribution

2F=Type II Formed
2S=Type II Segmented
3F=Type III Formed
3S=Type III Segmented
4F=Type IV Formed
4S=Type IV Segmented
5F=Type V Formed
5S=Type V Segmented
SL=Spill Light Eliminator

Lamp Wattage ²

MP
70=70W
100=100W
150=150W
200=200W
250=250W
320=320W
350=350W
400=400W³
MH
175=175W⁴
250=250W⁴
400=400W^{3,4}
HPS
70=70W
100=100W
150=150W
250=250W
400=400W³

Voltage ⁵

120V=120V
208V=208V
240V=240V
277V=277V
347V=347V⁶
480V=480V
DT=Dual-Tap
MT=Multi-Tap, wired 277V
TT=Triple-Tap,⁶ wired 347V
5T=5 Tap Wired⁶ 480V

Options

F1=Single Fuse (120, 277 or 347V⁷ only)
F2=Double Fuse (208, 240 or 480V⁷ only)
Q=Quartz Restrike (Hot Strike Only)⁸
EM=Quartz Restrike with "Delay Relay" (Quartz lamp strikes at both hot and cold starts)
EM/SC=Emergency Separate⁹ Circuit
LL=Lamp Included
S=1 1/4" - 2 3/8" Internal Mast Arm Mount
TM=Trunnion Mount
PT=Electrical Power Tray
PER=NEMA Twistlock Photocontrol Receptacle
PC=Button Type Photocontrol⁹
HS=House Side Cutoff¹⁰
LA=Less Arm (Order Mounting Separately)

Standard Color

_=Bronze (Standard)
WH=White
BK=Black
AP=Grey
DP=Dark Platinum
GM=Graphite Metallic

Accessories ¹¹

MA1201-XX=Direct Wall Mount Kit
MA1218-XX=Direct Mount for Pole
MA1219-XX=Wall Mounting Plate
OA1090-XX=Adjustable slipfitter Arm for Tenon Mount 2 3/8" O.D.¹
MA1221-XX=External House Side Shield Kit (EPA= 0.38)
MA1222=Internal House Side Shield Kit for 2S/3S
MA1223=Internal House Side Shield Kit 4S
MA1224=Internal House Side Shield Kit for 2F/3F
MA1225=Internal House Side Shield Kit for 4F
MA1010-XX=Single Tenon Adapter for 3 1/2" O.D. Tenon
MA1011-XX=2 @ 180 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1012-XX=3 @ 120 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1013-XX=4 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1014-XX=2 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1015-XX=2 @ 120 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1016-XX=3 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
MA1017-XX=Single Tenon Adapter for 2 3/8" O.D. Tenon
MA1018-XX=2 @ 180 degrees Tenon Adapter for 2 3/8" O.D. Tenon
MA1019-XX=3 @ 120 degrees Tenon Adapter for 2 3/8" O.D. Tenon
MA1045-XX=4 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
MA1048-XX=2 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
MA1049-XX=3 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
TRVS=Field Installed Vandal Shield¹²
OARA1013=Photocontrol Shorting Cap
OARA1016=NEMA Photocontrol - Multi-Tap
OARA1027=NEMA Photocontrol 480V
OARA1201=NEMA Photocontrol 347V

Notes: 1 3 Inch Arm and pole adapter included with fixture. Specify Less Arm "LA" option when mounting accessory is ordered separately. 2 150W and below in Pulse Start Metal Halide are medium base sockets. All other wattages are mogul base. 3 Requires reduced envelope lamp. 4 175W, 250W, and 400W MH available in non-U.S. markets only. 5 Products also available in non-US voltages and 50Hz for international markets. Consult your Cooper Representative for availability and ordering information. 5T only available in 400W MH. 6 88% efficient EISA Compliant MP fixtures not available in 347V or TT Voltages. 7 Must specify voltage. 8 Quartz options not available with SL optics. 9 Specify 120V, 208V, 240V, or 277V only. 10 House side shield not available on 5S, 5F, or SL optics. 11 Order separately/replace XX with color specification. 12 Not available with SLE or House Side Shield.

STOCK SAMPLE NUMBER (Lamp Included)

SAMPLE NUMBER: MPTR2340

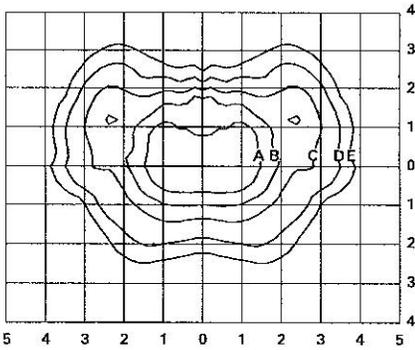
MP	TR	23	
Lamp Type MP=Pulse Start Metal Halide HP=High Pressure Sodium ²	Series ¹ TR=Tribute	Distribution 23=Type II/III Formed	Lamp Wattage 15=150W 25=250W 32=320W 40=400W

NOTES:

¹ Short logic fixtures are finished bronze include multi-tap ballast, lamp, arm and round pole adapter. Other options not available. Refer to standard ordering logic. ² Available in 150, 250 and 400 Watt. Refer to In Stock Guide for availability.

VOLTAGE CHART	
DT=Dual-Tap	120/277 (wired 277V)
MT=Multi-Tap	120/208/240/277 (wired 277V)
TT=Triple-Tap	120/277/347 (wired 347V)
5T=5-Tap	120/208/240/277/480 (wired 480V)

LAMP TYPE	WATTAGE
Pulse Start Metal Halide	70, 100, 150, 250, 320, 350, 400W
Metal Halide	175, 250, 400W
High Pressure Sodium	70, 100, 150, 250, 400W

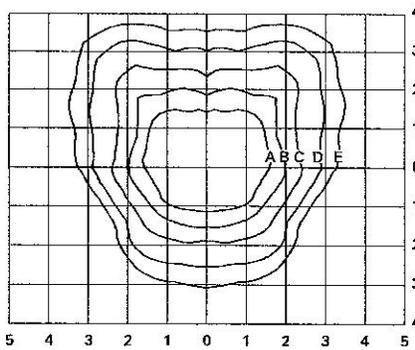


MPTR-3S-320
 320--Watt MP
 30,000--Lumen Clear Lamp
 Type III Segmented

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	2.00	1.00	0.50	0.20	0.10
30'	1.38	0.69	0.34	0.13	0.06

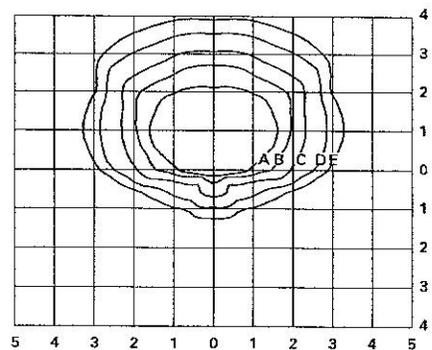


MPTR-4S-400
 400--Watt MP
 40,000--Lumen Clear Lamp
 Type IV Segmented

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	2.00	1.00	0.50	0.20	0.10
30'	1.38	0.69	0.34	0.13	0.06



MPTR-SL-400
 400--Watt MP
 40,000--Lumen Clear Lamp
 Spill Light Eliminator

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	2.00	1.00	0.50	0.20	0.10
30'	1.38	0.69	0.34	0.13	0.06

MOUNTING CONFIGURATIONS

