AGENDA
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
August 19, 2013 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

3 1. Approval of Minutes for the July 15, 2013 Regular Meeting

PUBLIC HEARINGS

20 2. **BCPA-10 – JR Donelson for James Hargrove et al.** 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, from "Low Intensity + Residential Area" to "Medium Intensity" with no specific land use designation.
Property Located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

3. **PUD 79 – "Southwood on Memorial" – JR Donelson, Inc.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 17 acres (land area) consisting of Lot 10, Block 2, Lot 9, Block 3, all of Block 9, and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition.*
Property Located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

4. **BZ-366 – James Hargrove et al.** Public Hearing, discussion, and consideration of a rezoning request from RE Residential Estate District to CS Commercial Shopping Center District for approximately 17 acres (land area) consisting of Lot 10, Block 2, Lot 9, Block 3, all of Block 9, and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition.*
   Property Located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

PLATS

OTHER BUSINESS

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5. **BSP 2013-04 – "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" – JR Donelson, Inc. (PUD 37).** Discussion and consideration of a PUD Detailed Site Plan and building plans for "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" a trade center development for part of Lot 5, Block 1, *Crosscreek.*
   Property located: 12810 and 12812 S. Memorial Dr.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Enyart

Date: 07/26/2013

Time: 4:50 PM

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

MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
July 15, 2013 **6:00 PM**

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

STAFF PRESENT:
Erik Enyart, AICP, City Planner

OTHERS ATTENDING:
See attached Sign-In Sheet

CALL TO ORDER:

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

ROLL CALL:

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

CONSENT AGENDA:

1. Approval of Minutes for the May 20, 2013 Regular Meeting
2. Approval of Minutes for the June 17, 2013 Regular Meeting

Chair Thomas Holland introduced the Consent Agenda items.

Lance Whisman and John Benjamin observed that there was a quorum present of those in attendance at the May 20, 2013 meeting, but not of those in attendance at the June 17, 2013 meeting. Mr. Benjamin stated that he would have to Abstain on the vote on that item.

Larry Whiteley asked if the Minutes could be approved if there was not a quorum of those in attendance at a particular meeting, and Erik Enyart responded that the Commissioners may do so if they trust that they were accurate.

Larry Whiteley made a MOTION to APPROVE the Minutes of the May 20 and June 17, 2013 Regular Meetings as presented by Staff. Chair Thomas Holland SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whisman, and Whiteley
NAY:	None.
ABSTAIN:	Benjamin.
MOTION CARRIED:	3:0:1

Larry Whiteley noted that, a few months prior, there were several months' worth of Minutes that could not be approved due to quorum issues, that were finally passed [in a similar manner].

PUBLIC HEARINGS

3. **Preliminary Plat – Trails at Whitehawk – Tulsa Engineering & Planning, Inc. (PUD 62).** Discussion and consideration of a Preliminary Plat and certain Modifications/Waivers for "Trails at Whitehawk" for 75 acres in part of the W/2 SE/4 of Section 15, T17N, R13E. Property located: Northwest corner of the intersection of 151st St. S. and Kingston Ave.

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

To:	*Bixby Planning Commission*
From:	*Erik Enyart, AICP, City Planner*
Date:	*Wednesday, July 10, 2013*
RE:	*Report and Recommendations for:*
	Preliminary Plat of "The Trails at Whitehawk" (PUD 62)

LOCATION: – *Northwest corner of the intersection of 151st St. S. and Kingston Ave.*
– *Part of the W/2 SE/4 of Section 15, T17N, R13E*
SIZE: *75 acres, more or less*
EXISTING ZONING: *CG, OL, & RS-3 and PUD 62*
SUPPLEMENTAL ZONING: – *PUD 62 for "Hawkeye"*
– *Corridor Appearance District (partial)*
EXISTING USE: *Vacant/Agricultural*
REQUEST: *Preliminary Plat approval*
SURROUNDING ZONING AND LAND USE:

North: *RS-3/PUD 46; Residential single family homes and vacant lots in The Ridge at South County.*

South: *AG, CG, OM; Agricultural and rural residential to the south, the Bixby Cemetery to the southeast, and a 150-acre Lutheran Church Extension Fund-Missouri Synod agricultural tract to the southwest zoned CG, OM, RM-3, and RE.*

East: *AG, CG, & RS-3/PUD 72; Agricultural, rural residential, and commercial on several unplatted tracts along Kingston Ave. and 151st St. S. The Mountain Creek Equipment Sales (formerly the Allison Tractor Co. Inc.) tractor/farm equipment stales business is to the east on approximately 2.4 acres zoned CG. The vacant Southridge at Lantern Hill subdivision abuts to the east on 40 acres zoned RS-3 with PUD 72.*

West: *RS-3, RM-2, CS, & AG; The White Hawk Golf Club, residential in Celebrity Country and White Hawk Estates in PUD 3, and vacant, rural residential, and agricultural tracts fronting on 151st St. S. zoned CS and AG.*

COMPREHENSIVE PLAN: *Corridor/Low Intensity/Development Sensitive + Vacant, Agricultural, Rural Residences, and Open Land + Community Trail*

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

PUD 62 – Hawkeye – Hawkeye Holding, LLC – Request for rezoning to CG and RS-3 for a residential and commercial development for the subject property – PC Recommended Conditional

Approval of CG, OL, and RS-3 01/21/2008 and City Council Approved CG, OL, and RS-3 02/11/2008 (Ord. # 991).

PUD 62 – Hawkeye – Major Amendment # 1 – Request for Major Amendment to PUD 62 for subject property – PC Recommended Conditional Approval 06/17/2013 and City Council Approved 06/24/2013 (Ord. # 2122).

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property contains approximately 75 acres consisting of two (2) tracts of land, which appear to share a common lot line corresponding to the northerly line of a 130'-wide AEP-PSO overhead electrical transmission powerline right-of-way easement. The northerly tract is zoned RS-3 and the southerly tract is zoned CG, with the west 330' thereof zoned OL. The entire acreage is supplementally zoned PUD 62.

The subject property is moderately sloped and primarily drains to the west to an unnamed tributary of Posey Creek. Just north of the northerly dead-end of Kingston Ave., the subject property contains part of the top of a small hill located west of the ridgeline at Sheridan Rd. A small portion of the north side of the east line appears to drain to the east into Southridge at Lantern Hill. The property is presently pasture land. There is some 100-year (1% Annual Chance) Regulatory Floodplain within westerly and southwesterly portions of the acreage corresponding to the tributary of Posey Creek.

It appears that part of the Kingston Ave. roadway falls along and within the east side of the subject property. Per aerial and GIS data, a fenceline is located along the west side of the roadway, and is located several feet within the subject property. See the Access and Internal Circulation section of this report for additional information.

Comprehensive Plan. The subject property is designated Corridor, except for the west approximately 330', which is designated Low Intensity. A portion of the southerly area of the acreage is designated Development Sensitive. CG zoning may be found in accordance with the Corridor designation, but is not in accordance with the Low Intensity designation. Therefore, in 2008 as recommended by Staff, the westerly 330' of Development Area B was zoned OL, which may be found in accordance with Low Intensity designation.

RS-3 zoning may be found in accordance with the Corridor designation, and is in accordance with the Low Intensity designation.

All three (3) existing zoning districts may be found in accordance with the Development Sensitive designation.

Thus, the current zoning patterns are consistent with the Comprehensive Plan.

At its June 17, 2013 Regular Meeting, the Planning Commission held a Public Hearing and recommended Conditional Approval of PUD 62 Major Amendment # 1 by unanimous vote, and to additionally recommend that "the City Council consider the Comprehensive Plan as it pertains to trails in this PUD Major Amendment."

The Comprehensive Plan Land Use Map designates a Community Trail more or less along a line paralleling 330' from the westerly line of the subject property through its entire north-south length. It is more likely that any future trail here would follow the course of the tributary of Posey Creek, which only "clips" the southwest corner of the acreage. This area is designated as Reserve A on the Preliminary Plat, and is to be used for stormwater detention, which would appear to be conducive to future trail development, as compared to residential or commercial/office development. The site plan provided with the Major Amendment states that no trails are proposed at this time, and this plat does not propose trail construction through the subject property. However, the Deed of Dedication and Restrictive Covenants (DoD/RCs) provide that the Reserve Areas may be used for "passive and active open space" uses, such as "...recreation, ...sidewalks, and ingress and egress."

The Bixby Comprehensive Plan shows a trail connecting Bixby Creek to the Arkansas River through Conrad Farms, various tracts along Sheridan Rd. and 151st St. S. and the City of Bixby's cemetery expansion acreage, the subject property and The Ridge at South County, certain other tracts along 141st St. S., and Eagle Rock. An amendment to the Comprehensive Plan would not have been required to approve the Major Amendment, because the Zoning Code requires only consistency with the land use elements for rezoning purposes, not the Public Facilities / Urban Design Elements such as trails. At its regular meeting held June 24, 2013, the City Council Approved the Major Amendment and did not make any special requirements pertaining to trails.

The Trail designation notwithstanding, the single-family residential and commercial developments anticipated by this plat would be not inconsistent with the Comprehensive Plan.

General. This subdivision of 1.11 acres proposes 262 Lots, nine (9) Blocks (however, recommendations in this report would cause there to be more), and five (5) Reserve Areas. With the exceptions outlined in this report, the Preliminary Plat appears to conform to the Zoning Code and Subdivision Regulations and PUD 62.

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

The Technical Advisory Committee (TAC) discussed this application at its regular meeting held July 03, 2013. Minutes of that meeting are attached to this report.

Access. Access to the residential subdivision would be via a proposed collector street connection to 151st St. S., which would be routed through the subdivision to connect to the Lakewood Ave. stub-out street in The Ridge at South County. It would have a secondary emergency-only access drive connecting to Kingston Ave. per the Fire Marshal. When the commercial development area is built, a cul-de-sac design may be employed to improve this connection. The commercial Development Area B would have access via the said collector street connection to 151st St. S., and may also access that street via Kingston Ave. The site plan submitted with Major Amendment # 1 indicates a singular access drive connection to 151st St. S. toward the center of the frontage, which was previously shown on the Conceptual Development Plan for the original PUD 62. This plat has Limits of No Access (LNA) along the 151st St. S. frontage, with the exception of an access opening corresponding to the drive connection as shown on the site plan. Although City Staff do not object to this connection, both the City of Bixby and ODOT would have to allow a curb cut / driveway permit on this State Highway 67. The subject property is on the (westbound) downward slope of the hill at Sheridan Rd., and the speed limit is 55 MPH. The plat's representation of LNA and Access openings onto 151st St. S. / State Hwy 67 here does not guarantee the curb cut / driveway permit will be approved.

The subject property's Kingston Ave. frontage and particulars have been the source of question for this development since it was first rezoned and approved for PUD 62 in 2008. At the TAC meeting held July 03, 2013, the City Planner, City Engineer, Fire Marshal, Fire Code Enforcement Official, and the developer's engineer were presented with right-of-way dedication documents from 1959 and 1960 reflecting a 25'-wide, half-street road right-of-way for Kingston Ave. along the east side of the common line separating the subject property from the rural residential and undeveloped tracts to the east. It was generally agreed by all that:

(1) Commercial traffic for the commercial Lot 1, Block 9 will primarily use the driveway connection onto 151st St. S. as may then be approved, and not so much the residential collector street in this development or Kingston Ave.,

(2) The City of Bixby recognizes Kingston Ave. as currently functionally classified as a local minor residential street,

(3) The subject property's right-of-way dedication should be based on its current functional classification; i.e. 25' as the balance of the 50' total width right-of-way,

(4) If properties to the east of the subject property develop more intensively than single-family residential, as would be expected at this time, they would be responsible for dedicating additional right-of-way width commensurate with their intensity,

(5) City Staff will support a Modification/Waiver of the right-of-way dedication requirement north of the cul-de-sac turnaround, based on its superior design and the fact that continued legal access will be maintained for the residence at 14800 S. Kingston Ave. in the existing half-street right-of-way to the east,

(6) The cul-de-sac turnaround, represented on a certain Major Amendment # 1 site plan as to be located within the 130'-wide PSO easement, may be constructed with the commercial development at the time of that development. Connection to, and not improvement of, Kingston Ave. will be required at this time with the residential Development Area the only one now proposed for development,

(7) North of the cul-de-sac turnaround, Kingston Ave. will continue to be a Public street to the extent the roadway exists within the existing 25'-wide half-street right-of-way and/or prescriptive right-of-way/easement that may exist on the subject property (but the existence of, and extent of which has not been determined here).

However, because the fenceline and the roadway itself appear to extend onto the subject property, and may have implications for prescriptive right-of-way/easement, the fence should not be removed, unless agreed to by the affected property owner at 14800 S. Kingston Ave., and any other affected property owners not having a boundary agreement in place, and the City of Bixby. An easement over the affected area would be in order to secure the continued maintenance of the fenceline and roadway on the new residential lots platted, and is hereby recommended.

No trails are indicated as proposed in the "Trails at Whitehawk" development at this time.

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

1. *Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and/or City Attorney recommendations.*
2. *Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as certain lots appear to exceed this 2:1 maximum depth to width ratio standard. The Modification/Waiver may be justified by citing the appropriate plan to plat deeper lots along the White Hawk Golf Club, and certain configurations necessitated by the geometries of the 130' PSO easement and Kingston Ave.*
3. *Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets to unplatted tracts abutting to the west and east. The Modification/Waiver may be justified by the limited extent of the common line shared by the residential Development Area and the tract to the east and its existing access on Kingston Ave. A justification would be required for not providing a stub-out street to the 8-acre tract to the west.*
4. *Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.H to have double-frontage for Lots 26 and 27, Block 2, whose rear lines abut Kingston Ave. City Staff is supportive of this design, which is incidental and unavoidable due to existing geometries.*
5. *Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the widths of the standard 17.5' Perimeter U/Es along the north and east boundary lines as evident on the plat. To the extent they abut existing 17.5' U/Es in The Ridge at South County and Southridge at Lantern Hill, Staff would support reducing them to 11', as the combined widths would exceed 22', the generally accepted standard for utility corridors on subdivision boundaries. However, see next item.*
6. *Block 2: 17.5' Perimeter U/E not represented. Linework suggesting an easement observed, but it is not labeled as such. To the extent it abuts Southridge at Lantern Hill, which has a 17.5' U/E along its westerly line, an 11' U/E would be in order (with a Modification/Waiver). For the balance of the east line abutting unplatted properties, 17.5' would be the minimum. Please add U/Es as appropriate.*
7. *Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.F to be released from the half-street right-of-way dedication for Kingston Ave. north of the PSO easement, as described in this report. City Staff will support this Modification/Waiver, based on the cul-de-sac's superior design and the fact that continued legal access will be maintained for the residence at 14800 S. Kingston Ave. in the existing half-street right-of-way to the east. However, see next item.*
8. *Because the fenceline and the Kingston Ave. roadway itself appear to extend onto the subject property, and may have implications for prescriptive right-of-way/easement, the fence should not be removed, unless agreed to by the affected property owner at 14800 S. Kingston Ave., and any other affected property owners not having a boundary agreement in place, and the City of Bixby. An easement over the affected area would be in order to secure the continued maintenance of the fenceline and roadway on the new residential lots platted, and is hereby recommended.*
9. *Presupposing the approval of the Modification/Waiver from Subdivision Regulations Section 12-3-2.F to be released from the half-street right-of-way dedication for Kingston Ave. north of PSO easement, subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.N to be released from the sidewalk construction requirement along the half-street right-of-way dedication for Kingston Ave. north of PSO easement.*
10. *Subdivision Regulations Section 12-3-2.O prohibits the approval of building lots within the 100-year Regulatory Floodplain, as designated by FEMA and adopted as part of Bixby's Floodplain Regulations by ordinance; by Modification/Waiver, platting Reserve Areas may be permitted, provided their use is passive and use restrictions prohibit building construction. Parts of the back/west sides of current Lots 10, 11, and 12, Block 1 are in the 100-year Floodplain, as well as part of the back/west side of Reserve C. Unless there is intent to go through the FEMA Letter Of Map Amendment (LOMA) based on more accurate and favorable survey data, or the Conditional/Letter Of Map Revision based on Fill (C/LOMR-F) process to remove the parts of the building lots from the*

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100-year Floodplain, a redesign is in order. A Modification/Waiver will be required if redesigned such that the 100-year Floodplain is fully contained by Reserve Areas, and is required for the balance of Reserve C and for Reserve A, the latter which contains the upstream tributary of Posey Creek.

11. *Please label the 100-year Floodplain designation as represented on and about Lots 10, 11, and 12, Block 1, and Reserve C.*
12. *All Modification/Waiver requests must be submitted in writing.*
13. *"Owner/Developer" block on face of plat, DoD/RCs Preamble, and Owner Signature Block: These data provide "OneFifty One Partners, L.L.C." is the owner of the subdivision. According to the Tulsa County Assessor's parcel data, as of a website query July 10, 2013, this name in title is correct for the southerly part of the subject property (lying south of the northerly line of the 130' PSO easement), but is not correct for the northerly acreage parcel, which the Assessor recognizes to be "Whitehawk Parnters, LLC."*

    Secondly, the legal description of the land being platted does not differentiate between what part of the underlying land is owned by which property owner name in title. For clear title and tax purposes, Staff believes that each dedicating owner should have their respective legal description specified in the DoD/RCs.

    Alternatively, all of this would appear to be reconcilable by conveying that part of the subject property plat area from one owner name in title to the other, and using that for all instances required on the plat.
14. *Lots 12 through 51, inclusive, Block 1, are completely separated from the balance of Block 1 by Reserve Area C. Per the definition of "Block" in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.*
15. *Lots 28 through 42, inclusive, Block 2, are completely separated from the balance of Block 2 by Reserve Area B. Per the definition of "Block" in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.*
16. *DoD/RCs Preamble: Please update the number of blocks to incorporate new blocks as recommended hereinabove.*
17. *In the TAC meeting held July 03, 2013, the TAC requested consistent front-yard U/Es throughout the subdivision, and the Applicant agreed to add these. Front yard B/Ls are 20' and the TAC, Applicant, and City Staff agreed that the front yard U/Es should be 15' in width, to provide a 5' buffer area to protect the integrity of the foundation and supporting wall, in the event of excavation of the U/E up to its interior edge.*
18. *Present Block 1, Lots 1 : 32, inclusive, and Block 2, Lots 24 through 27, inclusive: Consider increasing the rear-yard B/Ls to 20', to provide a 2.5' buffer area to protect the integrity of the foundation and supporting wall, in the event of excavation of the 17.5'-wide U/E up to its interior edge.*
19. *Block 3: Please label the widths of the rear yard U/Es.*
20. *Lot 1, Block 3: Please label the width of the B/L & U/E along the south line.*
21. *Lot 1, Block 3: Survey data not included to specify the extent of the PSO easement affecting the southerly side of the lot. For example, does the northerly line of the easement intersect precisely at its southeasterly lot corner? Please clarify as appropriate.*
22. *Lot 11, Block 3: Please label the width of the U/E along the south line at its westerly full extent, and the angle/bearing, so that it can be precisely located on the lot without scaling.*
23. *Lots 1 & 2, Block 1: Please label the angle/bearing along the back/westerly lines.*
24. *Title Block: Please remove the "-1" qualifier from PUD 62, as the PUD 62 Major Amendment # 1 approving ordinance did not redesignate the PUD on the official Zoning Map.*
25. *PUD 62 provides a 100' zoning setback from the centerline of 151st St. S. This plat proposes a 35' front setback from same. The centerline of 151st St. S. is not indicated, labeled, or dimensioned as to distance to the southerly line of commercial Development Area B / Lot 1, Block 9. Please confirm that the 35' setback is not less than 100' from the centerline of the street for the entire frontage of Lot 1, Block 9.*
26. *Per SRs Section 12-4-2.A.5, the Location Map must include a scale at 1" = 2,000'.*
27. *Please rename the street separating current Blocks 2 and 3 to S. Irvington Ave. to avoid duplicate street name "S. Hudson Ave."*
28. *Please add proposed addresses to the lots. A table may be used if needed for map clarity.*

29. *Please add the standard address caveat/disclaimer: "Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied on in place of the legal description."*
30. *Consider making the common lot line between Lots 18 and 19, Block 4, and Lots 30 and 31, Block 2, perpendicular/radial to the arc of the curved street in order to eliminate the 2.05' variance (in both cases) between the westerly points of tangent/curvature of C28 and C14 and the common lot corners. It is not clear if the 2.05' variances are to the west or to the east of the common lot corners, due to their exceptionally small size and the scale of the plat.*
31. *Consider adjusting southward, or otherwise making the south line of Lot 42, Block 2 perpendicular/radial to the arc of the curved street in order to eliminate the 2.57' variance between the northerly point of tangent/curvature of C16 and the common lot corner. It is not clear if the 2.57' variance is to the north or south of the southwest lot corner, due to its exceptionally small size and the scale of the plat.*
32. *Please confirm the accuracy of the relative representation of the Southeast Quarter Corner, which appears significantly to the east of the Kingston Ave. alignment.*
33. *Along the west line of Reserve A, consider using arrows to indicate the extent of the 225.84' and 577.93' dimensions (e.g. to the PSO easement north line, centerline, or south line).*
34. *DoD/RCs Preamble: Missing critical wording such as "And has caused the above described land to be surveyed, staked, platted, granted, donated, conveyed, and dedicated, access rights reserved, and subdivided ..." as per customary platting conventions and the City Attorney's recommendations regarding fee simple ownership of rights-of-ways.*
35. *DoD/RCs Section 1.1: Missing critical wording such as "The Owner/Developer does hereby grant, donate, convey, and dedicate to the public the street rights-of-way..." as per the City Attorney's recommendations regarding fee simple ownership of rights-of-ways.*
36. *DoD/RCs Section 1.1: Please qualify this section as follows: "...nothing herein shall be deemed to prohibit properly-permitted drives, parking areas, curbing, landscaping and customary screening fences that do not constitute an obstruction."*
37. *DoD/RCs Section 1.2.1: Word possibly omitted: "...may be served by overhead line or underground cable here and elsewhere throughout the subdivision."*
38. *DoD/RCs Section 1.12.6 – occurrence of "potion" instead of "portion," as presumed intended.*
39. *DoD/RCs Section I.3.1 – Words "certificate of dedication" used in place of "Deed of Dedication."*
40. *DoD/RCs Section 1.5: Please qualify this section as follows: "...nothing herein shall be deemed to prohibit properly-permitted drives, parking areas, curbing, and landscaping, that do not constitute an obstruction."*
41. *DoD/RCs Section 1.8: Please clarify qualifying text in this section as follows: "...along the ~~private~~ streets ~~reserve areas~~..."*
42. *DoD/RCs Section 1.9: Please remove term "Metropolitan" from the name of the Bixby Planning Commission.*
43. *DoD/RCs Section 1.12.3: Please qualify this section as follows: "Properly-permitted [r]ecreational equipment and fixtures will be allowed in the Detention Easement Area."*
44. *DoD/RCs Section 1.12.4.d: Possibly redundant word "channel" may be removed.*
45. *DoD/RCs Section 2.1.1 and 2.1.2: "Owners' Associations" may be unintentionally plural, unless there is intent to establish a secondary Owners Association for the commercial Lot 1, Block 9, and/or any lots subdivided therefrom.*
46. *DoD/RCs Section 2.1.1: Period missing from end of sentence.*
47. *DoD/RCs Section III (3) Preamble: Please replace "Ordinance" with "Code" as in "Zoning Code."*
48. *DoD/RCs Section III (3) Preamble: Please complete blanks with date information intended.*
49. *DoD/RCs Section III (3) Preamble: Please remove term "Metropolitan" from the name of the Bixby Planning Commission.*
50. *DoD/RCs Section III (3) Preamble: Please revise wording such as "WHEREAS, the Planned Unit Development (PUD) provisions of the Bixby Zoning Code.....compliance with the approved PUD, and"*
51. *DoD/RCs Section 3.2.1.9: Second occurrence of "two" misspelled.*
52. *DoD/RCs Section 3.3.2.4: Setback from non-arterial increased from 50' in PUD 62 to 100' here, which is inconsistent with the B/L as shown on the plat from Hudson Ave.*

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53. *DoD/RCs Section IV (4): Private restrictions should be submitted for review for conflicts with City Codes and enhanced quality control.*
54. *DoD/RCs Section 6.1: Provides "The Owner/Developer has formed or caused to be formed the" HOA. If this has occurred or will have occurred prior to plat recording, please submit a copy of the Secretary of State incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator. If otherwise, the wording may more appropriately be tensed "...shall form or cause to be formed..."*
55. *DoD/RCs Section 6.3: "Owners' Associations" may be unintentionally plural.*
56. *DoD/RCs Section 6.3: "An assessment shall be a lien on the lot..." Please clarify if the assessment = a lien at the time of assessment, or only if unpaid after a time, or only if unpaid after a time and after an instrument is duly recorded with the County Clerk.*
57. *DoD/RCs Section 6.3: Occurrence of "Board of Directions," evidently without definition here or elsewhere.*
58. *DoD/RCs Owners' Notary Block: Please update 2009 date.*
59. *Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*

Chair Thomas Holland opened the item for questions or comments from any of the Commissioners or those in attendance, before he shared his own comments. No one spoke at this time.

Chair Thomas Holland recognized Dean Christopoulos from the Sign-In Sheet. Mr. Christopoulos stated that he had his engineer with him and would defer to him if the Commission had any questions.

Chair Thomas Holland recognized Tim Terral of Tulsa Engineering & Planning, Inc., 9820 E. 41st St. S., Suite 102, Tulsa. Mr. Terral stated that he was working with Erik Enyart to satisfy all of the requirements.

John Benjamin asked Erik Enyart about the Kingston Ave. issue. Mr. Enyart stated that there were some design issues pertaining to accessing the commercial development area, and some stemming from the Fire Marshal's requirement to connect to it for emergency ingress and egress purposes. Mr. Enyart stated that there was no discussion at the Staff level to require improvements to Kingston Ave. at this time.

Chair Thomas Holland noted that the Fire Marshal had a recommendation pertaining to the need for the road to support [a fire apparatus weighing] 75,000 pounds. Mr. Enyart stated it was his understanding of the Fire Marshal's intent that this comment apply to the new [drive] connection only. Tim Terral stated that the emergency lane would have a crash gate on it and would not be used for regular traffic. Chair Thomas Holland stated that he thought it was unfortunate, as [Kingston Ave.] would have provided good access to the residential area, rather than have traffic go around using the new entrance road.

Chair Thomas Holland expressed concern over the number of review comments, and stated that he considered some to be [more minor than others].

Chair Thomas Holland referred to recommendation # 5 from the Staff Report and expressed concern that the Perimeter Utility Easements (UEs) would be reduced to 11' in width when abutting U/Es in other subdivisions. Tim Terral stated that this was common for subdivision design. Erik

Enyart stated that this was "very standard," and that subdivisions normally need a 22'-wide U/Es for major utility corridors. Mr. Enyart stated that it was "very standard around the metro area to require a 17.5' U/E on the perimeter when you're the first one out there." Mr. Enyart stated that, in this case then, "the 11' U/E added to that will exceed the 22' standard [width]."

Chair Thomas Holland referred to recommendation #s 17 and 18 from the Staff Report, and expressed concern that the foundations of the houses would be too close to the U/Es, and stated that this was because the setbacks were reduced and due to the lack of lot depth.

Chair Thomas Holland referred to recommendation # 25 from the Staff Report and expressed concern that the setback would not be achieved from 151st St. S. Tim Terral indicated that he had measured this matter and stated, "We're definitely well past 100 feet" with the 35' setback shown. Mr. Terral stated that the centerline of 151st St. S. was not the Sectionline, and that the right-of-way was quite wide at this point.

A Commissioner expressed concern that the Deed of Dedication and Restrictive Covenants would allow overhead electric lines in certain areas. Tim Terral stated that *OG+E* had an overhead line along the west side of Kingston Ave., but that it would "be relocated anyway because it is outside of easement." Mr. Terral stated that there would be an overhead electrical line along Kingston Ave. Erik Enyart addressed Mr. Terral and asked if the overhead lines were being relocated to the east side of Kingston Ave., and Mr. Terral indicated agreement. Mr. Enyart stated that, in that case, the lines would be relocated outside the plat. Mr. Terral stated that he thought the overhead lines may still be along the common line shared with [*Southridge at*] *Lantern Hill.*

Chair Thomas Holland referred to the fourth paragraph on page 78 of the agenda packet, a page from the Technical Advisory Committee minutes of July 03, 2013, pertaining to sidewalks and Kingston Ave., and asked why the City would have to Waive the sidewalk construction requirement. Erik Enyart stated that, if the right-of-way dedication requirement was Waived north of the cul-de-sac turnaround, which may be constructed on the PSO easement in the future with the commercial development, it would presuppose the Waiver of the sidewalk construction requirement there, "because the sidewalk is supposed to be in the right-of-way that won't be there." A Commissioner asked why a Modification/Waiver would be required, and Mr. Enyart stated that a sidewalk was required along all streets regardless of the presence of right-of-way, but that it did not make sense to require one if the right-of-way, in which it was to be located, was not there.

Tim Terral provided Erik Enyart a copy of the PUD site plan, "Exhibit 'A' Hawkeye Conceptual Development Plan" dated June 17, 2013, which showed the cul-de-sac design, and Mr. Enyart provided it to Chair Thomas Holland and he and Mr. Terral described the area of concern. Mr. Enyart indicated on the exhibit the Kingston Ave. roadway extending north of the cul-de-sac turnaround. Mr. Holland noted that this roadway would be in the backyards of the houses and withdrew his concern.

Chair Thomas Holland referred to the new emergency access drive and stated, "I'm thinking about it as an amenity," and asked if pedestrians would be able to use it. Mr. Terral stated that it would not be walled off so it could be accessed by pedestrians. Mr. Holland and Mr. Terral discussed the

likely design of the drive with crash gate; Mr. Terral indicated the fence/gate could have a pedestrian opening.

Chair Thomas Holland expressed concern over the U/E situation, and Tim Terral reiterated that this situation was "very common." Mr. Holland expressed concern over the sizes of the lots. Erik Enyart stated that he had observed a new "dynamic" wherein "lots are getting smaller, [while] houses are getting bigger, and this creates a lot of competition for available space."

Chair Thomas Holland asked about the livability space reduction per the PUD Major Amendment. Erik Enyart stated that the livability space was the unpaved "greenspace" on the lot. Mr. Enyart stated that, since the setbacks were pushed out toward both rear and front lot lines, this allowed the houses to [cover more of the lot area], necessitating a livability space reduction. John Benjamin and Larry Whiteley simultaneously asked what size the houses would be. Tim Terral responded to Larry Whiteley and said he did not know and deferred to Dean Christopoulos. Mr. Christopoulos responded to Mr. Benjamin and stated that the house sizes would be similar to those found in *The Auberge'* [*Village*].

Lance Whisman asked Erik Enyart to clarify why a Modification/Waiver would be required when the 100-year Floodplain would be contained in Reserve Areas. Mr. Enyart stated that the Subdivision Regulations expressly prohibit platting building lots in the 100-year Floodplain, but the text goes on to suggest that plats can contain Floodplain, as long as they are contained in Reserve Areas [prohibiting development], but that it still required a Modification/Waiver. Mr. Enyart stated that Bixby's Subdivision Regulations were somewhat unique in this regard. Upon a question as to why, Mr. Enyart stated that it appeared to him that the City leadership, when it wrote [the Subdivision Regulations], had a high priority on compliance with FEMA requirements and building safely out of the Floodplain. Mr. Enyart stated that Bixby's Subdivision Regulations were unique in the area for having such strong language prohibiting platting in the Floodplain. Mr. Whisman asked again why a Modification/Waiver would be required when the 100-year Floodplain would be contained in Reserve Areas, and Mr. Enyart responded that the Subdivision Regulations still required a Modification/Waiver to allow Reserves in the 100-year Floodplain.

Upon a question, Erik Enyart stated that some of the lots along the west side of the subdivision had 100-year Regulatory Floodplain on them, and that the City could either disapprove those lots in the subdivision or design around them, such as by reconfiguring the area or converting to a Reserve Area to contain them, even if temporary and subject to being replatted as building lots. Chair Thomas Holland clarified with Tim Terral that this situation would be resolved, and Mr. Terral stated, "It's not significant but has to be dealt with." Mr. Holland stated that FEMA does regular audits of communities to find development in the floodplains, and stated that "They will review all your Building Permits" going back through the years. Mr. Enyart stated, "I've been through a FEMA audit."

Lance Whisman indicated concern over the number of Modifications/Waivers, and stated that this was the most he had seen in a plat. Tim Terral stated that Bixby does this differently and that some cities do not require Waivers for such things.

Chair Thomas Holland asked if the Commissioners could recommend [Approval] Conditions regarding the amount of masonry on the houses. Erik Enyart responded, "You can give any recommendation on that with this Preliminary Plat, but I think it would be misplaced." Mr. Enyart stated that the time to make such recommendations was at the PUD stage "if they open that door." Mr. Holland asked if the Commission could not make this recommendation now, and Mr. Enyart stated that it could but that it should be done at the PUD stage "if you wanted to or if they open that door themselves." Mr. Enyart stated, "I pointed that [possibility] out in the Staff Report [for the PUD Major Amendment] and in the City Council's report, but they made no comment on that." Mr. Holland asked "What did they say on the trail?" Mr. Enyart responded that they had "no comment." Mr. Enyart stated, "I provided an exhibit in their agenda packet that showed that the [Comprehensive Plan's] planned trail" would go through Conrad Farms, various tracts, the City's cemetery expansion tract, this subdivision, the *Ridge at South County*, and even *Eagle Rock*. Mr. Enyart stated, "It doesn't seem to me to be a tenable route for a trail."

Chair Thomas Holland asked if the commercial development would go to the Fire Marshal, and Erik Enyart indicated affirmatively and stated, "As I recall, the PUD requires the Detailed Site Plan with the commercial development." Tim Terral confirmed with Erik Enyart that the PUD Detailed Site Plan would contain all of the customary plans, including lighting, landscaping, etc. A Commissioner noted that it was reported there are not enough fire hydrants at the present time.

Chair Thomas Holland asked to entertain a Motion. John Benjamin made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat of "The Trails at Whitehawk," subject to the recommendations as listed in the Staff Report. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whisman, Benjamin, and Whiteley
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

4. **Preliminary Plat / Final Plat – Panda Express – Crafton Tull & Associates, Inc. (PUD 67).** Discussion and consideration of a Preliminary Plat and a Final Plat and certain Modifications/Waivers for "Panda Express," part of the NW/4 SW/4 of Section 25, T18N, R13E.
   Property Located: 10535 S. Memorial Dr.

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

To:	*Bixby Planning Commission*
From:	*Erik Enyart, AICP, City Planner*
Date:	*Monday, July 08, 2013*
RE:	*Report and Recommendations for:*
	Preliminary Plat & Final Plat of "Panda Express" (PUD 67)

LOCATION:
- *10535 S. Memorial Dr.*
- *Part of the NW/4 SW/4 of Section 25, T18N, R13E*

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SIZE: *48,352 square feet; 1.11 acres, more or less*
EXISTING ZONING: *CS Commercial Shopping Center District*
SUPPLEMENTAL ZONING: – *PUD 67 for "SourceOne Carwash Company"* – *Corridor Appearance District*
EXISTING USE: *Vacant*
REQUEST: *Preliminary Plat and Final Plat approval*
SURROUNDING ZONING AND LAND USE:

North: *CS & PUD 40; The Applebee's restaurant, the Hampton Inn & Suites hotel, and a commercial strip shopping center, all in Regal Plaza.*

South: *CS; The Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision.*

East: *RS-3; Residential in South Country Estates.*

West: *(Across Memorial Dr.) CS/PUD 619 and CS/PUD 370; The First Pryority Bank, the Avalon Park commercial/office development, and the Life Time Fitness and other businesses being developed in Memorial Commons and/or "The Vinyards on Memorial," all in the City of Tulsa.*

COMPREHENSIVE PLAN: *Medium Intensity + Commercial Area*
PREVIOUS/RELATED CASES: *(Not necessarily a complete list)*

BBOA-283 – L.C. Neel – Request for Special Exception for a Use Unit 17 used car sales lot – Approved by BOA 08/01/1994.

PUD 67 –SourceOne Carwash Company – Crafton Tull Sparks – Request for PUD approval for subject property – PC Recommended Conditional Approval 12/15/2008 and City Council Conditionally Approved 01/28/2009 (Ord. # 2008 [1008]).

Preliminary Plat of Legend's Carwash – Request for Final Plat approval for the "Legend's Carwash" subject property – PC Recommended Conditional Approval 12/15/2008 and City Council Conditionally Approved 01/05/2009.

Final Plat of "Legend's Carwash" / "Boomerang Carwash" – Request for Final Plat approval for "Legend's Carwash" for the subject property – PC Recommended Conditional Approval 03/16/2009 and City Council Conditionally Approved 03/23/2009. Approval expired 03/23/2010 per Subdivision Regulations / City Code Section 12-2-6.F. By memo dated 04/14/2010, Developer requested City Council re-approve the Final Plat, to be renamed "Boomerang Carwash." City Council re-approved Final Plat 04/26/2010. Final Plat approval expired 04/26/2011 per Subdivision Regulations / City Code Section 12-2-6.F.

BSP 2009-02 & AC-09-02-02 – "Legend's Carwash" – Crafton Tull Sparks – Request for PUD Detailed Site Plan approval for a carwash and retail development as required by PUD 67 – Conditionally Approved by the Planning Commission and Architectural Committee 02/17/2009.

BSP 2010-02 / AC-10-06-01 – Boomerang Carwash – The McLain Group, LLC (PUD 67) – Request for PUD Detailed Site Plan approval for a carwash and retail development as required by PUD 67 – PC Conditionally Approved 06/21/2010.

BSP 2013-02 – Panda Express – Bannister Engineering, LLC (PUD 67) – Request for PUD Detailed Site Plan approval for a Use Unit 12 restaurant development as required by PUD 67 – PC Conditionally Approved 05/20/2013.

BACKGROUND INFORMATION:

The subject property was previously a small used car sales lot, previously operated by Nelson Mazda, occupying the front/west approximately 120'. It was previously Conditionally Approved for a Use Unit 17 "Legend's Carwash" / "Boomerang Carwash" development, including PUD 67, Preliminary and Final Plats, and PUD Detailed Site Plans. However, that proposal was not ultimately developed. The current application is to develop a Use Unit 12 Panda Express restaurant. PUD 67 allows the proposed use. The Planning Commission Conditionally Approved the Detailed Site Plan per BSP 2013-02 on May 20, 2013.

ANALYSIS:

Subject Property Conditions. The subject property moderately slopes downward to the south and east, in the watershed that drains to the Oliphant Drainage and Detention system (an upstream portion of Fry Creek # 1). It is presently vacant and zoned CS with PUD 67. It is bordered on the north by a private drive separating it from the Applebee's restaurant and the Hampton Inn & Suites hotel in Regal Plaza, on the south by the existing or former Home Hardware / Builder's Center / JWI Supply / CWC Interiors

hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision, on the east by residential in South Country Estates, and on the west by Memorial Dr.

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

The Use Unit 12 commercial restaurant use anticipated by this plat would be consistent with the Comprehensive Plan.

General. This subdivision of 1.11 acres proposes one (1) Lot, one (1) Block, and no (0) Reserve Areas. The lot appears consistent with the PUD 67 Development Standards.

With the exceptions outlined in this report, the Preliminary Plat and Final Plat appear to conform to the Zoning Code and Subdivision Regulations and PUD 67.

The Applicant may request a Modification/Waiver of Subdivision Regulations/City Code Section 12-3-3.A to reduce or remove the 17.5' Perimeter Utility Easement along certain property lines. For comparison, when this property was last approved for plat ("Boomerang Carwash"), the City Council approved a Modification/Waiver to reduce the northerly and westerly U/Es to 15' in width. AEP-PSO and ONG serve the subject property from lines along the north line, and a 17.5' U/E is represented there. At the TAC meeting, neither company objected to the lack of easements shown on the balance of the plat, and no other utility companies have raised any objection; however, the City Engineer has requested a U/E along the east line, and City Staff are all in agreement on this matter. Staff would be supportive of a Modification/Waiver, subject to receiving the request in writing, as long as there was no objection raised by any concerned utility company or the City Engineer or Public Works Department.

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

The Technical Advisory Committee (TAC) discussed this application at its regular meeting held July 03, 2013. Minutes of that meeting are attached to this report.

Access and Internal Circulation. The development will access Memorial Dr. via driveways connecting to private drives to the north and south. The north access is a private drive along the south side of Applebee's in Regal Plaza. At the south end, the driveway will connect to the Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store parking lot in the Grigsby's Carpet Center subdivision. Any private access easements or agreements necessary to accomplish this should be secured as needed, and submission of cop(ies) of same is respectfully requested. The preexisting driveway connection to Memorial Dr. would appear to be removed under this plan. Limits of No Access (LNA) are indicated across the entire Memorial Dr. frontage on the plat.

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

1. *Please add a perimeter U/E to the east side at a width as requested by the City Engineer and Public Works Department.*
2. *Staff would be supportive of a Modification/Waiver for reducing or removing standard 17.5' Perimeter U/Es along the east, south, and/or west property lines, subject to receiving the request in writing, as long as there was no objection raised by any concerned utility company or the City Engineer or Public Works Department.*
3. *Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and/or City Attorney recommendations.*
4. *Please provide copy of recorded version of any necessary and appropriate easement or agreement pertaining to access to and/or through the properties to the north and south.*
5. *Per SRs Section 12-4-2.A.5, a Location Map is required and must include all platted additions within the Section; the following need to be corrected as follows:*
   a. *101 Memorial Square (missing)*
   b. *101 South Memorial Plaza (missing)*
   c. *First National (missing)*
   d. *Sterling House (misrepresented as to configuration)*
   e. *Landmark Center (misspelled)*
   f. *Stone Creek Park (misspelled)*
   g. *101 South Memorial Center (misspelled)*
   h. *Grigsby's Carpet Center (misspelled)*
   i. *Trinity Presbyterian Church USA (misspelled)*

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j. Silverwood Amended (missing)
k. Block 2 Lots 8-13 The Enclave at Legacy (missing)
l. The Enclave at Legacy (misrepresented as to configuration)

6. *Grigsby's Carpet Center appears to be incorrectly spelled in situ.*
7. *Property address, 10535 S. Memorial Dr., is Tulsa 74133 and not Bixby 74008.*
8. *Plat missing standard address caveat/disclaimer: "Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied on in place of the legal description."*
9. *DoD/RCs Preamble: Please correct wording "And the [the Owner/Developer] has caused the above described tract of land to be surveyed, staked, platted..."*
10. *DoD/RCs Section I.D.1 – Words "certificate of dedication" used in place of "Deed of Dedication."*
11. *DoD/RCs Section I.F: Please qualify this section as follows: "...damage to **properly-permitted** landscaping and paving occasioned...."*
12. *DoD/RCs Section I.J – Discusses Mutual Access Easements (MAEs) but no such easements are represented on the plat.*
13. *DoD/RCs Section I.K – Discusses a "Landscape Easement" but no such easement is represented on the plat.*
14. *DoD/RCs Section I.K – leaves a blank for the plat name – please add if this section remains in the DoD/RCs.*
15. *DoD/RCs Section II Preamble – Update PUD approval language using the case history contained within this report.*
16. *DoD/RCs Section II – It appears that the previously-planned "Lot 2" portion of the Development Standards was simply removed. Since the subject property is being platted as a singular lot but containing both of the two (2) PUD Development Areas (DAs), please restore missing DA B language and re-title the sections as "Development Area A" and "Development Area B," respectively.*
17. *Certificate of Survey signature block appears to have text shifted above signature line.*
18. *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.*
19. *Please submit complete, corrected copies of the Detailed Site Plan (BSP 2013-02) 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).*
20. *Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*
21. *Copies of the Final Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*

Chair Thomas Holland recognized Brady Watson of Crafton Tull & Associates, Inc., 220 E. 8th St. S., Tulsa, OK 74119, from the Sign-In Sheet and asked how he was related to the project. Mr. Watson stated that he was the surveyor of record A. B. Watson.

Erik Enyart noted that the Commissioners may recall Conditionally Approving the Detailed Site Plan on May 20, 2013, but was just now seeing the plat. Mr. Enyart stated that the project was proceeding "a little out of normal order, but here we are." Mr. Enyart stated that this was a simple one (1) Lot, one (1) Block plat, and that the property was "developed all around."

Chair Thomas Holland addressed Erik Enyart and stated, "I recall the engineer had said lighting would be done to your satisfaction," and asked if this had been done. Mr. Enyart responded, "Not yet. I think they may be waiting on this, and thought they had a little more time. I will make sure it complies in full with the Site Plan Conditions."

Chair Thomas Holland asked to entertain a Motion. Lance Whisman made a MOTION to RECOMMEND APPROVAL of the Preliminary and Final Plats of "Panda Express," subject to the Staff recommendations numbered 1 through 21 in the Staff Report. John Benjamin SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whisman, Benjamin, and Whiteley
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	4:0:0

OTHER BUSINESS

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

OLD BUSINESS:

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

NEW BUSINESS:

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

ADJOURNMENT:

There being no further business, Chair Thomas Holland declared the meeting Adjourned at 6:50 PM.

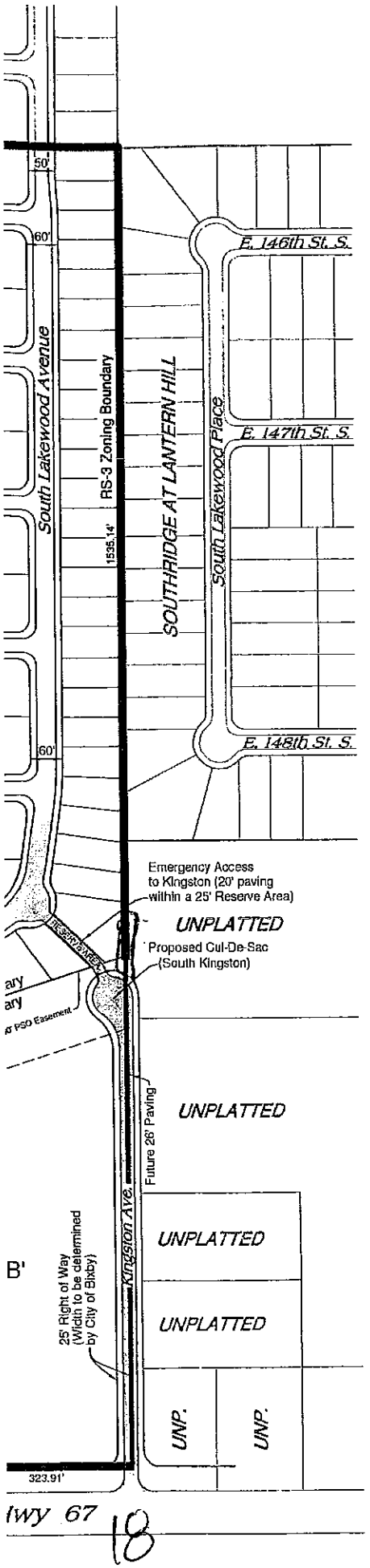
APPROVED BY:

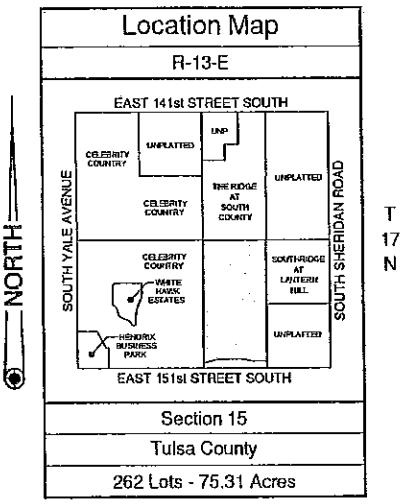
_____ _____

Chair Date

_____

City Planner/Recording Secretary





Not To Scale

DATA SUMMARY:

TOTAL PROJECT AREA	75.31 Acres
DEVELOPMENT AREA 'A' -	
Area	52.99 Acres
Maximum Number of Lots	265
Project Density	5.0 DU/Acre
Average Lot Size	55'x110'
DEVELOPMENT AREA 'B' -	
Area	22.32 Acres
Maximum Floor Area	724,293 SF (0.75 FAR)

NOTE:

SIDEWALKS WILL BE INSTALLED BY THE DEVELOPER OR INDIVIDUAL LOT BUILDER AS PERMITTED.

THERE ARE NO TRAILS PLANNED FOR THIS PROJECT AT THIS TIME.

CITY OF BIXBY
JUL 15 2013
RECEIVED
By Enyart

EXHIBIT 'A'

HAWKEYE

Conceptual Development Plan

G:\13-009\PUD\13-009 Ex.A - Conceptual Site Plan with Cul.dwg, 6/17/2013 - 2:1

BIXBY PLANNING COMMISSION
SIGN IN SHEET
DATE: July 15, 2013

NAME	ADDRESS	ITEM
1. Dan Christopoulos		
2. BRADY WATSON	220 E. 8TH ST, Tulsa	Panda Express
3.		
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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: Wednesday, August 14, 2013

RE: Report and Recommendations for:
BCPA-10 – JR Donelson for James Hargrove et al.,
PUD 77 – "Southwood on Memorial" – JR Donelson, Inc., and
BZ-366 – James Hargrove et al.

LOCATION:
- All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*
- Lot 10, Block 2, Lot 9, Block 3, all of Block 9, and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*
- The 11100-block to the 11600-block of S. Memorial Dr.

LOT SIZE: Approximately 17 acres (land area)

EXISTING ZONING: RE Residential Estate District

EXISTING USE: Use Unit 6 single-family detached dwellings and some vacant lots

REQUESTED ZONING: CS Commercial Shopping Center District & PUD 79

SUPPLEMENTAL ZONING: Corridor Appearance District

20

SURROUNDING ZONING AND LAND USE:

North: CS & CG; Automobile repair and auto sales businesses, including *Same Day Auto Repair*, *Midas*, and *Tune & Sons Auto Service*, the *Kum & Go* gas station, the *Auto Pride Car Wash* aka *Bixby Car Wash III* carwash facility also zoned CG, the *Primary Concepts Preschool & Child Development Center* childcare facility, the *Tej D. Lad, DDS, Inc., PC* dental office, and the *Kirkendall Design, LLC* (and perhaps also *Kirkendall Homes, LLC*) business office, and an automobile sales business zoned CG at 8215 E. 111th Pl. S., and various "trade center" multitenant commercial buildings including the "Market Place" and/or "Market Pointe South" developments (name is not certain/not distinguishable from trade center on north side of 111th St. S.), all zoned CS (except as noted) and all located in the commercial Lot 11, Block 2, *Southwood*

South: CG & RS-1; Businesses zoned CG including *South Tulsa Roofing* at 11643 S. Memorial Dr., the *Bixby Small Animal Hospital* at 8108 E. 117th St. S., and the *Express Lane / Cars & Credit* convenience store and used auto sales business (a former gas station) at 11725 S. Memorial Dr., and single-family residential zoned RS-1, all in *Southern Memorial Acres*.

East: RE; Single-family residential estate homes in *Southwood*.

West: (Across Memorial Dr.) CS, CG, OL, & RM-2/PUD 16; Commercial businesses in the "Bixby Commons" shopping center (includes anchors *Lowe's* and *Reasor's*) in *Bixby Commons* and *Resubdivision of Lots 3 and 4 of Bixby Commons*; the *Citizens Security Bank*, vacant commercial lots in *The Links at Bixby* zoned CS, the *The Links at Bixby* 9-hole golf course and apartment complex further west zoned RM-2 with PUD 16, the *Enterprise Sod Store* zoned CG, the *Hardscape Materials* business zoned CS and AG, and the *South Manufacturing Company, Inc.* industrial business and vacant land zoned CG to the southwest.

COMPREHENSIVE PLAN: Low Intensity + Residential Area (BCPA-10 requests [1] Medium Intensity and [2] removal of Residential Area specific land use designation)

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

BL-158 - Robert L. Harris – Request for Lot-Split approval for clear title purposes after ODOT right-of-way acquisition for Memorial Dr. / US Hwy 64 widening for subject property Lot 9, Block 3, *Southwood* – PC Ratified 01/16/1991 Prior Approval given on 01/21/1991 per notes on the application form.

BZ-274 – Lawrence Simmons – Request for rezoning of subject property Lot 4, Block 9, *Southwood* from RE to CG – Recommended for Denial by PC 08/20/2001 and Denied by City Council upon appeal September 24, 2001.

BZ-275 – James Hargrove – Request for rezoning of subject property Lot 5, Block 9, *Southwood* from RE to CS or CG – Recommended for Denial by PC 08/20/2001 and Denied by City Council upon appeal September 24, 2001.

BZ-276 – John Mumey – Request for rezoning of subject property Lots 9 and 10, Block 10, *Southwood* from RE to CS – Recommended for Denial by PC 08/20/2001 and Denied by City Council upon appeal September 24, 2001.

BBOA-418 – Billy Ray Cooper – Request for "Special Exception" to exceed the 750 square foot maximum accessory building floor area in an RE District, to allow a 21' X 41' (861

square feet) accessory storage building on subject property Lot 10, Block 2, *Southwood*, 8115 E. 112th St. S. – BOA Approved 03/01/2004.

BZ-314 – John Mumey – Request for rezoning of subject property Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood* from RE to CS – Recommended for Denial by PC 11/21/2005 and Withdrawn [by Applicant] 11/21/2005 per notes on the application form.

BZ-316 – John Mumey – Request for rezoning of subject property Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood* from RE to CS and OL (front/west half to CS and back/east half to OL) – Continued from 04/17/2006 to 05/15/2006 and then Continued to 07/17/2006. Notes on the application form indicate that the PC recommended Denial 07/17/2005. However, Minutes of that meeting were not found in hard copy or electronic format. Notes on the August meeting agenda indicated the PC approved the Minutes of the June meeting, and not the July meeting, suggesting there may have been no July meeting. June Minutes do not reflect consideration of this application. No item was found in the City Council Minutes of 07/24/2006 or 08/14/2006, and so the matter is assumed withdrawn or not appealed to the City Council.

PUD 66 "Memorial Place" & BZ-340 – Tanner Consulting, LLC: Request for rezoning of subject property Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood* from RE to CS, OL, and RS-3 zoning and PUD approval – Applicant Withdrew both applications prior to Planning Commission hearing on 02/17/2009.

RELEVANT AREA CASE HISTORY: (Not a complete list)

BACKGROUND INFORMATION:

History of the Applications. BZ-366 and PUD 79 are applications signed by all of the owners of the 11 parcels of land included in the subject property. BCPA-10 has been requested by JR Donelson on behalf of all of the owners of the subject property.

The Nature and Value of the Comprehensive Plan. Comprehensive Plans are the result of intensive study, broadly garnered and comprehensive information, professional analysis and coordination, public input, and general consensus of the City's staff, Planning Commission, and City Council. They bring together all planning functions (e.g., housing, land use, transportation, physical environment, energy, infrastructure and community facilities, demographics, etc.), analyze and compare them all on the community-wide scale, relate them to specific geographical areas within the community (i.e. the Land Use Map), and consider all this with a long-range time perspective (e.g., 15-20 years into the future).

The Comprehensive Plan is a thorough, complete, and well researched policy document used to inform the Planning Commission, City Council, and the Public at large how land can best be developed and used (among other things), and so how rezoning applications should be accepted or rejected. Comprehensive Plans, when followed, prevent arbitrary, unreasonable, or capricious exercise of the legislative power resulting in haphazard or piecemeal rezonings (read: rezoning decisions legally indefensible in a court of law).

Comprehensive Plans can be highly prescriptive, prescribing specific land uses and land use intensities to specific parcels of land, or can be highly generalized, merely mapping out large swaths of land which may be suitable for certain intensities of development, and including a

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broad range of zoning districts which may be authorized therein. Bixby's Comprehensive Plan falls somewhere in between, specifically designating certain areas with specific land uses, and others more generally (e.g. the "Corridor" designation.).

Zoning Code Section 11-5-2 prohibits rezonings which would conflict with the Comprehensive Plan, and requires that such rezonings "must be processed along with a request to amend the land use map and a PUD in order to be accepted and considered." The Applicant has requested PUD 79 in support of BCPA-10 and the rezoning application.

Procedure for Comprehensive Plan Amendments. Certain passages in the Comprehensive Plan text (page 30, 55, etc.) suggest the anticipation of amendments to the Plan. However, the Comprehensive Plan does not provide, nor do State Statutes, a definite procedure or method for the City or property owners to request to amend the Comprehensive Plan. The City of Broken Arrow regularly (quarterly, etc.) considers applications to amend their Comprehensive Plan, for cases where a rezoning application would not be consistent with the Plan, but the plan amendment and rezoning application may be appropriate.

After receiving the first two (2) requests in mid-2008 (BCPA-1 and BCPA-2), Staff consulted the City of Broken Arrow to determine how that community goes about facilitating applications for Comprehensive Plan amendments, and followed the same method, which was supported by the Applicant's attorney in those cases, which was to advertise the public hearing in the same manner used for a rezoning application: By sign posting on the property, newspaper publication, and mailing a notice to all property owners within a 300' radius of the subject property. This method was used in the successful applications BCPA-3 and BCPA-4 in 2009, BCPA-5 and BCPA-6 in 2011, BCPA-7 and BCPA-8 in 2012, and BCPA-9 earlier in 2013, and all of these have been done in this amendment case as well.

ANALYSIS:

Subject Property Conditions. The subject property consists of 11 parcels of land, including Lot 10, Block 2, Lot 9, Block 3, all of Block 9 (includes Lots 1 through 5, inclusive), and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*. A couple of right-of-way parcels have been acquired from certain subject property lots for Memorial Dr. widening and drainage purposes, and were included in the legal descriptions as advertised for the sake of clarity and as Zoning districts extend to the centerlines of adjacent right-of-way in any event, due to language providing for same in the Zoning Code. Together, these 11 private property tracts represent all of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. All the lots are zoned RE and each of them contains one (1) house, with the exception of Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, which are vacant. Lot 10, Block 10, *Southwood* had a house on it, addressed 11601 S. Memorial Dr., until it was demolished in or around 2010.

Southwood was platted March 11, 1965, and contains a few areas replatted on April 15, 1965 as *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*. The "Southwood" neighborhood also includes *Amended Southwood Extended*, platted on or around December 30, 1966 (*Southwood Extended* was platted June 10,

1966). Altogether, they occupy most of the north half of this Section of land. The "Southwood" neighborhood primarily consists of roughly 1-acre residential estate-sized lots.

The lots are moderately sloped and drain in a southerly direction through an overland drainage ditch system, located primarily within the subject properties, that drains from the 111th St. S. and Memorial Dr. intersection along the east side of Memorial Dr. until it crosses southeasterly through Lot 3, Block 9, *Southwood*, intersecting 82nd E. Ave. just north of 116th St. S. Part of the subject property within Block 10, *Southwood* contains a drainage easement, per information received with previous application PUD 66, through with the drainageway passes. The drainageway is an un-named upstream tributary of Fry Creek # 1. Perhaps due in part to its function as a drainageway, some of the mature trees within the subject property are exceptionally tall and large. Together with the exceptionally large lot residential estate lots in *Southwood*, they help create a unique visual entryway to Bixby via Memorial Dr. from the north.

Comprehensive Plan. The Comprehensive Plan designates all of the subject property as (1) Low Intensity and (2) Residential Area. BCPA-10 requests (1) to change the intensity to Medium Intensity and (2) to remove the Residential Area specific land use designation, to allow the subject property to be rezoned to CS and be redeveloped commercially.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that OL zoning *May Be Found In Accordance* with the Low Intensity designations of the Comprehensive Plan Land Use Map.

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.

If approved to remove the Residential Area specific land use designation, BCPA-10 would not confer a new one.

Per the Matrix, PUDs (as a zoning district) are *In Accordance* or *May Be Found In Accordance* with all designations of the Comprehensive Plan Land Use Map, and thus PUD 79 would be *In Accordance* with the Comprehensive Plan as a zoning district.

General. Because the review methodology is similar, and all three (3) applications are essentially rezoning-related and propose to prepare the subject property for commercial redevelopment generally, this review will, for the most part, include all three (3) applications simultaneously, and not attempt to differentiate between the analyses pertaining to each of the different applications.

The submitted site plans for the redevelopment exhibit a suburban-style design. The plan indicates a series of what appear to be multitenant "strip center" shopping center buildings of various sizes and configurations corresponding to property lines, served by parking lots in front and internal drives connecting them. Per Applicant JR Donelson, there are no known plans for development at this time, nor known commercial developers interested in buying the subject properties or any one of them in particular. The applications only seek to change the zoning to commercial, to allow for future sale for commercial redevelopment.

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

The Technical Advisory Committee (TAC) discussed BCPA-10 and PUD 79 at its regular meeting held August 07, 2013. Minutes of that meeting are attached to this report.

Access. The proposed internal automobile traffic and pedestrian flow and circulation and parking can be inferred from the provided site plans.

The PUD proposes closing 114th St. S. between Memorial Dr. and 82nd E. Ave., and extending 115th St. S. from Memorial Dr. to 82nd E. Ave., creating a 4-way intersection at about the mid-mile mark, which would be conducive to future traffic light installation, as previously suggested by the City Engineer. Exhibits A and F represent a slightly different street alignment than Exhibits B and G; this is not explained. On either side of the proposed 115th St. S. extended, stormwater detention ponds are indicated, and another would be located on the W/2 of Lot 8, Block 10, *Southwood.*

Access to all commercial development sites would be via driveways connecting to 112th St. S., 115th St. S. extended, or 116th St. S., as no driveway connections are indicated directly onto Memorial Dr. This design element, and the likelihood of imposing Limits of No Access (LNA), are not mentioned in the PUD text, however. Also not mentioned in the PUD text, nor labeled on the site plans, are what appear to be rear-access drives serving the back sides of the commercial buildings from 82nd E. Ave. From a land use compatibility standpoint, commercial service access from residential streets should be avoided. If intended to be fire access lanes, they should be so designated and described, but a redesign could remove the need for having them connect to the residential street 82nd E. Ave.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning patterns are primarily CS and CG for commercial properties fronting along Memorial Dr. to the north, west, and south, and RE and RS-1 for residential properties to the east and southeast.

To the north is the 10 2/3 acre "Commercial" Lot 11, Block 2, *Southwood*, platted March 11, 1965 and since subdivided by Lot-Splits into 17 tracts. Along with the perimeter arterial streets, this area is served by private streets 111th Pl. S. and 82nd E. Pl., together forming an "L" rotated 90 degrees counterclockwise. This area contains several Use Unit 17 automotive-related businesses, including *Same Day Auto Repair*, *Midas*, and *Tune & Sons Auto Service*, and an automobile sales business zoned CG at 8215 E. 111th Pl. S., several businesses along 111th St. S. including the *Auto Pride Car Wash* aka *Bixby Car Wash III* carwash facility also zoned CG, the *Primary Concepts Preschool & Child Development Center* childcare facility, the *Tej D. Lad, DDS, Inc., PC* dental office, and the *Kirkendall Design, LLC* (and perhaps also *Kirkendall Homes, LLC*) business office. Along 111th Pl. S. and 82nd E. Pl., and on 111th St. S. east of 82nd E. Pl. are various "trade center" multitenant commercial buildings including the "Market Place" and/or "Market Pointe South" developments (name is not certain/not distinguishable from trade center on north side of 111th St. S.) and some vacant lots. All of this area is zoned CS (except as noted) and is located in the commercial Lot 11, Block 2, *Southwood*. By its location, configuration, and actual use, it appears to have been specifically planned for commercial development when *Southwood* was platted, unlike the subject property.

South of the subject property are several businesses fronting on Memorial Dr. and zoned CG, including *South Tulsa Roofing* at 11643 S. Memorial Dr., the *Bixby Small Animal Hospital* at 8108 E. 117th St. S., and the *Express Lane / Cars & Credit* convenience store and used auto sales business (a former gas station) at 11725 S. Memorial Dr., all in *Southern Memorial Acres*. Like the subject property, these lots appear to have originally been designed for residential use, but the growing traffic volumes on Memorial Dr. since the February 08, 1965 platting of *Southern Memorial Acres* evidently destined the Memorial Dr.-frontaged lots to develop commercially. As best as can be inferred from case maps and a lack of a rezoning case corresponding to the area, the Memorial Dr.-frontaged lots in this subdivision and *Southern Memorial Acres Extended* appear to have been zoned CG with the original early-1970s Zoning ordinance.

To the west of the subject property (across Memorial Dr.), zoning is a mix of CS, CG, OL, and RM-2/PUD 16, and consists of commercial businesses in the "Bixby Commons" shopping center (includes anchors *Lowe's* and *Reasor's*) in *Bixby Commons* and *Resubdivision of Lots 3 and 4 of Bixby Commons*; the *Citizens Security Bank*, vacant commercial lots in *The Links at Bixby* zoned CS, the *The Links at Bixby* 9-hole golf course and apartment complex further west zoned RM-2 with PUD 16, the *Enterprise Sod Store* zoned CG, the *Hardscape Materials* business zoned CS and AG, and the *South Manufacturing Company, Inc.* industrial business and vacant land zoned CG to the southwest.

East of the subject property is single-family residential zoned RE in *Southwood* and *Resubdivision*[...] and single-family residential zoned RS-1 in *Southern Memorial Acres* to the south and southeast. Care must be applied when allowing the non-residential zoning and commercial land uses to abut residential zoning and land use.

With the exception of the subject property, the Comprehensive Plan designates all properties fronting on Memorial Dr. from 101st St. S. to 134th St. S., and then most of the other properties beyond to the south to 161st St. S., as either Medium Intensity or Corridor. It is clear to Staff that this was not an oversight, but rather an intentional reservation of existing zoning and land use patterns. Thus, the central question underlying BCPA-10 is whether or not conditions have changed in the area since the circa-2002 adoption of the latest major update to the Comprehensive Plan such that a change is warranted, or otherwise if the strength of the applications (BCPA-10, PUD 79, and BZ-366) are such that the intentional Low Intensity + Residential Area designations should be comprehensively reconsidered.

Staff recognizes that the Memorial Dr. corridor from 114th St. S. north to the Creek Turnpike has continued to develop commercially since 2002, especially at the 101st St. S. intersection. The Wal-Mart Supercenter and attendant shopping centers developed at the northwest corner of 111th St. S. and Memorial Dr. in Tulsa around 2005/2006. The "Bixby Commons" shopping center was platted in 2001, and was rezoned just prior, on 02/12/2001 per BZ-269 – The Desco Group. Staff notes that this 2001 rezoning and commercial shopping center development predated the circa-2002 adoption of the last major update to the Comprehensive Plan, and the other two (2) Bixby corners of the intersection were already developed commercially, so it cannot be argued that the City Council did not then know that the conditions were changing in the area, and would have designated the subject property differently than Low Intensity + Residential Area.

If approved, the CS district should have a buffer zoning district between it and the RE to the east and RS-1 to the south in *Southern Memorial Acres*, such as OL, and it should be of significant width, such as 50'. This would effectively designate the terminal eastward extent of the CS district, preventing further commercial encroachment into the neighborhood. The width should correspond to the proportionate land areas in the three (3) lots between 111th Pl. S. and 114th St. S., which should be restricted to lower intensity uses (such as office) per other recommendations in this report, but should not be less than 50' in any case.

In Staff's opinion, the site plans indicate a lack of meaningful effort to preserve significant areas of mature trees, or to incorporate the existing natural areas as a design characteristic. Rather than preserving the "daylighted" drainage channel, the plans call for replacing them with stormwater pipes conveying drainage to and between stormwater detention ponds. The PUD does not indicate there would be any effort to utilize onsite stormwater detention ponds as site design amenities. The landscape plan indicates approximately 29 "Existing Trees" along Memorial Dr. and 82nd E. Ave., some of which are represented within the existing right-of-way. It is not clear if these were actually field verified or if they are merely a general, conceptual representation. Otherwise, the site plans indicate design intent to maximize the area of lot development by paving parking lots and drives over almost all of the areas not required to meet minimum parking lot setbacks and landscaped strip standards of the Zoning Code. A note on the site and landscape plans states, "As many trees along South Memorial Drive to remain as possible." Text under PUD Development Standards Section B.1.a provides, "An arborist will work with the landscape designer and developer to determine which mature existing trees along South Memorial Drive will remain during the construction and development process. Tress in the existing road right of way will be trimmed to accentuate the building construction." These general statements appear to be the extent of the effort invested in mature tree accounting,

preservation, and design integration. These statements are too broad and general, and do not present measurable performance criteria. An exhibit attached to a protest petition received August 09, 2013 (attached to this report), appears to superimpose site plan geometries on an aerial photo, which may illustrate the extent to which existing trees and natural areas would be lost under such development conditions. Staff appreciates that natural areas are necessarily removed in the name of progress, but a superior-quality development proposal will attempt to maximize natural feature preservation and design integration, which enhances the value of the development, while making the development economically viable, rather than attempting to maximize the area of lot development at the expense of the natural areas. When attempting to impose a commercial retrofit to an existing, established residential neighborhood, a superior-quality development proposal should be considered mandatory.

The PUD and site plans indicate a relative lack of sensitivity to context in land use planning. While Block 9 of *Southwood* has a 50'-wide right-of-way for 82nd E. Ave. affording additional separation from residential areas to the east, and the three (3) lots in Block 10 (south side of 116th St. S.) have adequate lot area to create a meaningful buffer from existing residential areas to the south and east, the lots between 111th Pl. S. and 114th St. S. directly abut residential uses, and little to no effort appears to have been made to create adequate buffers between the commercial and residential uses. Per the Comprehensive Plan text and sounding Zoning and land use policy, the PUD should address this, and consider restricting to less intensive uses such as light office. Although the Block 10 lots are large enough to allow a better design, the site plans indicate commercial buildings backing up to houses on 117th St. S. in *Southern Memorial Acres*, with setbacks and buffering methods that may not be adequate.

As Staff expressed to the Applicant's agent JR Donelson prior to application submittal and at the TAC meeting held August 07, 2013, Staff has concerns related to the mechanics behind how the proposed site improvements would be executed when any current lot owner can sell their singular lot to a commercial developer, with the developer having an expectation that site development may be imminent, when in fact it depends on certain lot owners demolishing their houses, building the 115th St. S. extension, building stormwater detention ponds and related drainage improvements, and upgrading utilities. Staff asked Mr. Donelson to clarify this, but any changes that may have been made to the PUD Text still leave this issue unresolved. Mr. Donelson indicated this may be done in part by imposing a requirement that all of PUD 79 be platted at one time, which would be a step in the right direction. However, the plat could always include existing lot owners with new lot lines corresponding to existing ones, such as is reflected in Exhibit A, in which case the issue would remain unresolved. If approved, the PUD and any future plat would have to clearly declare that no Building Permit would be issued within the development until all site development improvements had been completed. Required improvements would appear to include the 115th St. S. extension, any other requirements pertaining to streets, the entire stormwater drainage and detention system, and utility upgrades, but screening fences/walls and new landscaping would appear to be deferrable until specific lot development. This declaration in the PUD and any future plat would help resolve the concern that a current lot owner and/or any prospective commercial developer might have an expectation of imminent development; they would, instead, understand that all development is contingent upon, and must wait until the satisfaction of PUD requirements.

The lots as reflected in Exhibit A are somewhat awkwardly configured, as they appear to correspond to existing lot lines, which do not produce the most efficient or attractive lot pattern conducive to commercial redevelopment. Three (3) buildings are represented as being built over two (2) lots apiece, which lots are primarily now under separate ownership, and the lots would likely otherwise be drawn differently if underlying ownership patterns were not present. If all of the owners traded fee simple ownership in their respective lots for an appraised proportionate equity share in a new corporation, and a leasehold estate corresponding to their existing lot lines until such time as that area was sold, such a corporation could then plat all the land as a unit, and lot lines could be arranged in a more rational manner responding to existing physical feature and logical development site geometries. Such an arrangement could provide for the establishment of an escrow account, into which certain proceeds from the sale of any new lot would be entered until adequate funds were available to complete all of the required site development improvements (streets, drainage, etc.). Platting before installing improvements would require, however, waiving City performance bonding and/or PFPI requirements.

The PUD Text proposes an eight (8)-foot-high brick fence along the easterly sides of the subject property, but the Conceptual Site Plan Exhibit B and the Landscape Plan Exhibit G both indicate a six (6)-foot-high brick fence. If approved, this needs to be reconciled. Staff notes that, even if the taller version of a brick fence, the same could be required anyway per Zoning Code Section 11-8-10.E.

PUD Development Standards Section B.1.c creates an ambiguity with the statement on Page 1, in whether Planning Commission approval of the landscape plan would be required. Also, the "Landscape/Green Area" percentages of Development Standards Section A cannot be reconciled with established interpretations of minimum landscape standards of the Zoning Code. If approved, they should be recognized as *in addition to* the minimum standards, not in lieu of any of them.

The 40' ground sign height standard proposed in Development Standards Section B.2.a may exceed the 25' maximum of Zoning Code Section 11-7I-4.B.2.d.

There are other issues with the PUD which would need to be resolved if approved. However, since the recommendation is not for approval, and as major substantive changes should be made if the Commission was in favor of the concept generally, Staff has withheld a comprehensive analysis at this time.

From time to time over the past six (6) years, Staff has been approached by various property owners and other interested parties about the possibility of converting specific lots within the subject property to commercial, and Staff has been very careful to give a highly-qualified response, as consistently as humanly possible, paraphrased as follows: 'Staff cannot give a prediction on the strength of some future application which has not yet been submitted, but can say that, if one wanted to move forward on such a change, converting any of these lots to commercial would be very difficult approaching impossible, due to the likelihood of massive protest from residents in the neighborhood. The only way such an application would have a "fighting chance" of being approved is (1) if it included every single residential lot owner between 111th Pl. S. and 117th St. S., so that it would be a comprehensive, well-planned connection of existing commercial zoning districts to the north and south, and so would avoid

"spot-zoning," and (2) it would have to be accompanied by a high-quality PUD application that has extremely high standards for redevelopment, especially buffering, such as generous setbacks, a good-quality masonry wall, generous landscaping, a "gateway" entrance installed designating the separation between the commercial development and the remaining "Southwood" residential neighborhood to the east, which gateway may take the form of high-quality archways integrated with the masonry wall, at all points of entry to the neighborhood, and the preservation of every single mature tree as possible.' At present, these applications do not appear to measure up to expectations for application strength, as contemplated and consistently advised by Staff.

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

1. Whether the PUD is consistent with the comprehensive plan;

2. Whether the PUD harmonizes with the existing and expected development of surrounding areas;

3. Whether the PUD is a unified treatment of the development possibilities of the project site; and

4. Whether the PUD is consistent with the stated purposes and standards of this article.

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

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

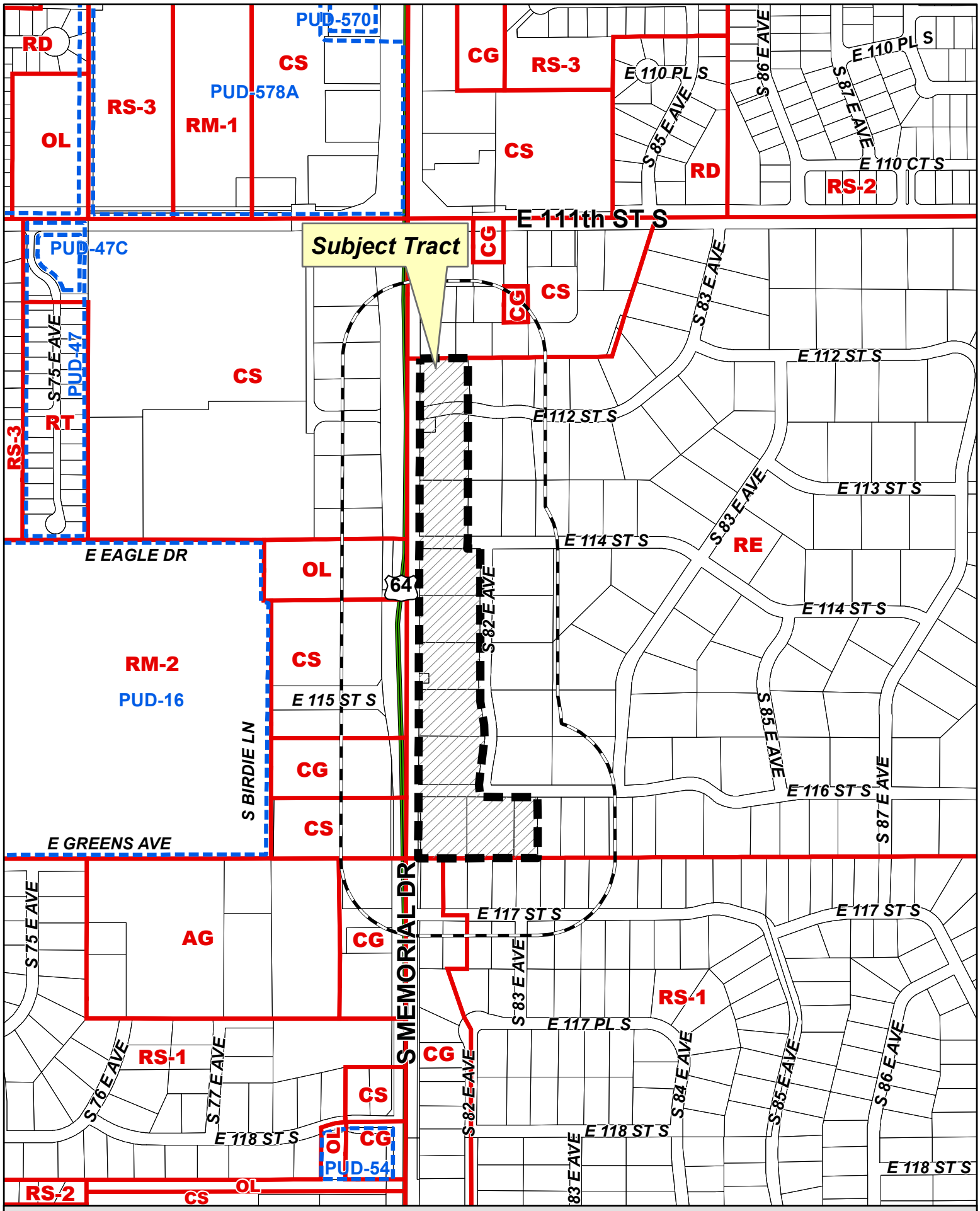
B. Permit flexibility within the development to best utilize the unique physical features of the particular site;

C. Provide and preserve meaningful open space; and

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

Staff Recommendation. Staff has considered the applications in light of the questions listed immediately above and found them substantially lacking. They do not appear to harmonize with existing [land uses] of the surrounding area, or provide a unified treatment of the development possibilities of the project site, or represent an innovative plan, or maintain an appropriate limitation on the character and intensity of use vis-à-vis adjoining and proximate properties, or best utilize the unique physical features of the site, especially the natural features, or provide meaningful open space. However, if the Planning Commission is favorable to the applications or the general concept of changing the area to commercial, as suggested in the letter from the Southwood Neighborhood Association, it should Continue the applications to a

date in the future, to allow for further revisions and meetings as may be required to enhance the quality of the applications such that they warrant a favorable recommendation to the City Council.



300' Radius

Subject Tract

BCPA-10

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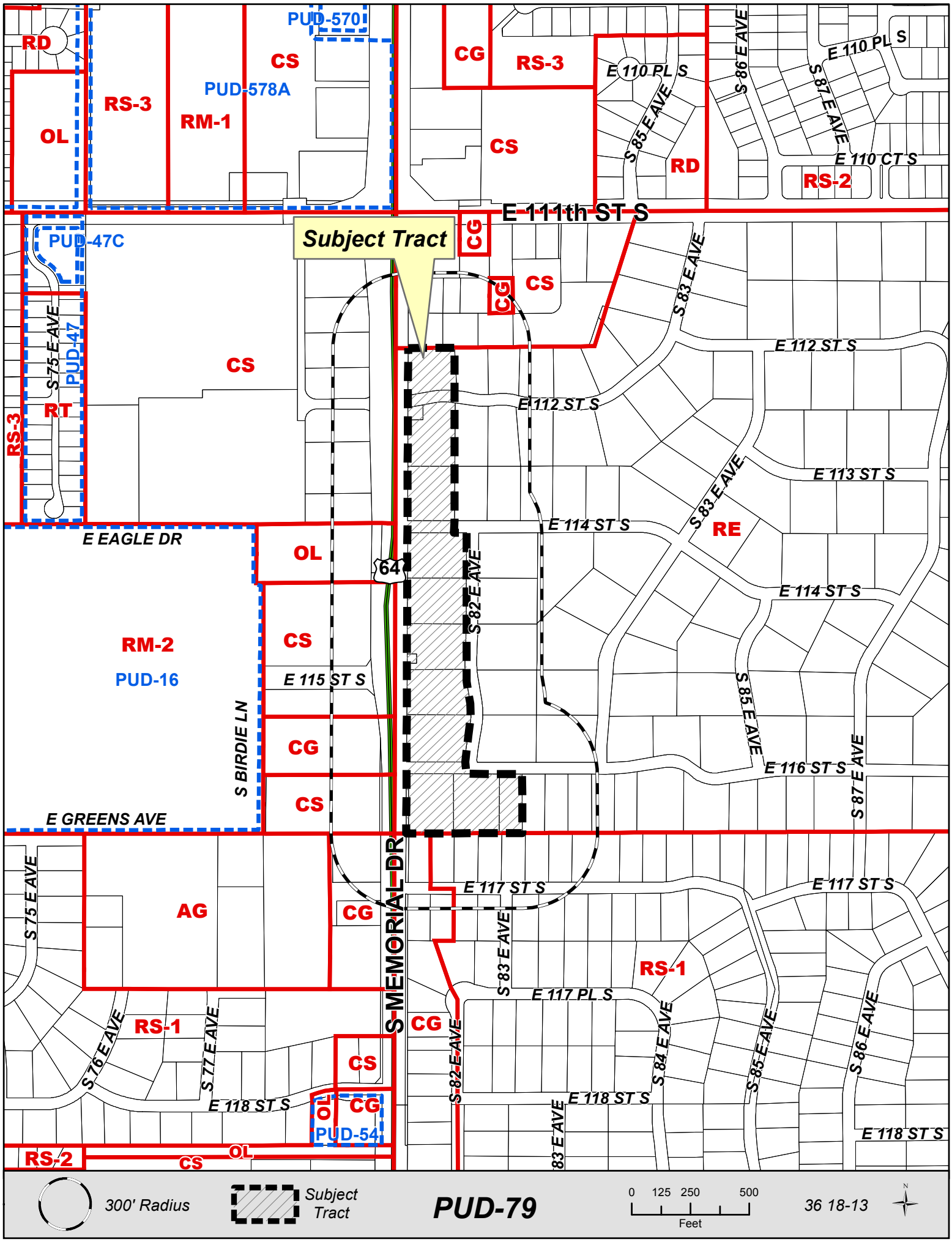

300' Radius

Subject Tract

PUD-79

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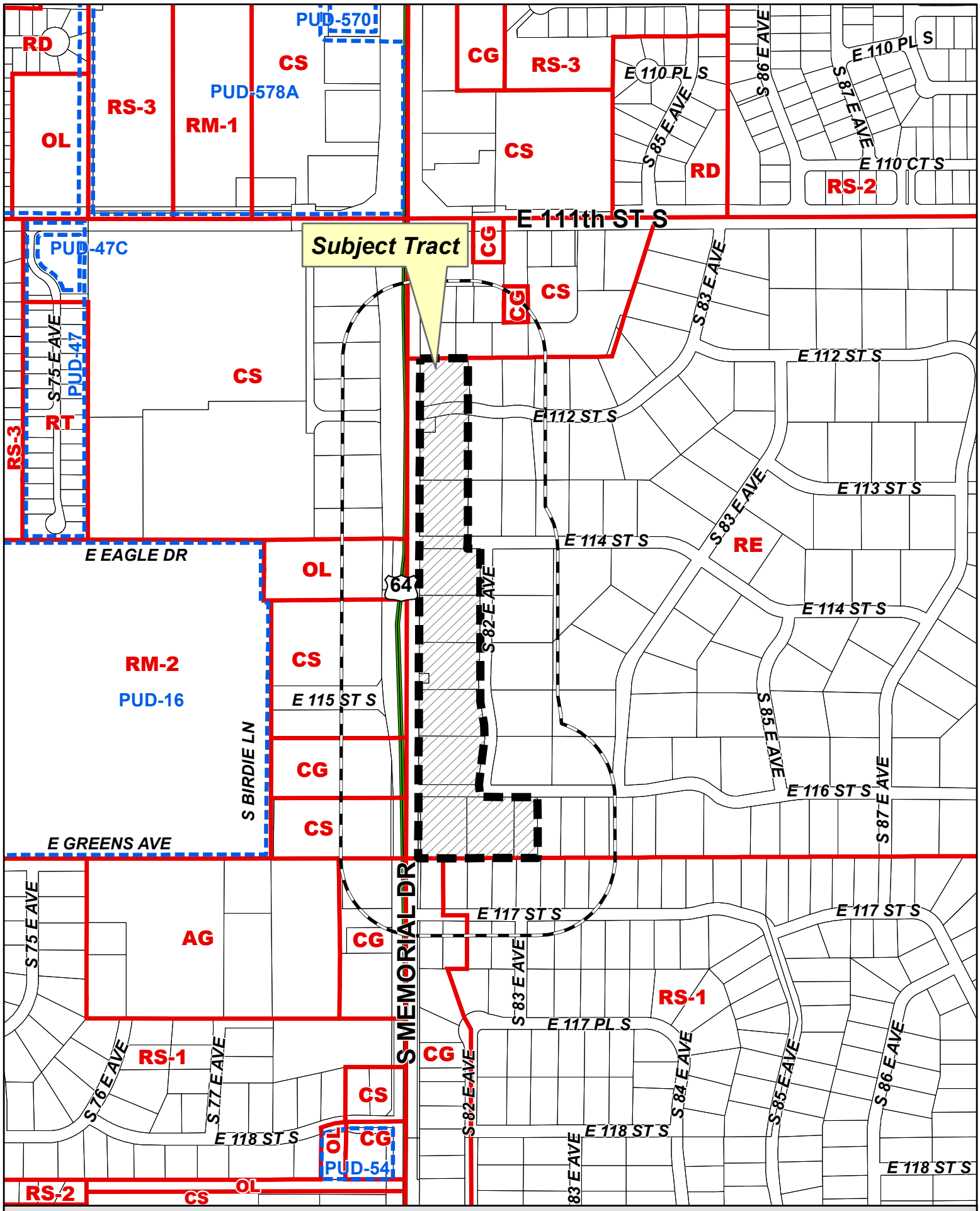
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PUD-578A
PUD-47C
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CITY OF BIXBY FIRE CODE ENFORCEMENT

Memo

To: ERIK ENYART, AICP, CITY PLANNER

From: JIM SWEEDEN

Date: 7/17/2013

Re: PUD 79 "SOUTHWOOD ON MEMORIAL"

PRELIMINARY PLAT AND CONCEPTUAL SITE PLANS ARE APPROVED BY THIS OFFICE AS PER ICC 2009 CODES AND CITY STANDARDS CODES.

City of Bixby
Engineering Department

Memo

To: Erik Enyart

From: Jared Cottle

CC: Bea Aamodt
File

Date: 07/17/13

Re: Southwood on Memorial PUD 79

General Comments:

1. Creation of a new roadway at 115th to line up with The Links access road is shown. This is recommended and will allow future signalization if needed. Additional width may be required to accommodate turning lanes onto Memorial from the proposed development.
2. Storm water detention with direct connections to the existing underground storm sewer system will be required. Areas to accommodate detention facilities are included in the Conceptual Site Plan. Additional comments will be generated when Drainage Plans are submitted.
3. Existing water and sewer lines currently serve the existing lots and should be sufficient to serve the proposed development. Relocation of utility lines and preservation of existing off-site services may be required. The PUD does not include a Utility Layout. Additional comments will be generated when Utility Plans are submitted.

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City of Bixby
Application for PUD

Applicant: JIM HARGROVE
Address: 14231 So. 50th E AVE.
Telephone: 918.366.3511 Cell Phone: _____ Email: _____

Property Owner: SEE ATTACHED If different from Applicant, does owner consent? Y
Property Address: SEE ATTACHED
Existing Zoning: RE Requested Zoning: CS Existing Use: RESIDENTIAL
Proposed Use: COMMERCIAL + OFFICE Use Unit #: 11, 12, 13, 14, 15, 17, 18

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

SEE ATTACHED

Does Record Owner consent to the filing of this application? [X] YES [ ] NO
If Applicant is other than Owner, indicate interest: _____
Is subject tract located in the 100 year floodplain? [ ] YES [X] NO
Are 5 copies of the PUD text and exhibits package attached? [X] YES [ ] NO

Application for: [X] PUD [ ] Major Amendment [ ] Minor Amendment [ ] Abandonment

BILL ADVERTISING CHARGES TO: JIM HARGROVE (NAME)
14231 So. 50th E. AVE, BIXBY, OK 74008 (ADDRESS) (CITY) 918.366-3511 (PHONE)

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

Signature: James Hargrove Date: 4/22/13

APPLICANT – DO NOT WRITE BELOW THIS LINE

PUD ____ Date Received _____ Received By _____ Receipt # _____
Planning Commission Date _____ City Council Date _____

_____Sign(s) at $ 50.00 each = $ _____; Postage $ _____; Total Sign + postage $_____

FEES:	PUD TYPE	ACREAGE	BASE FEE	ADD.	TOTAL

PC Action _____ City Council Action _____
DATE / VOTE _____ DATE / VOTE _____
STAFF REC. _____ ORD. NO. _____

Last revised 11/08/2012

APPLICATION FOR ZONING

CITY OF BIXBY

Z- _____ CZM _____

STR _____ Atlas _____

PD _____

GENERAL LOCATION BETWEEN 112th & 116th STREET ON S. MEMORIAL DR.

REQUESTED ZONING CS PROPOSED USE COMMERCIAL & OFFICE

RECORD OWNER SEE ATTACHED PRESENT USE RESIDENTIAL

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

SEE ATTACHED

COPY

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: JIM HARGROVE (Name)

14231 So. 50th E. AVE., BIXBY, OK 74008 (Address) (City) 918-366-3511 (Phone)

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

Signature James O Hargrove Date: 4/22/13

Address: 14231 So. 50th E. AVE, BIXBY, OK 74008 Phone: 918-366-3511

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 MP					

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

PC ACTION _____

PROVISIONS _____

DATE/VOTE _____

STAFF REC. _____

CITY ACTION _____

PROVISIONS _____

DATE/VOTE _____

ORD. NO. _____

PLAT NAME _____

38

JR Donelson, Inc.

12820 So. Memorial Dr., Office 100
Bixby, Oklahoma 74008
918-394-3030
Email: jrdon@easytelmail.com

June 25, 2013

Erik Enyart
City Planner
City of Bixby
Bixby, Oklahoma

Re: Request to modify the Bixby Comprehensive Plan

James Hargrove, being the applicant for the PUD application and the Zoning application for "Southwood on Memorial" , requests the Bixby Comprehensive Plan be modified to allow the "CS", Shopping Center District, zoning classification be allowed on the property described as:

A tract of land situated in the NW/4 of Section 36, T-18-N, R-13-E of the IBM, being a re-plat of Lot 10, Block 2, Southwood Addition.....and...Lot 9, Block 2, Southwood Addition, less the following: Beginning at the NW corner of Lot 9, thence East for 65.48 feet, thence South for 61.91 feet, thence West for 65 feet, thence North for 52.43 feet to the point of beginning... and ... Lot 10, Block 3, Southwood Addition a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5.....and.... Lots 1, 2, 3, 4, and 5, Block 9, Southwood Addition.....and..... the west half (W/2) of Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition to the City of Bixby, Tulsa County, Oklahoma according to the recorded plats thereof.

The above lots are presently defined as a residential area by the Bixby Comprehensive Plan.

Thank you,

JR Donelson

Exhibit B-1

PUD SITE LEGAL DESCRIPTION

A tract of land situated in the NW/4 of Section 36, Township 18 North, Range 13 East of the Indian Base and Meridian, being a re-plat of Lot 10, Block 2, Southwood Addition.... And.... Lot 9, Block 2, Southwood Addition, less the following: Beginning at the NW corner of Lot 9, thence East for 65.48 feet, thence South for 61.91 feet, thence West for 65 feet, thence North for 52.43 feet to the point of beginning.....And.....Lot 10, Block 3, Southwood Addition a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5.....And.....Lots 1, 2, 3,4 and 5, Block 9 Southwood Addition.....And..... the west half (W/2) of Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition to the City of Bixby, Tulsa County, Oklahoma according to the recorded plats thereof.

Matt Silversteen

Lot 10, Block 2, Southwood Addition

Robert L. & Evelyn Jane Harris

Robert L Harris EJH

Evelyn Jane Harris

Lot 9, Block 3, Southwood Addition, less Beg at the NW corner of Lot 9, thence East 65.48', Thence South 61.91', Thence West 65', thence North 52.43 to the point of beg.

George A. Meyer
Jerri A. Meyer

George A. & Jerri A. Meyer

Jerri A Meyer

Lot 10, Block 3, Southwood Add'n a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5

Nathaniel T. & Hazel M. Watson Trust

Trustee

Lot 1, Block 9, Southwood Addition

Trustee

Lisa A Enriquez Trust

Trustee

Lot 2, Block 9, Southwood Addition

Trustee

Exhibit B-1

PUD SITE LEGAL DESCRIPTION

A tract of land situated in the NW/4 of Section 36, Township 18 North, Range 13 East of the Indian Base and Meridian, being a re-plat of Lot 10, Block 2, Southwood Addition.... And.... Lot 9, Block 2, Southwood Addition, less the following: Beginning at the NW corner of Lot 9, thence East for 65.48 feet, thence South for 61.91 feet, thence West for 65 feet, thence North for 52.43 feet to the point of beginning.....And.....Lot 10, Block 3, Southwood Addition a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5.....And.....Lots 1, 2, 3,4 and 5, Block 9 Southwood Addition.....And..... the west half (W/2) of Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition to the City of Bixby, Tulsa County, Oklahoma according to the recorded plats thereof.

Matt Silversteen	Lot 10, Block 2, Southwood Addition
_____	_____
Robert L. & Evelyn Jane Harris	Lot 9, Block 3, Southwood Addition, less Beg at the NW corner of Lot 9, thence East 65.48', Thence South 61.91', Thence West 65', thence North 52.43 to the point of beg.
_____	_____
George A. & Jerri A. Meyer	Lot 10, Block 3, Southwood Add'n a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5
_____	_____
Nathaniel T. & Hazel M. Watson Trust	Lot 1, Block 9, Southwood Addition
Hazel M. Watson Trustee	Tony Watson Trustee
Lisa A Enriquez Trust	Lot 2, Block 9, Southwood Addition
_____ Trustee	_____ Trustee

AHR HOLDINGS, L.L.C.
~~Walker, MT Investments LLC~~

Lot 3, Block 9, Southwood Addition, less beg 26.33 north of the SW corner of Lot 3, thence North 40', thence East 40', thence South 40', thence West 40' to the point of beg.

James and Betty Hargrove

James Hargrove

Lot 4, Block 9, Southwood Addition

Betty Hargrove

James and Betty Hargrove

James Hargrove

Lot 5, Block 9, Southwood Addition

Betty Hargrove

Key Plus Properties

Jose Moguel

West half (W/2) Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition

Lot 10, Block 2, Southwood Addition	7325 E. 112th Street So.
Lot 9, Block 3, Southwood Addition	8116 E. 112th Street So.
Lot 10, Block 3, Southwood Addition Re-Sub	8111 E. 114th Street So.
Lot 1, Block 9, Southwood Addition	11416 So. 82nd E. Ave.
Lot 2, Block 9, Southwood Addition	11424 So. 82nd E. Ave.
Lot 3, Block 9, Southwood Addition	11448 So. 82nd E. Ave.
Lot 4, Block 9, Southwood Addition	11450 So. 82nd E. Ave.
Lot 5, Block 9, Southwood Addition	8119 E. 116th Street So.
W/2 Lot 8, Lot 9, Lot 10, Block 10 Southwood Addition	11601 So. Memorial Dr.

AHR Holdings, L.L.C.

Lot 3, Block 9, Southwood Addition, less beg 26.33 north of the SW corner of Lot 3, thence North 40', thence East 40', thence South 40', thence West 40' to the point of beg.

James and Betty Hargrove

Lot 4, Block 9, Southwood Addition

James Hargrove

Betty Hargrove

James and Betty Hargrove

Lot 5, Block 9, Southwood Addition

James Hargrove

Betty Hargrove

Key Plus Properties

West half (W/2) Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition

Jose Moguel

Lot 10, Block 2, Southwood Addition	7325 E. 112th Street So.
Lot 9, Block 3, Southwood Addition	8116 E. 112th Street So.
Lot 10, Block 3, Southwood Addition Re-Sub	8111 E. 114th Street So.
Lot 1, Block 9, Southwood Addition	11416 So. 82nd E. Ave.
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Lot 3, Block 9, Southwood Addition	11448 So. 82nd E. Ave.
Lot 4, Block 9, Southwood Addition	11450 So. 82nd E. Ave.
Lot 5, Block 9, Southwood Addition	8119 E. 116th Street So.
W/2 Lot 8, Lot 9, Lot 10, Block 10 Southwood Addition	11601 So. Memorial Dr.

AFFIDAVIT

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

I, Lisa Ann Enriquez, a single person, being duly sworn on oath states that I am the owner, and I am in actual, open and exclusive possession of the following property, situated in Tulsa County, State of Oklahoma, to wit:

SURFACE AND SURFACE ONLY OF: Lot Two (2), Block Nine (9), SOUTHWOOD ADDITION, an Addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

1. That I consent to my real property, described above, or the Southwood Addition, being rezoned, specifically for commercial purposes.

2. That I further agree not to contest or object to my real property, described above, or the Southwood Addition, being rezoned, specifically for commercial purposes.

Further affiant saith not.

Lisa Ann Enriquez

Lisa Ann Enriquez, a single person

Subscribed and sworn to before me on this 19th day of Jan, 2013

(Seal)

Notary Public
State of Oklahoma
MARTY INMAN
TULSA COUNTY
COMMISSION #07011220
Comm. Exp. 11-26-2016

Notary Public

44

Southwood on Memorial

Bixby, Oklahoma

June 15, 2013

CITY OF BIXBY
JUN 25 2013
RECEIVED
By Enyart

Prepared By:

J.R. Donelson, Inc.
12820 So. Memorial Dr., Office 100
Bixby, Oklahoma 74008

Southwood on Memorial

Planned Unit Development Number 79

Introduction.

Southwood on Memorial is planned for Retail and Office development. This project is a re-plat of Lot 10, Block 2, Southwood Addition....and.... Lot 9, Block 3, Southwood Addition....and...Lot 10, Block 3, Southwood Addition ....and.... Block 9, Southwood Addition....and....the W/2 of Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition. The overall site totals 11 parcels and is 11.53 acres. The site is located on the east side of South Memorial Drive and Lot 10, Block 2 is on the north side of East 112th Street South, Block 10 is on the south side of East 116th Street South and South 82nd East Ave to the east. See Exhibit A, which is a Preliminary Plat of the Site.

As depicted on Exhibit B, "Conceptual Site Plan", to this Planned Unit Development (PUD), the proposed PUD consists of one development area.

The legal description for this PUD is shown in Exhibit B-1, "PUD SITE LEGAL DESCRIPTION".

It is proposed that East 114th Street South be closed to through traffic to South Memorial Drive and a semi-sac be constructed at the present intersection of So. 82nd E. Ave. It is also proposed that East 115th Street be created to allow traffic to flow to South Memorial Drive. This is shown of Exhibit B. East 112th Street South and East 116th Street South are to remain in their present locations.

Major and minor amendments to this PUD will be approved by both the City of Bixby Planning Commission and the Bixby City Council.

Zoning.

The Site, Development Area A presently consists of eleven (11) lots. The lots are presently zoned "RE", Residential Estate District. An underlying zoning change is requested to "CS", Shopping Center District. Attached is Exhibit C, which is a map from INCOG that identifies the existing zoning of the site and surrounding areas. All uses by right of "CS", (Shopping Center District) zoning will be allowed in Development Area A, except the following uses:

Use Unit 3, Agriculture, will not be allowed.

Use Unit 5, Community Services and Similar Uses, the following will not be allowed: Aquarium, golf course, marina, planetarium, private club or lodge, public tennis court, residential treatment center, transitional living center.

Use Unit 13, Convenience Goods and Services, the following will not be allowed: Liquor store.

Use Unit 14, Shopping Goods and Services, the following will not be allowed: Pawnshop, pet shop, laundromat, self-service, coin operated.

Use Unit 15, Other Trades and Services, the following will not be allowed: Bait shops, bottled gas, fuel oil, ice plant, lumber yard, portable storage building sales, kennel.

Use Unit 16, Gasoline Service Stations, will not be allowed.

Use Unit 19, Hotel, Motel and Recreation Facilities, will not be allowed.

The Comprehensive land-use Plan.

The Site is located within the jurisdiction of the Bixby Comprehensive Plan 2001-2020.

Features of the Site and surrounding area; viability and compatibility.

A Detailed Site Plan, adequate to demonstrate compliance with applicable standards and including details on proposed parking and landscape plans, shall be submitted for Planning Commission approval as required by the Zoning Code Section 11-7I-8.B.5 and this PUD.

46

Site Soil Conditions
The Soil Survey of Tulsa County, Oklahoma list the soil for this site to be "Okay loam, 3 to 5 percent slopes". The site is gently sloping and has well drained soil.

Development Standards

A. DEVELOPMENT AREA A
LAND AREA:

Gross:	11.53 acres	502,070 square feet
Net:	11.53 acres	502,070 square feet

PERMITTED USES (to be allowed by right), with the exception of those described in the Zoning paragraph on page one (1).

Those uses permitted are all the Use Units allowed by right within the "CS" zoning district of the City of Bixby Zoning Code with the exception of those described in the Zoning paragraph on page one (1) and all accessory uses permitted in the underlying zoning district and in the Planned Unit Development Chapter of the City of Bixby Zoning Code.

MINIMUM FRONTAGE ARTERIAL		150 lin.ft.
NOT AN ARTERIAL		50 lin.ft.
FLOOR AREA RATIO (maximum)	0.50	251,035 square feet
MAXIMUM BUILDING HEIGHT:		45 feet

MINIMUM BUILDING SETBACKS
Pursuant to Section 11-7D-4 of the City of Bixby Zoning Code:

West/Arterial	50 feet
E. 112th Street	25 feet
E. 116th Street	25 feet
So. 82nd E. Ave.	25 feet

LANDSCAPE/GREEN AREA

15% of street yard along South Memorial Drive
5% of street yard along So. 82nd E. Ave.
15% of street yard along E. 112th St. South
15% of street yard along E. 115th St. South
15% of street yard along E. 116th St. South

B. DEVELOPMENT STANDARDS FOR THE DEVELOPMENT AREA "A"

1. LANDSCAPED AREA AND SCREENING

a. Preliminary landscaping and screening area represented on Exhibit G. The screening of the East property line will be accomplished as:
East side of the present Lot 10, Block 2, Southwood...8'-0" brick privacy fence. The East side of the present Lots 9, Block 2 Southwood...and
The East side of Lot 10, Block 3, Southwood.....8'-0" brick fence.
The area abutting So. 82nd E. Ave.....8'-0" brick fence, with landscaping shrubs on the east side of the brick fence.
The east side of the present Lot 8, Block 10.....8'-0" brick fence.
An arborist will work with the landscape designer and developer to determine which mature existing trees along South Memorial Drive will remain during the construction and development process. Trees in the existing road right of way will be trimmed to accentuate the building construction.

b. Frontage and Perimeter Requirements. The buildings will be setback according Minimum Building Setbacks, Development Standards, in this document.

c. The landscape plan will be prepared in accordance to present City of Bixby requirements and approved by the Bixby City Planner.

2. SIGNS

a. Signage shall comply with the PUD Chapter (Chapter 7-I). Ground monument signs will be permitted. A ground sign will not exceed 40'-0" in height. Signs will be allowed on the front elevations of the buildings, in accordance with the Bixby Zoning Code.

b. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited in this PUD, except as may be permitted by the Bixby Planning Commission as part of the approved detail sign plan.

3. LIGHTING

a. Pole lighting and lighting attached to the buildings used to illuminate the development area, shall be so arranged as to shield and direct the light away from adjacent properties residential properties. No light standard or building-mounted light shall exceed 20 feet in height.

4. TRASH, MECHANICAL AND EQUIPMENT AREAS

a. There shall be no storage of recyclable materials, trash or similar material. All trash, ground supported mechanical and equipment areas, shall be screened from adjacent properties.

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5. SITE GRADING

a. The site is not in a designated FEMA floodplain, as shown on Exhibit D, "FIRM MAP". An onsite storm water detention facility will be constructed to retain and then release project storm water in areas shown as Reserve "A", Reserve "B" and Reserve "C", with approval of the Bixby City Engineer.

A Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage requirements serving the entire Site and/or an individual lot has been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on the site or lot.

During construction on the property, the owner/developer will provide adequate and reasonable erosion control methods. After construction they will provide and maintain vegetative, landscaped ground cover so that soil does not erode on or from the property.

6. TOPOGRAPHY AND UTILITIES

a. Topography. Topography of the Site is depicted on Exhibit F.

b. Utilities. Water and sanitary sewer service will be provided by the City of Bixby. An existing water line is located on the east side of South Memorial Drive, along E. 112th Street So, E. 116th Street South and So. 82nd E. Ave. An existing public sanitary sewer line is available for the project. Storm water runoff will be piped to on-site detention facilities. Storm water presently flows from areas north of the site to an existing public drainage system. There are presently curb inlets along South Memorial Drive that receive storm water runoff and transfers the runoff via storm sewer pipe to the existing public drainage system. These systems will remain, but may be modified. On-site storm water detention will be required for the site.

7. ACCESS, CIRCULATION AND PARKING

a. Access, traffic circulation and parking are depicted on Exhibit B. All drives and parking areas within the PUD shall be privately owned and maintained. The construction of E. 115th St. South will be to the City of Bixby standards and specifications and will be a public street.

8. RESTRICTIVE COVENANTS; ENFORCEMENT

a. Restrictive covenants will be adopted and recorded for the PUD with the subdivision plat.

9. SUBDIVISION PLATTING OF PUD 79

a. The legal description shown in PUD 79 will be subject to a subdivision plat, to include all properties described in this PUD. The subdivision plat will meet the subdivision regulations and zoning ordinances of the City of Bixby and will be completed before the issuance of a building permit for any lot in the proposed subdivision.

SCHEDULE OF DEVELOPMENT

Development will commence upon the approval of the PUD, preliminary plat and the constructions drawings by the appropriate government agencies. The proposed development schedule is as follows :

a.	Earth Change Permit	10/15/2013
b.	Preliminary Plat	10/22/2013
c.	Approval of construction plans:	11/1/2013
d.	Final Plat / Detailed Site Plan	11/20/2013
e.	Installation of site erosion control:	11/24/2013
f.	Begin site grading:	11/25/2013
g.	Begin building construction:	12/1/2013

Exhibits

Exhibit A.	Preliminary Plat.
Exhibit B.	Conceptual Site Plan.
Exhibit B-1.	PUD Site Legal Description.
Exhibit C.	Existing Area Zoning.
Exhibit D.	FEMA Firm Map.
Exhibit E.	Aerial of the Site.
Exhibit F.	Topography of Site.
Exhibit G.	Landscape Plan.

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PRELIMINARY PLAT

SOUTHWOOD ON MEMORIAL

A TRACT OF LAND SITUATED IN THE NW/4 OF SECTION 36, T-18-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, BEING A RE-PLAT OF LOT 10, BLOCK 2 AND LOT 9, BLOCK 3 AND LOT 1 THRU 5, BLOCK 9, AND LOT 8, 9, 10, BLOCK 10 ,SOUTHWOOD ADDITION AND LOT 10, BLOCK 3, SOUTHWOOD ADDITION RE-SUB, TO THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLATS THEREOF.

PUD NO. 79

PLAT No.

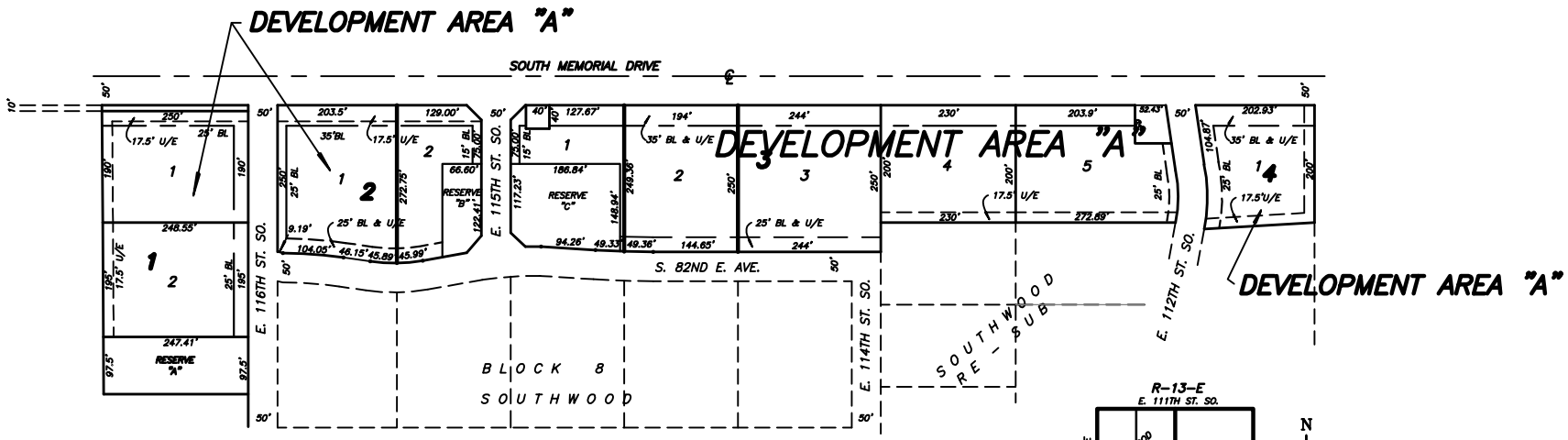
ENGINEER/SURVEYOR:
JR DONELSON, INC.
12820 SO. MEMORIAL DR.
OFFICE 100
BIXBY, OKLAHOMA 74008
PHONE: 918-394-3030
C.A. NO. 5611 EXP. 6-30-13

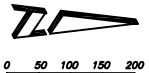
FINAL PLAT
CERTIFICATE OF APPROVAL

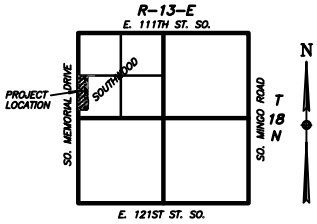
I Hereby certify that this plat was approved by the City Council of the City of Bixby on _____
By: _____
Mayor – Vice Mayor

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

By: _____
City Manager – City Clerk







SECTION 36
LOCATION MAP

SCALE: 1"=2000'
FILE: HARGROVE\HARGROVE2.DWG
DATE OF PREPARATION: 4/4/13
LOTS: 10 BLOCKS: 4
AREA: 502,070 SF 11.53 AC

CERTIFICATE

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

I, Pat Key, Tulsa County Clerk, in and for the County and State of Oklahoma above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____
Pat Key, Tulsa County Clerk

_____
Deputy

LEGEND

U/E	UTILITY EASEMENT
BL	BUILDING LINE
ROW	ROAD RIGHT-OF-WAY
DOC.NO.	DOCUMENT NUMBER

"Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied on in place of legal descriptions.

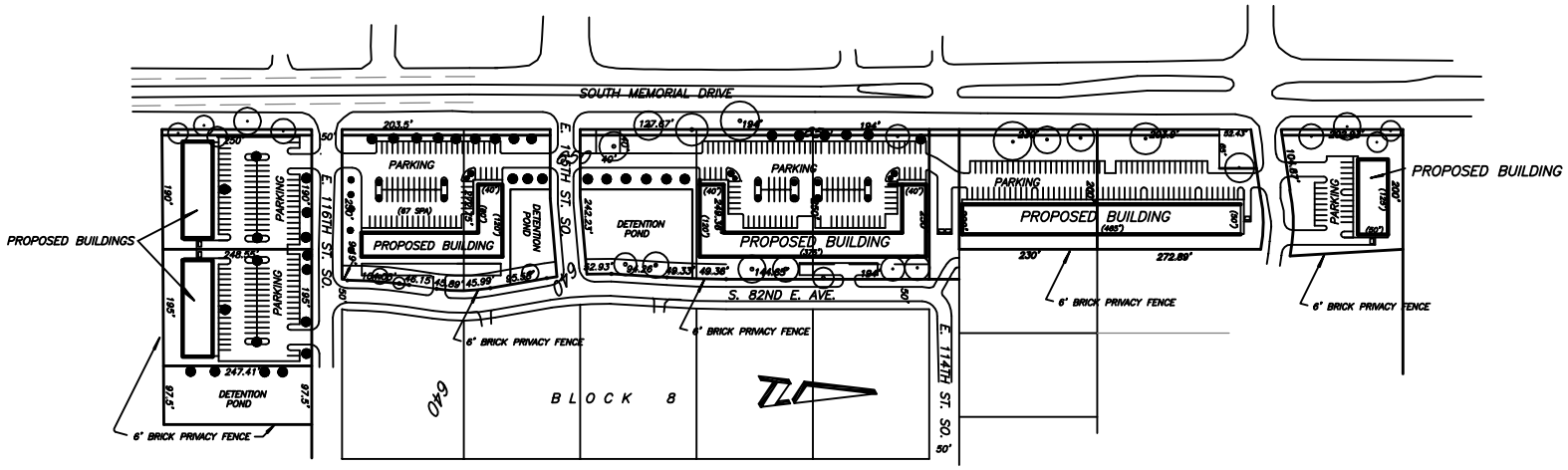
This plat meets the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Surveyors.

BENCHMARK:

BASIS FOR BEARINGS:

PRELIMINARY PLAT
EXHIBIT A

SOUTHWOOD ON MEMORIAL



NOTE: AS MANY TREES ALONG SOUTH MEMORIAL DRIVE TO REMAIN AS POSSIBLE.

EXISTING TREES

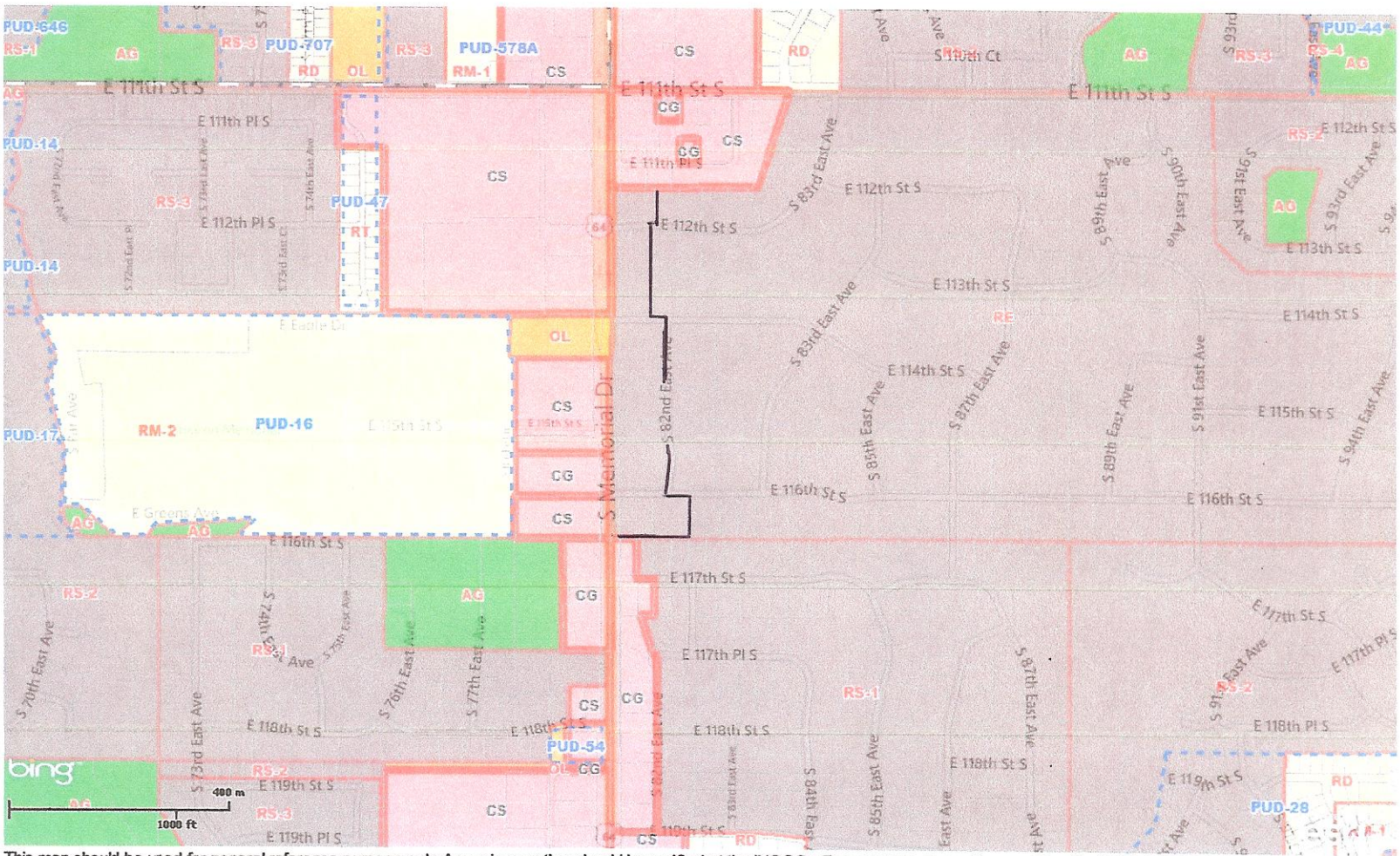
PROPOSED TREES

CONCEPTUAL SITE PLAN
EXHIBIT B

Exhibit B-1

PUD SITE LEGAL DESCRIPTION

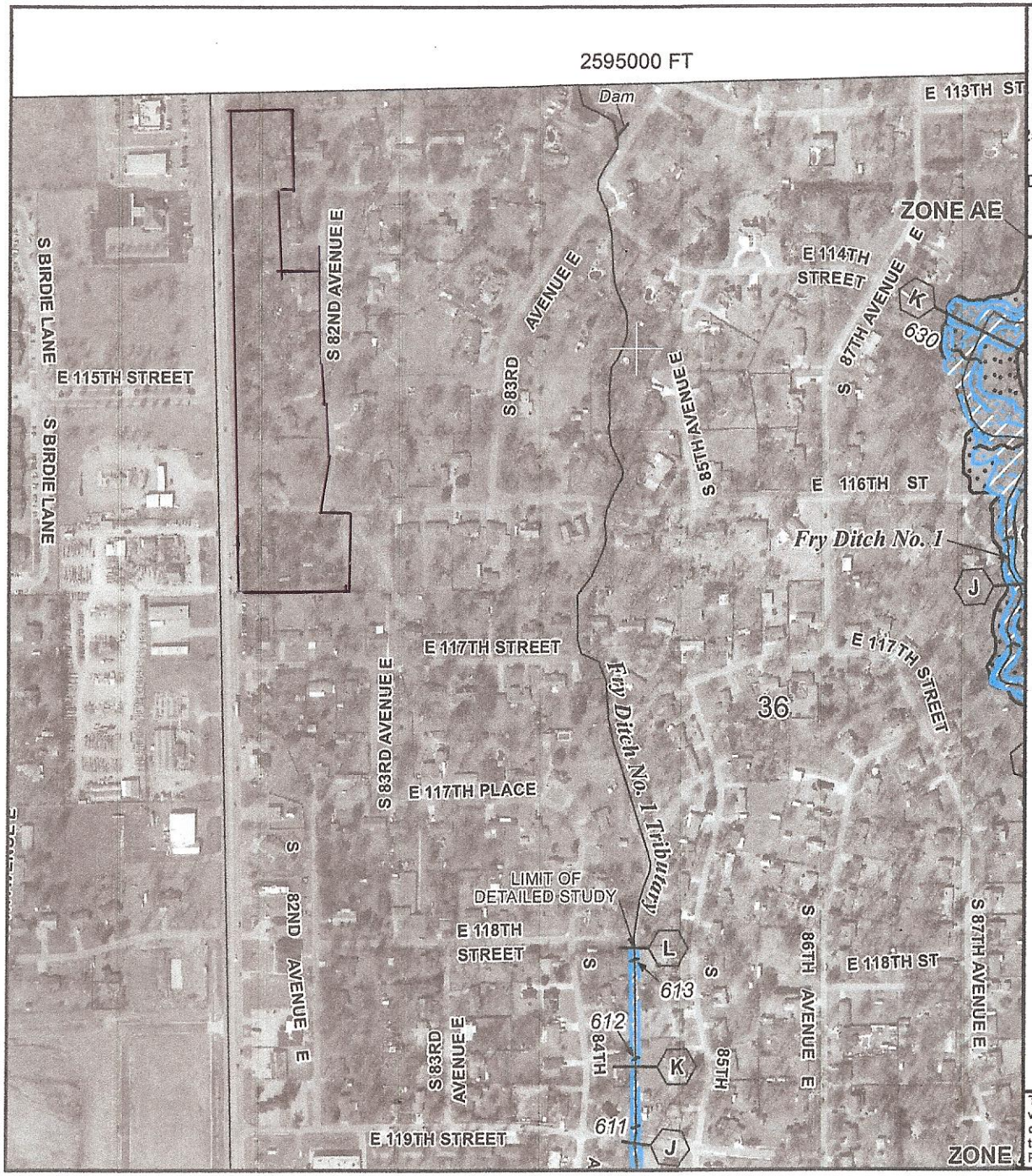
A tract of land situated in the NW/4 of Section 36, Township 18 North, Range 13 East of the Indian Base and Meridian, being a re-plat of Lot 10, Block 2, Southwood Addition.... And.... Lot 9, Block 2, Southwood Addition, less the following: Beginning at the NW corner of Lot 9, thence East for 65.48 feet, thence South for 61.91 feet, thence West for 65 feet, thence North for 52.43 feet to the point of beginning.....And.....Lot 10, Block 3, Southwood Addition a re-sub of Lots 10-15, Block 3 and Lots 4-6, Block 5.....And.....Lots 1, 2, 3,4 and 5, Block 9 Southwood Addition.....And..... the west half (W/2) of Lot 8, Lot 9 and Lot 10, Block 10, Southwood Addition to the City of Bixby, Tulsa County, Oklahoma according to the recorded plats thereof



This map should be used for general reference purpose only. Areas in question should be verified at the INCOG office or at the respective municipality. Fri Feb 15 2013 07:52:11 AM.

EXISTING AREA ZONING

EXHIBIT C



MAP SCALE 1" = 500'

250 0 500 1000 FEET

METER

FIRM MAP EXHIBIT D

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0432L

FIRM

FLOOD INSURANCE RATE MAP

TULSA COUNTY, OKLAHOMA

AND INCORPORATED AREAS

PANEL 432 OF 530

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BIXBY, CITY OF	400207	0432	L
TULSA, CITY OF	405381	0432	L
TULSA COUNTY	400462	0432	L

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
40143C0432L

MAP REVISED
OCTOBER 16, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

AERIAL OF SITE

EXHIBIT E

PLAT No.

ENGINEER/SURVEYOR:
JR DONELSON, INC.
12820 SO. MEMORIAL DR.
OFFICE 100
BIXBY, OKLAHOMA 74008
PHONE: 918-394-3030
C.A. NO. 3611 EXP. 6-30-13

SOUTHWOOD ON MEMORIAL

A TRACT OF LAND SITUATED IN THE NW/4 OF SECTION 36, T-18-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, BEING A RE-PLAT OF LOT 10, BLOCK 2 AND LOT 9, BLOCK 3 AND LOT 1 THRU 5, BLOCK 9, AND LOT 8, 9, 10, BLOCK 10 ,SOUTHWOOD ADDITION AND LOT 10, BLOCK 3, SOUTHWOOD ADDITION RE-SUB, TO THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLATS THEREOF.

PUD NO. 79

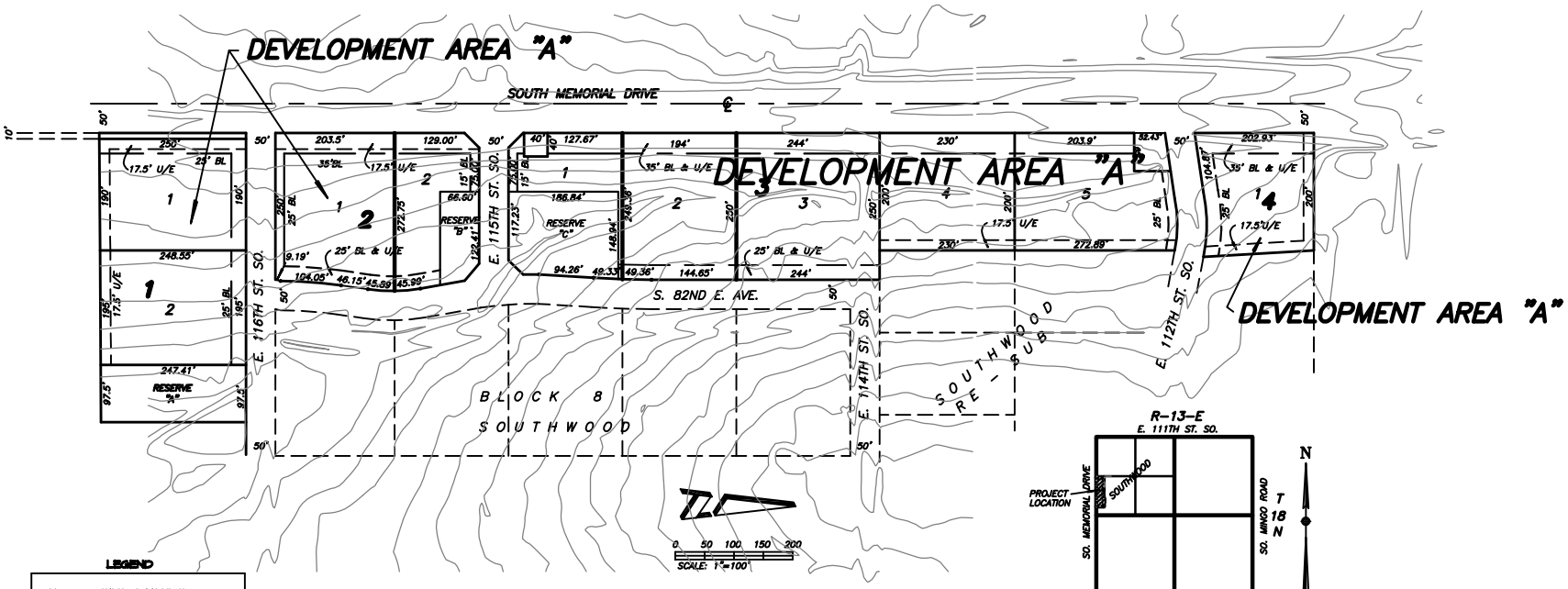
FINAL PLAT
CERTIFICATE OF APPROVAL

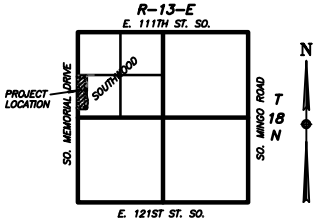
I Hereby certify that this plat was approved by the City Council of the City of Bixby on _____

By: _____
Mayor – Vice Mayor

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

By: _____
City Manager – City Clerk





SECTION 36 LOCATION MAP

SCALE: 1"=2000'
FILE: HARGROVE\HARGROVE2.DWG
DATE OF PREPARATION: 4/4/13
LOTS: 10 BLOCKS: 4
AREA: 502,070 SF 11.53 AC

LEGEND

U/E	UTILITY EASEMENT
BL	BUILDING LINE
ROW	ROAD RIGHT-OF-WAY
DOC.NO.	DOCUMENT NUMBER

*Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied on in place of legal descriptions.

This plat meets the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Surveyors.

BENCHMARK:

BASIS FOR BEARINGS:

CERTIFICATE

STATE OF OKLAHOMA } SS
COUNTY OF TULSA

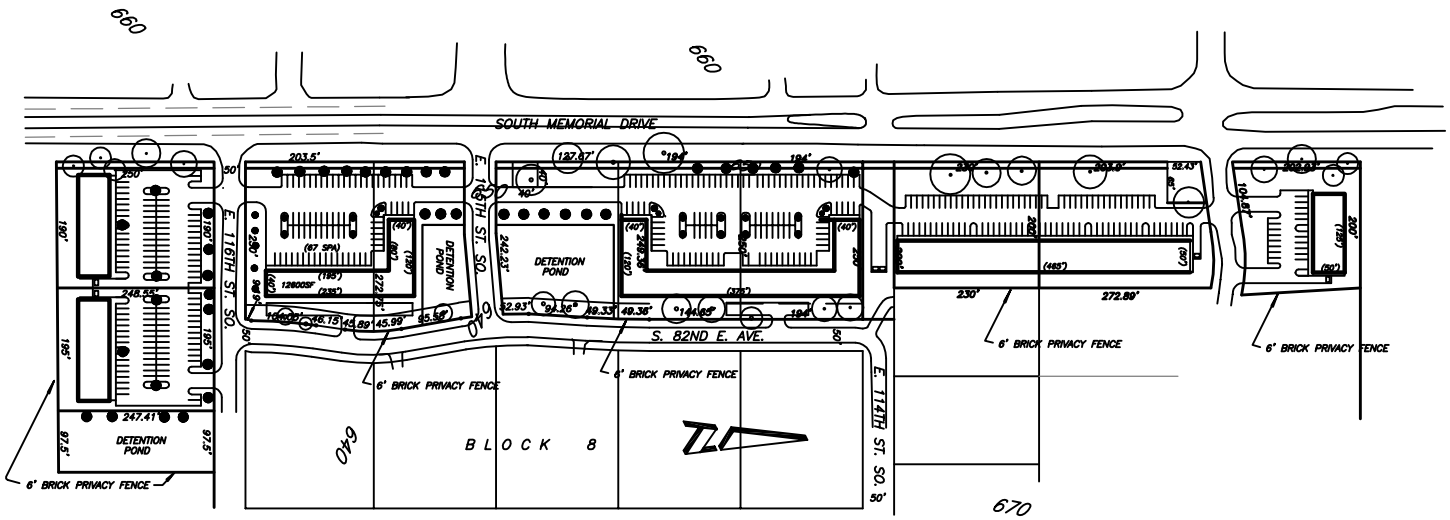
I, Pat Key, Tulsa County Clerk, in and for the County and State of Oklahoma above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____
Pat Key, Tulsa County Clerk

_____
Deputy

TOPOGRAPHY EXHIBIT F

SOUTHWOOD ON MEMORIAL



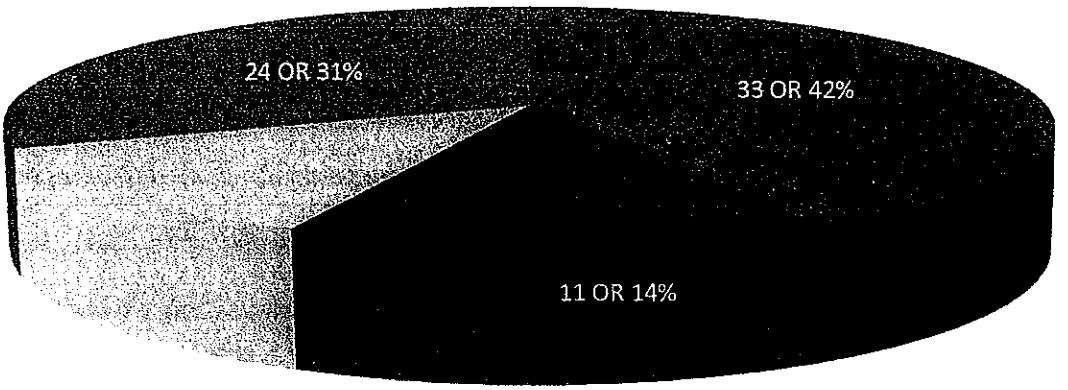
NOTE: AS MANY TREES ALONG SOUTH MEMORIAL DRIVE TO REMAIN AS POSSIBLE.

EXISTING TREES

PROPOSED TREES

LANDSCAPE PLAN
EXHIBIT G

TOTAL OF 78 PROPERTIES WITHIN 300 FEET OF 11 PROPERTIES IN QUESTION COMMERCIAL MOVE ON SOUTHWOOD NEIGHBORHOOD RESIDENCE



- 33 PRESENT RESIDENCE NOT WANTING CHANGE
- 11 INDIVIDUALS WANTING TO CHANGE RESIDENTIAL TO COMMERCIAL FOR PROFIT
- 10 STATE PROPERTIES
- 24 COMMERCIAL PROPERTIES AT PRESENT

CITY OF BIXBY
JUL 3 0 2013
RECEIVED
By Enyart

from Tom Daniels

ITEMS RESEARCHED AND LISTED FROM THE BIXBY COMPREHENSIVE PLAN 2001-2020

WHICH SHOULD CANCEL OUT THE REQUEST FOR UNIT DEVELOPMENT # 79 AND PROVIDE THE PLANNING COMMISSION REASONS TO TURN DOWN UNIT DEVELOPMENT #79.

PAGE 8. ITEM H. Neighborhood design and specific zoning patters should be prepared and designated in a manner

to preserve the long-term integrity of the neighborhood and to preclude any pressures for changes in neighborhood uses and zoning.

PAGE 32. ITEM 2 UNDER RESIDENTIAL AREA GOALS: It is intended that existing and future residential neighborhoods be provided for all citizens which are safe, comfortable, quiet and **separated from** non-compatible uses and within convenient proximity of necessary services, facilities and utilities for residential life and activities.

PAGE 33. ITEM 2 The character of residential areas will be developed and preserved in accordance with the Urban Development Design Guidelines goals, objectives and policies and other Plan elements. Incursions of incompatible uses will be prevented.

PAGE 34. ITEM 8. Undeveloped and developed land annexed into the City of Bixby will be zoned as applicable at the time of annexation and in accordance with the Bixby Comprehensive Plan 2001-2020. Annexed existing uses in conflict with the provisions of the Plan are allowed to continue use and operation according to municipal policy as long as the public health, safety and general welfare are protected and not endangered. Such uses are not intended to be expanded.

PAGE 35. ITEM 2 COMMERCIAL AREA POLICIES: Spot zoning should generally be prohibited. Existing nonconforming uses or zoning will continue but not be expanded or enlarged. Undeveloped commercial, office or Industrial spot zoning should be re-zoned to the highest appropriate zoning district in conformance with the Urban Development Design Guidelines goals, objectives and policies and other Plan elements. Spot zoning is "zoning a relatively small area differently from the zoning of the surrounding area, usually for an incompatible use and to favor the owner of a particular piece or pieces of property. Spot zoning is invalidated by the courts when it violates In accordance with a comprehensive plan: requirements of state enabling legislation. The "spotness" is in the arbitrary and inappropriate nature of the change rather than, as is commonly believed, in the size of the area. Spot zoning often is a reason why many flexible techniques such as floating zones or conditional rezoning have been prohibited, the argument being that conferring narrow development permission is a form of spot zoning. Special small-area zoning districts, however, have been upheld where the comprehensive plan demonstrates a special need, such as for a historic area or to preserve a sensitive natural area. Spot zoning, in sum, can be legal or illegal, but laymen generally think that it always is illegal and use the term loosely – and pejoratively – at public hearings when they oppose the change. "(Source: " The Language of Zoning", Report No.22, Planning Advisory Service, ASPO, 1976).

PAGE 36. ITEM 5 Low intensity office zoning and uses will be used to act as buffers between detached single family residential and nonresidential uses when multiple family residential and recreation-open space uses are not appropriate.

SOUTHWOOD NEIGHBORHOOD ASSOCIATION
11063-D South Memorial Drive, Box 325
Tulsa, OK 74133

August 09, 2013

CITY OF BIXBY
PLANNING COMMISSION
116 West Needles
Bixby, OK 74008

CITY OF BIXBY
AUG 09 2013
RECEIVED
By Enyart
cf. BCPA-10, PUD 79, BZ-366

Commissioners:

The Southwood Neighborhood Association (SNA) is against the applications submitted for Zoning Change, PUD, and Amendment to the Comprehensive Plan. The Comprehensive Plan has for years shown the portion of our neighborhood which fronts on to Memorial Drive as low intensity Residential. Through the years, several persons have tried to cash in by converting residential property to commercial, and once again we are seeing another attempt at that. We believe that the Comprehensive Plan correctly represents and protects the character of our Neighborhood, and that the requested Amendment should be rejected for several reasons, which we cite from the current Comprehensive Plan document, as provided on the City of Bixby's website.

Per Page 8, Item H: The specific zoning patterns should be prepared and designated in a manner ***to preserve the long-term integrity of the neighborhood and to preclude any pressures for change in neighborhood uses and zoning.***

Per Page 32, Item 2 (Under Residential Area Goals): It is intended that existing and future residential neighborhoods be provided for all citizens which are safe, comfortable, quiet and ***separated from non-compatible uses…***

Per Page 33, Item 2: The character of residential areas will be developed and preserved in accordance with the Urban Development Design Guidelines goals, objectives and policies and other Plan elements. ***Incursions of incompatible uses will be prevented.***

Per Page 35, Item 2: COMMERCIAL AREA POLICIES: Spot Zoning should generally be prohibited. Existing nonconforming uses or zoning will continue but ***not be expanded or enlarged.*** Spot Zoning is zoning a relatively small area differently from the zoning of the surrounding area, usually for an ***incompatible use and to favor the owner of a particular piece or pieces of property.***

Per Page 36, Item 5: Low intensity ***office zoning and uses will be used to act as buffers between detached single family residential and nonresidential uses…***

The above items highlight points that the Planning Commission should take in to account during consideration of the application to amend the Comprehensive Plan. The integrity of established residential neighborhoods should be preserved and not have zoning changes pressure changes to the neighborhood. Residential neighborhoods should be separated from non-compatible uses, such as the proposed commercial use.

SNA has met with the Engineer for the Applicant and we were told that the properties in question were just the next ones in line along Memorial Drive for development as commercial property; as if commercial development is inevitable for these residential properties. These residences have been there for over 40 years, and the development along Memorial Drive of old farmland and pastures to commercial properties does not mean that these residences should be destroyed and the integrity of Southwood be forever damaged. The spot zoning of Commercial uses to the north and south of Southwood should not be allowed to encroach any further in to the neighborhoods. At each location one can see the damage done to the neighborhoods by these incursions. The current Comprehensive Plan recognizes this and discourages such actions now.

The Planning Commission should not be swayed by the impression that all persons living along Memorial Drive are supportive of this change. The proposed change is so drastic to the neighborhood that even some of the persons that signed the application are not in favor of it. We have heard that several of the persons that agreed to join the main instigator of this Zoning Change and Amendment have been led to think that they will see a huge payout if this change goes through. We have heard that some now think that their properties are worth up to $1M! They got this impression after hearing differences between what residential property may be worth and what developed commercial property is worth. But they don't realize that this is NOT what they would actually be paid for their residential properties if they sell. Some were also pressured to sign the application so that they wouldn't be the ones that prevented some elderly owners from getting these larger payouts for their properties.

SNA has worked very hard through the years to protect our neighborhood and to enhance the Quality of Life offered by Southwood. We love our large lots, large trees, and relaxed homey atmosphere that Southwood has. Many of our neighbors have been in their homes for decades! But there are a few who have purchased properties along Memorial Drive with the specific intent to sell them as commercial properties. These persons do not live in the houses and generally only maintain the properties well enough to keep them rented. They are not the ones that Southwood is about and should not be allowed to harm the neighborhood and damage those who really live in Southwood.

SNA believes that all applications for changing the current Zoning and Comprehensive Plan should be rejected by the Planning Commission. If for some reason, Planning Commission decides to approve these applications, SNA requests that the proposed PUD only be approved with significant modifications to try and mitigate the severe damage that this development will do to the neighborhood. We request that the consideration of the PUD be delayed for more discussion with SNA, the Developer, and our the Engineer.

We appreciate the Planning Commission's thoughtful consideration of our position and request for denial of these applications; and pray that you will support SNA and our neighbors who have lived in this area for years supporting Bixby, paying taxes, voting, supporting bond issues, and enjoying the unique living opportunity that currently Southwood provides.

Sincerely;

Donald M Schmidt, President
Southwood Neighborhood Association

58

SAY NO

TO PROPOSED AMENDMENT

TO THE ZONING DISTRICT OF THE CITY OF BIXBY, OKLAHOMA.

APPLICATION FOR SUPPLEMENTAL ZONING

PLANNED UNIT DEVELOPMENT NO 79

SIGNATURES OF INDIVIDUAL PROPERTY OWNERS

THAT PROTEST THE SOUTHWOOD ON MEMORIAOL PUD 79

BIXBY, OKLAHOMA 74008

PLANNING COMMISSION MEETING FOR AUGUST 19, 2013

(SEE ATTACHED SHEETS WITH SIGNATURES IN PROTEST)

STATISTICS OUTLINE OF MAP ON THE PUD REQUEST FOR SOUTH MEMORIAL

CITY OF BIXBY PLANNING COMMISSION AUGUST 19, 2013

84 TOTAL PIECES OF PROPERTY WITHIN 300 FEET RADIUS

-10 STATE OF OKLAHOMA PROPERTIES THAT DOES NOT COUNT

74 TOTAL PIECES OF PROPERTY REMAINING

-11 INDIVIDUAL PROPERTY OWNERS REQUESTING THE CHANGE

63 TOTAL PIECES OF PROPERTY REMAINING

-33 BUSINESS LISTING OF PROPERTY OWNERS

30 TOTAL PIECES OF PROPERTY REMAINING THAT PROPERTY OWNERS MIGHT SIGN THE PATITION

-30 PROPERTY OWNERS SIGNING THE 300 FOOT RADIUS MAP TO REJECT THE PROPOSAL TO CHANGE FROM RESIDENTIAL TO COMMERCIAL ALONG MEMORIAL DRIVE IN FRONT AND AROUND THEIR HOMES.

FACTS AND PATITION BY MEMBERS OF SOUTHWOOD NEIGHBORHOOD ASSOCIATION, BIXBY, OK

NOTICE TO THE PUBLIC OF A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ZONING DISTRICT OF THE CITY OF BIXBY, OKLAHOMA. APPLICATION FOR SUPPLEMENTAL ZONING PLANNED UNIT DEVELOPMENT # 79, REQUESTED BY JAMES HARGROVE ET AL., APPLICANT

Notice is hereby given that a public hearing will be held before the Bixby Planning Commission in the City Council Chambers of Bixby City Hall, 116 W. Needles Ave., Bixby, Oklahoma 74008 at 6:00 PM on Monday, the 19th day of August, 2013.

At that time and place, consideration shall be given to the proposed Planned Unit Development (PUD) supplemental zoning of a parcel of land more particularly described as follows:

> Approximately 17 acres (land area) consisting of Lot 10, Block 2, Lot 9, Block 3, all of Block 9, and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition.*
> Property located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

From: RE (Residential)

To: CS (Commercial) with Planned Unit Development # 79

All persons interested in the above mentioned matter may appear at the foregoing time and place and present their arguments for or against the same.

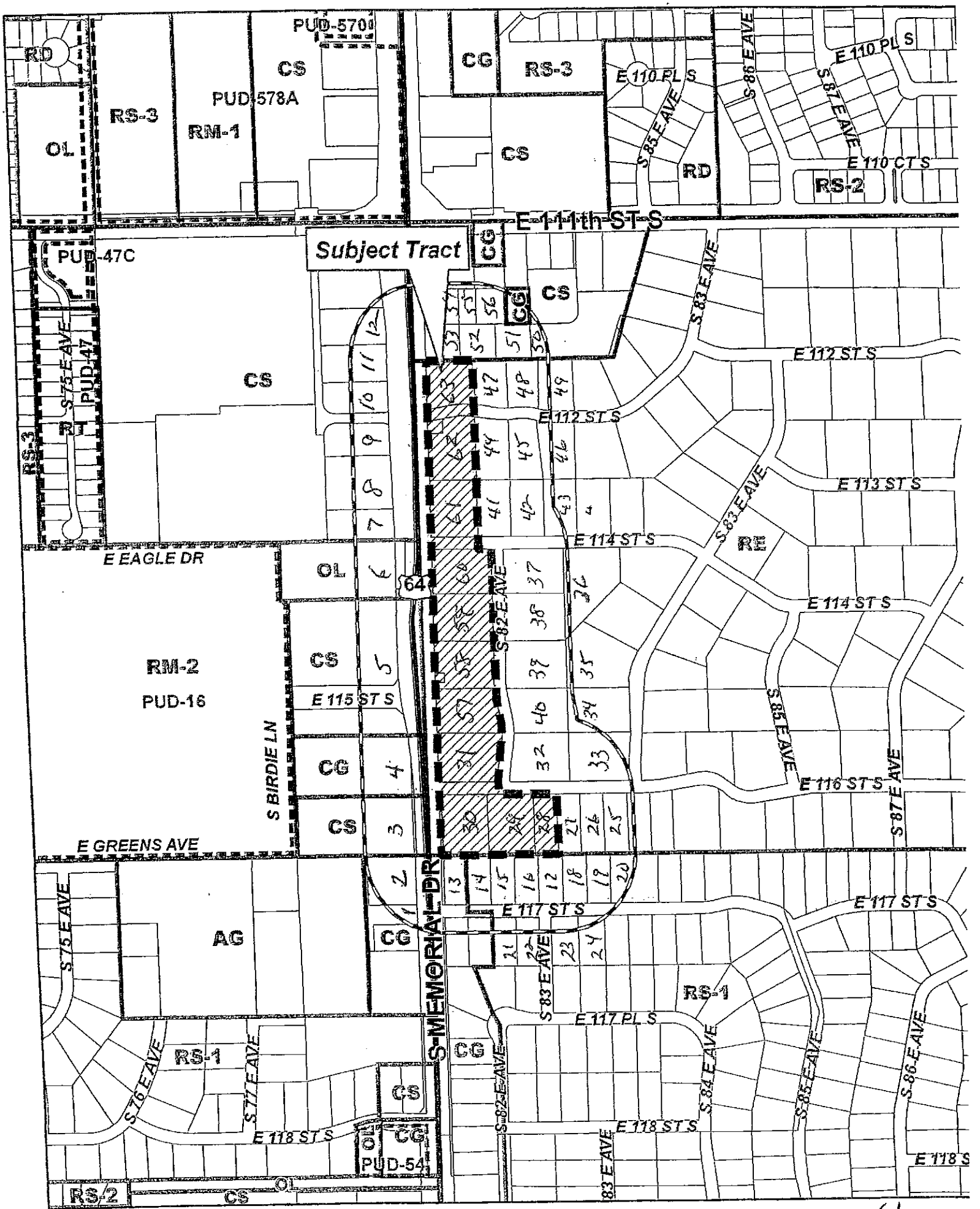
If you have questions concerning this request, call or write Bixby City Hall, Attn.: City Planner, 116 W. Needles Ave., Bixby, Oklahoma 74008 (918-366-4430). When calling, please refer to the case number.

Dated at Bixby, Oklahoma, this 10th day of July, 2013.

CITY OF BIXBY
JUL 15 2013
RECEIVED
By

60

ORIGINAL SIGNATURES


PUD-570
RD
CS
CG
RS-3
E 110 PL S
S 86 E AVE
S 87 E AVE
E 110 PL S
OL
RS-3
PUD-578A
RM-1
CS
S 85 E AVE
RD
E 110 CT S
RS-2
E 111th ST S
Subject Tract
CG
PUD-47C
CG
CS
S 83 E AVE
E 112 ST S
S 75 E AVE
PUD-47
CS
E 112 ST S
RS-3
E 113 ST S
S 83 E AVE
E 114 ST S
RE
E EAGLE DR
OL
64
S 82 E AVE
E 114 ST S
RM-2
PUD-16
CS
E 115 ST S
S 85 E AVE
S BIRDIE LN
CG
E 116 ST S
S 87 E AVE
CS
E GREENS AVE
S MEMORIAL DR
E 117 ST S
E 117 ST S
S 75 E AVE
AG
CG
S 83 E AVE
RS-1
E 117 PL S
S 76 E AVE
RS-1
S 77 E AVE
CG
S 84 E AVE
S 85 E AVE
S 86 E AVE
CS
S 82 E AVE
E 118 ST S
E 118 ST S
OL
CG
PUD-54
E 118 S
RS-2
CS
OL
300' Radius
Subject Tract
PUD-79
0 125 250 500
61
36 18-13

62

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
1	NO	NAME OF PROPERTY OWNER	STREET	CITY	STATE	ZIP	PHONE
	1	ADVA HOLDINGS LLC/ C/O KEVIN HUTHINSON	P.O. BOX 3546	LITTLE ROCK	ARKANSAS	72203	
	X						
	2	AHR HOLDINGS LLC	4604 W PITTSBURG	BROKEN ARROW	OK	74012	
	X						
	3	ALLEN, MICHAEL. A	11458 S 834D E AVE	BIXBY	OK	74008	
	X						X
	4	BABCOCK, KARLA	8125 E. 112TH ST	BIXBY	OK	74008	
47	X	Karla Babcock					
	5	BENNER, JERRY	8320 E. 117TH ST S.	BIXBY	OK	74008	
	X	Jerry Benner					
	6	BEST, ANNABELLE	8147 E. 112TH ST S.	BIXBY	OK	74008	
49	X	A. Best	918-369-3152				
	7	BIXBY ASSOCIATES LLC C/O WALGREEN CO	P.O. BOX 1159	DEERFIELD	H	60015	
	X						
	8	BIXBY AUTO SERVICE INC.	P.O. BOX158	SAND SPRINGS	OK	74063	
	X						
	9	BIXBY COMMERCIAL PROPERTIES LP	1165 JOYCE BLVE	FAYETTEVILLE	ARKANSAS	72703	
	X						

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

A	B	C	D	E	F	G
10	BIXBY COMMERCIAL PROPERTIES LP	1165 JOYCE BLVD	FAYETTEVILLE	ARKANSAS	72703	
X						
11	BIXBY MARKET PLACE C/O. R.F. BEALL	5712 COLLEYVILLE BLVD SUITE 200	COLLEYVILLE	TX	76034	
X						
12	BIXBY MARKET PLACE C/O. R.F. BEALL	5712 COLLEYVILLE BLVD SUITE 200	COLLEYVILLE	TX	76034	
X						
13	BIXBY REAL ESTATE INVESTMENTS LLC	6 E BRECKENRIDGE AVE	BIXBY	OK	74008	
X						
14	BRINKER OKLAHOMA INC C/O NORTH TEXAS TEAM	P.O. BOXC 802206	DALLAS	TX	75380-2206	
X						
15	BROWN, CHARLES B & LINDA KAYE	11463 S. 82ND EAST AVE	BIXBY	OK	74008-0130	
X	C B Brown					
16	CANTRELL, ROZELLA TRUSTEE C/O GARY CANTRESS	27427 SKY HARBOUR	FRYANT	CA	93626	
X						
17	CARPENTER, LAWRENCE O & ROENA	11415 S. 82ND E. AVE	BIXBY	OK	74008	
X	Lawrence O Carpenter					
37 18	CITIZENS SECURITY BANK & TRUST CO.	P.O. BOX 130	BIXBY	OK	74008-0130	
X						
19	CROWL, MICHAEL AND JODY	11705 S. 83RD E. AVE	BIXBY	OK	74008	
X	Jody Crowl					
20	DAVIS, GARY D AND BRENDA S	8339 E 117TH ST S	BIXBY	OK	74008	
X	Brenda Gary Davis					369-3177

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of this date:

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
	21	DEAN, STANLEY & SHIRLEY RICHTER	11447 S 82 EAST AVE	BIXBY	OK	74008	
	X	Stanley Dean					
	22	EAMES, BRIAN R. AND DENISE D.	8124 E 117TH ST S	BIXBY	OK	74008	
48	X	Denise D. Eames					
	23	EARNEST, KEVIN M. TRUSTEE	8131 E. 112TH ST	BIXBY	OK	74008	
	X	K. Michael Earnest					
	24	ENRIQUEZ, LISA A TRUSTEE LISA A ENRIQUEZ TRUST	9025 E. 139TH ST SOUTH	BIXBY	OK	74008	
	X						
	25	ERNCE, JERRY & PEARL	8314 E 116TH ST S	BIXBY	OK	74008	
	X	Jerry Ernce					
	26	FINGERLIN, BRUNSHILDE B & EUGENE	8108 E 117TH ST S	BIXBY	OK	74008	
13	X	Fingerlin Brunhilde					
	27	FINGERLIN, BRUNHILDE B & EUGENE	8108 E 117TH ST S	BIXBY	OK	74008	
14	X	Fingerlin Brunhilde					
	28	FOUTCH, PEGGY ANN TRUSTEE	8123 E 117TH ST S	BIXBY	OK	74008	
15	X	Peggy Ann (Foutch) Trustee					
	29	FOUTCH, PEGGY ANN TRUSTEE	8123 E. 117TH ST S	BIXBY	OK	7408	
	X	Peggy Ann Foutch Trustee					
	30	FUGATE, JOHN M. AND JENNIFER L.	8242 E. 114TH ST S	BIXBY	OK	74008	
	X	John F					

PAGE 3

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of this date:

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

A	B	C	D	E	F	G
31	GREEN ACRE SOD FARM INC.	12300 S MINGO	BIXBY	OK	74008	
X						
32	GREEN ACRE SOD FARM INC.	12300 S. MINGO	BIXBY	OK	74008	
X						
33	HANCOCK, ALAN M & LINDSI D	8136 E. 112 ST	BIXBY	OK	74008	
X						
34	HARGROVE, JAMES AND BETTY	14231 S. 50TH EAST AVE	BIXBY	OK	74008	
X						
35	HARGROVE, JAMES E. & BETTY L	14231 S 50TH EAST AVE	BIXBY	OK	74008	
X						
36	HARRIS, ROBERT LEE & EVELYN JANE	8116 E 112TH ST S	BIXBY	OK	74008	
X						
37	HORTON, RICK E AND PATTI A	8317 E 117TH ST SO	BIXBY	OK	74008	
X						
38	HWH INC.	8501 E 122ND ST	BIXBY	OK	74008	
X						
39	KEY PLUS PROPERTIES LLC	7939 E 21ST ST	TULSA	OK	74129	
X						
40	KEY PLUS PROPERTIES LLC.	7939 E 21ST ST	TULSA	OK	74129	
X						

PAGE 4

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of this date:

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
	41	KEY PLUS PROPERTIES LLC	7939 E 21ST ST	TULSA	OK	74129	
	X						
	42	MCKIBBEN, RAYMOND L. & ELIZABETH	P.O. BOX 2	BIXBY,	OK	74008	
	X						
	43	MCKIBBEN, RAYMOND L & ELIZABETH	P.O. BOX 2	BIXBY,	OK	74008	
	X						
	44	MCKIBBEN, RAYMOND L. & ELIZABETH	P.O. BOX 2	BIXBY,	OK	74008	
	X						
	45	MESSER LAND LLC	P.O. BOX 805	SAPULPA	OK	74067	
	X						
	46	MEYER, GEORGE A AND JERRI A	8111 E. 114TH ST SO	BIXBY	OK	74008	
	X						
	47	MIDFIRST BANK C/O MERITAX LLC	14901 QUORUM DR STE 740	DALLAS	TEXAS	75254	
	X						
	48	MOMENI, ABRAS REV TR	P.O. BOX 451	BIXBY	OK	74008	
	X						
	49	NARGIZ, GARO J AND JORDANIA B	8178 E 116TH STREET	BIXBY	OK	74008	
1	X					Vacant	x
1	50	NEEL, L C AND NELLE ELLEN C/O KUM & GO LLC	6400 WESTOWN PKWY	WEST DES MOINES	IA	50266	
1	X						

PAGE 5

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
	51	OAKES, CHARLES LEROY & VESPER TRUST	8172 E 116TH ST S	BIXBY,	OK	74008	
	X						
	52	PETERSON, KENT DWAIN & MARY ELISE PETERSON TRUS	8135 E 114TH ST SO	BIXBY,	OK	74008	
	X	Kent D. Peterson					
	53	ROBERT COOKS GREEN ACRE SOD FARMS INC	12300 S MINGO RD	BIXBY	OK	74008	
	X						
	54	ROBERTSON TIRE CO INC STORE 9	P.O. BOX 472287	TULSA	OK	74147-2287	
	X						
	55	RODGERS, GERALD D AND MILDRED R	8126 E 112TH ST S	BIXBY	OK	74008	
	X	Gerald D. Rodgers Mildred R. Rodgers					
	56	ROHDE, NORMAN W & ARLENE E & MARY JO HONEYCUT	8123 E 114TH ST S	BIXBY	OK	74008	
41	X	Mary Jo Honeycutt					
	57	ROZENE, JENNIFER J	8323 E. 117TH ST	BIXBY	OK	74008	
	X						
	58	SAME DAY AUTO REPAIR INC	PO BOX 158	SAND SPRINGS	OK	74063-0158	
	X						
	59	SANDERS, JOHN T III AND JACQUE H	8147 E 114TH ST SO	BIXBY	OK	74008	
	X						
	60	SHOUSE, DONALD L. JR & DEBORAH G	11474 S 83RD EAST AVE	BIXBY	OK	74008-2410	
	X						

PAGE 6

29

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
1	61	SILVERSTEIN, ERICA JEAN	8115 E 112 ST	BIXBY	OK	74008	
1	X						
1	62	SJM REALTY INC.	4537 BRADY ST	DAVENPORT	IA	52806	
1	X						
1	63	SMITH, BENJAMIN K AND NELDA W	4350 OCEAN DR 8902	CORPUS CHRISTI	TX	78412	
1	X						
1	64	SMITH WARREN DOUGLAS & ROBERTA p	8182 E 116TH ST S	BIXBY	OK	74008-2438	K
1	X	Warren Smith					
1	65	SOUTH MANUFACTURING CO. INC C/O LEO COOMBS	11640 S MEMORIAL	BIXBY	OK	74008-2033	
1	X						
1	66	SPARKS CHARLES H JR & MAVIOUS J CO	11431 S 82ND ST	BIXBY	OK	74008	
38	X	Mavious J. Sparks					
1	67	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
1	X						
1	68	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
1	X						
1	69	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
1	X						
1	70	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
1	X						
1	71	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
1	X						

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IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA. APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
	72	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
	X						
	73	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
	X						
	74	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
	X						
	75	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
	X						
	76	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	200 NE 21ST ST	OKLAHOMA CITY	OK	73105-3204	
	X						
	77	TABER, JUNIOR R & IMA B LONG	8115 E 117TH ST S	BIXBY	OK	74008	
	X	Junior R. & Ima B. Long Taber					
	78	TUNE, OTIS D & DALE R	619 W. 13TH ST	TULSA,	OK	74127	
	X						
	79	TWB ENTERPRISES LLC	9149 S YALE VE STE 208	TULSA	OK	74137	
	X						
	80	WALSH, SCOTT M AND BILLE L	8148 E 112TH ST S	BIXBY	OK	74008	
	X	Scott Walsh					
	81	WATSON, NATHANIEL T & HAZEL M & TOM LLOYD TTEES OF THE NATHANIEL T & HAZEL M WATSON TRUST	1400 KATY FLEWELLEN RD UNIT 25	KATY	TX	774946633	
	X						

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IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of this date:

PROTEST SOUTHWOOD ON MEMORIAL PUD 79

	A	B	C	D	E	F	G
1	82	WILKINSON, JAMES M & CHERYL LYNN	11479 S 82ND EAST AVE	BIXBY	OK	74008	
1	X						
1	83	WILSON, TY C & JULIE A	11702 S 83RD EAST AVE	BIXBY	OK	74008	
1	X						
1	84	WRIGHT, STEPHANIE A	8324 E 117 ST	BIXBY,	OK	74008	
1	X						

IN WITNESS WHEREOF, the parties of Southwood Addition and others have executed these **PROTEST REQUEST FOR REJECTION OF THE PROPOSED AMENDMENT** TO THE COMPREHENSIVE PLAN OF THE CITY OF BIXBY, OKLAHOMA, APPLICATION BCPA-10 BY JR DONELSON, INC. FOR JAMES HARGROVE ET AL., APPLICANT as of this date:

MINUTES
TECHNICAL ADVISORY COMMITTEE
DAWES BUILDING CITY OFFICES
113 W. DAWES AVE.
BIXBY, OK 74008
August 07, 2013 – 10:00 AM

MEMBERS PRESENT
Evelyn Shelton, *AEP-PSO*
Jim Peterson, *BTC Broadband*

STAFF PRESENT
Erik Enyart, AICP, City Planner, City of Bixby
Joey Wiedel, Fire Marshal, City of Bixby
Jim Sweeden, Fire Code Enforcement Official, City of Bixby

OTHERS PRESENT
JR Donelson, *JR Donelson, Inc.*

1. Erik Enyart called the meeting to order at 10:00 AM.

2. **BCPA-10 – JR Donelson for James Hargrove et al.** Discussion and review of a proposed amendment to the Comprehensive Plan of the City of Bixby, Oklahoma, from "Low Intensity + Residential Area" to "Medium Intensity" with no specific land use designation.
   Property Located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

3. **PUD 79 – "Southwood on Memorial" – JR Donelson, Inc.** Discussion and review of a Planned Unit Development (PUD) for approximately 17 acres (land area) consisting of Lot 10, Block 2, Lot 9, Block 3, all of Block 9, and Lots 10, 9, and the W/2 of Lot 8, Block 10, *Southwood*, and Lot 10, Block 3, *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition.*
   Property Located: All of the residential lots having frontage on the east side of Memorial Dr. between 111th Pl. S. and 117th St. S. in *Southwood* and *Resubdivision of Lots 10 through 15 Inclusive, Block 3 and Lots 4 through 6 inclusive, Block 5, Southwood Addition*; the 11100-block to the 11600-block of S. Memorial Dr.

Erik Enyart introduced the two (2) related items and summarized the project and its location. Mr. Enyart stated that the application consisted of about 11 lots owned by slightly fewer owners which have frontage on Memorial Dr. between 111th Pl. S. and 117th St. S. Mr. Enyart stated that all of the owners have signed the three (3) applications: A Comprehensive Plan amendment request, the PUD

application required when amending the Comprehensive Plan, and a rezoning from RE residential to CS commercial. Mr. Enyart asked JR Donelson if he cared to give further summary.

JR Donelson stated that there were eight (8) owners that have come together as a group. Mr. Donelson clarified with Jim Sweeden that 115th St. S. was proposed to extend into this development from the west side, where it serves as the entrance to The Links apartments. Mr. Donelson stated that it was roughly at the ½ mile mark, and [the proposed four-way intersection arrangement] may allow for a future stoplight.

Joey Wiedel arrived at 10:03 AM.

JR Donelson stated that there was no developer, and no discussion with any [real estate] broker [for the purchase of the lots]. Mr. Donelson stated that the City would like to see stormsewer extended from *Midas* [south through the subject property] to the drainage channel at the south end of the properties. Mr. Donelson stated that, since there was no developer, "we can do anything" needed "for the benefit of the whole town." Mr. Donelson stated that this was not like a typical situation where he has a developer to represent, and has to argue "he can't do that," since there was no developer in the picture. Mr. Donelson stated, "I live out here too." Mr. Donelson stated that he had met with an arborist [regarding the existing mature trees]. Mr. Donelson stated that the PUD proposed that they save all the mature trees as possible. Erik Enyart asked Mr. Donelson if that was in the PUD Text, and Mr. Donelson reported that he had a statement at the bottom of the site plan drawing. Mr. Enyart stated that that should be spelled out in the PUD Text to [make sure it was regulatory]. Mr. Donelson stated that some of the residents in Southwood were going to get him a list of things they wanted [if developed], and that those were due to him by the end of the day, and that he would use that to update the PUD. Mr. Donelson stated that someone wanted an 8'-high masonry wall, and someone else wanted a 10'-high wall with trees planted on the outside of the wall, and that he had agreed to do all of that.

Evelyn Shelton arrived at 10:07 AM.

Erik Enyart asked JR Donelson if he could not get the revised PUD to Mr. Enyart by the next day, and Mr. Donelson stated that he would.

JR Donelson stated that the PUD proposed closing off 114th St. S. from its intersection with Memorial Dr., as requested by the City. Erik Enyart asked Mr. Donelson, "Where did that idea come from?" Mr. Donelson responded that it was the City Engineer's recommendation. Mr. Enyart asked Mr. Donelson if that was related to the proposed construction of 115th St. S. and its proximity to 114th St. S., and Mr. Donelson responded that it was. Mr. Donelson stated that it only served a few houses, and that the 114th St. S. area could be converted to a driveway for the commercial development. Mr. Donelson stated that the people on 114th St. S. could come out to Memorial Dr. at 115th St. S. with the stoplight.

Erik Enyart asked JR Donelson, if these applications were approved, "not saying that that would be likely, is there anything in [the PUD text]" that [provides the mechanics behind how all the improvements would be constructed]? Mr. Enyart noted that there was nothing the City could do, nor would it be legal to do so, to prevent the sale of any lot to a commercial developer, and if it

were sold, there would be an expectation on the part of the buyer that they could go and build an office or business, but then they would have to tell another homeowner, "Okay, we're building a business here, now you go tear down your house and build the [stormwater detention] pond." Mr. Enyart confirmed with Mr. Donelson that this sort of language was not presently in the PUD Text. Mr. Donelson stated that the PUD would require the property be platted. Mr. Enyart stated that that was already required. Mr. Donelson stated that the lots would remain residential property until the land was platted. Mr. Enyart confirmed with Mr. Donelson that his clients had submitted a rezoning application seeking to change the zoning from RE to CS commercial. Mr. Enyart stated that, if all of this were approved, the zoning map would reflect CS commercial with PUD 79, and a commercial buyer would have an expectation that they could just go and plat their new lot and build an office building. Mr. Enyart asked Mr. Donelson if all of his clients fully understood how interdependent all of this was. Mr. Donelson stated his clients knew that all the property must be platted before they could be developed commercial. Mr. Donelson stated that all of the lots would have to go commercial for any of them to, as the City had recommended, to avoid "spot zoning." Mr. Enyart stated that Mr. Donelson was referring to a recommendation he had been giving to certain property owners who have approached him over the years about turning their lots commercial, and that he had consistently tried to give them all the same message, 'If that was to occur, and it would be exceptionally difficult next to impossible in this neighborhood, in order to have a fighting chance, all of the properties between the existing commercial at 111th Pl. S. and the existing commercial district at 117th St. S. would have to be rezoned as a singular, comprehensive strip, so that there is no spot zoning here or there, and it will have to have exceptionally high standards for buffering, screening, and landscaping.' Mr. Donelson reiterated that the lots would have to be platted before they could be developed. Mr. Enyart asked Mr. Donelson if he meant that he intended to write into the PUD Text a requirement that all of the lots would have to be platted at the same time, and Mr. Donelson indicated agreement. Mr. Enyart advised Mr. Donelson that this would be a step in the right direction, but that Mr. Enyart still believed that Mr. Donelson should spell out in the PUD the mechanics behind how and when and by whom the proposed improvements, the street and stormwater detention ponds, would be built, recognizing that the lots can all be sold independently. Mr. Enyart stated that this was important so that the decision-makers can make a fully-informed decision, and so Mr. Donelson's clients understand how interrelated the project was. Mr. Donelson indicated agreement. Mr. Enyart indicated that he was somewhat underwhelmed by the proposal as far as plans for buffering, screening, and landscaping, and confirmed with Mr. Donelson that, whatever Mr. Donelson would propose to do to enhance the PUD would be in the revised submittal to be received by the end of the next day. Mr. Enyart stated that it was his goal to have the agenda packet published by Friday, and whatever else Mr. Donelson intended to be put into the agenda packet would need to be received by Thursday. Mr. Donelson stated that he may have more plans to present at the meeting. Mr. Donelson discussed possible City Council consideration scenarios. Mr. Enyart stated that State Statutes only require a 3/5 vote in the event of a protest of 50% or more of abutting property owners, but the Bixby Zoning Code required a 4/5 vote in that case. Mr. Donelson stated that he would want a full City Council present before the vote. Mr. Enyart continued by stating, "To complete a thought," even though the Zoning Code requires a 4/5 vote, per the City Attorney, the City Charter preempts that from taking effect, as it only requires a 3/5 vote to pass any ordinance.

Erik Enyart opened the item up for questions and comments. There were none.

Erik Enyart asked Jim Peterson and Evelyn Shelton if the properties were not presently served by existing utilities, but that they would need to be upgraded to serve commercial, and Mr. Peterson responded, with Ms. Shelton indicating agreement, that the utilities were there but would indeed need to be "relocated and upgraded."

Erik Enyart asked if there were any further questions or comments. There were none.

4. **BSP 2013-04 – "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" – JR Donelson, Inc. (PUD 37).** Discussion and consideration of a PUD Detailed Site Plan and building plans for "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" a trade center development for part of Lot 5, Block 1, *Crosscreek.*
   Property located: 12810 and 12812 S. Memorial Dr.

Erik Enyart introduced the item and summarized the project and its location. Mr. Enyart stated that he would need to give a little background on this case. Mr. Enyart stated that these were the last two (2) buildings on the far, back/west end of Crosscreek, and that they were already issued a Building Permit and were nearing completion, and had actually already been issued temporary Certificates of Occupancy, subject to this Detailed Site Plan. Mr. Enyart stated that, in mid-2011, the next-to-last two (2) buildings were submitted for Detailed Site Plan review and approval, as required by PUD 37. Mr. Enyart stated that those were approved and the Building Permits were issued around the end of 2011. Mr. Enyart stated that, in or around July of 2012, he was presented with a Building Permit for these last two (2) buildings, and mistook them for the ones that had been approved, as indicated by the fact that he had "tagged" the Building Permit with the case number from the previous two (2). Mr. Enyart stated that there were others that he relied on to catch these sorts of things, but ultimately he had missed it, and was now taking it through the process for after-the-fact approval. Mr. Enyart stated that he hated to have to admit to mistakes, but it was the right thing to do.

Erik Enyart stated, "With that being said, are there any questions or comments?"

Jim Peterson and Evelyn Shelton indicated that all the utilities were in.

Erik Enyart asked if there were any further questions or comments. There were none.

5. Old Business

6. New Business

7. Meeting was adjourned at 10:29 AM.

BIXBY TAC MEETING
SIGN IN SHEET
Wednesday, August 07, 2013

NAME	COMPANY	PHONE
1. Jim Peterson	BTC Broadband	918-366-0253
2. JR Donelson		918-394-3030
3. John Saxedale	Fire Marshal office	918-366-0436
4. Erik Enyart	City of Bixby	918 366 0427
5. Joey Wendl	JM	918-366-0436
6. Evelyn Shelton	PSO	918-250-6249
7.		
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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: Thursday, August 15, 2013

RE: Report and Recommendations for:
BSP 2013-04 – "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" – JR Donelson, Inc. (PUD 37)

LOCATION:
- 12810 and 12812 S. Memorial Dr. Suites 300 : 309 (each)
- Northeast of the north dead-end of 73rd E. Ave. north of 129th St. S.
- Tracts 3 and 4 (per BL-377) of Lot 5, Block 1, *Crosscreek*

SIZE: 3 acres, more or less, in two (2) tracts

EXISTING ZONING: CS Commercial Shopping Center District + PUD 37

EXISTING USE: Multitenant "trade center" buildings

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 for new trade center buildings

SURROUNDING ZONING AND LAND USE:

North: AG, CG/PUD 76, & RM-2/PUD 70; The Fry Creek Ditch channel, with agricultural land to the north of that zoned CG with PUD 76, and the Encore on Memorial apartment complex to the northeast zoned RM-2 with PUD 70.

South: RS-1, RS-2, & RMH; The *Bixby United Pentecostal Church* and residences and vacant residential lots in *Poe Acreage* and unplatted residential areas fronting along E. 129th St. S., a mobile home park, and manufactured home residential in *LaCasa Movil Estates* and *LaCasa Movil Estates 2nd* to the southwest.

East: CS + PUD 37; Trade center metal buildings in *Crosscreek.*

West: AG & RMH; Former baseball practice fields, the Fry Creek Ditch channel, with manufactured home residential in *LaCasa Movil Estates* and *LaCasa Movil Estates 2nd* to the southwest zoned RMH.

COMPREHENSIVE PLAN: Corridor

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

PUD 37 – Crosscreek – Randall Pickard for Remy Co., Inc. – Request for rezoning from AG to CS and PUD 37 for *Crosscreek* – 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* – 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* – 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* – Believed to have been approved by AC April 17, 2006 (Minutes not found in case file).

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 *Crosscreek*, and specifically, 12804 S. Memorial Dr. Unit # 109 – 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 – 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 – 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 – Approved by BOA 03/02/2009.

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

BL-377 – JR Donelson, Inc. for Remy Enterprises – Request for Lot-Split approval for Lot 5, Block 1 (including subject property) into "Tracts 1 through 4, inclusive" – PC Conditionally Approved 02/22/2011.

PUD 37 – Crosscreek – Minor Amendment # 2 – Request for Minor Amendments to PUD 37 for *Crosscreek* – PC Conditionally Approved 05/16/2011.

BSP 2011-02 – "Crosscreek Lot 5, Block 1, Tracts 1 & 2" – JR Donelson, Inc. – Request for PUD Detailed Site Plan approval for *Crosscreek* Lot 5, Block 1, Tracts 1 & 2 – PC Conditionally Approved 05/16/2011.

BLPAC-7 – JR Donelson, Inc. for Remy Enterprises – Request for Landscape Plan Alternative Compliance plan for *Crosscreek* Lot 5, Block 1, Tracts 1 & 2 – PC Conditionally Approved 05/16/2011.
BSP 2011-03 – "Crosscreek Lot 5, Block 1, Tracts 3 & 4" – JR Donelson, Inc. – Request for PUD Detailed Site Plan approval for *Crosscreek* Lot 5, Block 1, Tracts 1 & 2, for buildings 12810 S. Memorial Dr. Suites 200 : 209 and 12812 S. Memorial Dr. Suites 200 : 209 – PC Conditionally Approved 11/21/2011.

BACKGROUND INFORMATION:

The *Crosscreek* development essentially consists of a series of metal trade center / warehouse buildings extending approximately ½ mile along the south side of the Fry Ditch No. 1 channel, oriented lengthwise along the channel (east-west). The exception is the front building ("Building 1"), which is oriented lengthwise along Memorial Dr., and has had appearance upgrades and is primarily used for retail sales. The metal warehouse buildings are consistent with those typical of warehousing and trades and services general business offices (Use Unit 15, etc.). It should be noted that Use Unit 23 Warehousing is not permitted in the CS district or per PUD 37. This has continually caused interpretative and occupancy permitting issues for *Crosscreek.*

In May of 2011, on "Tracts 1 & 2" (per BL-377) of Lot 5, Block 1, *Crosscreek*, the Applicant was granted approvals to construct two (2) new metal trade center buildings, similar to those existing in the rest of *Crosscreek*, but smaller, as they will be built on the smaller lots. These were addressed 12810 and 12812 S. Memorial Dr. Suites 100:109.

Per BSP 2011-03 on November 21, 2011, the Applicant was approved to construct an additional two (2) new metal trade center buildings on "Tracts 3 and 4" of Lot 5, Block 1, *Crosscreek.* These were addressed 12810 S. Memorial Dr. Suites 200 : 209 and 12812 S. Memorial Dr. Suites 200 : 209. They were issued a Building Permit in late 2011. They did not occupy all of "Tracts 3 and 4," and the Applicant indicated at the time that another two (2) smaller buildings may be constructed in the future on the vacant balance of land.

In or around July of 2012, Staff was presented with a Building Permit for these last two (2) buildings, and mistook them for the ones that had been approved, as indicated by the fact that Staff "tagged" the Building Permits with the case number from the previous two (2) (BSP 2011-03). Thus, even though not approved for Detailed Site Plan (DSP) as required by PUD 37, the permits were signed, the buildings and site improvements have been constructed and they have been issued temporary Certificates of Occupancy, subject to the satisfaction of the DSP approval requirement.

ANALYSIS:

Property Conditions. The subject property consists of vacant Tracts 3 and 4 (per BL-377) of Lot 5, Block 1 in *Crosscreek*, zoned CS + PUD 37. The two (2) tracts together contain approximately three (3) acres and drain north to the Fry Creek Ditch # 1.

Comprehensive Plan. The Comprehensive Plan designates the subject property as Corridor.

The trade center development anticipated by this Detailed Site Plan would be consistent with the Comprehensive Plan.

General. The Applicant is proposing to build the last two (2) 125' X 80' (10,000 square feet) buildings, one (1) on each tract. The buildings are located on the west ends of each tract and are surrounded with concrete paving, with unpaved 10' X 80' (or larger) landscaped strips on the east building ends and wider ones on the west building ends.

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

The subject property appears to presently be served by the critical utilities (water, sewer, electric, etc.).

The Technical Advisory Committee (TAC) reviewed this Detailed Site Plan on August 07, 2013. The Minutes of the meeting are attached to this report.

The subject property lot conforms to the CS district and PUD 37, and the proposed building appears to comply with the height, maximum FAR, and minimum building setback standards for the CS district and PUD 37.

Access and Internal Circulation. The Tracts 3 and 4 of Lot 5 subject property currently has no frontage on a public street. The PUD 37 Development Standards for Development Area "Lot 5" provide that there is no minimum frontage requirement. Access is afforded via a private roadway within a 30'-wide Mutual Access Easement, which runs through the development (via the plat of *Crosscreek* and a separate instrument easement, Document # 2011042634) on an east-west axis and connects the east line of the subject property to the west line of Lot 1. The driveway connection to Memorial Dr. is located at the southeast corner of Lot 1. Lot 5 also accesses S. 73rd E. Ave. via an unnamed, curved roadway constructed by the *Crosscreek* developer on land owned by the City of Bixby (part of the Fry Creek channel right-of-way). After some effort searching, Staff has not located any easement which would support this roadway. Perhaps it was understood that, if constructed on City property, it would be a de facto public street. It was not included in or dedicated by the plat of *Crosscreek*.

The roadway to the west connects to the rest of the *Crosscreek* development via a roadway that passes north-south through the northwest corner of Lot 5, and east-west along the north side of Lot 5.

In addition, *Crosscreek* Deed of Dedication Section 2.6.a provides what may amount to a blanket easement over all the lots in *Crosscreek*, "...The Owner/Developer hereby grants and establishes a perpetual, non-exclusive mutual access easement for purposes of permitting vehicular and pedestrian passage to and from all lots in the planned unit development across all drives and parking lots as shall exist on the lots." The section continues with "A mutual access easement shall be recorded in the office of the Tulsa County Clerk by the Owner/Developer." Such an easement was recorded May 18, 2011, Document # 2011042634. The former easement

establishment language, located in the PUD Restrictions section of the DoD/RCs, appears to have been added after the PUD was approved, as it was not found in the PUD language itself. It may have been added in satisfaction of the latter statement, along with the specifically-defined MAEs as represented on the face of the plat.

A concrete trail was constructed along and just north of the north line of Lot 5 when other buildings were constructed in *Crosscreek*. It is located on the Fry Creek Channel land owned by the City of Bixby, and is planned to eventually connect to other trails.

The plans show paving internal drives over the 17.5' Perimeter Utility Easement along the north side of Tract 3 and the south side of Tract 4. Paving over public utility easements is subject to City Engineer and Public Works Director approval.

Parking and Loading Standards. The "Site Plan" drawing indicates the location of parking areas. Each building would have 12 parking spaces, six (6) on each of the north and south sides thereof. PUD 37 Minor Amendment # 2 provides that each building must have [a minimum of] 10 parking spaces, and 12 are proposed in satisfaction of this standard. If the maximum parking space standard of the Zoning Code applies, the 12 parking spaces would be in compliance.

The proposed handicapped-accessible parking spaces, regular and van-accessible, are provided in numbers and dimensions as required by both ADA and Bixby Zoning Code standards (see Figure 3 in Section 11-10-4.C). Access aisles, accessible routes to the entrances, signage to be used to reserve the accessible spaces, and a handicapped-accessible parking space/access aisle/accessible route detail diagram are all indicated as required.

The parking lot complies with the 10' minimum setback from an R Residential district per Zoning Code Section 11-10-3.B Table 1.

Presuming primarily Use Unit 15 occupancies, per Zoning Code Section 11-9-15.D, one (1) loading bay / berth is required and several are provided for each building. The loading berths would comply with the number which would be required and the 25' setback from an R Residential district per Zoning Code Section 11-10-3.B Table 1. They also comply with the 1 loading berth per 5,000 square feet standard of PUD 37 as modified by Minor Amendment # 2. The dimensions are represented and are consistent with the dimensional standards as per PUD 37 Minor Amendment # 2.

Screening/Fencing. The Zoning Code requires a sight-proof screening fence for the subject property along the south property line, as it abuts an RS-1 Residential district.

PUD 37 requires for screening, "Appropriate screening shall be provided between the development areas and the residential areas to the south. All landscaping and screening shall be approved by the Bixby Planning Commission."

The "Site Plan" drawing indicates a "6' screening wall w/fence" along the south property line. A profile view / elevation diagram has been provided, representing the 6' cedar fence. This was found adequate for screening purposes in the similar cases BSP 2011-02 and BSP 2011-03

(reference Zoning Code Sections 11-7I-6, 11-8-10.E, and 11-12-3.A.3) and so should be found adequate in this case.

PUD 37 provides also, "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 from persons standing at ground level." A note on the plan states that these buildings will utilize an existing dumpster located on Lot 4, and the same is represented at the southwest corner of Lot 4.

Landscape Plan. The Landscape Plan is compared to the landscaping standards of the Zoning Code as follows:

1. 15% Street Yard Minimum Landscaped Area Standards (Section 11-12-3.A.1): Standard is not less than 15% of Street Yard area shall be landscaped. There is no street frontage and so no Street Yard for the subject property. **This standard is not applicable.**
2. Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7): There is no street frontage and so no landscaped strip requirement for the subject property. **This standard is not applicable.**
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. Tree planting requirements are the same as for a Street Yard. There is 10' grass strip proposed along the south line, which would separate the parking lot from the RS-1 district abutting to the south, in which 12 trees are proposed. Standard will be met upon and as a part of compliance with the landscaping requirements for the South Setback Area per Section 11-12-3.A.4.
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. Per PUD 37, there is a 10' setback "from all boundaries," "Plus 2 feet for each one 1 foot building height exceeds 15 feet if the abutting property is within a Residential Zoning District." There is an RS-1 district abutting to the south, and the building will be 19 1/3' in height. Therefore, the south line setback is 18 2/3'. Tree requirement calculations are as follows:

   West line of Tracts 3 + 4 @ 361.81' X 10' = 3,618.1 square feet / 1,000 = 4 trees. No (0) trees proposed in West Line Setback Area. **This standard is not met for this Setback Area.**

   North line of Tract 3 @ 404.55' – 10' from West Line Setback = 394.55' X 10' = 3,945.5 square feet / 1,000 = 4 trees. 12 trees proposed in North Line Setback Area. **This standard is met for this Setback Area.**

   South Line of Tract 4 @ 407' – 10' from West Line Setback = 397' X 18 2/3' = 7,410.33 square feet / 1,000 = 8 trees. 12 trees proposed in South Line Setback Area. **This standard is met for this Setback Area.**

The east lines of Tracts 3 and 4 are not counted as they are interior to the "Lot 5" Development Area.

Thus, 3.6181 + 3.9455 + 7.41033 + 4.8 (1/10 parking spaces) = 19.77393 = 20 trees required for the entire site. 32 are proposed for the entire site. Although the total count is exceeded, due to the west line setback area, **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' from a Landscaped Area, which Landscaped Area must contain at least one (1) tree. At least one (1) of the centralmost parking spaces attending each building in the common area between the two buildings appears to not meet this standard. **This standard is not met.**
6. Street Yard Tree Requirements (Section 11-12-3.C.1.a): Standard is one (1) tree per 1,000 square feet of street yard. There is no street frontage and so no Street Yard for the subject property. **This standard is not applicable.**
7. Tree to Parking Space Ratio Standard (Section 11-12-3.C.2): Standard is one (1) tree per 10 parking spaces. A total of 24 parking spaces is proposed, which would require two 2.4 trees. There are another 24 parking spaces represented for the two (2) buildings with Suite # 200 : 209. Therefore, 4.8 trees are required for the Tracts 3 and 4. A total of eight (8) crepe myrtle trees are proposed in the landscaped areas "bookending" all four (4) buildings. **This standard is met.**
8. Parking Areas within 25' of Right-of-Way (Section 11-12-3.C.5.a): There are no parking areas proposed within 25' of the right-of-way. **This standard is not applicable.**
9. Irrigation Standards (Section11-12-3.D.2): The Landscape Plan represents "FPHB" ("Frost Proof Hose Bibs" per Note # 7) on the east and west ends of the two (2) proposed buildings. Also represented are radii from each FPHB showing landscaping areas that are within 100' of each. As indicated, however, the FPHB will not reach all of the landscaped areas on the north side of Tract 3 or the south side of Tract 4. Per BSP 2011-03, however, the Planning Commission allowed a minor exception to the 100' radius rule, based on the plan to use hose extensions and replace any trees that may die due to lack of watering. **This standard is not met.**
10. Miscellaneous Standards (Section 11-12-3.D, etc.): The reported calipers of the proposed trees, tree planting detail, and other information indicates compliance with other miscellaneous standards. **This standard is 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. The Landscaping Data summary table indicates 17.3% of each lot will be "landscape area," suggesting compliance is achieved. However, areas outside the 100' radii of the hose bibs should not be counted toward the 17.3%, and should be calculated by the Applicant to confirm the 10% standard is met. **Compliance with this standard cannot be determined.**

The second numbered item under the "Landscaping" section of the PUD 37 text (Page 7) provides,

"(2) All landscaping and screening shall meet or exceed the requirements of the PUD Chapter (Chapter 9), the Landscape Chapter (Chapter 17), and the Corridor Appearance District Chapter (Chapter 19), or an alternative plan may be approved by the Bixby Planning Commission if they determine that, although not meeting the technical requirements of the foregoing chapters, the plan is equivalent to or better than the requirements of the Landscape Chapter and the Corridor Appearance District Chapter and also meets the requirements of the PUD Chapter. Appropriate screening shall be provided between the development areas and the residential areas to the south. All landscaping and screening shall be approved by the Bixby Planning Commission."

Thus, the Planning Commission has the authority to approve an alternative plan for compliance within the context of this Detailed Site Plan application.

The Applicant should provide additional information showing, to the Planning Commission's satisfaction, how the above items which are not consistent with the minimum landscaping standards can still achieve the purposes and intent of the standards by alternative means. The irrigation flexibility, to allow the use of 'hose extensions,' would be consistent with the Commission's approval of the previous two (2) buildings in 2011.

Exterior Materials and Colors. Profile View / Building Elevations diagrams are represented on the "Elevations" drawing, and indicate the proposed exterior materials and general architectural appearance for the proposed buildings.

The development proposes metal buildings with "pre-finished metal siding." The roof is planned to be a "pre-finished metal roof" and will slope down to the north and south with a 1/12 pitch. The buildings and roofs are anticipated to look the same as or similar to the ones used in the existing part of *Crosscreek*, only smaller in size.

Note # 6 on the "Site Plan" drawing provides, "The buildings are metal. The color is cream with blue trim."

Although part of Crosscreek is in the Corridor Appearance District, the subject property is beyond the district, and the buildings were granted Building Permits in 2012, and so the buildings are not subject to the masonry requirements instituted in January of 2013.

Outdoor Lighting. PUD 37 Development Standards provides the following for lighting:

" Lighting used to illuminate the development area shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or residential street right-of-way. No light standard or building-mounted light shall exceed 20 feet in height or the height which complies with the standard stated in the preceding sentence, whichever is lower."

The "Elevations" profile view/elevations drawing indicates the proposed locations of the wall-mounted lights on the north and south sides of both buildings.

There is a residential area south of the subject property, creating the possibility of artificial lighting encroachment on these adjoining residences. To the southeast is the *Bixby United Pentecostal Church* at 7418 E. 129th St. S. The nearest residences appear to be approximately 300' to 400' from the nearest corners of the southernmost building.

The Applicant has submitted a lighting plan indicating diminished lighting within or otherwise toward the south property line. The plan was prepared by Tom Rorabaugh of Vision Lighting Sales, is dated July 14, 2011, and is the same plan which was used in satisfaction of the lighting-related Conditional of Approval for BSP 2011-02 and BSP 2011-03.

Note # 3 on the "Site Plan" drawing provides, "Lighting will be wall packs on exterior of the building. There will be no pole lights lighting will be Cooper LM10C, exterior wall pack cut off, with directional down lighting, mounted at 14'-0" "

The Applicant has submitted "cut sheets" showing the planned "Cooper Lighting - Lumark" wall-mounted lights to be used.

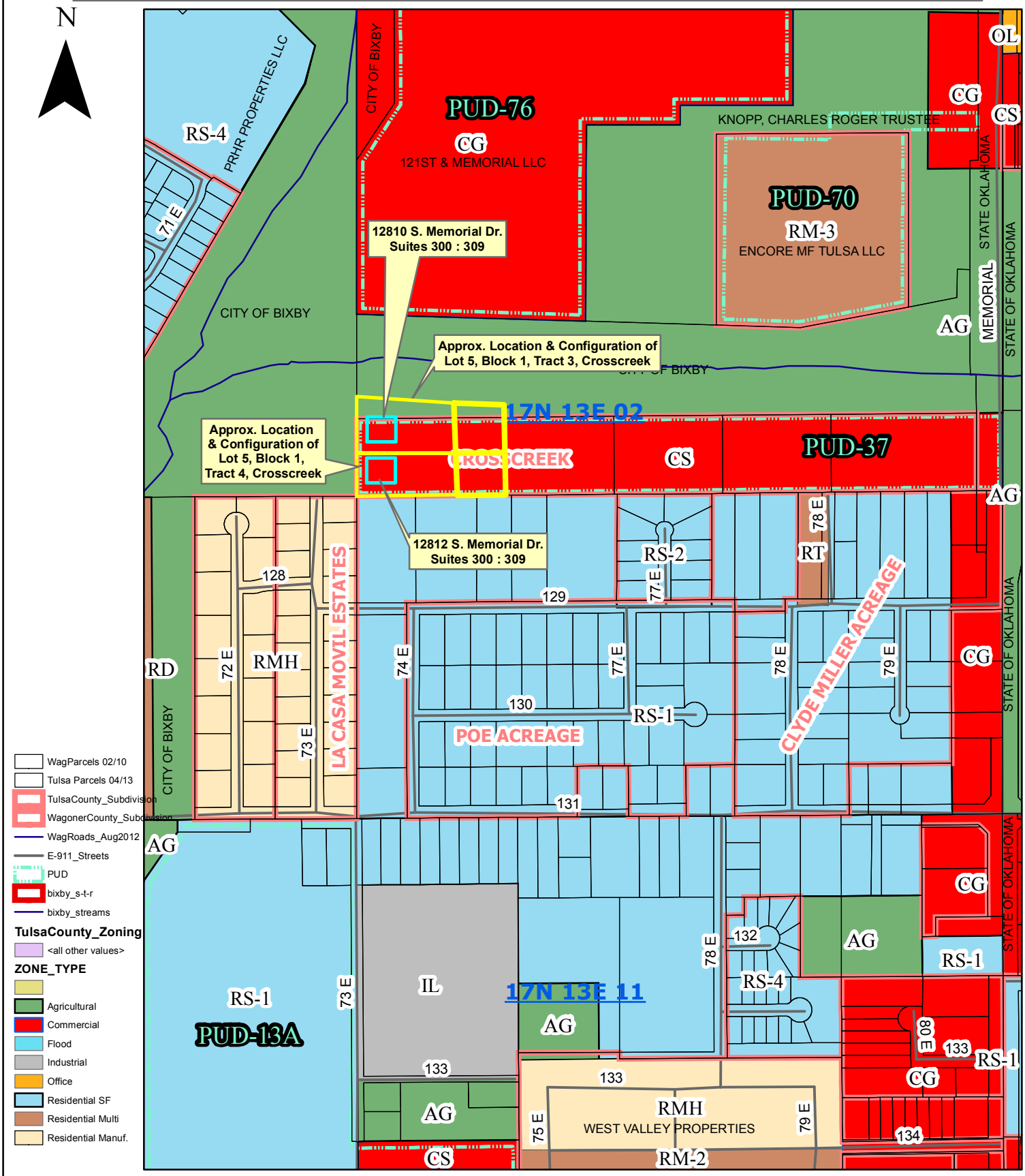
Signage. PUD 37 essentially requires all signage comply with the Zoning Code standards for the same, and be approved by the Planning Commission for a "detail sign plan." Note # 4 on the "Site Plan" drawing provides, "Signage will be on a tenant finish basis. Sign permits will be on an individual basis."

The "Site Plan" drawing indicates placard signs bearing the development name "Crosscreek" and building numbers, to be attached to the east sides of the buildings. They have been represented on the Profile View / Building Elevations drawings and comply with the standards for wall signs and so will be approved as a part of this Detailed Site Plan in satisfaction of the requirement for same per PUD 37.

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. It appears that parts of the 17.5' U/E will be paved. Paving over utility easements requires the specific approval of the City Engineer and Public Works Director.
3. Subject to the satisfaction of all landscape plan issues listed above.
4. 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).

BSP 2013-04 – "Crosscreek Lot 5, Block 1, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr., Suites 300-309" – JR Donelson, Inc. (PUD 37)



City of Bixby ~ Planning
Printed 07/29/2013

Erik Enyart

From: Erik Enyart
Sent: Monday, August 05, 2013 11:50 AM
To: JR Donelson
Cc: jcottle@bixby.com
Subject: Memo from City Engineer – BSP 2013-04 – Crosscreek Lot 5, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr
Attachments: Memo from City Engineer – BSP 2013-04 – Crosscreek Lot 5, Tracts 3 & 4, 12810 & 12812 S. Memorial Dr.pdf

JR:

City Engineer's memo attached. Note that, since his memo, I've discussed this with him and it was determined that most of the comments would only be relevant if the Building Permit had not been issued, but in this case it has. Jared's remaining comment is "they will need to request an extension on the Earth Change Permit approval."

FYI and thanks,

Erik Enyart, AICP, City Planner
City of Bixby, PO Box 70
Bixby, OK 74008
Ph. (918) 366-0427
Fax (918) 366-4416
eenyart@bixby.com
www.bixby.com

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Bixby Fire Department
Fire Marshal's Office

BUILDING PLAN REVIEW

Permit #

Occupancy Name: Cross Creek III LLC.
Address: 12812 S. Memorial Dr. Unit #300-309
New: X Addition: Remodel: Use Group: N/A Occupant Load: N/A
Construction Type: Building Height: Square Feet: 10,000

Owner/Occupant: Remy Enterprises Phone: 918-369-9500
Architect: Phone:
Engineer: J.R. Donaldson Phone: 918-394-3030

Notes: The following items shown as corrections on plans shall be required:

AS PER INTERNATIONAL CODES, IBC / IFC 2006 CODES AND NFPA FIRE CODES:

1) ONE (1) HOUR FIRE RATED SEPARATION BETWEEN ALL TENANT SPACES. (NOTE) THAT COULD CHANGE DUE TO TYPE OF OCCUPANCY.

2) ANY PENETRATIONS THROUGH FIRE WALLS ARE TO BE FIRE SEALED AS PER CODES.

3) FIRE EXTINGUISHERS SHALL BE INSTALLED, SIZE AND LOCATIONS AS PER CODES.

4) EXITS AS PER CODES.

5) EXIT LIGHTING AND EGRESS LIGHTING AS PER CODES.

IF ANY CHANGES ON PLANS OR CONSTRUCTION, CONTACT THIS OFFICE FOR APPROVAL: STAMP APPROVED PLANS SHALL BE ON CONSTRUCTION SITE DURING CONSTRUCTION:

The Construction Plans are: **[ ] APPROVED WITH EXCEPTIONS [ ] NOT APPROVED**

APPROVAL CONTINGENT UPON THE REQUIREMENTS OF THE ABOVE ITEMS AND THE APPROVAL OF THE ASSISTANT CITY MANAGER AND THE BUILDING OFFICIAL.

Joey Wiedel, Fire Marshal (918) 366-0436 Date: 07/16/2012

Jim Sweeden, Fire Code Enforcement Officer Date: _____

Cc: Erik Enyart, City Planner
Jared W. Cottle, City Engineer
Bea Aamodt, Public Works Director
Bill May, Building Inspector
Steve Abel, Fire Chief

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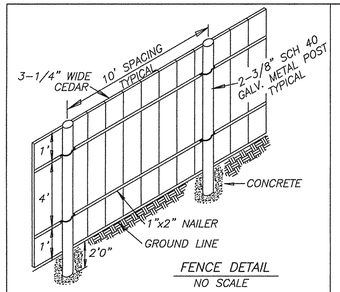
Plan Review

Permit Type:	Building (Tenant Finish)	
Job Address:	12812 S Memorial #300 - #309	
Occupancy:	Business not leased	
Contractor:	Remy Interprises	Phone: 918-369-9500
Architect:	J. R. Donelson	Phone: 918-394-3030
Engineer:	?????	Phone:
Square Footage:	10,000 sq Ft	
Use Group:	??	
Construction Type:	IIB	
Fire Sprinkler:	No	
Occupancy Load:	??	
ICC Codes:	2006	

Plan Review Results: Approved – 07/17/2012

Bill May

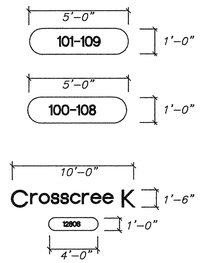
Bill May
Building Inspector
City of Bixy



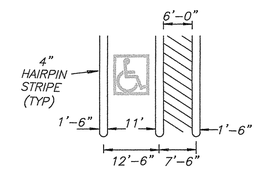
FENCE DETAIL
NO SCALE

OWNER: CROSS CREEK PHASE III, L.L.C.
11063-D SO. MEMORIAL DR. #531
TULSA, OK. 74133
918-369-9500
CONTACT: TIM REMY

CONSTRUCTION SCHEDULE
1. SET UP SILT FENCE 7/05/12
2. PAD INSPECTION 7/07/12
3. FOOTING/FOUNDATION 7/09/12
4. BUILDING COMPLETE 10/01/12

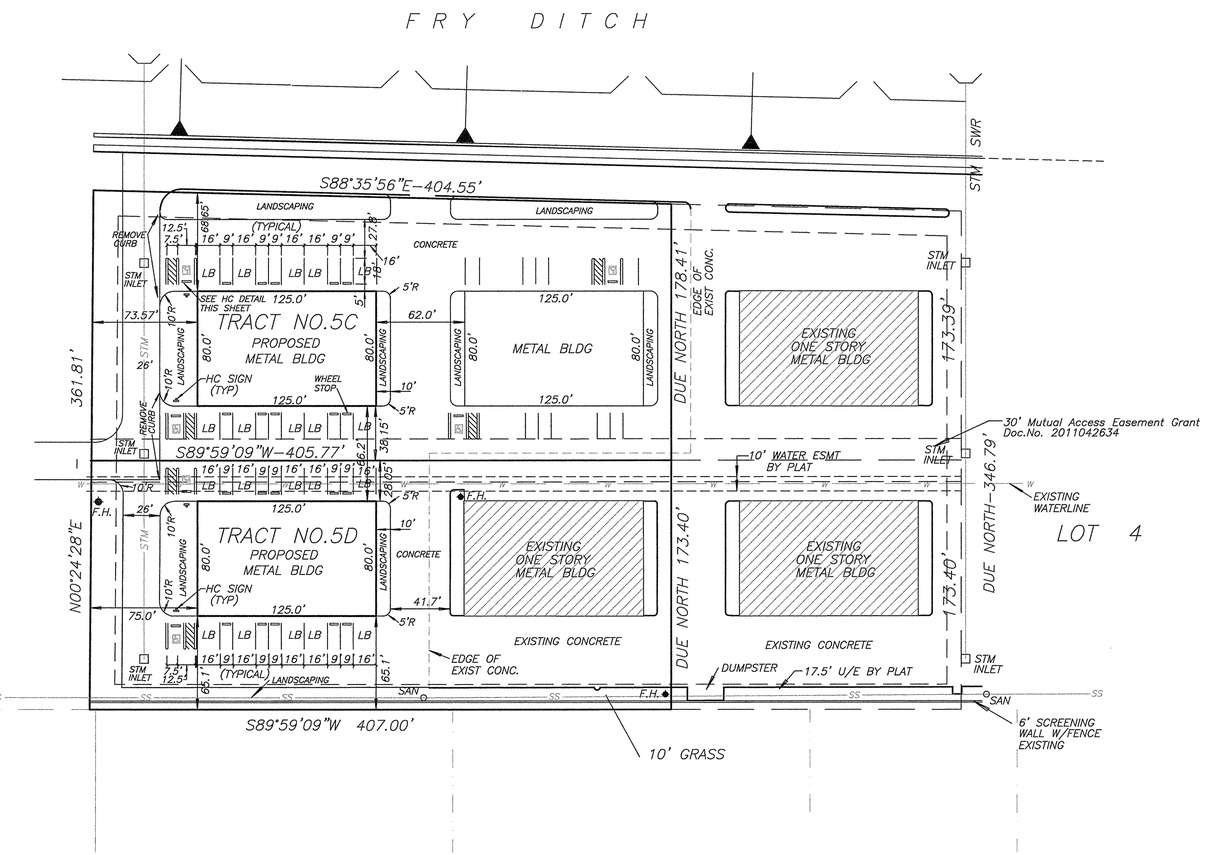


THREE SIGNS ON THE EAST END OF EACH BUILDING FOR ADDRESS PURPOSES



HANDICAP PARKING SPACE DETAIL

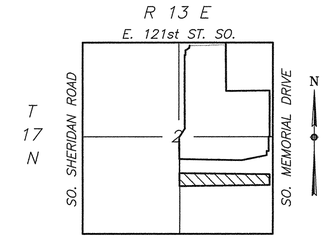
Handicap Parking Spaces Provided (Van Accessible)



INDEX
LB – LOADING BERTH

N

0 50 100 200 400
SCALE: 1"=50'



LOCATION MAP

REGISTERED PROFESSIONAL ENGINEER
CHARLES K. HOWARD
19296
OKLAHOMA

Charles K. Howard 7/2/12
REGISTERED PROFESSIONAL ENGINEER SEAL

TRACT 3 ADDRESS: 2810 SO. MEMORIAL DR., #300-309

TRACT 4 ADDRESS: 2812 SO. MEMORIAL DR., #300-309

LEGEND

LB LOADING BERTH

SITE DATA

NOTE:
1. ALL STORM SEWER PIPE, WATER LINES AND SANITARY SEWER LINES ARE IN PLACE. WATER LINES ARE PRIVATE.
2. CONCRETE DRIVES TO MATCH EXISTING GRADES.
3. LIGHTING WILL BE WALL PACKS ON EXTERIOR OF THE BUILDING. THERE WILL BE NO POLE LIGHTS.
LIGHTING WILL BE COOPER LM10C, EXTERIOR WALL PACK CUT OFF, WITH DIRECTIONAL DOWN LIGHTING, MOUNTED AT 14'-0"
4. SIGNAGE WILL ON A TENANT FINISH BASIS. SIGN PERMITS WILL BE ON AN INDIVIDUAL BASIS.
5. LANDSCAPE GRASS WILL BE INSTALLED WHEN THE BUILDINGS ARE COMPLETED.
6. THE BUILDINGS ARE METAL. THE COLOR IS CREAM WITH BLUE TRIM.
7. LANDSCAPING, WATERED BY FROST PROOF HOSE BIB (FPHB).
8. LOADING BERTHS, DESIGNATED (LB) ARE TO BE 16'x23'.
9. THE BUILDINGS WILL USE THE EXISTING DUMPSTERS.
10. THE 6'-0" WOODEN PRIVACY FENCE IS EXISTING ALONG THE SOUTH PROPERTY LINE.
11. 10 PARKING SPACES AND 2 HC PER BUILDING
10 LOADING BERTHS PER BUILDING.

TRACT 5C, BLOCK 1 (TRACT 3), CROSSCREEK

AREA: 74,301 SF
BUILDING SIZE: 10,000 SF
ZONING: CS

TRACT 5D, BLOCK 1 (TRACT 4), CROSSCREEK

AREA: 70,465 SF
BUILDING SIZE: 10,000 SF
ZONING: CS

Tract No. 3 Description
A part of Lot 5, Block 1, Crosscreek, an addition to the City of Bixby, Tulsa County, State of Oklahoma, According to the recorded plat, thereof, being more particularly described as follows, to-wit:
Beginning at the Northwest corner of said Lot 5, thence S 88°35'56"E and along the north line of said Lot 5 for 404.55 feet, thence South for 178.41 feet, thence S 89°59'09"W for 405.77 feet to a point on the West lot line of said Lot 5, thence N 00°24'28"E and along the West lot line of said Lot 5 for.188.41 feet to the point of beginning and containing 1.7057 acres more or less.

Tract No. 4 Description
A part of Lot 5, Block 1, Crosscreek, an addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the recorded plat, thereof, being more particularly described as follows, to-wit:
Beginning at the Southwest corner of said Lot 5, thence N 00°24'28"E and along the West lot line of said Lot 5 for 173.40 feet, thence N 89°59'09"E for 405.77 feet, thence South for 173.40 feet to a point on the South lot line of said Lot 5, thence S 89°59'09"W and along the South line of said Lot 5 for 407.00 feet to the point of beginning and containing 1.6177 acres more or less.

BEFORE YOU DIG.. CALL OKIE 1-800-522-6543

COPYRIGHT
DATE OF PRINTS:

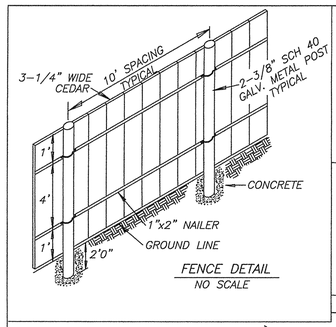
DATE OF PRINTS:		
CHK'D FOR CITY BY:		
DESIGNED BY:		
CHECKED BY:		
DRAWN BY:		
REVISION	BY	DATE

CROSSCREEK LOT 5

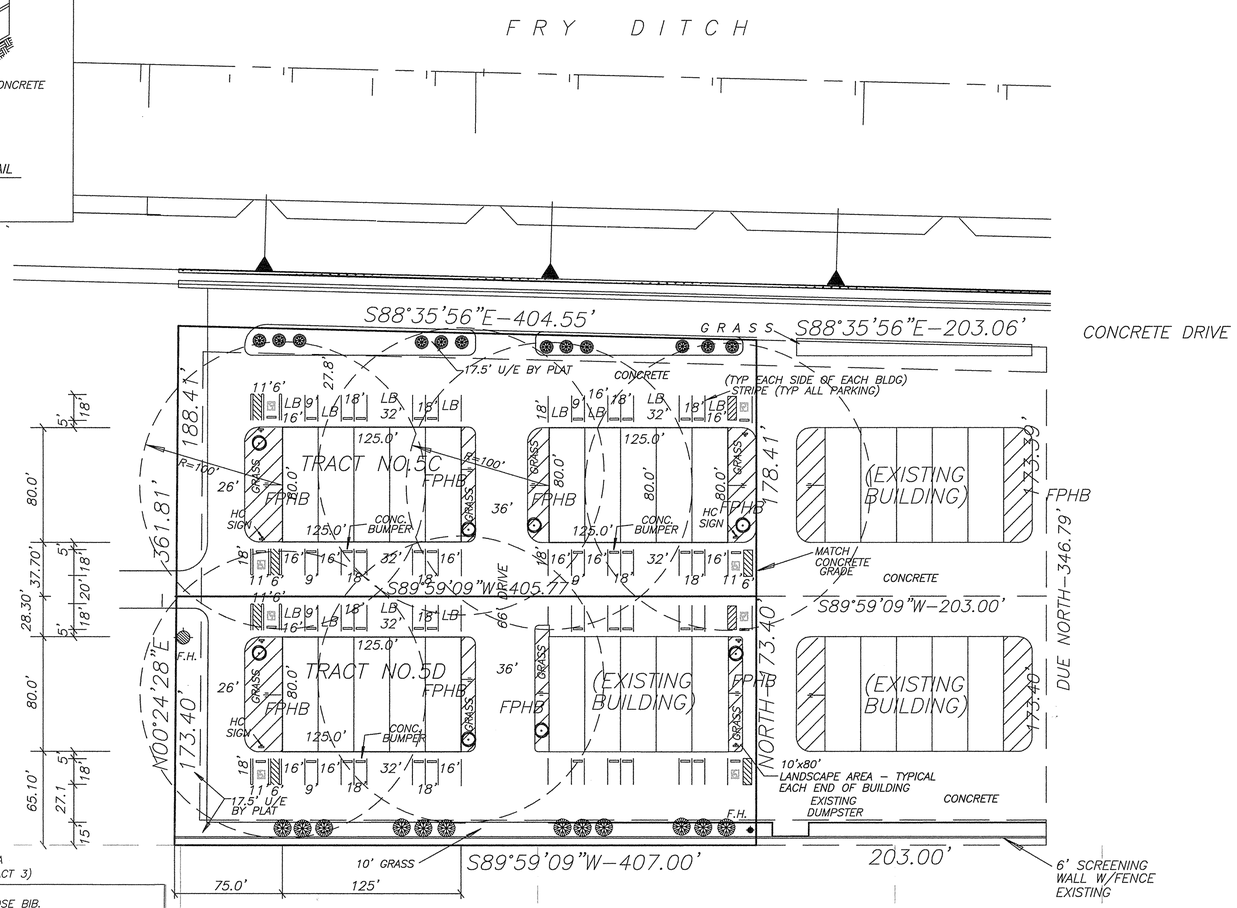
CITY OF BIXBY, OK.

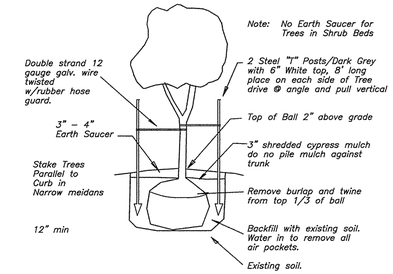
PLANS & ESTIMATES PREPARED BY: C.A. NO. 5611 EXP.DATE: 6/30/13
J.R. DONELSON, INC.
12820 SO. MEMORIAL DR., OFFICE 100, BIXBY,OK. 74008 918-394-3030

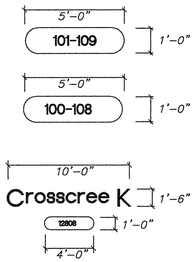
PLAN SCALE 1" = 50'
SITE PLAN
APPROVED:
PROFILE SCALE
HORIZONTAL 1" = N/A
VERTICAL 1" = N/A
RECOMMENDED: DEVELOPMENT SERVICES MANAGER
RECOMMENDED: ENGINEERING DEPUTY DIRECTOR
CITY ENGINEER
FILE: DRAWING: CCREEK5WEST
DATE: 6/28/2012
ATLAS PAGE NO:
SHEET C1 OF SHEETS



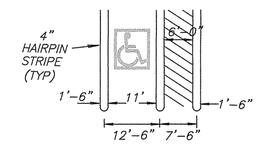
FENCE DETAIL
NO SCALE







THREE SIGNS ON THE EAST END OF EACH BUILDING FOR ADDRESS PURPOSES



HANDICAP PARKING SPACE DETAIL

Handicap Parking Spaces Provided (Van Accessible)

OWNER: CROSS CREEK PHASE III, L.L.C.
11063-D SO. MEMORIAL DR. #531
TULSA, OK. 74133
918-369-9500
CONTACT: TIM REMY

CONSTRUCTION SCHEDULE
1. SET UP SILT FENCE 7/05/12
2. PAD INSPECTION 7/07/12
3. FOOTING/FOUNDATION 7/09/12
4. BUILDING COMPLETE 10/01/12

Tract No. 3 Description
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Tract No. 4 Description
A part of Lot 5, Block 1, Crosscreek, an addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the recorded plat, thereof, being more particularly described as follows, to-wit:
Beginning at the Southwest corner of said Lot 5, thence N 00°24'28"E and along the West lot line of said Lot 5 for 173.40 feet, thence N 89°59'09"E for 405.77 feet, thence South for 173.40 feet to a point on the South lot line of said Lot 5, thence S 89°59'09"W and along the South line of said Lot 5 for 407.00 feet to the point of beginning and containing 1.6177 acres more or less.

TRACT 5C (TRAC T 3) ADDRESS: 2810 SO. MEMORIAL DR., #300-309

TRACT 5D (TRACT 4) ADDRESS: 2812 SO. MEMORIAL DR., #300-309

REGISTERED PROFESSIONAL ENGINEER
CHARLES K. HOWARD
16286
OKLAHOMA

Charles K. Howard 7/2/12
REGISTERED PROFESSIONAL ENGINEER SEAL

LANDSCAPING DATA
TOTAL TRACT 5C (TRACT 3)

1. LANDSCAPING IRRIGATED BY HOSE BIB.
2. TOTAL LOT AREA = 1.7057ac = 74,300 sf
3. LANDSCAPE AREA = 12,835 SF = 17.3% PER LOT
4. NO STREET YARD.
5. PARKING AREA TREES
   1 TREE REQUIRED/EVERY 10 SPACES

   TOTAL TREES REQUIRED = 16
   TOTAL TREES PROVIDED = 16
6. ORNAMENTAL GRASS WILL BE PLANTED IN THE LANDSCAPING AREAS AT THE ENDS OF THE BUILDING.
7. 10 PARKING SPACES AND 2 HC PER BUILDING

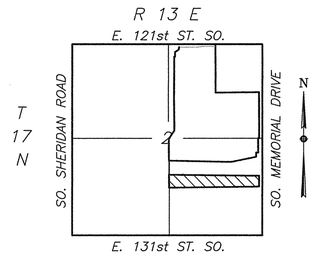
LEGEND

PROPOSED 2" CALIPER ENGLISH OAK

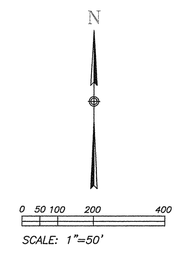
PROPOSED 2" CALIPER CREPE MYRTLE TREES

LB LOADING BERTH

NOTE:
1. ALL STORM SEWER PIPE, WATER LINES AND SANITARY SEWER LINES ARE IN PLACE. WATER LINES ARE PRIVATE.
2. CONCRETE DRIVES TO MATCH EXISTING GRADES.
3. LIGHTING WILL BE WALL PACKS ON EXTERIOR OF THE BUILDING. THERE WILL BE NO POLE LIGHTS.
   LIGHTING WILL BE COOPER LM10C, EXTERIOR WALL PACK CUT OFF, WITH DIRECTIONAL DOWN LIGHTING, MOUNTED AT 14'-0"
4. SIGNAGE WILL ON A TENANT FINISH BASIS. SIGN PERMITS WILL BE ON AN INDIVIDUAL BASIS.
5. LANDSCAPE GRASS WILL BE INSTALLED WHEN THE BUILDINGS ARE COMPLETED.
6. THE BUILDINGS ARE METAL. THE COLOR IS CREAM WITH BLUE TRIM.
7. LANDSCAPING, WATERED BY FROST PROOF HOSE BIB (FPHB).
8. LOADING BERTHS, DESIGNATED (LB) ARE TO BE 16'x23'.
9. THE BUILDINGS WILL USE THE EXISTING DUMPSTERS ON LOT 4.
10. THE 6'-0" WOODEN PRIVACY FENCE IS EXISTING ALONG THE SOUTH PROPERTY LINE.



LOCATION MAP



BEFORE YOU DIG..
CALL OKIE
1-800-522-6543

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DATE OF PRINTS:

DATE OF PRINTS:		
CHK'D FOR CITY BY:		
DESIGNED BY:		
CHECKED BY:		
DRAWN BY:		
REVISION	BY	DATE

CROSSCREEK LOT 5

CITY OF BIXBY, OK.

PLANS & ESTIMATES PREPARED BY: C.A. NO. 5611 EXP.DATE: 6/30/13
J.R. DONELSON, INC.
12820 SO. MEMORIAL DR., OFFICE 100, BIXBY,OK. 74008 918-394-3030

PLAN SCALE 1" = 50'

LANDSCAPE PLAN

PROFILE SCALE
HORIZONTAL 1" = N/A
VERTICAL 1" = N/A

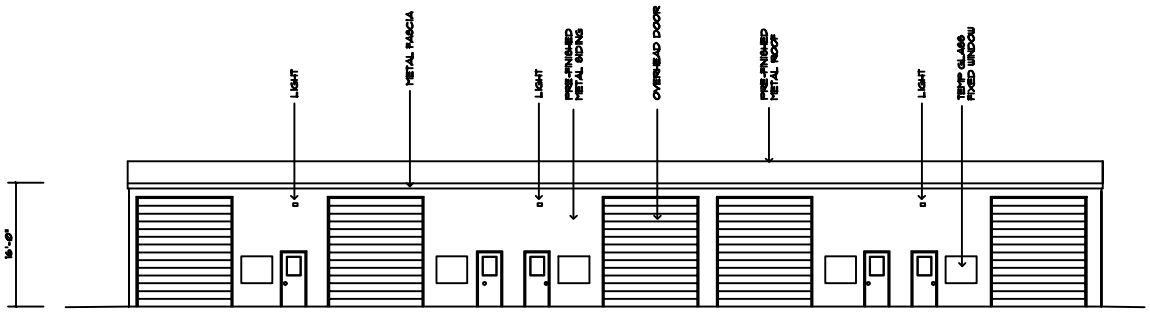
RECOMMENDED: DEVELOPMENT SERVICES MANAGER

RECOMMENDED: ENGINEERING DEPUTY DIRECTOR

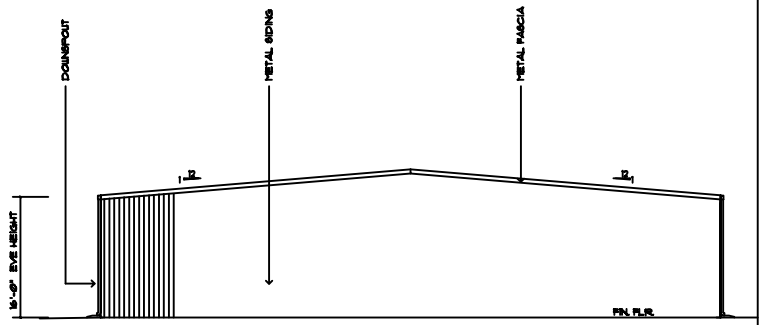
APPROVED: PUBLIC WORKS DIRECTOR

FILE: DRAWING: CCREEKSWEST DATE: 9/18/2011

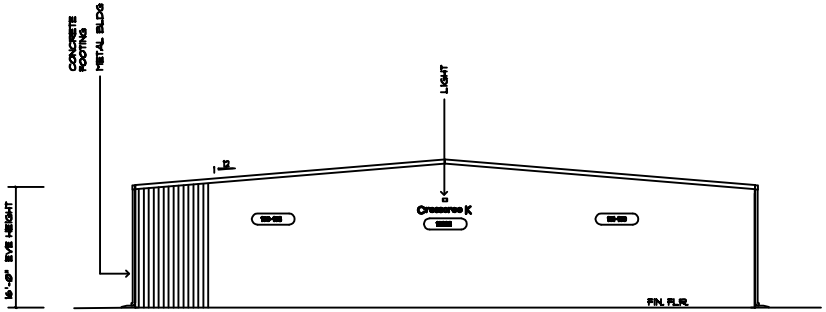
ATLAS PAGE NO: SHEET C2 OF SHEETS



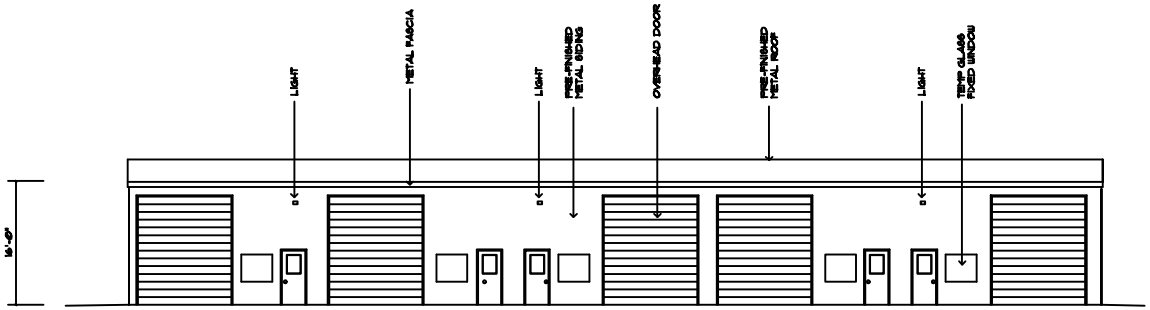
1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

REGISTERED PROFESSIONAL ENGINEER SEAL

PHONE:918-384-3030
EMAIL: JRDONELSON@TELUS.NET

CHK'D FOR CITY BY:
DESIGNED BY:
CHECKED BY:
DRAWN BY:

REVISION	BY	DATE

CROSSCREEK, BLOCK 5

CITY OF BIXBY, OKLA.

PLANS & ESTIMATES PREPARED BY: C.A. NO. 2011 EXPIRES 6/30/11
JR DONELSON, INC.
8909 SO. MEMORIAL DR. OFFICE 189 BIXBY, OK. 74008 (918) 384-3030

PLAN SCALE 1" =
PROFILE SCALE
HORIZONTAL 1" =
VERTICAL 1" =

ELEVATIONS

RECOMMENDED:
DEVELOPMENT SERVICES MANAGER
RECOMMENDED:
ENGINEERING DEPUTY DIRECTOR

APPROVED:
CITY ENGINEER

FILE: DRAWING: CROSSBLDG5 DATE: 3/14/2011
ATLAS PAGE NO: SHEET A2 OF SHEETS

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DATE OF PRINT:

COOPER LIGHTING - LUMARK®

DESCRIPTION

Lumark's Cutoff Wally is a cutoff classified wall luminaire. Combining compact and aerodynamic styling with higher wattage performance, it is ideal for areas where spill light and glare control must be managed effectively. U.L. Listed for wet locations.

Catalog #	LM10C	Type
Project	IES TESTING VALIDATION	A
Comments	FOR LM10C (pulse start in place of LML metal halide)	Date
Prepared by	VLS- TJR	07/14/2011

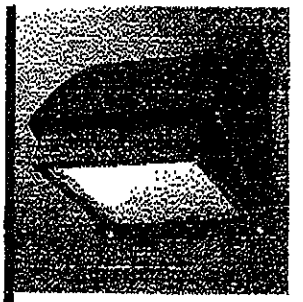
SPECIFICATION FEATURES

Construction
HOUSING: Die-cast aluminum housing finished standard bronze polyester powder coat. DOOR: Special one-piece door design held in place with slot-head captive screws, provides lowglare cutoff lighting. Silicone gasketing seals out dirt and contaminants.

Electrical
SOCKET: HID: 4Kv medium-base socket.

Optical
LAMP: HID: Medium-base lamp included and available, up to 150W High Pressure Sodium or 100W Pulse Start Metal Halide. LENS: Patterned tempered glass lens. minimizes direct lamp imaging.

Mounting
Ships completely prewired and preassembled. Easily mounts to J-box wall for quick installation. (3) 1/2" NPS conduit taps available.



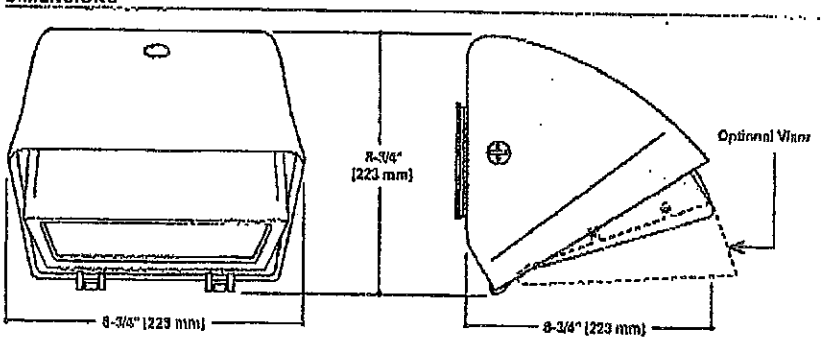
WALLY CUTOFF

50 - 150W
High Pressure Sodium
70 - 100W
Pulse Start Metal Halide

WALL MOUNT LUMINAIRE

DARK SKY COMPLIANT CO Cutoff

DIMENSIONS



TECHNICAL DATA
U.L. Wet Location Listed
CSA Certified

ENERGY DATA
Reactor Ballast Input Watts
50W HPS NPF (68 Watts)
70W HPS NPF (92 Watts)
100W HPS NPF (118 Watts)
150W HPS NPF (175 Watts)
High Reactance Ballast Input Watts
70W MP NPF (92 Watts)
100W MP NPF (120 Watts)

SHIPPING DATA
Approximate Net Weight:
HID: 11 lbs. (5kgs.)

COOPER Lighting
www.cooperlighting.com

AOR092315
2010-09-18 16:59:03

84

ORDERING INFORMATION

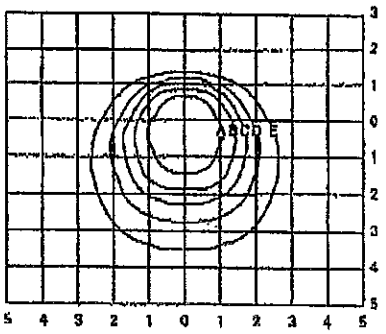
SAMPLE NUMBER: LS50C

Catalog Number	Lamp Type	Lamp Wattage	Ballast Type	Voltage	Net Wt Color
High Pressure Sodium					
LS50C	ED17	50	Reactor/NPF	120V	Bronze
LS70C	ED17	70	Reactor/NPF	120V	Bronze
LS100C	ED17	100	Reactor/NPF	120V	Bronze
LS150C	ED17	150	Reactor/NPF	120V	Bronze
Pulse Start Metal Halide					
LP70C	ED17	70	Hi. Reactor/NPF	120-277V	Bronze
LP100C	ED17	100	Hi. Reactor/NPF	120-277V	Bronze

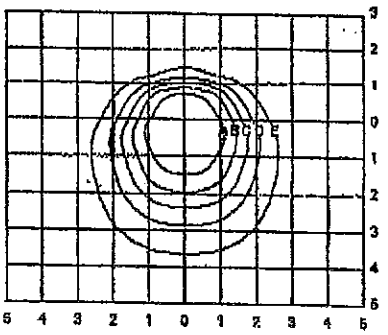
NOTE: Add "W" to the end of catalog number for white finish. Add "WHT" to the end of accessory for white finish (Example: WY/CO-WHT).

Accessories (order separately)
WY/CO=Cutoff Replacement Door (Bronze)
WY/FC/CO-Full Cutoff Visor for Cutoff (Bronze)

PHOTOMETRICS



LP10C
100-Watt MF
9,300-Lumen Clear ED-17 Lamp



LS15C
150-Watt HPS
16,000-Lumen Clear ED-17 Lamp

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
10'	2.00	1.00	0.50	0.20	0.10
12'	1.39	0.69	0.34	0.13	0.06
15'	0.89	0.44	0.22	0.08	0.04

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	1	LM15C file used for LP10C with adjusted lamp lumens	WALLY CUTOFF	100 WATT MP CLEAR ED-17	LM15C.ies	9000	1.00	150

LUMINAIRE LOCATIONS

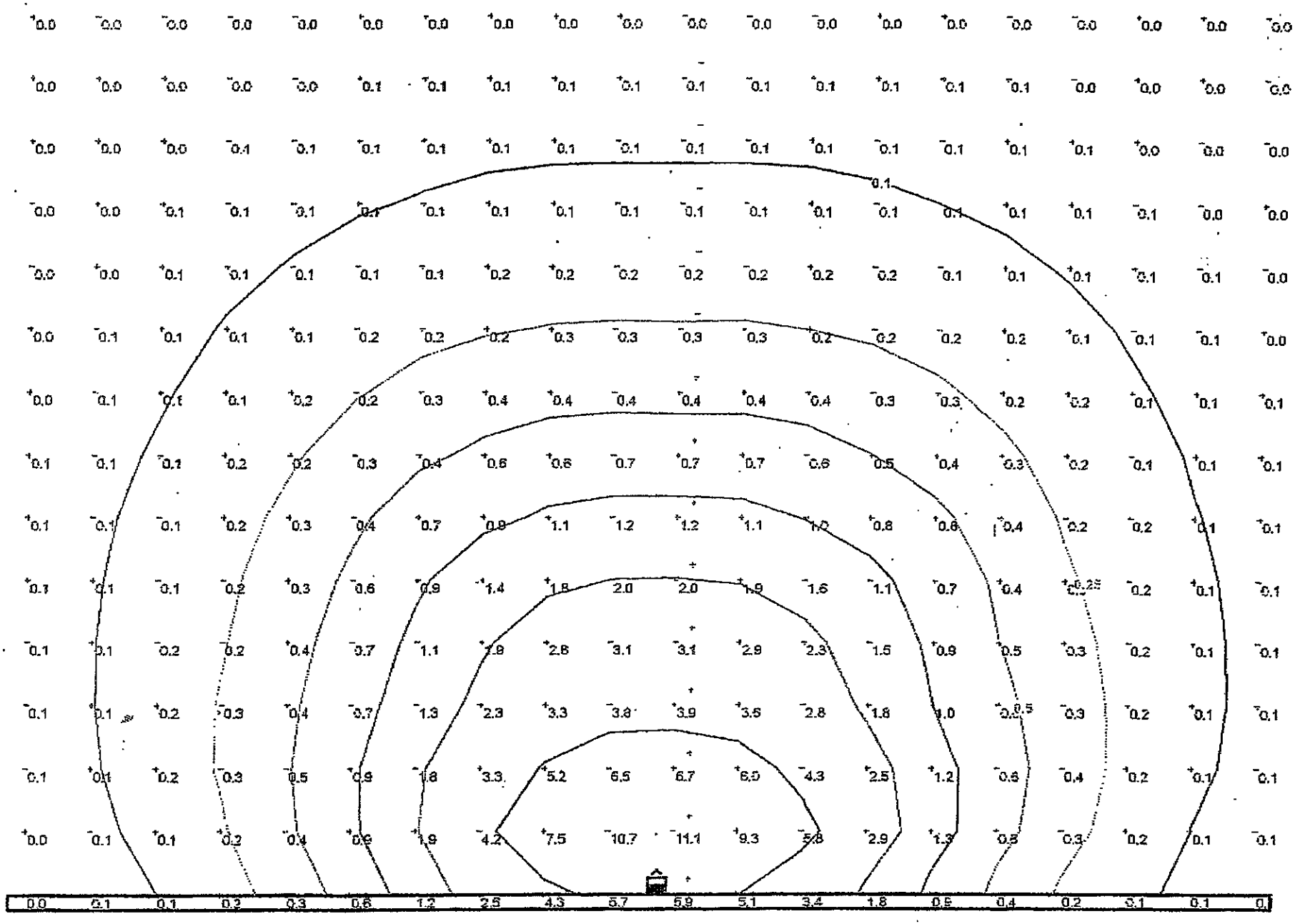
Label	MH	Orientation	Tilt
A	15.0	0.0	0.0

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
AT GRADE	—	0.8 fc	11.1 fc	0.0 fc	N / A	N / A
MOUNTING WALL	—	0.1 fc	5.2 fc	0.0 fc	N / A	N / A
VERTICAL PERPENDICULAR TO FIXTURE	—	1.1 fc	81.2 fc	0.0 fc	N / A	N / A

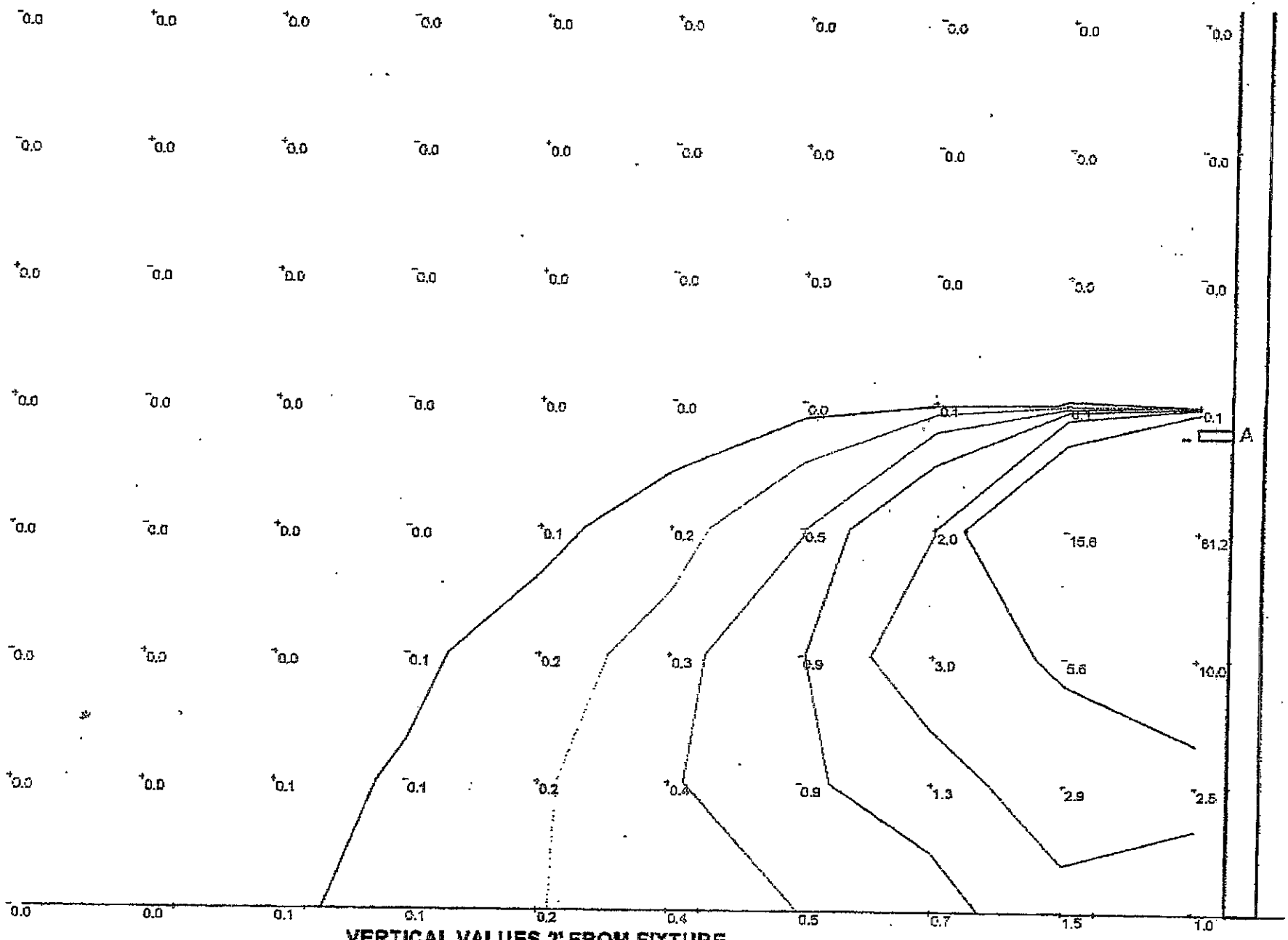
THESE FOUR PAGES OF CALCULATIONS WERE PREPARED WITH IESNA FILES PROVIDED BY COOPER LIGHTING. NO MODIFICATIONS OR TAMPERING OF FILES OTHER THAN ADJUSTMENT OF LAMP LUMENS TO REPLECATE THE LP10C FIXTURE IN QUESTION.

PREPARED BY TOM RORABAUGH OF VISION LIGHTING SALES, JULY 14, 2011.



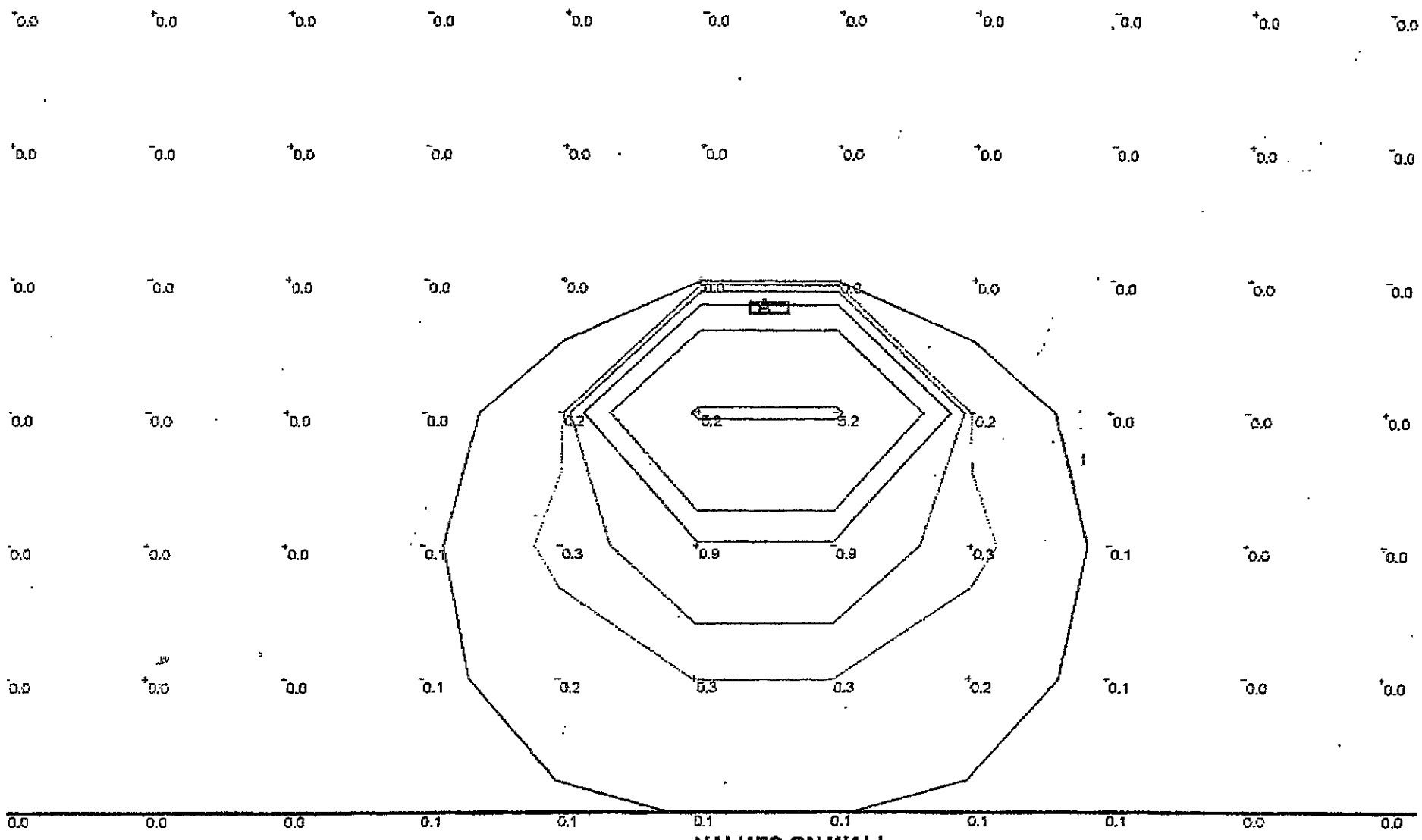
VALUES AT GRADE

Scale 1" = 8'



VERTICAL VALUES 2' FROM FIXTURE

Scale 1" = 4'



VALUES ON WALL

Scale 1" = 4'