

AGENDA
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
May 18, 2015 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes for the April 20, 2015 Regular Meeting

PUBLIC HEARINGS

2. Presentation by INCOG on the GO Plan Tulsa Regional Bicycle & Pedestrian Master Plan
3. (Continued from 04/20/2015)
PUD 87 – “Shadow Valley” – Khoury Engineering, Inc. Public Hearing, Discussion, and consideration of a rezoning request for approval of Planned Unit Development (PUD) # 87 for approximately 21.1 acres consisting of all of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4, with proposed underlying zoning RM-3 Residential Multi-Family District.
Property Located: 7500 E. 151st St. S.
4. (Continued from 04/20/2015)
BZ-381 – Khoury Engineering, Inc. Public Hearing, Discussion, and consideration of a rezoning request from RMH Residential Manufactured Home Park to RM-3 Residential Multi-Family District for approximately 21.1 acres consisting of all of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4, with proposed underlying zoning RM-3 Residential Multi-Family District
Property Located: 7500 E. 151st St. S.
5. **PUD 88 – “Yale 31 Corporation PUD” – Pittman Poe & Associates, Inc., Brooks Pittman.** Public Hearing, Discussion, and consideration of a rezoning request for approval of Planned Unit Development (PUD) # 88 for approximately 1.25 acres consisting of the S/2 of the SE/4 of the NE/4 of the NE/4 of the NE/4 of Section 11, T17N, R13E, with proposed underlying zoning CG General Commercial District.
Property Located: 13164 S. Memorial Dr.

6. **BZ-382 – Pittman Poe & Associates, Inc., Brooks Pittman.** Public Hearing, Discussion, and consideration of a rezoning request from RS-1 Residential Single-Family District to CG General Commercial District for approximately 1.25 acres consisting of the S/2 of the SE/4 of the NE/4 of the NE/4 of the NE/4 of Section 11, T17N, R13E.
Property Located: 13164 S. Memorial Dr.

PLATS

OTHER BUSINESS

7. **PUD 80 – Wood Hollow Estates – Minor Amendment # 2.** Discussion and possible action to approve Minor Amendment # 2 to PUD 80 for all of *Wood Hollow Estates*, approximately 20 acres, which amendment proposes amending setbacks pertaining to garages and making certain other amendments.
Property Located: All of *Wood Hollow Estates*; intersection of 123rd Pl. S. and Sheridan Rd.
8. (Continued from 04/20/2015)
BSP 2015-04 – “Chateau Villas” – Larry Kester of Architects Collective (PUD 81). Discussion and possible action to approve a PUD Detailed Site Plan and building plans for “Chateau Villas,” a Use Unit 8 multifamily residential and commercial development for approximately 23 in part of the NW/4 NW/4 of Section 01, T17N, R13E.
Property Located: 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S.
9. **BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54).** Discussion and possible action to approve a PUD Detailed Site Plan and building plans for “Jiffy Lube Office Building,” a Use Unit 11 office with incidental storage building development for approximately ½ acre consisting of Lot 2, Block 1, *Bixby Jiffy Lube*.
Property Located: 8000-block of E. 118th St. S.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Enyart
Date: 04/23/2015
Time: 10:40 AM

MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
April 20, 2015 **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
Patrick Boulden, Esq., City Attorney

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Chair Thomas Holland called the meeting to order at 6:17 PM.

Chair Thomas Holland recognized the large attendance and asked if those in attendance would consider designating a spokesperson, limit their comments to approximately three (3) minutes apiece, and, if someone before said one thing, that subsequent speakers not repeat so as to avoid redundancy.

ROLL CALL:

Members Present: Larry Whiteley, Jerod Hicks, Steve Sutton, Lance Whisman,¹ and Thomas Holland.

Members Absent: None.

CONSENT AGENDA:

1. Approval of Minutes for the March 25, 2015 Special Meeting

Chair Thomas Holland introduced the Consent Agenda item and asked to entertain a Motion. Larry Whiteley made a MOTION to APPROVE the Minutes of the March 25, 2015 Special Meeting as presented by Staff. Jerod Hicks SECONDED the Motion. Roll was called:

¹ In at 6:27 PM due to a traffic incident on the Memorial Dr. bridge, which traffic incident also caused other Commissioners to arrive late and the meeting to be called to order late.

ROLL CALL:

AYE: Holland, Whiteley, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

PUBLIC HEARINGS

2. **BZ-379 – JR Donelson for Bill J. Ramsey Trust.** Public Hearing, Discussion, and consideration of a rezoning request from AG Agricultural District and CG General Commercial District to CS Commercial Shopping Center District for approximately 14 acres in part of the N/2 of Government Lot 1 (NE/4 NE/4) of Section 02, T17N, R13E.
Property located: 12200-block of S. Memorial Dr.

Chair Thomas Holland introduced the item and clarified with Erik Enyart that items # 2 and # 3 were related.

Chair Thomas Holland proposed, and JR Donelson and Erik Enyart agreed that the two items could be combined, introduced, and discussed simultaneously.

3. **BZ-380 – JR Donelson for John C. Easton Trust & Easton Family, LP.** Public Hearing, Discussion, and consideration of a rezoning request from CS Commercial Shopping Center District, OL Office Low Intensity District, and RS-3 Residential Single-Family District to CS Commercial Shopping Center District for approximately 19 acres in part of the S/2 of Government Lot 1 (NE/4 NE/4) of Section 02, T17N, R13E.
Property located: 12300 S. Memorial Dr.

Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Reports and recommendations.

Erik Enyart summarized the Staff Reports for both BZ-379 and BZ-380 as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Wednesday, April 08, 2015
RE: Report and Recommendations for:
BZ-379 – JR Donelson for Bill J. Ramsey Trust

LOCATION: – 12200-block of S. Memorial Dr.
– Southwest corner of the intersection of 121st St. S. and Memorial Dr.
– Part of the N/2 of Government Lot 1 (NE/4 NE/4) of Section 02, T17N, R13E
LOT SIZE: 14 acres, more or less
EXISTING ZONING: AG Agricultural District and CG General Commercial District
EXISTING USE: Agricultural
REQUESTED ZONING: CS Commercial Shopping Center District
SUPPLEMENTAL ZONING: Corridor Appearance District (partial)
SURROUNDING ZONING AND LAND USE:

- North: CS & CG and (across 121st St. S.) CS, CS/PUD 73, & CS/OL/PUD 51; A 1.6-acre agricultural tract zoned CS, the My Dentist Dental Clinic zoned CS in Lot 1, Block 1, Braums Addition, and the Pizza Hut on unplatted land zoned CG, all separate parts of the subject property from 121st St. S. Farther north across 121st St. S. are commercial businesses and vacant platted lots in Bixby Centennial Plaza and the Nowlin Orthodontics and The Eye Center South Tulsa businesses zoned CS/PUD 73 in Bixby Centennial Plaza II, and to the northwest is an 11-acre agricultural/vacant tract zoned CS/OL/PUD 51.
- South: CS, OL, RS-3, CG, AG, & CG/PUD 76; A 19-acre tract containing the Easton Sod sales lot and agricultural land zoned CS, OL, & RS-3; farther south is agricultural land zoned CG and AG; to the southwest is a 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development.
- East: CG & CS and (across Memorial Dr.) CS, CS/RM-3/OL/PUD 81, & CS/RM-1/PUD 6; The My Dentist Dental Clinic zoned CS in Lot 1, Block 1, Braums Addition and the Pizza Hut zoned CG separate parts of the subject property from Memorial Dr. Across Memorial Dr. to the east is a roughly 12 ¼-acre CS district containing commercial development in 121st Center and the Spartan Self Storage ministorage business on an unplatted 1-acre tract at 12113 S. Memorial Dr.; farther east and to the southeast are 23 acres containing a vacant, split-level house and vacant land zoned CS/RM-3/OL/PUD 81 "Chateau Villas PUD." To the northeast, north of 121st St. S. is commercial in the Town and Country Shopping Center, including a planned QuikTrip store, and farther northeast is the duplex-style condo/apartments and vacant lots zoned CS/RM-1/PUD 6 in Memorial Square.
- West: CS & CG/PUD 76; A 1.6-acre agricultural tract zoned CS and a 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development.

COMPREHENSIVE PLAN: Medium Intensity + Commercial Area/Vacant, Agricultural, Rural Residences, and Open Land + Corridor

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

BZ-130 – J. F. Langley, Jr. for Billy Joe Ramsey – Request for rezoning from AG to CS for that part of the subject property later platted as Braums Addition – PC Recommended Approval 01/31/1983 and City Council Approved 02/07/1983 (Ord. # 473).

BL-79 – J. F. Langley, Jr. for Billy Joe Ramsey – Request for Lot-Split to separate the future Braums Addition land from the subject property – PC Recommended Approval subject to BZ-130 01/31/1983 and City Council presumably Approved in February, 1983.

Preliminary and Conditional Final Plat of Braums Addition – Request for Preliminary and Conditional Final Plat approval for Braums Addition, which may have separated same from subject property per ownership as listed on the plat – PC Conditionally Approved 02/28/1983 and City Council presumably Approved (Plat # 4351 recorded 05/26/1983).

PUD Requirement Waiver for Ramsey & Easton Properties – JR Donelson of JR Donelson, Inc. – Request for a Temporary Waiver of the PUD requirement of Zoning Code Section 11-5-2 for the subject property and the Easton property abutting to the south at 12300 S. Memorial Dr. – City Council Approved 02/23/2015 subject to (1) requirement shall be restored prior to the development of the concerned property and (2) that (A) the temporarily suspended requirement, and (B) the requirement's design in furtherance of the City Council's express policy preferring retail uses, shall be disclosed to prospective buyers.

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

BBOA-11 – Richard Ketchum for Tri-Kay Developers, Inc. – Request for [Variance] from bulk and area standards for the Town and Country Shopping Center on All of Block 18, Southern Memorial Acres Extended to the northeast of subject property – ("amended application" received 12/26/1972 deleted the additional request for a Variance from the off street parking requirements). Bulk and area standards requested for Variance appear to have been from Zoning Ordinance Section 6.3A "Waive the 2 acre maximum" lot area standard and Section 6.4 "Change the Floor area ratio from (1 to 4) to (1 to 3 ½)" in the C-1 District – BOA Approved 01/16/1973 "to change the floor area from (1 to 4) to (1 to 3 ½)" per case notes and a draft letter found in the case file (Minutes not found for any BOA meetings in 1973).

BZ-30 – Frank Moskowitz – Request for rezoning from AG to CS for the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the east of subject property – PC on 01/27/1975

recommended CS for N. approx. 12.5 acres, OL for the S. approx. 5 acres of the N. approx. 17.5 acres, and AG zoning to remain for the balance of the 20 acres. City Council approved as PC recommended 03/18/1975 (Ord. # 270).

BZ-54 – [Charles] Roger Knopp – Request for rezoning from AG to OM & CG for a 3.56-acre area to the south of subject property at approximately the 12600-block of S. Memorial Dr. – PC Recommended Approval of CG zoning 02/28/1977 and City Council Approved 03/01/1977 (Ord. # 328).

BL-42 – William C. Kelley – Request for Lot-Split approval to approve the separation of the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E, abutting subject property to the east, into two (2) tracts as conveyed to Pizza Hut – PC Recommended Approval 06/26/1978, subject to deed restriction requiring their combined future conveyance, and City Council Conditionally Approved as per PC recommendation 07/11/1978.

BL-44 – J.W. "Rocky" Lewis for Pizza Hut, Inc. – Request for Lot-Split approval to approve the separation of the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E, abutting subject property to the east, into two (2) tracts as conveyed to Pizza Hut – Per 02/26/1979 PC Minutes it was Continued to the next meeting; per case notes, PC "Tabled indefinitely due to existing building being located on proposed split line" on 02/26/1979.

BL-45 – Milton Berry – Request for Lot-Split approval to separate the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E (now the Spartan Self Storage) from the balance of the property, which balance was later platted as 121st Center, all for 20 acres across Memorial Dr. to the east of subject property – PC Motion to Approve died for lack of a Second 02/26/1979; City Council Conditional Approval is suggested by case notes. Deeds recorded evidently without approval certificate stamps 05/23/1978, which would have preceded the Lot-Split application.

BBOA-75 – Jack Spradling for Pizza Hut of Oklahoma, Inc. – Request for Variance from bulk and area requirements in the CG district, regarding the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E abutting subject property to the east (related to Lot-Split) – BOA Denied 07/08/1980.

BL-78 – Christopher L. Coyle for Pizza Hut of Oklahoma, Inc. – Request for Lot-Split approval to separate into two (2) tracts the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E, abutting subject property to the east – PC Denied 11/29/1982.

BBOA-111 – Christopher L. Coyle for Pizza Hut of Oklahoma, Inc. – Request for Variance from bulk and area requirements in the CG district, regarding the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E abutting subject property to the east, pursuant to Lot-Split application BL-78 – BOA Denied 12/13/1982.

BZ-135 – Eddie McLearn – Request for rezoning from AG to CS for an approximately 19-acre tract at 12300 S. Memorial Dr. abutting subject property to the south (now the Easton Sod store and agricultural land) – Withdrawn by Applicant 03/21/1983.

BZ-139 – Eddie McLearn – Request for rezoning from AG to RM-2, OL, & CS for an approximately 19-acre tract at 12300 S. Memorial Dr. abutting subject property to the south (now the Easton Sod store and agricultural land) – Planning Commission recommended Modified Approval of RS-3, OL, & CS Zoning on 04/25/1983 and City Council Approved RS-3, OL, & CS Zoning on 05/02/1983 (Ord. # 482).

BZ-140 – Patrick L. Murray – Request for rezoning from RM-1 to CS for approximately 1.6 acres consisting of Lots 7 through 12, inclusive, Block 17, Southern Memorial Acres Extended (later replatted as part of Memorial Square) to the northeast of subject property – PC Recommended Denial 05/31/1983 and City Council Approved 06/13/1983 (Ord. # 486).

B/PUD 6 – "South Memorial Duplexes" – Richard Hall & Associates for George E. Day – Request for PUD approval for a duplex development for approximately 9.4 acres consisting of Lots 7 through 12, inclusive, Block 16, and all of Block 17, Southern Memorial Acres Extended (later replatted as Memorial Square) to the northeast of subject property – PC Recommended Approval 11/28/1983 and City Council Approved 12/05/1983 (Ord. # 498).

Final Plat of Memorial Square – Request for Final Plat approval for Memorial Square for approximately 9.4 acres, a resubdivision of Lots 7 through 12, inclusive, Block 16, and all of Block 17, Southern Memorial Acres Extended to the northeast of subject property – City Council Approved 02/1984 (per the plat approval certificate) (Plat # 4511 recorded 08/03/1984) (Preliminary Plat and PC approvals not researched).

BBOA-135 – Alan Hall of A. C. Hall & Associates, Surveying for Milton H. Berry – Request for Special Exception to allow a Use Unit 17 carwash development in the CS district for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E located to the southeast of subject property at 12113 S. Memorial Dr. – BOA Approved 11/13/1984 subject to platting (not developed as a carwash; ultimately developed as the Spartan Self Storage).

Preliminary Plat of 121st Center – Request for Preliminary Plat approval for 121st Center (across Memorial Dr. to the east of subject property) – PC Conditionally Approved 12/28/1987 (Council action not researched).

BBOA-199 – Spradling & Associates for Arkansas Valley Development Corporation – Request for Variance to reduce the minimum lot width/frontage in CS from 150' to 125' to permit platting the subject tract as 121st Center (across Memorial Dr. to the east of subject property) – BOA Approved 01/11/1988.

Final Plat of 121st Center – Request for Final Plat approval for 121st Center (across Memorial Dr. to the east of subject property) – PC Conditionally Approved 02/29/1988 and City Council Approved 07/11/1988 (per the plat approval certificate) (Plat # 4728 recorded 08/05/1988).

BZ-196 – Donna Saunders for Nuel/Noel Burns – Request for rezoning from AG to CG for an approximately 1.6-acre agricultural tract abutting subject property to the north and west at the 7700-block of E. 121st St. S. (then possibly addressed 7600 E. 121st St. S.) – PC Recommended Denial 01/21/1991 per notes on the application form. Lack of ordinance and other notes in the case file indicate it was either withdrawn, not appealed, or not finally approved by the City Council.

BZ-200 – Charles Roger Knopp – Request for rezoning from AG to CG for an approximately 2.27-acre area to the south of subject property in the 12300-block of S. Memorial Dr. (perhaps then addressed 12340 S. Memorial Dr.) – PC Recommended Approval 07/20/1992 and City Council Approved 07/27/1992 (Ord. # 671).

BBOA-261 – Jack Spradling for Arkansas Valley Development Corporation – Request for Variance for Lot 5, Block 1, 121st Center (across Memorial Dr. to the east of subject property), to reduce the minimum lot width/frontage in CS from 150' to 0' to permit a Lot-Split creating the E. 215' of the S. 125' of Lot 5, which tract is now the Atlas General Contractors office – BOA Conditionally Approved 02/01/1993 (Mutual Access Easement created to give access to 121st St. S.).

BBOA-300 – Tom Christopoulos – Request for Variance to the setback; an increase of the allowed maximum density; and a reduction of the parking standards of the RM-3 district (requested per BZ-212) for a multifamily development for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the southeast of subject property at 12113 S. Memorial Dr. – BOA Conditionally Approved 07/03/1995 (not developed as multifamily; ultimately developed as the Spartan Self Storage).

BZ-212 – Tom Christopoulos – Request for rezoning from CS to RM-3 for a multifamily development for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the southeast of subject property at 12113 S. Memorial Dr. – PC Recommended Approval 06/05/1995 and City Council Denied 07/10/1995 (not developed as multifamily; ultimately developed as the Spartan Self Storage).

BBOA-335 – Tom Christopoulos – Request for Special Exception to allow a ministorage development in the CS district for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E to the southeast of subject property at 12113 S. Memorial Dr. – BOA Approved 12/01/1997 (now the Spartan Self Storage).

BBOA-364 – AT&T (Curtis Branch) – Request for Special Exception to allow a 120' monopole communications tower on a 19-acre tract of land abutting to the south (contains the Easton Sod business and agricultural land) – BOA Approved 02/05/2001.

BBOA-367 – Holley Hair for Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 “golf teaching and practice facility” on the large 140-acre acreage tracts previously owned by Knopp abutting subject property to the west – BOA Conditionally Approved 04/02/2001 (not since built).

BZ-279 – Charles Norman/Martha Plummer Roberts et al. – Request for rezoning from AG to CS, OM, RM-1, and RS-2 for 73 acres, more or less, located across 121st St. S. to the north of the subject property, which 73 acres became Bixby Centennial Plaza and Fox Hollow and an unplatted 11-acre tract later approved for PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on November 19, 2001 and Approved by City Council December 10, 2001 (Ord. # 842).

PUD 29 – The Boardwalk on Memorial – Part of future Lot 1, Block 1, The Boardwalk on Memorial and Lots 1 and 2, Block 1, Gre-Mac Acres requested for rezoning and PUD approval – for property to the southeast of subject property at 12345 S. Memorial Dr.– PC Recommended Approval 05/20/2002 and City Council Approved PUD 29 and CS zoning for Gre-Mac Acres Lot 1 and OL zoning for Lot 2 06/10/2002 (Ordinance # 850, evidently dated 06/11/2001 in error).

PUD 29A – The Boardwalk on Memorial – Request for Major Amendment to PUD 29 (abutting subject property to south), known as PUD 29A, which expanded the original PUD and underlying CS zoning to an unplatted area to the north of Lots 1 and 2, Block 1, Gre-Mac Acres, and rezoned Development Area B to AG for “open space” – PC Recommended Approval 03/17/2003 and City Council Approved 04/28/2003 (Ordinance # 867).

Preliminary Plat of The Boardwalk on Memorial – Request for Preliminary Plat approval for property to the southeast of subject property at 12345 S. Memorial Dr. – Recommended for Approval by PC 04/21/2003 and Approved by City Council 04/28/2003.

Final Plat of The Boardwalk on Memorial – Request for Final Plat approval for property to the southeast of subject property at 12345 S. Memorial Dr. – Recommended for Approval by PC 05/19/2003 and Approved by City Council 05/27/2003 (Plat # 5717 recorded 08/19/2003).

“Minor Amendment PUD 29b to PUD 29, 29a” – Request for Planning Commission approval of the first Minor Amendment to PUD 29A (could have been called “Minor Amendment # 1) for property to the southeast of subject property at 12345 S. Memorial Dr. to south to approve a drive through bank window on the south side of the building for Grand Bank – PC Approved 02/22/2005.

BBOA-442 – Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 golf driving range (evidently same as BBOA-367) on the large 140-acre acreage tracts previously owned by Knopp abutting subject property to the west. Approval of BBOA-367 expired after 3 years, per the Staff Report, and so required re-approval – BOA Approved 05/01/2006 (not since built).

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

Preliminary Plat of Bixby Centennial Plaza – Request for Preliminary Plat approval for the 40-acre Bixby Centennial Plaza to the north of subject property across 121st St. S. – PC Approved 07/17/2006 and City Council Approved 07/24/2006.

BZ-317 – Sack & Associates, Inc. for Martha Roberts et al. – Request for rezoning from OL to CS for part of an unplatted 11-acre tract located across 121st St. S. to the northwest of the subject property – PC Action 08/21/2006: Motion to Approve failed for lack of a Second, and Chair declared the item “denied by virtue of there being no second to the motion.” See PUD 51.

PUD 51 – [No Name] – [Sack & Associates, Inc.] – Request to approve PUD 51 and a partial rezoning from OL to CS for an unplatted 11-acre tract located across 121st St. S. to the northwest of the subject property – No application submitted, but prepared by Sack & Associates, Inc. in support of the CS and OL zoning proposed per BZ-317 – PC recommended Approval 10/02/2006 and City Council Approved 10/23/2006 (Ord. # 951/951A).

Final Plat of Bixby Centennial Plaza – Request for Final Plat approval for the 40-acre Bixby Centennial Plaza to the north of subject property across 121st St. S. – PC Approved 10/16/2006 and City Council Approved 10/23/2006 (plat recorded 04/04/2007).

“PUD 29A Minor Amendment # 1 [2]” – Second request for Minor Amendment to PUD 29A to (1) Remove restrictions from east-facing signs and (2) Increase maximum display surface area for wall signs from 2 square feet per lineal foot of building wall to 3 square feet per lineal foot of building wall as permitted by the Zoning Code for property to the southeast of subject property at 12345 S. Memorial Dr. – Planning Commission Conditionally Approved 11/19/2007. Should have been called “Minor Amendment # 2.”

BCPA-3, PUD 68, & BZ-341 – North Bixby Commerce Park – Lou Reynolds for Alvis Houser – Request to amend the Comprehensive Plan to redesignate property (in part) “Medium Intensity,” rezone from AG to CS and OL, and approve PUD 68 for a ministorage, “trade center / office-warehouse,” and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC voted 2 in favor and 3 opposed on a Motion to approve the development on 04/20/2009. On 04/27/2009, on appeal, the City Council reversed the Planning Commission’s

action. On 06/08/2009, the City Council denied the ordinance which would have approved the rezoning, PUD, and Comprehensive Plan amendment, on the City Attorney's advice regarding certain language in the ordinance, and called for the developer to proceed "under existing ordinances." On 06/22/2009, the City Council Approved, by Ordinance # 2030, all three (3) applications as submitted, and with no Conditions of Approval.

PUD 70 & BZ-347 / PUD 70 (Amended) & BZ-347 (Amended) – Encore on Memorial – Khoury Engineering, Inc. – Request to rezone from AG to RM-3 and approve PUD 70 for a multifamily development on part of Knopp family property of approximately 140 acres abutting subject property to the west – PC Continued the application on 12/21/2009 at the Applicant's request. PC action 01/19/2010: A Motion to Recommend Approval failed by a vote of two (2) in favor and two (2) opposed, and no followup Motion was made nor followup vote held. The City Council Continued the application on 02/08/2010 to the 02/22/2010 regular meeting "for more research and information," based on indications by the developer about the possibility of finding another site for the development. Before the 02/22/2010 City Council Meeting, the Applicant temporarily withdrew the applications, and the item was removed from the meeting agenda, with the understanding that the applications were going to be amended and resubmitted.

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

PUD 29A Minor Amendment # 3 – Request for Minor Amendments to PUD 29A to remove Development Area B from the PUD – Planning Commission Continued the application from the January 19, 2010 meeting to the February 16, 2010 meeting. The submission of PUD 29A Major Amendment # 1 in lieu of this application was recognized as the Withdrawal of this application.

BL-373 – William Wilson for Boardwalk on Memorial I, LP – Request for Lot-Split approval to separate the east approximately 472' from the balance of the property, located to the southeast of subject property at 12345 S. Memorial Dr. – PC Approved 02/16/2010.

PUD 29A Major Amendment # 1 – Request for Major Amendments to PUD 29A to relax Zoning Code bulk and area requirements for Development Area B to allow for Lot-Split per BL-373, which Development Area B was required to be legally attached to lots having the minimum required amount of public street frontage – PC Recommended Approval 02/16/2010 and City Council Approved 03/08/2010 (Ord. # 2033).

Preliminary Plat of North Bixby Commerce Park (PUD 68) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for a ministorage, "trade center / office-warehouse," and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 03/15/2010 and City Council Conditionally Approved 03/22/2010.

Final Plat of North Bixby Commerce Park (PUD 68) – Request for approval of a Final Plat and certain Modifications/Waivers for a ministorage, "trade center / office-warehouse," and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 05/17/2010 and City Council Conditionally Approved 05/24/2010. City Council approved a revised Final Plat 09/13/2010.

BSP 2010-01 – North Bixby Commerce Park – RK & Associates, PLC / McCool and Associates, P.C. (PUD 68) – Request for approval of a PUD Detailed Site Plan for a ministorage, "trade center / office-warehouse," and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC Conditionally Approved 07/19/2010.

BSP 2010-03 – Encore on Memorial – Khoury Engineering, Inc. (PUD 70) – Request for Detailed Site Plan approval for a multifamily development on 14 acres to the south of subject property – PC Conditionally Approved 07/19/2010.

Preliminary Plat of Encore on Memorial (PUD 70) – Request for Preliminary Plat approval for a multifamily development on 14 acres to the south of subject property – PC recommended Conditional Approval 07/19/2010 and City Council Conditionally Approved 07/26/2010.

Final Plat of Encore on Memorial (PUD 70) – Request for Preliminary Plat approval for a multifamily development on 14 acres to the south of subject property – PC recommended Conditional Approval 08/16/2010 and City Council Conditionally Approved 08/23/2010 (Plat # 6380 recorded 04/12/2011).

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

AC-11-01-01 – “My Dentist Dental Clinic” – Sam Gresham Architect – Request for approval of a Detailed Site Plan for “My Dentist Dental Clinic” for Lot 1, Block 1, Braums Addition abutting subject property to the north and east – PC Conditionally Approved 01/25/2011.

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

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

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

BZ-355 – Town & Country Real Estate Co. – Request for rezoning from AG to CS for an approximately 1.6-acre agricultural tract abutting subject property to the north and west at the 7700-block of E. 121st St. S. – PC Recommended Denial 03/19/2012 and City Council Approved 03/26/2012 (Ord. # 2077).

PUD 73 – Eagle SPE Multi I, Inc. – Rosenbaum Consulting, LLC – Request for approval of PUD 73 supplemental zoning for what was later platted as Bixby Centennial Plaza II to the north of subject property across 121st St. S. – PC recommended Approval 11/19/2012 and City Council approved 11/26/2012 (Ord. # 2105).

Preliminary & Final Plat of Bixby Centennial Plaza II – Request for Preliminary Plat and Final Plat approval for what was later platted as Bixby Centennial Plaza II to the north of subject property across 121st St. S. – PC recommended Approval 02/19/2013 and City Council Approved 02/25/2013 (Plat # 6478 recorded 06/28/2013).

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

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

BCPA-9, PUD 77, & BZ-365 – Byrnes Mini-Storages – JR Donelson, Inc. – Request to amend the Comprehensive Plan to remove in part the Residential Area specific land use designation, rezone in part from AG to OL, and approve PUD 77 for a ministorage development on property to the southeast of subject property at 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl. – PC recommended Denial of all three (3) on 05/20/2013 by 2:1:0 vote. On 06/10/2013, the City Council, by 3:2:0 vote, Approved BCPA-9, Approved the appeal of BZ-365, and Conditionally Approved PUD 77. City Council approved ordinance effecting approval of all three (3) 02/24/2014 (Ord. # 2127).

Final Plat of "Scenic Village Park" – Tanner Consulting, LLC – Request for approval of a Final Plat for a northerly approximately 22 acres of the 92-acre PUD 76 abutting subject property to the west – PC recommended Conditional Approval 05/20/2013 and City Council Conditionally Approved 05/28/2013 (Plat # 6477 recorded 06/20/2013).

PUD 76 "Scenic Village Park" Major Amendment # 1 – Tanner Consulting, LLC – Request for approval of Major Amendment # 1 to PUD 76 for former 92-acre development tract acquired from Knopp abutting subject property to the west – PC recommended Conditional Approval 09/30/2013. City Council Conditionally Approved the application and held an Ordinance First Reading 10/14/2013. The Ordinance Second Reading and Approval and Emergency Clause attachment items, having been on various City Council agendas in various forms since 10/14/2013, the City Council approved on 11/12/2013 (Ord. # 2123).

PUD 76 "Scenic Village Park" Major Amendment # 2 – Tanner Consulting, LLC – Request for approval of Major Amendment # 2 to PUD 76 for southerly 70 acres of PUD 76 abutting subject property to the west – PC Tabled Indefinitely on 10/21/2013 as requested by Applicant's letter dated 10/18/2013.

PUD 81 & BZ-368 – Chateau Villas PUD – AAB Engineering, LLC – Request for rezoning from CS, OL, and AG to CS and RM-3 and to approve PUD 81 for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – PC recommended Conditional Approval, with a modified zoning schedule including OL zoning, 11/18/2013 and City Council Conditionally Approved, as modified, the applications 11/25/2013 and Conditionally Approved same by ordinance (Ord. # 2126) 02/24/2014.

Preliminary Plat of "Quail Creek of Bixby" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek of Bixby" for land to the southwest of subject property – PC recommended Conditional Approval 12/16/2013 and City Council Conditionally Approved 01/13/2014.

Preliminary Plat of "Quail Creek Villas of Bixby" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek Villas of Bixby" for land to the southwest of subject property – PC recommended Conditional Approval 12/16/2013 and City Council Conditionally Approved 01/13/2014.

BSP 2013-06 – "Covenant Place of Tulsa" – Tanner Consulting, LLC (PUD 76) – Request for approval of a PUD Detailed Site Plan for the Covenant Place of Tulsa assisted living community on Lot 2, Block 1, Scenic Village Park to the west of subject property – PC Conditionally Approved at a Special/Called Meeting 01/23/2014.

Preliminary Plat of "Quail Creek Office Park" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek Office Park" for approximately 5.976 acres abutting subject property to the west – PC recommended Conditional Approval at a Special/Called Meeting 01/23/2014 and City Council Conditionally Approved 01/27/2014.

PUD 76 "Scenic Village Park" Minor Amendment # 1 – Tanner Consulting, LLC – Request for approval of Minor Amendment # 1 to PUD 76, which amendment proposed making certain changes to development standards pertaining to signage and parking, and making certain other amendments in support of the Covenant Place of Tulsa assisted living community on Lot 2, Block 1, Scenic Village Park to the west of subject property – PC Conditionally Approved 02/18/2014.

PUD 70 "Encore on Memorial" Major Amendment # 1 – Khoury Engineering, Inc. – Request for approval of Major Amendment # 1 to PUD 70 for 15 acres to the south of subject property to allow a Use Unit 21 sign within the Development Area B right-of-way for 126th St. S., provide development standards for same, and make certain other amendments – PC recommended Approval 02/18/2014 and City Council Approved 02/24/2014 (Ord. # 2130).

Preliminary Plat of "Byrnes Mini-Storages" – JR Donelson, Inc. – Request for approval of a Preliminary Plat for property to the southeast of subject property at 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl. – PC (03/17/2014) recommended Conditional Approval by 2:1:1 vote. Per the City Attorney, the Abstention vote does not count, so the vote was recognized as 2:1 and the Motion passed with a simple majority. City Council Conditionally Approved 05/12/2014.

PUD 6 Major Amendment # 1 "Memorial Square" & BZ-374 – JR Donelson, Inc. – Request for approval of Major Amendment # 1 to Planned Unit Development (PUD) # 6 and rezoning from CS and RM-1 to CS, RM-1, and RT for property to the northeast of subject property – PC recommended

Conditional Approval 05/19/2014 and City Council Conditionally Approved applications 06/09/2014. Ordinance approval pending receipt of PUD Amendment Text & Exhibits reflecting all the required corrections, modifications, and Conditions of Approval.

Preliminary Plat of "Memorial Square Amended" – Request for Preliminary Plat approval for "Memorial Square Amended" for property to the northeast of subject property – PC recommended Conditional Approval 07/21/2014. Not placed on City Council agenda per Applicant 08/07/2014.

Accept General Utility Easement for Quail Creek Developments – Request for acceptance of a 17.5'-wide General U/E along the easterly and southerly perimeters of the proposed "Quail Creek Office Park" development site (PUD 76 Development Area F; abutting subject property to the west) to allow for AEP-PSO electric service provision to the "Quail Creek" developments – City Council accepted 09/22/2014.

Amendment of Plat of Scenic Village Park – Request for approval of an Amendment of the plat of Scenic Village Park as pertains to Utility Easement dedication provisions affecting Lot 1, Block 3 thereof abutting subject property to the west – PC unanimously Denied 01/20/2015.

BSP 2015-02 – QuikTrip No. 0098 – Request for approval of a site plan and modifications to certain development standards per Zoning Code Section 11-9-0.F for property to the northeast of subject property at 12037 S. Memorial Dr. – City Council Conditionally Approved 02/09/2015.

BL-397 – Mike Ward on behalf of QuikTrip Corporation for T C 94, LP – Request for Lot-Split approval for property to the northeast of subject property at 12037 S. Memorial Dr. – Planning Commission Approved 02/17/2015.

PUD 81 – "Chateau Villas PUD" – Major Amendment # 1 – Larry Kester of Architects Collective – Request for approval of Major Amendment # 1 to PUD 81 for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 03/25/2015; Pending City Council consideration in April and/or May, 2015.

BSP 2015-04 – "Chateau Villas" – Larry Kester of Architects Collective (PUD 81) – Request for approval of a PUD Detailed Site Plan for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – Pending PC consideration 04/20/2015.

BZ-380 – JR Donelson for John C. Easton Trust & Easton Family, LP – Request for rezoning from AG and CG to CS for commercial use for 19 acres abutting subject property to the south at 12300 S. Memorial Dr. – PC consideration pending 04/20/2015.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property of approximately 14 acres is zoned AG and CG and is agricultural in use. Staff found no Bixby rezoning application to account for the CG zoning in part of the northeast corner of the subject property, which CG district primarily contains the Pizza Hut restaurant. However, case maps from the 1970s show it as being in existence at that time, and show Bixby City Limits as including it and not areas surrounding it. In the Minutes of the Planning Commission meeting of June 26, 1978, pertaining to Lot-Split application BL-42 – William C. Kelley, it was noted that the property was zoned CG at that time. Staff speculates that it may have been zoned CG prior to or upon annexation.

The subject property has approximately 768' of frontage on 121st St. S. and 284.01' of frontage on Memorial Dr.

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

The subject property is relatively flat, and appears to drain to the south and southeast to Memorial Dr. However, with the recent installation of the stormsewerline along 121st St. S., the property will be one of those eligible, upon development, to "pipe" part of its stormwater to the west to Fry Creek Ditch # 2 with payment of fee-in-lieu, and not be subject to a requirement to construct onsite stormwater detention for that part so conveyed.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Medium Intensity (2) Commercial Area/Vacant, Agricultural, Rural Residences, and Open Land, and (3) Corridor.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the requested CS district is In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map. Also per the Matrix, for that part of the

subject property along Memorial Dr. so designated, the requested CS district is In Accordance with the Medium Intensity designation of the 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.

For that part of the subject property along Memorial Dr. so designated, the requested CS district should be found In Accordance with the Commercial Area designation of the Land Use Map.

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

Therefore, Staff believes that the requested CS district is In Accordance with the Comprehensive Plan.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily CS, CG, OL, RM-3, RM-1, RS-3, and AG, all as depicted on the case map and as described in further detail in the paragraphs that follow.

Abutting to the north and east is the My Dentist Dental Clinic zoned CS in Lot 1, Block 1, Braums Addition and the Pizza Hut on unplatted land zoned CG. These properties separate parts of the subject property from 121st St. S. Farther north across 121st St. S. are commercial businesses and vacant platted lots in Bixby Centennial Plaza and the Nowlin Orthodontics and The Eye Center South Tulsa businesses zoned CS/PUD 73 in Bixby Centennial Plaza II, and to the northwest is an 11-acre agricultural/vacant tract zoned CS/OL/PUD 51.

To the south is the 19-acre tract containing Easton Sod sales lot and agricultural land zoned CS, OL, and RS-3. However, this property is subject to rezoning to CS pursuant to BZ-380. Farther south is agricultural land zoned CG and AG. To the southwest is a 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development.

Abutting the subject property on the north and west is an approximately 1.6-acre agricultural tract zoned CS. Also abutting to the west are 92 acres of former agricultural land now zoned CG with PUD 76 "Scenic Village Park," containing multiple land uses under various stages of development.

Finally, across Memorial Dr. to the east is a roughly 12 ³/₄-acre CS district containing commercial development in 121st Center and the Spartan Self Storage ministorage business on an unplatted 1-acre tract at 12113 S. Memorial Dr. Farther east and to the southeast are 23 acres containing a vacant, split-level house and vacant land zoned CS/RM-3/OL/PUD 81 "Chateau Villas PUD." To the northeast, north of 121st St. S. is commercial in the Town and Country Shopping Center, including a planned QuikTrip store, and farther northeast is the duplex-style condo/apartments and vacant lots zoned CS/RM-1/PUD 6 in Memorial Square.

The subject property and the 19-acre tract requested for rezoning to CS per BZ-380 are surrounded on nearly all sides by CS and CG zoning. Seen from the proper scale, the two (2) properties appear as a "hole" in the expansive commercial district centered at the increasingly busy intersection of 121st St. S. and Memorial Dr. The requested CS zoning would be a logical extension, even completion, of the existing, established CS zoning district abutting to the northwest, north, northeast, east, and southeast, and would be compatible with the CS and CG zoning to the west and south and existing use and future uses anticipated by surrounding zoning patterns.

Per the Comprehensive Plan, all the land between Fry Creek Ditch # 1 and # 2 and 121st St. S. and Memorial Dr., including the subject property, approximately 180 acres in all, is planned for Corridor-

intensity development, which provides that all of the available Zoning districts are either In Accordance or May Be Found In Accordance with the Comprehensive Plan. This 180-acre area is anticipated to be developed intensively, as it is in a prime location, is one of the last, exceptionally large undeveloped acreages in all of South Tulsa County north of the Arkansas River, has all the necessary utilities, has Memorial Dr. frontage and improved access by the widened 121st St. S., and is out of the 100-year Floodplain. Indeed, intensive development is occurring, as described more fully in the paragraphs that follow.

Circa 2005, 121st St. S. between Sheridan Rd. and Memorial Dr. was widened to a 4-lane major street with a 5th, dedicated turning lane in the center, consistent with its designation on the Tulsa City-County Major Street and Highway Plan (MHSP) and Bixby Comprehensive Plan as a Primary Arterial. This infrastructure improvement has further enabled the intensive development of this 1-mile major street corridor.

It appears that, with the exception of the approximately 320' of frontage on 121st St. S. belonging to Fox Hollow, and the 330' of frontage on 121st St. S. belonging to the pending PUD 82 "Somerset" housing addition development, all of the private land along 121st St. S. between Sheridan Rd. and Memorial Dr. has, or is planned or expected to develop/redevelop with intense uses.

In a trend accelerating since the street widening, the 121st St. S. corridor between Sheridan Rd. and Memorial Dr. has seen a significant amount of intensive zoning and development activity. The Bixby North Elementary school is located on a 23-acre campus at 7101 E. 121st St. S., and west of that is the Bixby North 5th and 6th Grade Center on a 10-acre campus and the LifeChurch 4.4-acre facility. The recently demolished Three Oaks Smoke Shop was located on a 2-acre tract at 7060 E. 121st St. S. (its future use is not known), and most of the balance of the land to the west along the south side of 121st St. S. has been zoned CS with PUD 53 and platted in WoodMere for commercial use and office buildings. Per discussions with its owner, triangularly-shaped parcel between the former Smoke Shop and commercial lots in WoodMere should be expected to develop nonresidentially. An 11-acre Plummer Partners, LLC tract at the 7500-block of E. 121st St. S. was approved for CS and OL zoning and commercial development per PUD 51 in 2006. The 40-acre Bixby Centennial Plaza at the northwest corner of 121st St. S. and Memorial Dr. was approved for CS zoning, in 2001, and for commercial development by the plat of Bixby Centennial Plaza in 2006. A 1.6-acre, more or less, tract located at the 7700-block of E. 121st St. S. (possibly previously addressed 7600 E. 121st St. S.) was rezoned to CS in March of 2012. The 92-acre PUD 76 "Scenic Village Park" was approved with CG zoning in 2013, and the features the 80-unit "Covenant Place of Tulsa" assisted living facility under construction now at 7300 E. 121st Pl. S., with 38 units in a future expansion already planned. That 92-acre PUD also contains commercial frontage lots platted with Scenic Village Park in 2013, and will contain future commercial use(s) pursuant to the Preliminary Plat of "Quail Creek Office Park" Conditionally Approved in 2014 and the commercially-oriented Development Area H. Finally, commercial uses are now under development in the 5-acre PUD 83 River Trail II development approved in 2014 at the southwest corner of 126th St. S. and Memorial Dr.

Further enhancing the development potential of this 180-acre area will be the construction of the 74th E. Ave. / 126th St. S. Collector Street system developed as a part of PUD 76. In addition to serving the proposed "Quail Creek of Bixby" and "Quail Creek Villas of Bixby" housing additions interior to the 180 acres, it will additionally serve more commercially-oriented development areas closer to Memorial Dr. and 121st St. S. Further enhancing still will be the recent installation of the stormsewerline along 121st St. S., which will enable eligible properties along 121st St. S., upon development, to "pipe" stormwater to the west to Fry Creek Ditch # 2 with payment of fee-in-lieu, and not be subject to a requirement to construct onsite stormwater detention for that part so conveyed.

The surrounding zoning and land use patterns, recent rezoning and development trends, and the available infrastructure and other physical facts of the area all appear to support the requested rezoning to CS, but care should be taken to ensure compatibility, consistency, and overall development quality.

Whether residential or nonresidential, the City of Bixby has observed that better development outcomes result when properties develop by PUD. PUDs typically secure better planning and site design and afford the community the ability to provide more input into the design, minimum construction standards, and development amenities. Importantly, PUDs help the City achieve its goals and objectives as outlined in the Comprehensive Plan. As recommended by Staff, on February 23, 2015, the City Council temporarily Waived the PUD requirement Zoning Code Section 11-5-2 for Ramsey and Easton properties concerned by BZ-379 and BZ-380, subject to (1) requirement shall be restored prior to the development of the concerned property and (2) that (A) the temporarily suspended requirement, and (B) the requirement's

design in furtherance of the City Council's express policy preferring retail uses, shall be disclosed to prospective buyers. Therefore, ultimately, the City will receive PUD application(s) for these properties, designed by the then developers who will be in the position to make specific design changes as the City may request.

Staff Recommendation. For the reasons outlined above, Staff recommends Approval.

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Thursday, April 09, 2015
RE: Report and Recommendations for:
BZ-380 – JR Donelson for John C. Easton Trust & Easton Family, LP

LOCATION: – 12300 S. Memorial Dr.
– Southwest corner of the intersection of 121st St. S. and Memorial Dr.
– Part of the S/2 of Government Lot 1 (NE/4 NE/4) of Section 02, T17N, R13E

LOT SIZE: 19 acres, more or less

EXISTING ZONING: CS Commercial Shopping Center District, OL Office Low Intensity District, & RS-3 Residential Single-Family District

EXISTING USE: The Easton Sod sales business and agricultural land

REQUESTED ZONING: CS Commercial Shopping Center District

SUPPLEMENTAL ZONING: Corridor Appearance District (partial)

SURROUNDING ZONING AND LAND USE:

North: AG, CS, & CG and (Across 121st St. S.) CS, CS/PUD 73, & CS/OL/PUD 51; The 14-acre agricultural Ramsey property zoned AG and CG, a 1.6-acre agricultural tract zoned CS, the My Dentist Dental Clinic zoned CS in Lot 1, Block 1, Braums Addition, and the Pizza Hut on unplatted land zoned CG. Farther north across 121st St. S. are commercial businesses and vacant platted lots in Bixby Centennial Plaza, the Nowlin Orthodontics and The Eye Center South Tulsa businesses zoned CS/PUD 73 in Bixby Centennial Plaza II, and to the northwest is an 11-acre agricultural/vacant tract zoned CS/OL/PUD 51.

South: CG, AG, CG/PUD 76, CG/PUD 83, & RM-3/PUD 70; Agricultural land zoned CG and AG; to the southwest is a 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development; farther south, across 126th St. S., is the 5-acre "River Trail II" commercial development zoned CG/PUD 83 and the 14-acre Encore on Memorial upscale multifamily development zoned RM-3/PUD 70.

East: (Across Memorial Dr.) CS, CS/RM-3/OL/PUD 81, CS/PUD 29A, OL/PUD 77, & RS-1; Across Memorial Dr. to the east is a roughly 12 ¾-acre CS district containing commercial development in 121st Center and the Spartan Self Storage ministorage business on an unplatted 1-acre tract at 12113 S. Memorial Dr. and 23 acres containing a vacant, split-level house and vacant land zoned CS/RM-3/OL/PUD 81 "Chateau Villas PUD;" to the northeast is commercial in the Town and Country Shopping Center, including a planned QuikTrip store, all zoned CS; to the southeast are The Boardwalk on Memorial shopping center zoned CS/PUD 29A, behind which is underdeveloped land zoned OL with PUD 77 for "Byrnes Mini-Storages;" farther southeast is single-family residential zoned RS-1 in Gre-Mac Acres.

West: CS & CG/PUD 76; Agricultural land within the 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development.

COMPREHENSIVE PLAN: Medium Intensity + Commercial Area/Vacant, Agricultural, Rural Residences, and Open Land + Corridor

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

BZ-135 – Eddie McLearn – Request for rezoning from AG to CS for subject property – Withdrawn by Applicant 03/21/1983.

BZ-139 – Eddie McLearn – Request for rezoning from AG to RM-2, OL, & CS for subject property – Planning Commission recommended Modified Approval of RS-3, OL, & CS Zoning on 04/25/1983 and City Council Approved RS-3, OL, & CS Zoning on 05/02/1983 (Ord. # 482).

BBOA-364 – AT&T (Curtis Branch) – Request for Special Exception to allow a 120' monopole communications tower on subject property – BOA Approved 02/05/2001.

PUD Requirement Waiver for Ramsey & Easton Properties – JR Donelson of JR Donelson, Inc. – Request for a Temporary Waiver of the PUD requirement of Zoning Code Section 11-5-2 for the subject property and the Ramsey property abutting to the north at the 12200-block of S. Memorial Dr. – City Council Approved 02/23/2015 subject to (1) requirement shall be restored prior to the development of the concerned property and (2) that (A) the temporarily suspended requirement, and (B) the requirement's design in furtherance of the City Council's express policy preferring retail uses, shall be disclosed to prospective buyers.

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

BZ-30 – Frank Moskowitz – Request for rezoning from AG to CS for the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the northeast of subject property – PC on 01/27/1975 recommended CS for N. approx. 12.5 acres, OL for the S. approx. 5 acres of the N. approx. 17.5 acres, and AG zoning to remain for the balance of the 20 acres. City Council approved as PC recommended 03/18/1975 (Ord. # 270).

BBOA-19 – Leroy Orcutt for Dr. John Mount – Request for Special Exception “under Section 1480.1b of the Zoning Code to allow continuation of the non-conforming use of a home as a residence while establishing a sign shop on the property...also an Interpretation of the Zoning Text, Appendix B, to determine what use unit a plastic magnetic sign shop would be placed in” for a 0.81-acre tract to the southeast of subject property at the 12400:12500-block of S. Memorial Dr. – BOA Approved Special Exception and voted to put the proposed use in Use Unit 11 06/17/1975.

BZ-38 – Leroy Orcutt for Dr. John Mount – Request for rezoning from RS-1 to CG for a 0.81-acre tract to the southeast of subject property at the 12400:12500-block of S. Memorial Dr. – PC Recommended Approval of OL zoning and to waive the platting requirement and not require dedication 05/19/1975 and Board of Trustees Approved OL zoning and waived the platting requirement (per case notes) 07/01/1975 (Ord. # 298).

BZ-54 – [Charles] Roger Knopp – Request for rezoning from AG to OM & CG for a 3.56-acre area to the south of subject property at approximately the 12600-block of S. Memorial Dr. – PC Recommended Approval of CG zoning 02/28/1977 and City Council Approved 03/01/1977 (Ord. # 328).

BL-42 – William C. Kelley – Request for Lot-Split approval to approve the separation of the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E, to the north of subject property, into two (2) tracts as conveyed to Pizza Hut – PC Recommended Approval 06/26/1978, subject to deed restriction requiring their combined future conveyance, and City Council Conditionally Approved as per PC recommendation 07/11/1978.

BL-44 – J.W. “Rocky” Lewis for Pizza Hut, Inc. – Request for Lot-Split approval to approve the separation of the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E, to the north of subject property, into two (2) tracts as conveyed to Pizza Hut – Per 02/26/1979 PC Minutes it was Continued to the next meeting; per case notes, PC “Tabled indefinitely due to existing building being located on proposed split line” on 02/26/1979.

BL-45 – Milton Berry – Request for Lot-Split approval to separate the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E (now the Spartan Self Storage) from the balance of the property, which balance was later platted as 121st Center, all for 20 acres across Memorial Dr. to the northeast of subject property – PC Motion to Approve died for lack of a Second 02/26/1979; City Council Conditional Approval is suggested by case notes. Deeds recorded evidently without approval certificate stamps 05/23/1978, which would have preceded the Lot-Split application.

BBOA-75 – Jack Spradling for Pizza Hut of Oklahoma, Inc. – Request for Variance from bulk and area requirements in the CG district, regarding the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E to the north of subject property (related to Lot-Split) – BOA Denied 07/08/1980.

BZ-107 – John LaPlant for LaPco Investments, Ltd. – Request for rezoning from RS-1 to CG for approximately 5 acres to the southeast of subject property at the 12400:12500-block of S. Memorial Dr. and including what later became the Mazzio's lot at 12505 S. Memorial Dr. – PC Recommended

Approval of CS zoning for the W. approximately 2 ½ acres 05/26/1981 and City Council Approved CS zoning for the 2 ½ acres 06/01/1981 (Ord. # 429).

BL-78 – Christopher L. Coyle for Pizza Hut of Oklahoma, Inc. – Request for Lot-Split approval to separate into two (2) tracts the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E to the north of subject property – PC Denied 11/29/1982.

BBOA-111 – Christopher L. Coyle for Pizza Hut of Oklahoma, Inc. – Request for Variance from bulk and area requirements in the CG district, regarding the N. 224.75' of the E. 260.75' of this Section 02, T17N, R13E to the north of subject property, pursuant to Lot-Split application BL-78 – BOA Denied 12/13/1982.

BZ-130 – J. F. Langley, Jr. for Billy Joe Ramsey – Request for rezoning from AG to CS for that property later platted as Braums Addition to the north of subject property at 12106 S. Memorial Dr. – PC Recommended Approval 01/31/1983 and City Council Approved 02/07/1983 (Ord. # 473).

BL-79 – J. F. Langley, Jr. for Billy Joe Ramsey – Request for Lot-Split to separate the future Braums Addition land from the (now) 14-acre tract abutting subject property to the north – PC Recommended Approval subject to BZ-130 01/31/1983 and City Council presumably Approved in February, 1983.

Preliminary and Conditional Final Plat of Braums Addition – Request for Preliminary and Conditional Final Plat approval for Braums Addition, which may have separated same from the (now) 14-acre tract abutting subject property to the north, per ownership as listed on the plat – PC Conditionally Approved 02/28/1983 and City Council presumably Approved (Plat # 4351 recorded 05/26/1983).

BBOA-135 – Alan Hall of A. C. Hall & Associates, Surveying for Milton H. Berry – Request for Special Exception to allow a Use Unit 17 carwash development in the CS district for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E located to the east of subject property at 12113 S. Memorial Dr. – BOA Approved 11/13/1984 subject to platting (not developed as a carwash; ultimately developed as the Spartan Self Storage).

Preliminary Plat of 121st Center – Request for Preliminary Plat approval for 121st Center (across Memorial Dr. to the northeast of subject property) – PC Conditionally Approved 12/28/1987 (Council action not researched).

BBOA-199 – Spradling & Associates for Arkansas Valley Development Corporation – Request for Variance to reduce the minimum lot width/frontage in CS from 150' to 125' to permit platting the subject tract as 121st Center (across Memorial Dr. to the northeast of subject property) – BOA Approved 01/11/1988.

Final Plat of 121st Center – Request for Final Plat approval for 121st Center (across Memorial Dr. to the northeast of subject property) – PC Conditionally Approved 02/29/1988 and City Council Approved 07/11/1988 (per the plat approval certificate) (Plat # 4728 recorded 08/05/1988).

BZ-196 – Donna Saunders for Nuel/Noel Burns – Request for rezoning from AG to CG for an approximately 1.6-acre agricultural tract to the north of subject property at the 7700-block of E. 121st St. S. (then possibly addressed 7600 E. 121st St. S.) – PC Recommended Denial 01/21/1991 per notes on the application form. Lack of ordinance and other notes in the case file indicate it was either withdrawn, not appealed, or not finally approved by the City Council.

BZ-200 – Charles Roger Knopp – Request for rezoning from AG to CG for an approximately 2.27-acre area abutting subject property to the south in the 12300-block of S. Memorial Dr. (perhaps then addressed 12340 S. Memorial Dr.) – PC Recommended Approval 07/20/1992 and City Council Approved 07/27/1992 (Ord. # 671).

BBOA-261 – Jack Spradling for Arkansas Valley Development Corporation – Request for Variance for Lot 5, Block 1, 121st Center (across Memorial Dr. to the northeast of subject property), to reduce the minimum lot width/frontage in CS from 150' to 0' to permit a Lot-Split creating the E. 215' of the S. 125' of Lot 5, which tract is now the Atlas General Contractors office – BOA Conditionally Approved 02/01/1993 (Mutual Access Easement created to give access to 121st St. S.).

BBOA-300 – Tom Christopoulos – Request for Variance to the setback; an increase of the allowed maximum density; and a reduction of the parking standards of the RM-3 district (requested per BZ-212) for a multifamily development for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the east of subject property at 12113 S. Memorial Dr. – BOA Conditionally Approved 07/03/1995 (not developed as multifamily; ultimately developed as the Spartan Self Storage).

BZ-212 – Tom Christopoulos – Request for rezoning from CS to RM-3 for a multifamily development for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E across Memorial Dr. to the east of subject property at 12113 S. Memorial Dr. – PC Recommended Approval 06/05/1995 and City Council Denied 07/10/1995 (not developed as multifamily; ultimately developed as the Spartan Self Storage).

BBOA-335 – Tom Christopoulos – Request for Special Exception to allow a ministorage development in the CS district for the S. 200' of the W. 210' of the N. 825' of the W/2 of the NW/4 of the NW/4 of Section 01, T17N, R13E to the east of subject property at 12113 S. Memorial Dr. – BOA Approved 12/01/1997 (now the Spartan Self Storage).

BBOA-367 – Holley Hair for Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 “golf teaching and practice facility” on the large 140-acre acreage tracts previously owned by Knopp abutting subject property to the west and south – BOA Conditionally Approved 04/02/2001 (not since built).

PUD 31 – Bricktown Square – Request for rezoning and PUD approval for a commercial development, including redistributing underlying CS, OL, and RS-1 boundaries, for approximately 4 ½ acres to the southeast of subject property at 12409 S. Memorial Dr. – PC Recommended Approval 10/20/2003 and City Council Approved 11/10/2003 (Ord. # 915).

BZ-279 – Charles Norman/Martha Plummer Roberts et al. – Request for rezoning from AG to CS, OM, RM-1, and RS-2 for 73 acres, more or less, located across 121st St. S. to the north of the subject property, which 73 acres became Bixby Centennial Plaza and Fox Hollow and an unplatted 11-acre tract later approved for PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on November 19, 2001 and Approved by City Council December 10, 2001 (Ord. # 842).

PUD 29 – The Boardwalk on Memorial – Part of future Lot 1, Block 1, The Boardwalk on Memorial and Lots 1 and 2, Block 1, Gre-Mac Acres requested for rezoning and PUD approval – for property to the southeast of subject property at 12345 S. Memorial Dr. – PC Recommended Approval 05/20/2002 and City Council Approved PUD 29 and CS zoning for Gre-Mac Acres Lot 1 and OL zoning for Lot 2 06/10/2002 (Ordinance # 850, evidently dated 06/11/2001 in error).

PUD 29A – The Boardwalk on Memorial – Request for Major Amendment to PUD 29 (abutting subject property to south), known as PUD 29A, which expanded the original PUD and underlying CS zoning to an unplatted area to the north of Lots 1 and 2, Block 1, Gre-Mac Acres, and rezoned Development Area B to AG for “open space” – PC Recommended Approval 03/17/2003 and City Council Approved 04/28/2003 (Ordinance # 867).

Preliminary Plat of The Boardwalk on Memorial – Request for Preliminary Plat approval for property to the southeast of subject property at 12345 S. Memorial Dr. – Recommended for Approval by PC 04/21/2003 and Approved by City Council 04/28/2003.

Final Plat of The Boardwalk on Memorial – Request for Final Plat approval for property to the southeast of subject property at 12345 S. Memorial Dr. – Recommended for Approval by PC 05/19/2003 and Approved by City Council 05/27/2003 (Plat # 5717 recorded 08/19/2003).

“Minor Amendment PUD 29b to PUD 29, 29a” – Request for Planning Commission approval of the first Minor Amendment to PUD 29A (could have been called “Minor Amendment # 1) for property to the southeast of subject property at 12345 S. Memorial Dr. to south to approve a drive through bank window on the south side of the building for Grand Bank – PC Approved 02/22/2005.

BBOA-442 – Charles Roger Knopp – Request for Special Exception approval to allow a Use Unit 20 golf driving range (evidently same as BBOA-367) on the large 140-acre acreage tracts previously owned by Knopp abutting subject property to the west and south. Approval of BBOA-367 expired after 3 years, per the Staff Report, and so required re-approval – BOA Approved 05/01/2006 (not since built).

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

Preliminary Plat of Bixby Centennial Plaza – Request for Preliminary Plat approval for the 40-acre Bixby Centennial Plaza to the north of subject property across 121st St. S. – PC Approved 07/17/2006 and City Council Approved 07/24/2006.

BZ-317 – Sack & Associates, Inc. for Martha Roberts et al. – Request for rezoning from OL to CS for part of an unplatted 11-acre tract located across 121st St. S. to the northwest of the subject property – PC Action 08/21/2006: Motion to Approve failed for lack of a Second, and Chair declared the item “denied by virtue of there being no second to the motion.” See PUD 51.

PUD 51 – [No Name] – [Sack & Associates, Inc.] – Request to approve PUD 51 and a partial rezoning from OL to CS for an unplatted 11-acre tract located across 121st St. S. to the northwest of the subject property – No application submitted, but prepared by Sack & Associates, Inc. in support of the CS and OL zoning proposed per BZ-317 – PC recommended Approval 10/02/2006 and City Council Approved 10/23/2006 (Ord. # 951/951A).

Final Plat of Bixby Centennial Plaza – Request for Final Plat approval for the 40-acre Bixby Centennial Plaza to the north of subject property across 121st St. S. – PC Approved 10/16/2006 and City Council Approved 10/23/2006 (plat recorded 04/04/2007).

“PUD 29A Minor Amendment # 1 [2]” – Second request for Minor Amendment to PUD 29A to (1) Remove restrictions from east-facing signs and (2) Increase maximum display surface area for wall signs from 2 square feet per lineal foot of building wall to 3 square feet per lineal foot of building wall as permitted by the Zoning Code for property to the southeast of subject property at 12345 S. Memorial Dr. – Planning Commission Conditionally Approved 11/19/2007. Should have been called “Minor Amendment # 2.”

BCPA-3, PUD 68, & BZ-341 – North Bixby Commerce Park – Lou Reynolds for Alvis Houser – Request to amend the Comprehensive Plan to redesignate property (in part) “Medium Intensity,” rezone from AG to CS and OL, and approve PUD 68 for a ministorage, “trade center / office-warehouse,” and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC voted 2 in favor and 3 opposed on a Motion to approve the development on 04/20/2009. On 04/27/2009, on appeal, the City Council reversed the Planning Commission’s action. On 06/08/2009, the City Council denied the ordinance which would have approved the rezoning, PUD, and Comprehensive Plan amendment, on the City Attorney’s advice regarding certain language in the ordinance, and called for the developer to proceed “under existing ordinances.” On 06/22/2009, the City Council Approved, by Ordinance # 2030, all three (3) applications as submitted, and with no Conditions of Approval.

PUD 70 & BZ-347 / PUD 70 (Amended) & BZ-347 (Amended) – Encore on Memorial – Khoury Engineering, Inc. – Request to rezone from AG to RM-3 and approve PUD 70 for a multifamily development on part of Knopp family property of approximately 140 acres abutting subject property to the west and south – PC Continued the application on 12/21/2009 at the Applicant’s request. PC action 01/19/2010: A Motion to Recommend Approval failed by a vote of two (2) in favor and two (2) opposed, and no followup Motion was made nor followup vote held. The City Council Continued the application on 02/08/2010 to the 02/22/2010 regular meeting “for more research and information,” based on indications by the developer about the possibility of finding another site for the development. Before the 02/22/2010 City Council Meeting, the Applicant temporarily withdrew the applications, and the item was removed from the meeting agenda, with the understanding that the applications were going to be amended and resubmitted.

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

PUD 29A Minor Amendment # 3 – Request for Minor Amendments to PUD 29A to remove Development Area B from the PUD – Planning Commission Continued the application from the January 19, 2010 meeting to the February 16, 2010 meeting. The submission of PUD 29A Major Amendment # 1 in lieu of this application was recognized as the Withdrawal of this application.

BL-373 – William Wilson for Boardwalk on Memorial I, LP – Request for Lot-Split approval to separate the east approximately 472’ from the balance of the property, located to the southeast of subject property at 12345 S. Memorial Dr. – PC Approved 02/16/2010.

PUD 29A Major Amendment # 1 – Request for Major Amendments to PUD 29A to relax Zoning Code bulk and area requirements for Development Area B to allow for Lot-Split per BL-373, which Development Area B was required to be legally attached to lots having the minimum required amount of public street frontage – PC Recommended Approval 02/16/2010 and City Council Approved 03/08/2010 (Ord. # 2033).

Preliminary Plat of North Bixby Commerce Park (PUD 68) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for a ministorage, “trade center / office-warehouse,” and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 03/15/2010 and City Council Conditionally Approved 03/22/2010.

Final Plat of North Bixby Commerce Park (PUD 68) – Request for approval of a Final Plat and certain Modifications/Waivers for a ministorage, “trade center / office-warehouse,” and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 05/17/2010 and City Council Conditionally Approved 05/24/2010. City Council approved a revised Final Plat 09/13/2010.

BSP 2010-01 – North Bixby Commerce Park – RK & Associates, PLC / McCool and Associates, P.C. (PUD 68) – Request for approval of a PUD Detailed Site Plan for a ministorage, “trade center / office-warehouse,” and retail development on a 16-acre tract to the east of subject property at the 8300-block of E. 121st St. S. – PC Conditionally Approved 07/19/2010.

BSP 2010-03 – Encore on Memorial – Khoury Engineering, Inc. (PUD 70) – Request for Detailed Site Plan approval for a multifamily development on 14 acres to the south of subject property – PC Conditionally Approved 07/19/2010.

Preliminary Plat of Encore on Memorial (PUD 70) – Request for Preliminary Plat approval for a multifamily development on 14 acres to the south of subject property – PC recommended Conditional Approval 07/19/2010 and City Council Conditionally Approved 07/26/2010.

Final Plat of Encore on Memorial (PUD 70) – Request for Preliminary Plat approval for a multifamily development on 14 acres to the south of subject property – PC recommended Conditional Approval 08/16/2010 and City Council Conditionally Approved 08/23/2010 (Plat # 6380 recorded 04/12/2011).

AC-11-01-01 – “My Dentist Dental Clinic” – Sam Gresham Architect – Request for approval of a Detailed Site Plan for “My Dentist Dental Clinic” for Lot 1, Block 1, Braums Addition to the north of subject property at 12106 S. Memorial Dr. – PC Conditionally Approved 01/25/2011.

BZ-355 – Town & Country Real Estate Co. – Request for rezoning from AG to CS for an approximately 1.6-acre agricultural tract to the north of subject property at the 7700-block of E. 121st St. S. – PC Recommended Denial 03/19/2012 and City Council Approved 03/26/2012 (Ord. # 2077).

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

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

BCPA-9, PUD 77, & BZ-365 – Byrnes Mini-Storages – JR Donelson, Inc. – Request to amend the Comprehensive Plan to remove in part the Residential Area specific land use designation, rezone in part from AG to OL, and approve PUD 77 for a ministorage development on property to the southeast of subject property at 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl. – PC recommended Denial of all three (3) on 05/20/2013 by 2:1:0 vote. On 06/10/2013, the City Council, by 3:2:0 vote, Approved BCPA-9, Approved the appeal of BZ-365, and Conditionally Approved PUD 77. City Council approved ordinance effecting approval of all three (3) 02/24/2014 (Ord. # 2127).

Final Plat of “Scenic Village Park” – Tanner Consulting, LLC – Request for approval of a Final Plat for a northerly approximately 22 acres of the 92-acre PUD 76 abutting subject property to the west and south – PC recommended Conditional Approval 05/20/2013 and City Council Conditionally Approved 05/28/2013 (Plat # 6477 recorded 06/20/2013).

PUD 76 "Scenic Village Park" Major Amendment # 1 – Tanner Consulting, LLC – Request for approval of Major Amendment # 1 to PUD 76 for former 92-acre development tract acquired from Knopp abutting subject property to the west and south – PC recommended Conditional Approval 09/30/2013. City Council Conditionally Approved the application and held an Ordinance First Reading 10/14/2013. The Ordinance Second Reading and Approval and Emergency Clause attachment items, having been on various City Council agendas in various forms since 10/14/2013, the City Council approved on 11/12/2013 (Ord. # 2123).

PUD 76 "Scenic Village Park" Major Amendment # 2 – Tanner Consulting, LLC – Request for approval of Major Amendment # 2 to PUD 76 for southerly 70 acres of PUD 76 abutting subject property to the west and south – PC Tabled Indefinitely on 10/21/2013 as requested by Applicant's letter dated 10/18/2013.

PUD 81 & BZ-368 – Chateau Villas PUD – AAB Engineering, LLC – Request for rezoning from CS, OL, and AG to CS and RM-3 and to approve PUD 81 for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – PC recommended Conditional Approval, with a modified zoning schedule including OL zoning, 11/18/2013 and City Council Conditionally Approved, as modified, the applications 11/25/2013 and Conditionally Approved same by ordinance (Ord. # 2126) 02/24/2014.

Preliminary Plat of "Quail Creek of Bixby" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek of Bixby" for land to the southwest of subject property – PC recommended Conditional Approval 12/16/2013 and City Council Conditionally Approved 01/13/2014.

Preliminary Plat of "Quail Creek Villas of Bixby" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek Villas of Bixby" for land abutting subject property to the west – PC recommended Conditional Approval 12/16/2013 and City Council Conditionally Approved 01/13/2014.

BSP 2013-06 – "Covenant Place of Tulsa" – Tanner Consulting, LLC (PUD 76) – Request for approval of a PUD Detailed Site Plan for the Covenant Place of Tulsa assisted living community on Lot 2, Block 1, Scenic Village Park to the west of subject property – PC Conditionally Approved at a Special/Called Meeting 01/23/2014.

Preliminary Plat of "Quail Creek Office Park" – Tanner Consulting, LLC (PUD 76) – Request for approval of a Preliminary Plat and certain Modifications/Waivers for "Quail Creek Office Park" for approximately 5.976 acres abutting subject property to the west – PC recommended Conditional Approval at a Special/Called Meeting 01/23/2014 and City Council Conditionally Approved 01/27/2014.

PUD 76 "Scenic Village Park" Minor Amendment # 1 – Tanner Consulting, LLC – Request for approval of Minor Amendment # 1 to PUD 76, which amendment proposed making certain changes to development standards pertaining to signage and parking, and making certain other amendments in support of the Covenant Place of Tulsa assisted living community on Lot 2, Block 1, Scenic Village Park to the west of subject property – PC Conditionally Approved 02/18/2014.

PUD 70 "Encore on Memorial" Major Amendment # 1 – Khoury Engineering, Inc. – Request for approval of Major Amendment # 1 to PUD 70 for 15 acres to the south of subject property to allow a Use Unit 21 sign within the Development Area B right-of-way for 126th St. S., provide development standards for same, and make certain other amendments – PC recommended Approval 02/18/2014 and City Council Approved 02/24/2014 (Ord. # 2130).

PUD 83 & BZ-371 – River Trail II – Khoury Engineering, Inc. – Request to rezone from AG and CG to CG and approve PUD 83 for a commercial development for approximately 5 acres located to the south of subject property – PC recommended Approval 02/18/2014. On 02/24/2014, the City Council Approved BZ-371 and Conditionally Approved PUD 83. City Council approved ordinance effecting the rezoning and PUD approval 03/24/2014 (Ord. # 2129).

Preliminary & Final Plat of River Trail II (PUD 83) – Request for approval of a Preliminary Plat and Final Plat for approximately 5 acres located to the south of subject property – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved Preliminary Plat 03/24/2014 and Conditionally Approved Final Plat 04/28/2014 (Plat # 6541 recorded 05/23/2014).

Preliminary Plat of "Byrnes Mini-Storages" – JR Donelson, Inc. – Request for approval of a Preliminary Plat for property to the southeast of subject property at 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl. – PC (03/17/2014) recommended Conditional Approval by 2:1:1 vote. Per

the City Attorney, the Abstention vote does not count, so the vote was recognized as 2:1 and the Motion passed with a simple majority. City Council Conditionally Approved 05/12/2014.

PUD 31-A – “Bricktown Square” – Major Amendment # 1 – Request for approval of Major Amendment # 1 to Planned Unit Development (PUD) # 31 for approximately 4 ½ acres to the southeast of subject property at 12409 S. Memorial Dr. – PC recommended Conditional Approval 05/19/2014 and City Council Conditionally Approved as recommended by PC 05/27/2014 (Ord. # 2134)

Accept General Utility Easement for Quail Creek Developments – Request for acceptance of a 17.5’-wide General U/E along the easterly and southerly perimeters of the proposed “Quail Creek Office Park” development site (PUD 76 Development Area F; abutting subject property to the west) to allow for AEP-PSO electric service provision to the “Quail Creek” developments – City Council accepted 09/22/2014.

Preliminary Plat of “Bricktown Square” – Sisemore Weisz & Associates, Inc. (PUD 31-A) – Request for approval of a Preliminary Plat of “Bricktown Square” for approximately 4 ½ acres to the southeast of subject property at 12409 S. Memorial Dr. – Applicant “temporarily suspended” application 10/07/2014; applications allowed to be returned to the Planning Commission agenda no later than one (1) year after the date the application was submitted and with at least three (3) weeks notice prior to the requested agenda date.

PUD 31-A – “Bricktown Square” – Minor Amendment # 1 – Request for approval of Minor Amendment # 1 to PUD 31-A for approximately 4 ½ acres to the southeast of subject property at 12409 S. Memorial Dr. – Applicant “temporarily suspended” application 10/07/2014; applications allowed to be returned to the Planning Commission agenda no later than one (1) year after the date the application was submitted and with at least three (3) weeks notice prior to the requested agenda date.

Amendment of Plat of Scenic Village Park – Request for approval of an Amendment of the plat of Scenic Village Park as pertains to Utility Easement dedication provisions affecting Lot 1, Block 3 thereof to the northwest of subject property – PC unanimously Denied 01/20/2015.

BSP 2015-02 – QuikTrip No. 0098 – Request for approval of a site plan and modifications to certain development standards per Zoning Code Section 11-9-0.F for property to the northeast of subject property at 12037 S. Memorial Dr. – City Council Conditionally Approved 02/09/2015.

BL-397 – Mike Ward on behalf of QuikTrip Corporation for T C 94, LP – Request for Lot-Split approval for property to the northeast of subject property at 12037 S. Memorial Dr. – Planning Commission Approved 02/17/2015.

PUD 81 – “Chateau Villas PUD” – Major Amendment # 1 – Larry Kester of Architects Collective – Request for approval of Major Amendment # 1 to PUD 81 for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – PC recommended Conditional Approval 03/25/2015; Pending City Council consideration in April and/or May, 2015.

BSP 2015-04 – “Chateau Villas” – Larry Kester of Architects Collective (PUD 81) – Request for approval of a PUD Detailed Site Plan for a Use Unit 8 multifamily residential and commercial development for 23 acres to the east of subject property at 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S. – Pending PC consideration 04/20/2015.

BZ-379 – JR Donelson for Bill J. Ramsey Trust – Request for rezoning from AG and CG to CS for commercial use for 14 acres abutting subject property to the north at the 12200-block of S. Memorial Dr. – PC consideration pending 04/20/2015.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property of approximately 19 acres is zoned CS, OL, and RS-3. The front/easterly portion of the subject property contains the Easton Sod sales lot and the balance is agricultural in use. It has approximately 668.67’ of frontage on Memorial Dr.

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

The subject property is relatively flat, and appears to drain to the southwest and east to Memorial Dr. However, with the recent installation of the stormsewerline along 121st St. S., the property will be one of those eligible, upon development, to “pipe” part of its stormwater to the west to Fry Creek Ditch # 2 with

payment of fee-in-lieu, and not be subject to a requirement to construct onsite stormwater detention for that part so conveyed.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Medium Intensity (2) Commercial Area/Vacant, Agricultural, Rural Residences, and Open Land, and (3) Corridor.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the requested CS district is In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map. Also per the Matrix, for that part of the subject property along Memorial Dr. so designated, the requested CS district is In Accordance with the Medium Intensity designation of the 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.

For that part of the subject property along Memorial Dr. so designated, the requested CS district should be found In Accordance with the Commercial Area designation of the Land Use Map.

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

Therefore, Staff believes that the requested CS district is In Accordance with the Comprehensive Plan.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily CS, CG, OL, RM-3, RM-1, RS-3, RS-1, and AG, all as depicted on the case map and as described in further detail in the paragraphs that follow.

Abutting to the north is the 14-acre agricultural Ramsey property zoned AG and CG. However, this property is subject to rezoning to CS pursuant to BZ-379. Beyond this property are an approximately 1.6-acre agricultural tract zoned CS, the My Dentist Dental Clinic zoned CS in Lot 1, Block 1, Braums Addition, and the Pizza Hut on unplatted land zoned CG. Farther north across 121st St. S. are commercial businesses and vacant platted lots in Bixby Centennial Plaza and the Nowlin Orthodontics and The Eye Center South Tulsa businesses zoned CS/PUD 73 in Bixby Centennial Plaza II, and to the northwest is an 11-acre agricultural/vacant tract zoned CS/OL/PUD 51.

To the south is agricultural land zoned AG and CG. However, this property is subject to rezoning to CS pursuant to BZ-380. To the southwest is a 92-acre CG district with PUD 76 "Scenic Village Park" containing multiple land uses under various stages of development. Farther south, across 126th St. S., is the 5-acre "River Trail II" commercial development zoned CG/PUD 83 and the 14-acre Encore on Memorial upscale multifamily development zoned RM-3/PUD 70.

Abutting to the west are 92 acres of former agricultural land now zoned CG with PUD 76 "Scenic Village Park," containing multiple land uses under various stages of development.

Finally, across Memorial Dr. to the east is a roughly 12 $\frac{3}{4}$ -acre CS district containing commercial development in 121st Center and the Spartan Self Storage ministorage business on an unplatted 1-acre tract at 12113 S. Memorial Dr. and 23 acres containing a vacant, split-level house and vacant land zoned CS/RM-3/OL/PUD 81 "Chateau Villas PUD." To the northeast is commercial in the Town and Country Shopping Center, including a planned QuikTrip store, all zoned CS. To the southeast are The Boardwalk on Memorial shopping center zoned CS/PUD 29A, behind which is underdeveloped land zoned OL with PUD 77 for "Byrnes Mini-Storages." Farther southeast is single-family residential zoned RS-1 in Gre-Mac Acres.

The subject property and the 14-acre tract requested for rezoning to CS per BZ-379 are surrounded on nearly all sides by CS and CG zoning. Seen from the proper scale, the two (2) properties appear as a "hole" in the expansive commercial district centered at the increasingly busy intersection of 121st St. S. and Memorial Dr. The requested CS zoning would be a logical extension, even completion, of the existing, established CS zoning district abutting to the northwest, north, northeast, east, and southeast, and would be compatible with the CS and CG zoning to the west and south and existing use and future uses anticipated by surrounding zoning patterns.

Per the Comprehensive Plan, all the land between Fry Creek Ditch # 1 and # 2 and 121st St. S. and Memorial Dr., including the subject property, approximately 180 acres in all, is planned for Corridor-intensity development, which provides that all of the available Zoning districts are either In Accordance or May Be Found In Accordance with the Comprehensive Plan. This 180-acre area is anticipated to be developed intensively, as it is in a prime location, is one of the last, exceptionally large undeveloped acreages in all of South Tulsa County north of the Arkansas River, has all the necessary utilities, has Memorial Dr. frontage and improved access by the widened 121st St. S., and is out of the 100-year Floodplain. Indeed, intensive development is occurring, as described more fully in the paragraphs that follow.

Circa 2005, 121st St. S. between Sheridan Rd. and Memorial Dr. was widened to a 4-lane major street with a 5th, dedicated turning lane in the center, consistent with its designation on the Tulsa City-County Major Street and Highway Plan (MHSP) and Bixby Comprehensive Plan as a Primary Arterial. This infrastructure improvement has further enabled the intensive development of this 1-mile major street corridor.

It appears that, with the exception of the approximately 320' of frontage on 121st St. S. belonging to Fox Hollow, and the 330' of frontage on 121st St. S. belonging to the pending PUD 82 "Somerset" housing addition development, all of the private land along 121st St. S. between Sheridan Rd. and Memorial Dr. has, or is planned or expected to develop/redevelop with intense uses.

In a trend accelerating since the street widening, the 121st St. S. corridor between Sheridan Rd. and Memorial Dr. has seen a significant amount of intensive zoning and development activity. The Bixby North Elementary school is located on a 23-acre campus at 7101 E. 121st St. S., and west of that is the Bixby North 5th and 6th Grade Center on a 10-acre campus and the LifeChurch 4.4-acre facility. The recently demolished Three Oaks Smoke Shop was located on a 2-acre tract at 7060 E. 121st St. S. (its future use is not known), and most of the balance of the land to the west along the south side of 121st St. S. has been zoned CS with PUD 53 and platted in WoodMere for commercial use and office buildings. Per discussions with its owner, triangularly-shaped parcel between the former Smoke Shop and commercial lots in WoodMere should be expected to develop nonresidentially. An 11-acre Plummer Partners, LLC tract at the 7500-block of E. 121st St. S. was approved for CS and OL zoning and commercial development per PUD 51 in 2006. The 40-acre Bixby Centennial Plaza at the northwest corner of 121st St. S. and Memorial Dr. was approved for CS zoning, in 2001, and for commercial development by the plat of Bixby Centennial Plaza in 2006. A 1.6-acre, more or less, tract located at the 7700-block of E. 121st St. S. (possibly previously addressed 7600 E. 121st St. S.) was rezoned to CS in March of 2012. The 92-acre PUD 76 "Scenic Village Park" was approved with CG zoning in 2013, and the features the 80-unit "Covenant Place of Tulsa" assisted living facility under construction now at 7300 E. 121st Pl. S., with 38 units in a future expansion already planned. That 92-acre PUD also contains commercial frontage lots platted with Scenic Village Park in 2013, and will contain future commercial use(s) pursuant to the Preliminary Plat of "Quail Creek Office Park" Conditionally Approved in 2014 and the commercially-oriented Development Area H. Finally, commercial uses are now under development in the 5-acre PUD 83 River Trail II development approved in 2014 at the southwest corner of 126th St. S. and Memorial Dr.

Further enhancing the development potential of this 180-acre area will be the construction of the 74th E. Ave. / 126th St. S. Collector Street system developed as a part of PUD 76. In addition to serving the proposed "Quail Creek of Bixby" and "Quail Creek Villas of Bixby" housing additions interior to the 180 acres, it will additionally serve more commercially-oriented development areas closer to Memorial Dr. and 121st St. S. Further enhancing still will be the recent installation of the stormsewerline along 121st St. S., which will enable eligible properties along 121st St. S., upon development, to "pipe" stormwater to the west to Fry Creek Ditch # 2 with payment of fee-in-lieu, and not be subject to a requirement to construct onsite stormwater detention for that part so conveyed.

The surrounding zoning and land use patterns, recent rezoning and development trends, and the available infrastructure and other physical facts of the area all appear to support the requested rezoning to CS, but care should be taken to ensure compatibility, consistency, and overall development quality.

Whether residential or nonresidential, the City of Bixby has observed that better development outcomes result when properties develop by PUD. PUDs typically secure better planning and site design and afford the community the ability to provide more input into the design, minimum construction standards, and development amenities. Importantly, PUDs help the City achieve its goals and objectives as outlined in the Comprehensive Plan. As recommended by Staff, on February 23, 2015, the City Council temporarily Waived the PUD requirement Zoning Code Section 11-5-2 for Ramsey and Easton properties concerned by BZ-379 and BZ-380, subject to (1) requirement shall be restored prior to the development of the concerned property and (2) that (A) the temporarily suspended requirement, and (B) the requirement's design in furtherance of the City Council's express policy preferring retail uses, shall be disclosed to prospective buyers. Therefore, ultimately, the City will receive PUD application(s) for these properties, designed by the then developers who will be in the position to make specific design changes as the City may request.

Staff Recommendation. For the reasons outlined above, Staff recommends Approval.

Erik Enyart noted that the two (2) properties were surrounded on virtually all sides by commercial zoning, and so these rezonings would fill a "hole" in the Zoning Map.

Chair Thomas Holland recognized Applicant JR Donelson of 8410 E. 111th St. S. Mr. Donelson stated that this would "clean it up so it would fall in with the ordinance the City passed to keep commercial on Memorial Dr." Mr. Donelson stated, "We ask you to approve CS zoning."

Steve Sutton confirmed with Erik Enyart that he recommended Approval.

Chair Thomas Holland confirmed with Erik Enyart that the rezoning would "do away with the OL and residential zoning."

There being no further discussion, Larry Whiteley made a MOTION to RECOMMEND APPROVAL of BZ-379. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

Larry Whiteley made a MOTION to RECOMMEND APPROVAL of BZ-380. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

4. PUD 87 – "Shadow Valley" – Khoury Engineering, Inc. Public Hearing, Discussion, and consideration of a rezoning request for approval of Planned Unit Development (PUD) #

87 for approximately 21.1 acres consisting of all of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4, with proposed underlying zoning RM-3 Residential Multi-Family District.

Property Located: 7500 E. 151st St. S.

5. **BZ-381 – Khoury Engineering, Inc.** Public Hearing, Discussion, and consideration of a rezoning request from RMH Residential Manufactured Home Park to RM-3 Residential Multi-Family District for approximately 21.1 acres consisting of all of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4, with proposed underlying zoning RM-3 Residential Multi-Family District.

Property Located: 7500 E. 151st St. S.

Chair Thomas Holland introduced the two (2) related items and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Tuesday, April 14, 2015
RE: Report and Recommendations for:
PUD 87 – “Shadow Valley” – Khoury Engineering, Inc. & BZ-381 – Khoury Engineering, Inc.

LOCATION: – 7500 E. 151st St. S.
– All of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4 of Section 23, T17N, R13E

SIZE: 21.1 acres, more or less

EXISTING ZONING: RMH Residential Manufactured Home Park District

EXISTING USE: *Shadow Valley Manufactured Home Community*

REQUESTED ZONING: RM-3 Residential Multi-Family District & PUD 87

SUPPLEMENTAL ZONING: Corridor Appearance District (partial)

SURROUNDING ZONING AND LAND USE:

North: (Across 151st St. S.) AG; An approximately 150-acre tract of vacant/wooded and agricultural land. Across 151st St. S. to the northwest is rural residential along 68th E. Ave. and 149th / 148th St. S. in an unplatted subdivision possibly known as “Abbett Acres” zoned AG.

South: AG & RS-3/PUD 85; 136.48 acres of agricultural and vacant/wooded land zoned RS-3/PUD 85 “Conrad Farms” and agricultural land to the southwest along Sheridan Rd. zoned AG.

East: AG, CG, & IL; The northerly, AG-zoned portion of an approximately 125.5-acre parcel of land containing the former Conrad Farms retail facility (partially damaged by the July 23:24, 2013 “derecho” / “bow echo” event; greenhouses since removed) and a house, perhaps both addressed 7400 E. 151st St. S., and approximately seven (7) on-site labor houses, and a 3.7-acre rural residential and agricultural tract belonging to the Conrad family zoned AG. East and southeast is Bixby Creek and its attendant easements and rights-of-way primarily zoned AG. Farther east are commercial and industrial uses in Bixby Industrial Park zoned CG and IL.

West: CH, IL, CS, and AG; The “Spectrum Plaza” trade center zoned CH, a single-family house on 1-acre zoned IL, and a CS district containing the Bethesda Girls Home at 7106 E. 151st St. S., another nonresidential building (former location of the Living Water Family Church) at 7102 E. 151st St. S., and the Bixby Chiropractic at 7100 E. 151st St. S. Farther west along the east side of Sheridan Rd. are several vacant/wooded, agricultural, and rural residential tracts of land zoned AG.

COMPREHENSIVE PLAN: Development Sensitive + Residential Area + Corridor + Community Trails

PREVIOUS/RELATED CASES:

RELEVANT AREA CASE HISTORY: (not a complete list; cases east of Bixby Creek and Memorial Dr. not included here)

BBOA-70 – Luther Metcalf for Melvin Skaggs – Request for Special Exception to allow a single family dwelling (site built) in an RMH district for property of approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – BOA Approved 01/08/1980.

BZ-81 – Jerry Green – Request for rezoning from RMH to IL for approximately 4.8 acres, which included a house on 1 acre and the (now) 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Recommended Approval 03/31/1980 and City Council Approved 04/21/1980 (Ord. # 395).

BL-107 – Jerry Green – Request for Lot-Split approval to separate approximately 4.8 acres into (1) a 1 acre tract with a house and (2) the (now) 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Approved 10/28/1985 and City Council Approved 11/12/1985 per case notes.

BZ-199 – Dan Stilwell – Request for rezoning from RMH to CG for approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – PC recommended Approval 05/18/1992 and City Council Approved 05/25/1992 (Ord. # 667). However, the legal description used may not have closed and the ordinance did not contain the approved Zoning District. The official Zoning Map reflects CS instead of CG. Any interested property owner may petition the City of Bixby to reconsider a CG designation as an amendment to Ordinance # 667 per BZ-199, subject to the recommendations and instructions of the City Attorney.

BBOA-252 – Dan Stilwell – Request for Special Exception to allow horses as a Use Unit 20 use in the (then requested) CG district for property of approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – BOA Approved 06/01/1992.

BZ-283 – Mike Marker – Request for rezoning from AG to CS for a 1.3-acre tract to the west of subject property and containing the Leonard & Marker Funeral Home main building at 6521 E. 151st St. S. – PC Recommended Approval 02/19/2002 and City Council Approved 03/11/2002 (Ord. # 848).

BBOA-381 – Mike Marker – Request for Variance from the parking standards of Zoning Code Chapter 10 Section 1011.4 for a 1.3-acre tract to the west of subject property and containing the Leonard & Marker Funeral Home main building at 6521 E. 151st St. S. – BOA Approved Variance, to include requiring 62 parking spaces, 05/06/2002.

BBOA-389 – Joe Donelson for Mike & Pam Marker – Request for Variance from the sign setback requirement of Zoning Code Chapter 2 Section 240.2(e) for a 1.3-acre tract to the west of subject property and containing the Leonard & Marker Funeral Home main building at 6521 E. 151st St. S. – BOA Approved 08/05/2002.

BZ-287 – Randy King – Request for rezoning from AG to CG for a 4-acre tract to the northwest of subject property at 6825 E. 151st St. S. – PC (09/16/2002) Recommended Denial and suggested that the item be brought back as a PUD; denial recommendation evidently not appealed to City Council.

BBOA-423 – Karen Johnson – Request for Floodplain variance “to allow fill in the floodplain without providing compensatory storage (Engineering Design Standards Section E)” for property to the east of subject property at 7580 E. 151st St. S., a former NAPA auto parts store that had been destroyed by fire – BOA Denied 07/13/2004.

AC-05-01-01 – Commercial buildings for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – Architectural Committee Approved 01/27/2005.

BZ-325 – The Porter Companies, Inc. for Claxton/Clayton Broach Trust – Request for rezoning from AG to CS for a 150-acre tract located to the north of subject property in the 6900 : 7700-block of E. 151st St. S. – PC Recommended Approval 01/16/2007. Withdrawn by Applicant by letter dated 02/05/2007 (letter requested the application be “postponed... until such time that the Porter Companies take title to the property).”

AC-07-08-06 – Architectural Committee (08/20/2007) reviewed the building plans for a proposed new building for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. and Continued the case pending the resolution of Zoning issues. AC took no action on 09/17/2007 due to discovery of lack of jurisdiction (building not within 300’ Corridor Appearance District).

BBOA-460 – JR Donelson for Oman Guthrie – Request for Special Exception per Zoning Code Section 11-11-8 for an alternative compliance plan to parking and screening requirements in the CH Commercial High Intensity District for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – BOA Approved 10/01/2007.

BZ-335 – JR Donelson for Oman Guthrie – request for rezoning from IL to CH for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Recommended Approval 10/15/2007 and City Council Approved 11/12/2007 (Ord. # 982).

BLPAC-1 – JR Donelson for Oman Guthrie – Landscaping Plan Alternative Compliance plan per Zoning Code Section 11-12-4.D for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Conditionally Approved 11/19/2007.

BCPA-8, PUD 75 “LeAnn Acres,” & BZ-359 – JR Donelson, Inc. / Roger & LeAnn Metcalf – request to (1) amend the Comprehensive Plan Land Use Map to redesignate those parts of the property presently designated “Low Intensity” and/or “Special District # 4” to “Medium Intensity” and remove the “Special District # 4” designation, (2) rezone from AG to RM-2, and (3) approve PUD 75 for a multifamily development on approximately 25 acres abutting the subject property to the west at 15329 S. Sheridan Rd. – PC Recommended Conditional Approval 01/21/2013 and City Council Conditionally Approved 01/28/2013. However, ordinance not approved because the PUD package presented was not in its final form / did not incorporate the required Conditions of Approval. To date, the final PUD package has not been received. All applications were recognized as “inactive” and filed away on 04/29/2014.

BZ-376 – Joseph Guy Donohue for J.C. & Lila Morgan – request for rezoning from IL to CH for a 1-acre tract to the west of subject property at 6636 E. 151st St. S. (to be re-addressed 7108 and 7110 E. 151st St. S.) – PC Recommended Denial absent a PUD 08/18/2014. Not appealed to City Council.

BCPA-12, PUD 85, & BZ-377 – Conrad Farms Holdings, LLC – Request to amend the Comprehensive Plan to remove the Special District # 4 designation, rezone from AG to RS-3, and approve PUD 85 for a single-family residential development on 136 ½ acres abutting subject property to the south – PC recommended Conditional Approval 09/15/2014. City Council Conditionally Approved 11/10/2014 (Ord. # 2143).

PUD 85 – Conrad Farms – Minor Amendment # 1 – Request for approval of Minor Amendment # 1 to PUD 85 for a single-family residential development on 136 ½ acres abutting subject property to the south – On 02/17/2015, as requested by Applicant, PC Tabled and provided that the Applicant may return the applications to any Planning Commission agenda within one (1) year, provided the Applicant gives the City at least one (1) month’s advance notice of the next agenda placement.

Sketch Plat of “Conrad Farms” – Request for approval of a Sketch Plat for a single-family residential development on 136 ½ acres abutting subject property to the south – On 02/17/2015, as requested by Applicant, PC Tabled and provided that the Applicant may return the applications to any Planning Commission agenda within one (1) year, provided the Applicant gives the City at least one (1) month’s advance notice of the next agenda placement.

BACKGROUND INFORMATION:

The Public Notice for these two (2) applications has elicited a number of phone calls and office visits from current residents of the Shadow Valley Manufactured Home Community asking whether the approval of the applications would result in their relocation. Staff has responded that this appears to be the case and directed them to contact the property owner for further information.

During the TAC meeting held April 01, 2015, the Applicant advised Staff that, due to the fact that the outcome of the zoning changes was not known, the owners were not in the position to tell the residents [about something that may not happen], that the owners would be allowing an extended relocation timeline for the residents, that the law required 30 days, but the owners would plan to give “in excess of six (6) months notice,” that the owners were in communication with other [mobile home] parks in the area to discuss potential relocation, and that some of the units were not in adequate condition to be moved and would have to be demolished.

ANALYSIS:

Subject Property Conditions. The subject property of 21.1 acres, more or less, is zoned RMH Residential Manufactured Home Park District and is composed of two (2) parcels of land:

1. All of Shadow Valley Mobile Home Park: Approximately 10.39 acres, contains the southerly portion of the Shadow Valley Manufactured Home Community, Tulsa County Assessor's Parcel # 58030732325860, and
2. Part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4 of Section 23, T17N, R13E: Approximately 10.6 acres, contains the northerly portion of the Shadow Valley Manufactured Home Community, Tulsa County Assessor's Parcel # 97323732325260.

The subject property is relatively flat and appears to primarily drain to the east to Bixby Creek; southerly parts appear to drain south toward a wooded drainage way and drainage basin located on the Conrad Farms property abutting to the south.

The northeast corner of the subject property, including the singular private drive access to 151st St. S., presently contains an area of 100-year floodplain attendant to Bixby Creek. As this PUD acknowledges, the proposed redevelopment of the subject property will require additional access out of the 100-year Floodplain as will be recommended by City Staff upon receipt of actual development plans.

The subject property is presently served by the critical utilities (water, sewer, electric, etc.). Plans for utilities are adequately described in the text and represented on Exhibit C, and are discussed further in the City Engineer's memo.

Comprehensive Plan. The Comprehensive Plan designates all of the subject property as (1) Development Sensitive, (2) Residential Area, (3) Corridor, and (4) Community Trails.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the requested RM-3 district is In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map. Also per the Matrix, the requested RM-3 district May Be Found In Accordance with the Development Sensitive designation 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.

The site is developed, and so this test does not appear to apply. Staff notes, however, that the requested RM-3 district and residential use should be considered substantially consistent with the Residential Area land use designation of the Comprehensive Plan Land Use map.

Per the Matrix, PUDs (as a zoning district) and the requested RM-3 district are both In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map and May Be Found In Accordance with the Development Sensitive designation of the Comprehensive Plan Land Use Map. Provided it is approved with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below, Staff believes that PUD 87 should be found In Accordance with the Comprehensive Plan as a zoning district.

Due to all of the factors listed and described above, Staff believes that the proposed RM-3 zoning and residential development proposed per PUD 87 should be found In Accordance with the Comprehensive Plan, provided they are approved together and with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

The Comprehensive Plan Land Use Map designates a Community Trail more or less paralleling the west side of Bixby Creek from the old Railroad line south of 141st St. S. to its former (pre-channelized) confluence with the Arkansas River. This trail appears to cross 151st St. S. through the northeast corner of the subject property. The Matrix only includes, and the Zoning Code only requires consistency with the land use elements for rezoning purposes, not the Public Facilities / Urban Design Elements such as trails.

However, please reference related PUD recommendations for design enhancements to support the overall multifamily development quality.

General. The PUD proposes a multifamily residential redevelopment of the existing Shadow Valley Manufactured Home Community with a maximum of 527 dwelling units, per PUD Development Standards and the proposed underlying RM-3 zoning. The PUD provisions of the Zoning Code would enable slightly more, as it allows for the use of ½ of the abutting 151st St. S. right-of-way in the multifamily dwelling units per land area formula, which option this PUD does not exercise.

The submitted site plan does not include any specific development designs. Per discussions with the Applicant, Staff understands that this is because, if approved for rezoning and PUD, the property would be sold to a third-party developer, and so the future PUD Detailed Site Plan will be prepared by the then developers who will be in the position to make specific design changes as the City may request. Therefore, the Applicant has not represented proposed location of uses, off-street parking, open spaces, public and private vehicular and pedestrian circulation, or signage. The PUD chapter of the Zoning Code may anticipate such generalized PUDs, as it includes in Sections 11-71-8.B.1.b and .d requirements that are conventionally expressed in the PUD Text, and not on the site plan itself.

To satisfy the spirit and intent of the specific informational elements of the PUD conceptual site plan, (1) the connection of required elements between the Text and the site plan Exhibits is established by the provision of development standards for the singular Development Area A and the representation of the singular Development Area A on the Exhibit B PUD Plan and (2) Staff recommends that the required PUD Detailed Site Plan be reviewed and recommended upon by the Planning Commission and Approved by the City Council.

The proposed development standards are nearly identical to those of PUD 70 Encore on Memorial, except that it allows the generation of 25 dwelling units per acre, versus 20 per acre with Encore, and requires 20' setbacks around the entire development, versus 10' setbacks except for a 20' front yard setback.

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

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

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

The Technical Advisory Committee (TAC) discussed PUD 87 at its regular meeting held April 01, 2015. Minutes of that meeting are attached to this report.

Access and Internal Circulation. Plans for access and internal circulation are described in the "Access and Circulation" section of the PUD Text as follows:

"The main Ingress and egress to Shadow Valley will be from 151st Street South. The existing driveway along the east side will be improved and removed from the 100 yr flood plain by installing drainage structure under the access road. A second access road will eventually be installed to provide a secondary means of access to 151st Street. The location of the secondary access will be determined upon acquiring additional property between this development and 151st Street. Sidewalks, minimum 4 feet in width, will be installed by the developer along all street frontages in accordance with the Subdivision Regulations. The sidewalks will be ADA compliant to be approved by the City Engineer. The minimum width of the internal drives will be 26 feet and the minimum gate width will be 14 feet. A Knox rapid entry system will be installed. Internal sidewalks will be provided to enhance the quality of the development and to provide a convenient and safe passageway for pedestrians."

Plans for access can be further inferred from the site plans. The site plans indicate a "Potential Secondary Access" via an approximately 2.5-acre tract of land at 7102/7106 E. 151st St. S. Per the discussion at the April 01, 2015 TAC meeting, Staff understands that the Applicant has been in discussions with the owner of this property about such access. If this is not secured prior to PUD approval, the designations on the site plans should be removed and other appropriate adjustments made to require secondary access.

Per the discussion at the April 01, 2015 TAC meeting, the Fire Marshal has expressed some concern regarding compliance with the Fire Code requirement for a minimum separation between access roads based on a formula using the diagonal width of the development tract. PUD approval should be subject to all Fire Marshal recommendations as to access, as listed as recommendations # 2 and # 3 below.

Due to the scale of this development, 527 apartment units, Staff has recognized a need to consider the number and formats of points of access in proportion to the number of dwelling units served. This ratio matter was discussed for the single-family housing additions "Willow Creek," "The Trails at White Hawk," and "Conrad Farms" developments proposed and approved most recently in 2013 and 2014.

For single-family housing addition developments, the Subdivision Regulations do not contain a ratio schedule for the number of required points of access to a subdivision based on the number of lots within it. Recommendations as to adequacy of the three (3) means of ingress and egress in ratio to the number of lots proposed should and have previously come from the City Planner, Fire Marshal, and Police Chief. In the case of "Willow Creek" in 2008, when 254 lots were proposed, all considered and expressed that the three (3) points of access should be considered adequate, two (2) of which points of access consisted of a Collector Street connecting 131st St. S. to Mingo Rd. All three (3) verbally indicated that the three (3) were still adequate when that number was increased to 276 lots in 2009. Once more, all three (3) indicated that the three (3) were still adequate when that number was increased to 291 lots in 2013. In the case of "The Trails at White Hawk," City Staff concurred that three (3) points of access would be acceptable for the 261 residential lots planned behind a commercial frontage development area, including a Collector Street connecting 151st St. S. to Lakewood Ave. in The Ridge at South County, which in turn connects to 141st St. S. The third access serving "The Trails at White Hawk" is an emergency access drive connection to Kingston Ave. In the case of "Conrad Farms," City Staff concurred that three (3) points of access would be acceptable for the 500 residential lots legally entitled by PUD 85 be served by not less than three (3) points of access, two (2) of which shall consist of a Collector Street connecting 161st St. S. to one (1) other Arterial Street.

For multifamily developments, neither the Zoning Code nor the Subdivision Regulations contains a ratio schedule for the number of required points of access to a multifamily development based on the number of dwelling units served. PUD 61 "Marquis on Memorial" developed 132 apartment units and has two (2) points of access, being the reduced-width 82nd E. Ave. residential Collector Street connecting 146th St. S. and 148th St. S. PUD 70 "Encore on Memorial" developed 248 apartment units and has two (2) points of access, being the 126th St. S. Collector Street and an emergency-access drive along the former Fry Creek maintenance road connecting to Memorial Dr. Proposed PUD 81 "Chateau Villas" proposes 375 apartment units and two (2) points of access.

This PUD 87 would legally entitle up to 527 apartment units, and proposes two (2) points of access. City Staff has considered what measure of access will be acceptable. The Fire Marshal, Fire Chief, Police Chief,² and City Planner recommend two (2) points of access, consisting of at least one (1) Collector Street connecting to 151st St. S. and a secondary regular access drive or emergency-access only drive. If the secondary access is designed and approved as an emergency-access only drive, the Collector Street should be designed with not less than two (2) driveway connections thereto, of adequate width and separation. The latter design would likely require the Collector Street be extended throughout the north-south depth of the subject property.

The existing PUD Text should be enhanced to specify that at least one (1) Collector Street, for which Subdivision Regulations Section 9.2.2 requires a minimum of 60' of right-of-way and 36' of paving width, will serve the development and connect to 151st St. S. The PUD site plans should be updated to reflect street configuration changes pursuant to these connectivity recommendations.

The City of Bixby has the responsibility to ensure that development properties are not hampered by lack of planning and access provision when abutting properties are developed. The Subdivision Regulations require stub-out street provision to all adjoining unplatted tracts. Abutting the subject property to the south is the 136½-acre PUD 85 "Conrad Farms" housing addition development property. During the approval of PUD 85, City Staff recommended, and the PUD included a requirement that the 500 single-family lots legally entitled by the PUD be served by not less than three (3) means of ingress/egress, two (2) of which shall consist of a Collector Street connecting 161st St. S. to one (1) other

² *The Police Chief has stated that he is not in favor of an additional apartment complex, but if it is to be approved, minimum required access should be as recommended herein.*

Arterial Street. During the review of the "Conrad Farms" Sketch Plat and PUD 85 Minor Amendment # 1 applications, City Staff recommended that the Collector Street connect 161st St. S. to 151st St. S., as opposed to Sheridan Rd. or Memorial Dr. City Staff recognizes that the improvement of the existing access to the subject property and/or the provision of a secondary means of ingress/egress, as proposed to be required by this PUD, may additionally serve to provide, whether it be by the Collector Street or something less, the additional recommended access to 151st St. S. for the PUD 85 development property. City Staff has discussed this matter with the Applicant, and the Applicant has not expressed objection to this concept. Staff recommends the PUD Text provide language specifying the potential for through access to the PUD 85 development property to the south during the platting and site plan approval stages. Through access provisions may ultimately take the form of platted Public right-of-way allowing for future connection by third parties.

INCOG regional trails plans and the Bixby Comprehensive Plan show a trail as planned along west side of Bixby Creek; the latter designates the same a "Community Trail." Staff requests the developer consider (1) constructing a walking trail within or along the abutting Bixby Creek right-of-way as an amenity for the multifamily development, or otherwise describe plans provide for future connections to same during the platting of the development, and (2) incorporating pedestrian / trail elements within the development consistent with the intent of the Comprehensive Plan. These enhancements would help the PUD provide a "unified treatment of the development possibilities of the project site" and "achieve a continuity of function and design within the development." If the developer would be willing to make such improvement(s), appropriate language should also be added to the PUD Text Section "Access and Circulation" and the PUD site plan should be updated accordingly.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily CS, CH, CG, IL, AG, and RS-3/PUD 85. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

Across 151st St. S. to the north is vacant/wooded and agricultural land zoned AG, and to the northwest is rural residential along 68th E. Ave. and 149th / 148th St. S. in an unplatted subdivision possibly known as "Abbett Acres," zoned AG.

To the east is the part of the former Conrad Farms' farmland on a tract of land containing approximately 125.5 acres (the SE/4 of the NW/4 and the NW/4 of the SE/4 and the W/2 of the SW/4 of the NE/4 and part of the N/2 of the N/2. This parcel contains the former Conrad Farms retail facility (partially damaged by the July 23:24, 2013 "derecho" / "bow echo" event; greenhouses since removed) and a house, perhaps both addressed 7400 E. 151st St. S., and approximately seven (7) on-site labor houses east of the southeast corner of the subject property. Farther to the east is a 3.7-acre rural residential and agricultural tract at 7402 E. 151st St. S., also belonging to the Conrad family and commercial and industrial uses in Bixby Industrial Park zoned CG and IL. Cutting through these areas diagonally downstream to the southeast is Bixby Creek and its attendant easements and rights-of-way primarily zoned AG.

Abutting to the west and north is the approximately 3.4-acre "Spectrum Plaza" trade center property zoned CH. Immediately west of that is a single-family house on 1-acre zoned IL. Abutting to the north is approximately 3 ¾ acres of CS zoning containing the Bethesda Girls Home at 7106 E. 151st St. S. and another nonresidential building (former location of the Living Water Family Church) at 7102 E. 151st St. S. and the Bixby Chiropractic at 7100 E. 151st St. S. Farther west along the east side of Sheridan Rd. are several vacant/wooded, agricultural, and rural residential tracts of land zoned AG.

Abutting the subject property to the south is the 136½-acre PUD 85 "Conrad Farms" housing addition development property. Staff believes that, if properly enhanced as recommended herein, the proposed RM-3 zoning and multifamily PUD would serve as an appropriate buffer between single-family residential development land to the south and more intensive IL, CH, and CS zoning and commercial uses fronting on 151st St. S.

As required by Zoning Code Section 11-7I-8.B.1.e., the PUD proposes to buffer the proposed multifamily development from the future single-family residential to the south with a 6'-tall screening fence and "a twenty (20) foot wide landscaped buffer. This landscape buffer will be planted with at least one (1) tree per 1000 square feet of buffer area and at least one half of the trees shall be evergreen." Staff believes that additional buffering measures should be required, such as massing (height, especially) restrictions for such buildings, a specific height limitation based on a formula factoring the distance to the nearest single-family residential property line, building placement and/or orientation, window-facing or window-screening restrictions, etc.

PUD 81 "Chateau Villas PUD," for which the City Council Conditionally Approved an application for Major Amendment # 1 on March 30, 2015, contained specific minimum standards oriented toward buffering that PUD's multifamily development area from the established single-family residential neighborhood in Houser Addition abutting to the east. These included:

- Enhanced screening fences/walls and landscaping pursuant to previous PUD 68,
- A 75' minimum setback from the single-family residential areas for the three (3) story buildings as initially approved, and then a 75' minimum setback when the buildings were reduced to two (2) stories,
- A 200' (or potentially more) minimum setback from the single-family residential areas for the fourth-story portions of multifamily buildings at 50' in height,
- Restriction of windows from east-facing 2-story buildings, with potential allowances for clerestory or faux windows.

The proposed RM-3 zoning and multifamily PUD would likely result in an increased intensity of land use. Per Staff's estimation of GIS and aerial data, the existing manufactured home park contained roughly 163 individual manufactured home spaces. Per 2014 aerial data, Staff estimated there were roughly 83 actual manufactured homes in the park at that time. The Corridor designation of the Comprehensive Plan Land Use Map, however, contemplates intensive redevelopment for the subject property.

The proposed RM-3 zoning and multifamily PUD would also be consistent with the RM-2 zoning and PUD Conditionally Approved for the 25-acre development tract abutting to the west per BCPA-8/PUD 75 "LeAnn Acres." However, since the final PUD Text and Exhibits were never submitted, the City of Bixby never effected the approval of the applications by ordinance, and the official Zoning Map continues to reflect AG zoning.

For all the reasons outlined above, Staff believes that RM-3 zoning and PUD 87 would not be inconsistent with the surrounding zoning, land use, and development patterns and are appropriate in recognition of the available infrastructure and other physical facts of the area.

Development Quality / Multifamily Use PUD Element. Not including assisted living facilities, Bixby has four (4) apartment complexes. Parkwood Apartments was constructed in or around 1973. The Links at Bixby was developed in or around 1996, and was done with PUD 16. Marquis on Memorial was developed in 2008/2009, and was done with PUD 61. Encore on Memorial was developed in 2011 and was done with PUD 70. PUD 75 "LeAnn Acres" and PUD 76 "Scenic Village Park" were conditionally approved in 2012/2013, and PUD 81 "Chateau Villas PUD" was approved in 2013/2014 and Conditionally Approved for Major Amendment # 1 on March 30, 2015. Since 1973, no apartment development has been developed in Bixby absent a PUD, and the PUDs arguably contribute to the improvement of the value and quality of such projects.

To ensure the highest value and quality for any multifamily development that may occur on the subject property, consistent with the City Council's recent Conditional Approvals of multifamily PUDs 70, 75, PUD 76 (which originally included limited multifamily use elements), 81 "Chateau Villas PUD," and to a certain extent multifamily PUD 61 ("Marquis on Memorial"), Staff recommends multifamily PUDs incorporate an appropriate variation of the following, which should help ensure the development product is of adequate quality and is adequately invested for the long term:

1. Consistent with PUDs 61, 70, 75, 76, and 81, the adequacy of multifamily construction quality shall be determined by means of a PUD Detailed Site Plan, which is hereby recommended to be reviewed and recommended upon by the Planning Commission and approved by the City Council.
2. Consistent with PUDs 70, 75, 76, and 81, multifamily PUDs should propose a specific masonry requirement for all buildings or otherwise each multifamily development building type (Encore on Memorial included a 25% masonry requirement for the standard 3-story apartment buildings ["Type I"], a 35% masonry requirement for the modified-type 2/3-story apartment buildings ["Type III"], and a 40% masonry requirement for the leasing office. The garages and carport buildings had no masonry requirement). The non-masonry balance of the buildings consisted of a cementitious fiber masonry alternative. This PUD proposes the same proportions, sans the 35%/Type III. PUD 81, as originally approved, included "not less than 75% masonry materials from the ground to the top floor top plate." It is now Conditionally Approved to have, on average throughout the development, not less than 40% traditional masonry (brick and stone), with not less than 20% on any building, and the balance of all structures being cementitious fiber

“with a stucco appearance” masonry alternative. As such, PUD 81 would have the highest masonry standards of any multifamily PUD proposed in Bixby to date. The Applicant should consider increasing the traditional masonry standard consistent with PUD 81, as may be specifically modified by the City Council in recognition of circumstantial and contextual factors, and consider proposing a masonry alternative for the balance of the buildings or a certain percentage of the balance of the buildings.

3. *Consistent with PUDs 70, 75, 76, and 81, multifamily PUDs should describe in the PUD what will be done with existing natural features. In this case, such elements could include the hillside to the west, Bixby Creek to the northeast, and mature trees along the property perimeters (including within the proposed 20' landscaped buffers) and throughout the redevelopment site.*
4. *Consistent with similar recommendations for PUDs 70, 76, and 81, and in recognition of INCOG regional trails plans and the Bixby Comprehensive Plan, consider whether the property perimeters and/or the concerned portion of the west bank of Bixby Creek within the adjacent Bixby Creek right-of-way could be improved as a walking trail amenity for the development. Internal sidewalks could link to the perimeter trails / public trail on the perimeter. If the developer would be willing to make such improvements, appropriate language should also be added to the PUD Text section entitled “Access and Circulation” and the same should be represented on the appropriate site plans.*
5. *Describe additional measurable minimum standards for land use buffering and compatibility needs. See the analysis above describing (1) the minimum screening, buffering, and landscaping standards, and (2) measures to mitigate land use interface issues between multifamily use and parking lots and single-family residential uses planned to the south per PUD 85 “Conrad Farms.”*
6. *Consistent with PUDs 70, 75, and 81, consider proposing more than 15% minimum lot area landscaping for the multifamily DA. PUD 70 was approved with 15%, PUD 75 was Conditionally Approved with 16.8%, and PUD 81 “Chateau Villas PUD” was approved with 15% but was most recently Conditionally Approved at 30%.*

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.*

For the sake of development and land use compatibility, as described more fully above, Staff would be supportive of the Zoning approvals supporting the development proposal if it (1) offers quality-enabling standards such as outlined above, (2) provides for land use buffering and compatibility needs, and (3) provides for adequate access as recommended by City Staff. If these were satisfactorily provided for, Staff believes that the prerequisites for PUD approval per Zoning Code Section 11-7I-8.C will have been met.

Staff Recommendation. For all the reasons outlined above, Staff believes that the surrounding zoning and land uses and the physical facts of the area weigh in favor of the requested PUD and rezoning

applications generally. Therefore, Staff recommends Approval of both requests, subject to the following corrections, modifications, and Conditions of Approval:

1. The approval of RM-3 zoning shall be subject to the final approval of PUD 87 and vice-versa.
2. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item may be addressed by adding a "Standard City Requirements" section to the PUD Text, with language such as "Standard requirements of the City of Bixby Fire Marshal, City Engineer and City Attorney shall be met."
3. Subject to City Engineer curb cut ODOT curb cut / driveway permit approval for modifications to the existing entrance drive, and any new driveway connections to with State Hwy 67 (151st St. S.), and the Fire Marshal's approval of locations, spacing, widths, and curb return radii. This item may be addressed by adding to "Access & Circulation" section of PUD Text appropriate language such as "All driveway and/or street connections shall be reviewed and approved by all jurisdictions having authority including, but not limited to: City of Bixby Engineering and Fire Marshal and the Oklahoma Department of Transportation."
4. Please address within the Text and Exhibits, or otherwise by letter to the Planning Commission, the six (6) numbered recommendations listed above pertaining to development quality and multifamily developments.
5. Please update all PUD number blanks with number 87.
6. Development Concept & Character: Please specify that the RM-3 zoning is being requested per BZ-381.
7. Detail Site Plan Review: Please add appropriate language incorporating recommendation herein that the required PUD Detailed Site Plan shall be reviewed and recommended upon by the Planning Commission and approved by the City Council.
8. Landscaping and Screening: Please clarify the text such as "...at least one (1) tree per 500 square feet of street yard (using the 35' minimum setback pursuant to Zoning Code Section 11-7I-5.E) and..."
9. Landscaping and Screening: Please clarify that the Street Yard tree planting requirements attending any new public or private streets constructed within or adjacent to the development will be Street Yards as would otherwise be required by the RM-3 district pursuant to Zoning Code Section 11-7I-5.E.
10. Landscaping and Screening: Regarding the 6' fence, please replace cardinal directions references with "around all property perimeters," or with more specifics if that is not the intent.
11. Landscaping and Screening: Because the PUD lacks sufficient details for landscaping and screening, please add language such as "To mitigate the visual effects which commonly attend intense uses such as multifamily, and in recognition of Zoning Code Section 11-7I-6, the owner acknowledges that the ultimate landscaping and perimeter requirements may be more than that described in this PUD, in exchange for the special benefits conferred upon the developer by this PUD."
12. Grading and Utility Plans: Regarding the extent of the 100-year Floodplain, please replace the description with "Northeast portions of the subject property, including the singular existing entrance drive, are located within..."
13. Grading and Utility Plans: Please update as appropriate to reflect new sanitary sewer infrastructure as per the City Engineer's review memo.
14. Grading & Utility Plans: The plat of Shadow Valley Mobile Home Park indicates [Utility] Easements cut through the central parts of the platted area, which will likely ultimately frustrate reasonable multifamily site development plans. Although easement information for the northerly part of the manufactured home park was not provided to the City, it is reasonable to expect some measure of U/Es or other easements may affect the northerly part. The PUD Text should explain here whether the plat of Shadow Valley Mobile Home Park or otherwise its internal U/Es, and if any other inconvenient easements affecting either lot of record will be vacated prior to replatting for the redevelopment.
15. Access and Circulation: Please modify language to incorporate City Staff recommendations pertaining to ultimate access serving the multifamily redevelopment on the subject property. All references to private Residential Collector Streets (for primary access) or Low Density Residential Minor Streets (for secondary access) should specify that the same will be designed

and constructed to City of Bixby minimum standards for corresponding public streets per Subdivision Regulations Section 9.2.2 and the Bixby Engineering Design Criteria Manual.

16. Access and Circulation: Please provide language specifying the potential for through access to the PUD 85 development property to the south during the platting and site plan approval stages. Through access provisions may ultimately take the form of platted Public right-of-way allowing for future connection by third parties.
17. Access and Circulation: Please modify language, "The existing driveway along the east side shall be improved as a public or private street and/or private drive and removed from the 100 Year..."
18. Access and Circulation: Please modify language, "A second public or private access road..."
19. Access and Circulation: Please remove term "eventually" and add language providing that no Building Permits shall be issued for any building within PUD 87 until both required means of ingress/egress have been constructed and/or reconstructed and approved by the City Engineer.
20. Access and Circulation: Please add language acknowledging the existing sidewalk along 151st St. S. and specifying its width.
21. Access and Circulation: Please acknowledge the sidewalk construction requirement with language such as "In accordance with the Bixby Subdivision Regulations, sidewalks shall be constructed by the developer along all public or private streets and/or private drives and shall connect the internal sidewalk network to the existing sidewalk along 151st St. S. New sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer."
22. Access and Circulation: Please address trail matters as discussed above in the analysis section of this report.
23. Access and Circulation: Please update language, "A Knox rapid entry system will be installed" with current recommendations / practice such as "A rapid entry system with radio transmitters, approved by the Fire Marshal, shall be installed," in order to allow access to all emergency responders.
24. Signs & Site Lighting: Consider whether the 32 square feet of maximum display surface area for the multifamily development's identification sign will be adequate; if not, please specify development standards for same. Sign(s) should be identified on the site plans if known at this time.
25. Signs & Site Lighting: In light of the preceding item, consider qualifying the following sentence as follows: "All signage shall comply with the Bixby Zoning Code except as otherwise specifically provided herein."
26. Signs & Site Lighting: The specific lighting fixtures proposed are identical to those used in the 2010 PUD for Encore on Memorial. If this is not yet known, the language should be written less specifically.
27. Signs & Site Lighting: Please add a standard that the photometric plan demonstrate 0.0 footcandles at all property boundaries shared with all properties in an RS district and/or actually used for single-family residential.
28. Scheduled Development: Please remove ambiguity by restating such as "late 2016" or "early 2017."
29. Legal Description: Please consider whether the legal description should include reference to the fact that it contains all of Shadow Valley Mobile Home Park, as Staff used in the legal description for the Public Notice.
30. Exhibits: A conceptual landscape plan, or otherwise a site plan conceptually reflecting proposed landscaping, is a required PUD element per Zoning Code / City Code Section 11-7I-8.B.1.e, and is respectfully requested.
31. Exhibits A, B, and C: The site plans indicate a "Potential Second/ary Access" via an approximately 2.5-acre tract of land at 7102/7106 E. 151st St. S. Per the discussion at the April 01, 2015 TAC meeting, Staff understands that the Applicant has been in discussions with the owner of this property about a such access. If this is not secured prior to PUD approval, the designations on the site plans should be removed and other appropriate adjustments made to require secondary access.

32. Exhibits B and C: Please represent the [Utility] Easements as per the recorded plat of Shadow Valley Mobile Home Park, any other easements of record affecting the subject property, and a minimum 17.5' perimeter Utility Easement along with description "to be dedicated by plat."
33. Exhibits B and C: The following corrections or enhancements should be made to Exhibits B and/or C if/as appropriate:
 - a. Please represent and label the width of the existing sidewalk along 151st St. S.
 - b. Please indicate the centerline and dimension the widths of 151st St. S. and dimension the distance between the subject property and the curb line or centerline.
 - c. Please represent curb return radii for the existing driveway intersection with 151st St. S. as represented.
34. Exhibit C: Please correct typos in Exhibit's title, "Existing Contours & Utilities."
35. Exhibit C: Please update as appropriate to reflect new sanitary sewer infrastructure as per the City Engineer's review memo.
36. For the recommended Conditions of Approval necessarily requiring changes to the Text or Exhibits, recognizing the difficulty of attaching Conditions of Approval to PUD ordinances due to the legal requirements for posting, reading, and administering ordinance adoption, please incorporate the changes into appropriate sections of the PUD, or with reasonable amendments as needed. Please incorporate also the other conditions listed here which cannot be fully completed by the time of City Council ordinance approval, due to being requirements for ongoing or future actions, etc. Per the City Attorney, if conditions are not incorporated into the PUD Text and Exhibits prior to City Council consideration of an approval ordinance, the ordinance adoption item will be Continued to the next City Council meeting agenda.
37. A corrected PUD Text and Exhibits package shall be submitted incorporating all of the corrections, modifications, and conditions of approval of this PUD: two (2) hard copies and one (1) electronic copy (PDF preferred).

Erik Enyart stated that, for the record, the owner had stated during the Technical Advisory Committee (TAC) meeting that they would provide more than the minimum required notice to the current residents to allow them to relocate.

Erik Enyart stated that the Comprehensive Plan and the surrounding Zoning and land use patterns supported the rezoning and intensive development of the subject property.

Lance Whisman in at 6:27 PM. Mr. Whisman noted that he had also been stranded on the Memorial Dr. bridge.

Chair Thomas Holland recognized Applicant Malek Elkhoury of Khoury Engineering, Inc. Mr. Elkhoury stated that [he and his clients] had reviewed the Staff Report and agreed with the recommendations. Mr. Elkhoury stated that, as it pertained to the masonry recommendation, [he and his clients] were in agreement with an average of 40% [traditional masonry] with the balance being cementitious fiber masonry alternative resembling stucco. Mr. Elkhoury stated that [he and his clients] were in agreement with the [recommendations pertaining to] trails and sidewalks, and indicated that he would work with the City when there were specific development plans. Mr. Elkhoury stated that [he and his clients] were in agreement with the 25 : 35% minimum landscaped lot area, and the recommendations to buffer the adjacent residential development. Mr. Elkhoury stated that [he and his clients] agreed to no Building Permit issuance until both access points are installed, and were also in agreement with the 75' setback if the buildings would be three (3) stories or taller. Mr. Elkhoury stated that, if garages were installed, [he and his clients] would like the setback [for them] reduced to 20' because they would only be one (1) story and would include no living spaces. Mr. Elkhoury mentioned the TAC meeting and stated that the secondary access point was now proposed to connect to Sheridan Rd. to the west. Mr. Elkhoury stated that [he and his

clients] understood the recommendations for a Collector Street and were in agreement, and that the exact location would be determined at the Detailed Site Plan stage. Mr. Elkhoury stated that he was here to ask for approval, and that, if the Commissioners had any questions, they should not hesitate to ask.

Chair Thomas Holland clarified with Malek Elkhoury that [he and his clients] were in agreement with all of the Staff recommendations. Mr. Elkhoury stated that there was no site plan as he did not have one to share at this point. In reference to the masonry requirement within the pending "Chateau Villas" multifamily development, Mr. Elkhoury stated "We'll match that." Upon a request for clarification, Erik Enyart stated that the Chateau Villas development included an absolute baseline of 20% masonry on all buildings.

Chair Thomas Holland clarified with Erik Enyart that the Commissioners were looking at both the land use and zoning question and the details of the PUD. Mr. Holland expressed concern that the PUD did not include a site plan for the development. Mr. Enyart stated that this was not unprecedented, as PUD 76 at 121st St. S. and Memorial Dr. simply included large Development Areas with lists of land uses which would be permitted in each.

Larry Whiteley asked how long the current residents would be given to relocate, and Malek Elkhoury stated "Six (6) months at minimum." Mr. Elkhoury stated "The owner has been in contact with other [manufactured home] parks for relocation." Mr. Elkhoury stated that the law required a minimum of 30 days, but the owner would give a minimum of six (6) months. Mr. Elkhoury stated that, due to the time it takes, the development may take 12 months.

Discussion ensued from the audience.

Chair Thomas Holland admonished those in attendance who wished to speak to sign the Sign-In Sheet and speak from the podium.

Patrick Boulden stated that the issue before the Planning Commission was not whether the residents would have to move, but if the apartments would be the best use in the overall scheme plan for the City.

Chair Thomas Holland recognized Kelly Rogers of 7500 E. 151st St. S. Lot 37 from the Sign-In Sheet. Ms. Rogers expressed concern for the elderly and single residents that would be "kicked out" of their homes and did not have enough money to go somewhere else. Ms. Rogers stated that some residents have lived in the manufactured home park for 25 to 30 years. Ms. Rogers expressed concern for the state of the manufactured home park and asserted that the current owners had not done anything with it. Ms. Rogers stated that the residents lived in the manufactured home park because they couldn't afford to live elsewhere.

Chair Thomas Holland recognized Carolyn Case of 7500 E. 151st St. S. Lot 63 from the Sign-In Sheet. Ms. Case stated that she could not physically move, and had been there for 14 years. Ms. Case stated that her home was paid for and she could not afford to move elsewhere. Ms. Case stated, "I ask and beg you, please do not approve the rezoning."

Chair Thomas Holland recognized Ted Holt of 7500 E. 151st St. S. Lot 169 from the Sign-In Sheet. Mr. Holt stated that he was speaking on behalf of his mother and father-in-law. Mr. Holt stated that Patrick Boulden had said that [these applications would] go on to the City Council. Mr. Holt asked if that would be a Public Hearing as well, and Erik Enyart and Patrick Boulden responded affirmatively. Chair Thomas Holland stated that the Planning Commission would give a recommendation and the City Council would be the one to [consider approving] [the applications]. Mr. Holt stated, “You don’t just hook up [a manufactured home] with a truck and haul it off.” Mr. Holt rhetorically asked, would it be “progress to put 150 people out of their homes?” Mr. Holt asked, “Does anyone know the cost to move a mobile home?” Mr. Holt asked what would be the “timeframe to move.” Patrick Boulden stated that it was not within the City’s purview to delay a rezoning for that purpose, and that the Planning Commission and City Council could only decide when the rezoning would occur.

Chair Thomas Holland recognized Darrin Wells of 7500 E. 151st St. S. Lot 47 from the Sign-In Sheet. Mr. Wells claimed that the park was originally built in 1966 and was “approved by the City Council,” and claimed that, in the 1980s, it was “approved by the City Council to be expanded.” Mr. Wells asked if there were any contracts that were not fulfilled.

Chair Thomas Holland recognized Stacia Duncan, who signed the Sign-In Sheet on behalf of Shirley Boerner of 7500 E. 151st St. S. Lot 151. Ms. Duncan stated that Ms. Boerner’s [manufactured home] was “bought and paid for but” [Ms. Boerner] had no title because the company [she had bought it from] went out of business. Ms. Duncan mentioned the possibility that [Ms. Boerner’s manufactured home and/or other manufactured homes] might be relocated to the Riverbend Manufactured Home Community. Ms. Duncan asked if residents would have a choice as to where they would be relocated, and if moving expenses would be covered.

Malek Elkhoury stated that all of these questions were legitimate. Mr. Elkhoury stated that, based on his 30 years of experience, he would advise the residents that their concerns should be addressed to the owner, who should be able to be contacted where their [rent payment] checks were paid to.

Someone in the audience suggested that the residents “get the rezoning denied, then [the residents] would not have to move.”

Chair Thomas Holland stated that it was not in [Malek Elkhoury’s] authority to obligate the owner, and so, regarding moving expenses, the residents should have a meeting, elect a [spokesperson], and put their concerns in writing.

Larry Whiteley stated that Malek Elkhoury was hired to represent the owner. Mr. Whiteley stated that he had owned a [manufactured home] park, and knew that it took a lot to move [a manufactured home]. Mr. Whiteley admonished the residents to get together and voice their concerns with the owner.

Chair Thomas Holland recognized Samantha Parker of 7500 E. 151st St. S. Lot 28 from the Sign-In Sheet. Ms. Parker stated that she had moved in [to the Shadow Valley Manufactured Home Community] six (6) months ago. Ms. Parker stated that she had previously moved from Midtown Tulsa to the *Marquis* [on Memorial apartments] in Bixby for the better schools for her kids. Ms.

Parker stated that the move had been good to her and her kids. Ms. Parker stated that putting another apartment complex in the beautiful trees would not be a good thing. Ms. Parker stated that her kids enjoyed living in [the Shadow Valley Manufactured Home Community] and that everything was so much better than the apartments. Ms. Parker stated that this [meeting] was a bridge to allow the residents to get together and “make it better.”

Chair Thomas Holland recognized Dominic Rodriguez of 7500 E. 151st St. S. Lot 28 from the Sign-In Sheet. Mr. Rodriguez expressed objection to the focus of the discussion on zoning and trails. Mr. Rodriguez expressed concern [that the rezoning would allow the developers to] “take out the beautiful, lush trees.” Mr. Rodriguez expressed desire for the existing manufactured home park to remain and be improved, and to “let the kids grow up and go to college.” Mr. Rodriguez expressed desire that [the redevelopment prospect] be “shut down right here.” Mr. Rodriguez expressed desire that the potholes be fixed. Mr. Rodriguez addressed Malek Elkhoury and told him to “get the owner here or” there would be an “uproar.”

Larry Whiteley out at this time.

Chair Thomas Holland recognized Barbara Hernandez of 7500 E. 151st St. S. Lot 64 from the Sign-In Sheet. Ms. Hernandez stated, “I’ll pass.”

Chair Thomas Holland recognized Robert Clark of 7500 E. 151st St. S. Lot 11 from the Sign-In Sheet. Mr. Clark asked the Commissioners not to rezone the property, but if it did, to “ask the owner to pay what it takes to get everyone moved.”

Chair Thomas Holland recognized Pam Woods of 7500 E. 151st St. S. Lot 77 from the Sign-In Sheet. Ms. Woods stated that she paid the rent to the office, but “[the manager,] she doesn’t want to say or doesn’t know” [about relocation plans]. Ms. Woods stated, “I ask you to vote to not rezone it.”

Chair Thomas Holland recognized Ricardo L. of 7500 E. 151st St. S. from the Sign-In Sheet. Ricardo L. clarified with Chair Thomas Holland that the application proposed apartments and not single-family houses. Ricardo L. asked if the owner would pay to move the [manufactured homes] and if the rents in the new apartments would be low enough to allow the current residents to live there, but Chair Thomas Holland responded that he did not know in either case.

Chair Thomas Holland recognized Joe Conley of 7500 E. 151st St. S. Lot 31 from the Sign-In Sheet.

Discussion ensued.

Larry Whiteley in at 7:09 PM.

Jerod Hicks out at 7:09 PM.

Chair Thomas Holland recognized Gary Martin, Community Manager for the Riverbend Manufactured Home Community at 7819 E. 133rd St. S. from the Sign-In Sheet. Mr. Martin declined to speak at this time.

Chair Thomas Holland recognized Andy Brungardt of 7500 E. 151st St. S. Lot 10 from the Sign-In Sheet. Mr. Brungardt stated that most manufactured home parks will not allow manufactured homes over 10 years old to be moved in. Mr. Brungardt stated that the apartments at 121st St. S., senior living, were being constructed on unoccupied land, but this was occupied land, and “You’re taking our peoples’ homes.” Mr. Brungardt asked if it would help the residents’ cause to circulate a petition, and how many names it would need. Chair Thomas Holland stated that there was no “magic number,” but that such a petition would be “taken into consideration.”

Jerod Hicks in at this time.

Chair Thomas Holland recognized James Turney of 516 W. Tucson St. from the Sign-In Sheet. Mr. Turney stated that he lived behind the *QuikTrip*. Mr. Turney stated that the Commissioners had seen the problem with getting across the [Memorial Dr.] bridge [during traffic issues]. Mr. Turney expressed concern for putting a dense [multifamily residential development] on the subject property “till we get something else...I don’t want to see a whole lot more development on this side [of the Arkansas River].” Mr. Turney stated that the schools were dense and full. Mr. Turney stated that there should be another bridge and more school [capacity] before allowing more development on this side of the River. Mr. Turney stated that the schools were running out of space, and that he had two (2) kids in school. Mr. Turney stated “I’m against it; don’t want to see it.”

Chair Thomas Holland stated that it would be beneficial for the owners or their representatives to meet with the occupants of the manufactured home park. Mr. Holland suggested postponing the vote on these applications for a month.

Buddy Clay stated that his mom lived at Lot 86 and had lived in the mobile home park since 1981.

Patrick Boulden asked how [the potential property sale] might be affected by the delay. Malek Elkhoury stated, “If it’s the wish of the Commissioners, okay.”

Steve Sutton advised the residents to organize and meet with the owners of the property and discuss options for flexibility, concessions, etc. Mr. Sutton reiterated his admonishment to get organized. Mr. Sutton stated that he could see they were all passionate about their homes.

There being no further discussion, upon clarification of the Motion with Erik Enyart and Lance Whisman, Steve Sutton made a MOTION to CONTINUE the Public Hearing and consideration of both BZ-381 and PUD 87 to the May 18, 2015 Regular Meeting, so that the owner could meet with the residents.

Malek Elkhoury stated that he would not be available on May 18, 2015, and suggested the Commissioners could have the owners or owners’ representatives attend. Mr. Elkhoury and the Commissioners discussed the possibility of a Special Meeting, but this was not agreed upon.

Carrie Manley stated that she lived at 161st St. S. and Yale Ave. but that her mother lived in Shadow Valley. Ms. Manley expressed concern about her inability to get disclosure of the owners’ identity and stated that she had hired an attorney for this purpose.

Steve Sutton stated that it was his intent to have Malek Elkhoury meet with the owner and express the need for a meeting with the residents. Mr. Elkhoury indicated agreement and stated that there would be flyers distributed containing the name and phone number of the owner.

Chair Thomas Holland asked if the matter should be Continued to the May or June meeting. Patrick Boulden stated that it could be Continued to the May 18, 2015 meeting, subject to being moved to the June 15, 2015 meeting if the owners failed to meet with the residents to discuss relocation matters.

Chair Thomas Holland recognized the Motion pending a Second.

Steve Sutton accepted the City Attorney's recommendation as his Amended Motion as follows:

MOTION to CONTINUE the Public Hearing and consideration of both BZ-381 and PUD 87 to the May 18, 2015 Regular Meeting, subject to being Continued again to the June 15, 2015 Regular Meeting if the owners fail to meet with the residents to discuss relocation matters.

Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Whisman, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 5:0:0

As suggested by Steve Sutton, at 7:26 PM, the Commission observed a momentary pause to allow the residents of the Shadow Valley Manufactured Home Community to exit.

6. **PUD 49-A – Bixby Crossing – Ted Sack of Sack & Associates, Inc. for J & S Acquisitions, LLC.** Public Hearing, Discussion, and consideration of a rezoning request for approval of Major Amendment # 1 to Planned Unit Development (PUD) # 49 for approximately 12.6 acres consisting of Lots 1 and 3, Block 1, *Bixby Crossing*, with underlying zoning CS Commercial, OM Office, RM-2 Residential Multi-Family, RD Residential Duplex, which amendment proposes to allow additional Use Unit 16 ministorage use and make certain other amendments.
Property Located: 13455 S. Memorial Dr. & the 13500-block of S. Memorial Dr.

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

*To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Thursday, April 09, 2015
RE: Report and Recommendations for:
PUD 49-A – “Bixby Crossing” – Major Amendment # 1 – Ted Sack of Sack & Associates, Inc. for J & S Acquisitions, LLC*

LOCATION: – 13455 S. Memorial Dr. and the 13500-block of S. Memorial Dr.

– Lots 1 and 3, Block 1, Bixby Crossing
 Approximately 12.6 acres, more or less, in two (2) lots

SIZE:
EXISTING ZONING: CS Commercial, OM Office, RM-2 Residential Multi-Family, RD Residential Duplex, & PUD 49

SUPPLEMENTAL ZONING: PUD 49 “Bixby Crossing” and Corridor Appearance District (partial)

EXISTING USE: The Self Storage Depot ministorage business and a vacant commercial lot

REQUEST: Approval of Major Amendment # 1 to Planned Unit Development (PUD) # 49 (“Bixby Crossing”), to be known and designated on the official Zoning Map as “PUD 49-A” with underlying zoning CS Commercial, OM Office, RM-2 Residential Multi-Family, RD Residential Duplex, which amendment proposes to allow additional Use Unit 16 ministorage use and make certain other amendments

SURROUNDING ZONING AND LAND USE:

North: CG, RM-3, & RS-1; Unplatted vacant/wooded land zoned CG and (across 134th St. S.) vacant land zoned CG and RM-3, the Autumn Park assisted living facility zoned RM-3, the RiverCrest Event Center and the Bixby Funeral Service zoned CG and RM-3, and the Riverview Missionary Baptist Church on unplatted property zoned CG and in part of Gardenview Addition zoned RS-1.

South: (Across 136th St. S.) IL, CS, OM, RM-2/PUD 10, & AG; Agricultural and vacant/wooded land in Knight Industrial Park zoned IL and agricultural and vacant/wooded land and the Advance Sod Sales aka Tulsa Grass & Sod Farms, Inc. business zoned CS, OM, RM-2/PUD 10, and AG. To the southeast on the north side of 136th St. S. is the Southbridge neighborhood park with splash pad and playground zoned IL in Knight Industrial Park.

East: RS-3 & RM-2/PUD 10; Single-family residential in Blue Ridge Estates and Blue Ridge II zoned RS-3 and single-family residential to the southeast in Southbridge zoned RM-2/PUD 10.

West: (Across Memorial Dr.) CG & CS/PUD 13a; V vacant/wooded land zoned CS/PUD 13a and office-type businesses to the northwest including Apollo’s Martial Arts, the Daily Family YMCA of Bixby, the Family Eye Care, and the Baker Small Animal Clinic all zoned CG.

COMPREHENSIVE PLAN: Medium Intensity + Corridor + Commercial Area

PREVIOUS/RELATED CASES: (Not researched)

RELEVANT AREA CASE HISTORY: (Not researched)

BACKGROUND INFORMATION:

Pursuant to a discussion with the City Council at a Worksession meeting held May 27, 2014, City Staff prepared an amendment to the Comprehensive Plan and an amendment to the Zoning Code (1) to establish policy preferring (A) retail land uses and (B) PUDs within Bixby’s commercial corridors, and (2) to require PUDs when granting commercial rezoning entitlements in same. On July 14, 2014, perhaps without precedent, the Planning Commission held a Special Meeting concurrent with the City Council’s Regular Meeting to consider certain changes to the Bixby Comprehensive Plan (BCPA-11) and Zoning Code, all in an effort to encourage retail commercial uses within the City of Bixby. The Planning Commission recommended, and the City Council subsequently approved (Ords. # 2136 and 2137) all changes. BCPA-11 provided specific policy language preferring retail commercial uses and PUDs within commercial corridors, which in turn supported an amendment to Zoning Code Section 11-5-2 requiring PUDs in these corridors when rezoning to commercial.

Ordinance # 2136, approved July 14, 2014, amended the Bixby Comprehensive Plan per BCPA-11. Per that amendment, “Commercial Area Policies” item # 3 on page 36 now provides:

“Due to the critical need for retail development to support capital improvements and municipal services, within areas designated “Corridor” and “Commercial Area” or “Vacant, Agricultural, Rural Residences, and Open Land” on the Land Use Map, it is City policy to (1) prefer retail development over all other land use types where appropriate in context and (2) prefer that a Planned Unit Development (PUD) application be processed along with any application for rezoning to commercial.”

ANALYSIS:

This PUD 49-A proposes to allow for Use Unit 16 ministorage development of vacant commercial Lot 3, Block 1, Bixby Crossing, which the Bixby Comprehensive Plan designates as Corridor + Commercial Area. The lot in question is at the northeast corner of the intersection of 136th St. S., a mid-mile Collector

Street connecting to Mingo Rd., and Memorial Dr. ODOT is currently scheduled, within the next couple years, to widen Memorial Dr. north of this intersection in order to install a turning lane into 136th St. S. Based on its location and the physical facts of the area, Staff believes the retail use preference was intended for properties such as Lot 3, Block 1, Bixby Crossing.

As Staff has expressed to the Applicant and owner's attorney Roy Johnsen in several meetings, phone conversations, and emails, the proposal to convert the vacant commercial lot into Use Unit 16 ministorage is in direct conflict with the Bixby Comprehensive Plan policy preferring retail use over all other land use types.

Staff recommends this application be Denied due to the proposed land use's conflict with the Comprehensive Plan.

Chair Thomas Holland recognized Roy Johnsen, who stated he was an attorney representing the owners of the property. Mr. Johnsen recognized others in attendance representing the application, engineer Ted Sack [of Sack & Associates, Inc.] and one of the owners. Mr. Johnsen stated that the circumstances may be relevant in this application. Mr. Johnsen stated that, when the 14-acre PUD was first written, it had a provision in the general standards allowing 100,000 square feet of ministorage. Mr. Johnsen stated that the ministorage was then built, and was "done quite nicely—well done." Mr. Johnsen stated that this was approved in 2006, and of the 100,000 square feet, his client had built 90[,000]. Mr. Johnsen stated that his client had 10,000 square feet, and would like to do 15,000 in addition to this. Mr. Johnsen stated that this lot "could have been retail for nine (9) years," but the owners determined there was "no market for it," but that there was demand for [ministorage]. Mr. Johnsen reiterated that his clients had owned the lot for nine (9) years. Mr. Johnsen stated that the Commissioners should consider the "reasonableness of private property rights." Mr. Johnsen stated that it would "not help anybody if it just sits there." Mr. Johnsen stated that the "Planning Commission should consider what's reasonable." Mr. Johnsen stated that he understood where [the City] was coming from, and that it wanted more retail.

Jerod Hicks confirmed with Roy Johnsen that [he and his client] were requesting 25[,000] square feet. Mr. Hicks asked if the property had been for sale since 2006, and Mr. Johnsen stated that it had had a broker for nine (9) years.

Erik Enyart stated that, if the Applicant was verbally amending the application to request only 15,000 square feet additional [ministorage floor area], that would need to be amended in [the PUD Amendment document text]. Discussion ensued regarding the amount of additional square footage proposed and that amount listed in the PUD Amendment document text. Mr. Enyart stated that the PUD Amendment document text proposed 120,000 square feet, which was 30,000 more than what was in place at that time, but the Applicant had stated that they were only asking for 25,000 total. Mr. Enyart reiterated that the PUD Amendment document text would need to be changed to reflect the reduction in what was now actually proposed.

Roy Johnsen stated that the new ministorage would be designed like the existing part.

Discussion ensued between Roy Johnsen, the Commissioners, Erik Enyart, and Patrick Boulden regarding the design of the new ministorage buildings with the current Building Code, and all agreed this would be required.

Erik Enyart stated that the City of Bixby now recognized ministorage as Use Unit 16, so any new ministorage buildings would have to be built to the new standards, including the screening fence

and masonry requirements. Roy Johnsen indicated disagreement and stated that the PUD preceded the new standards and would fall under the old design standards, including the [metal bar fence]. Patrick Boulden also indicated disagreement and stated that the ministorage could be built to the standards in effect when the PUD was approved.

Larry Whiteley asked if the owner would object to designing to the new standards, and the owner stated "I have a partner[, so] I'm not sure."

Erik Enyart stated "We recognize this as Use Unit 16, and anything built today must be built to Use Unit 16 standards." Mr. Enyart stated that, if the Planning Commission were to approve this application, the PUD Amendment document text would need to be amended to exempt those designs elements that would not meet current standards.

Discussion ensued between the Commissioners, Patrick Boulden, the Applicant, and Erik Enyart regarding the applicability of the new ministorage standards to any new ministorage buildings on the subject property, and the masonry standard specific to ministorage buildings versus the masonry standard within the Corridor Appearance District. Mr. Enyart stated, "The same principle applies: If you build today, you build to today's Building Code; if you build Use Unit 16 today, you built to today's Use Unit 16 Code." Mr. Enyart stated that, if the Planning Commission favored this application, despite the fact that it would violate the Comprehensive Plan policy preferring retail use in the commercial corridors, the PUD Amendment document text would have to specifically exempt those designs elements that would not meet current standards, such as the screening and masonry requirements. Mr. Enyart stated that he had not reviewed the PUD Amendment in an effort to make it better, because of the policy for retail use.

Roy Johnsen stated that the new ministorage area would have a nice [fence], not a normal screening [fence], and that the "buildings are nice."

A Planning Commissioner expressed favor for the new standards, especially due to the location's distance to the [Memorial Dr.] thoroughfare.

There being no further discussion, Larry Whiteley made a MOTION to Recommend DENIAL of PUD 49 Major Amendment # 1 per the Comprehensive Plan, as this was part of the Corridor which needed retail businesses to bring in tax dollars. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whiteley, Whisman, Sutton, and Hicks.
NAY:	None.
ABSTAIN:	None.
MOTION PASSED:	5:0:0

Roy Johnsen confirmed with Erik Enyart that the 10,000 square feet of ministorage remaining in the PUD would still allow the construction of 10,000 square feet of ministorage. Mr. Johnsen indicated to Mr. Enyart that he would appeal the recommendation to the City Council, if an actual appeal was required to get on the City Council agenda.

PLATS

7. **Preliminary Plat & Final Plat – “Bixby Memory Care” – Cedar Creek Consulting (PUD 45).** Discussion and consideration of a Preliminary Plat, a Final Plat, and certain Modifications/Waivers for “Bixby Memory Care,” approximately 8.6512 acres in part of the NE/4 of the NE/4 of Section 25, T18N, R13E.
Property Located: Southwest corner of 101st St. S. and Mingo Rd.
-

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

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Friday, April 10, 2015
RE: Report and Recommendations for:
Preliminary Plat & Final Plat of “Bixby Memory Care” (PUD 45)

LOCATION: – Part of the NE/4 of the NE/4 of Section 25, T18N, R13E
– Southwest corner of the intersection of 101st St. S. and Mingo Rd.
SIZE: 8.6512 acres, more or less
EXISTING ZONING: OL Office Low Intensity District and CS Commercial Shopping Center District and PUD 45
SUPPLEMENTAL ZONING: PUD 45 Spicewood Neighborhood Center
EXISTING USE: Vacant/Agricultural
REQUEST: – Preliminary Plat approval
– Final Plat approval
– A Partial Modification/Waiver from the standard 17.5' Perimeter Utility Easement per Subdivision Regulations/City Code Section 12-3-3.A

SURROUNDING ZONING AND LAND USE:

North: CS/PUD 45 and (across 101st St. S.) CS, RM-0, & CS/PUD 364; The Firststar Bank in Lot 1, Block 1, First National, and across 101st St. S., a former Kum & Go gas station and the “Cedar Ridge Village” shopping center in Cedar Ridge Village to the north, single-family residential in Cedar Ridge Village to the northwest, and new Kum & Go gas station and the Plaza del Sol shopping center in PUD 364 across Mingo Rd. to the northeast, all in the City of Tulsa.
South: RT/PUD 35 & RT/PUD 36; Townhouse-style single-family homes in Spicewood Park and detached single-family residential homes and lots in Spicewood Villas.
East: CS/PUD 45 and (across Mingo Rd.) R-2; The Firststar Bank in Lot 1, Block 1, First National, and across Mingo Rd., single family residential The Greens at Cedar Ridge in the City of Broken Arrow.
West: AG & RD/PUD 30; Upstream reaches of the Oliphant drainage and detention system, itself a part of the Fry Creek Ditch # 1, surrounding the townhouse-style single-family homes in Spicewood Park.

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

PREVIOUS/RELATED CASES:

BZ-165 – Pittman-Poe & Associates, Inc. for Allen G. Oliphant – Request to rezone approximately 383 acres from AG to RS-3, RD, RM-2, & CS for a residential and commercial development for parts of the NW/4, NE/4, and SE/4 of this Section – Included subject property – PC recommended Approval of an amended request (including RS-2 instead of RS-3) 05/28/1985 and the City Council Approved the amended request 06/11/1985 (Ord. # 530).

PUD 11 – Edgewood Farm – Pittman-Poe & Associates, Inc. for Allen G. Oliphant – Request to approve PUD 11 for approximately 383 acres for a residential and commercial for parts of the NW/4,

NE/4, and SE/4 of this Section – Included subject property – PC recommended Approval 05/28/1985 and the City Council Approved 06/11/1985 (Ord. # 531).

BZ-202 – W. Douglas Jones for Tercero Corporation – Request to rezone 382 acres, more or less, from RS-3, RD, RM-2, & CS to AG (includes subject property) – PC recommended Approval 10/19/1992 and City Council Approved 10/26/1992 (Ord. # 673).

PUD 11 Abandonment – W. Douglas Jones for Tercero Corporation – Request to abandon PUD 11 – PC recommended Approval 10/19/1992 and City Council Approved 10/26/1992 (Ord. # 674).

BZ-282 – Tanner Consulting, LLC – Request to rezone 10 acres, more or less, from AG to CS & OL for commercial and office use, including subject property – PC recommended Approval 01/22/2002 and City Council Approved 02/11/2002 (Ord. # 847).

PUD 45 – Spicewood Neighborhood Center – Tanner Consulting, LLC – Request to approve a PUD for 10 acres, more or less, including subject property – PC recommended Approval 09/22/2005 and City Council Approved 10/10/2005 (Ord. # 920).

BL-379 – Tanner Consulting, LLC – Request for Lot-Split approval for to separate the land being platted as First National from the balance of the original 10-acre tract, being the subject property – PC Approved 06/20/2011.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property is vacant and zoned OL and CS with PUD 45. The land appears to slope gently to the south and west and drains to a stormwater detention facility on City of Bixby-owned property immediately west of Spicewood Pond. This is part of the Oliphant drainage and detention system located between 101st St. S. and 111th St. S., which is itself an upstream part of Fry Creek Ditch # 1.

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

The memory care assisted living facility and commercial development anticipated by this plat would not be inconsistent with the Comprehensive Plan.

General. This subdivision of 8.6512 acres, more or less, proposes three (3) lots, one (1) block, and no (0) reserve areas.

Subdivision Regulations Section 12-3-3.A requires a 17.5' Perimeter U/E. The plat proposes the required width, except for the line shared with the westerly line of First National and along the south line of proposed Lot 3, Block 1, which propose 11' U/Es. This will require a Modification/Waiver of Section 12-3-3.A, and must be requested by the Applicant. Staff does not object to this Modification/Waiver adjacent to First National, recognizing the existing and planned locations of utility lines primarily along 101st St. S. and Mingo Rd., that the TAC did not express objection, and recognizing the Applicant's proposed 11' U/Es correspond with existing 11' U/Es along both areas of concern. However, the south side of the property contains City utilities (sanitary sewer and storm water), and City Staff recommends that the preexisting 11' U/E be supplemented with 6.5' to achieve the 17.5' minimum width required by the Subdivision Regulations and as needed for the maintenance of City utilities and any others which may locate in this utility corridor.

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

The Technical Advisory Committee (TAC) reviewed this Preliminary Plat on April 01, 2015. The Minutes of the meeting are attached to this report.

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

Access and Internal Circulation. The subject property has approximately 549.64' of frontage on 101st St. S. and 341.46' of frontage on Mingo Rd.

The plat does not currently propose Limits of No Access (LNA) or access openings corresponding to existing and proposed curb cut locations. Staff recommends that these be added, and all proposed curb cut locations should be subject to County Engineer, City Engineer, and Fire Marshal concurrence.

Per the superimposed site plan elements shown on the Preliminary Plat, part of the driveway connection to Mingo Rd., via the existing Mutual Access Easement (MAE) straddling the south line of First National, will fall on proposed Lot 2, and would not be covered by any MAE. This will need to be addressed appropriately.

At the TAC Meeting held April 01, 2015, the Fire Marshal had certain recommendations pertaining to the design of the Mingo Rd. access drive and that there not be a gate on such drive. These details will be covered during the review of the site plan for the memory care assisted living facility. To the extent covered in the Fire Marshal's review correspondence and concerned by the plat, the Fire Marshals' recommendations will be covered under the related Condition of Approval recommended herein.

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

1. Subject to City Council approval of a Partial Modification/Waiver of the 17.5' Perimeter U/E standard per Subdivision Regulations Section 12-3-3.A, as described more fully in the analysis above, for that part adjacent to First National.
2. The south side of the property contains City utilities (sanitary sewer and storm water), and City Staff recommends that the preexisting 11' U/E be supplemented with 6.5' to achieve the 17.5' minimum width required by the Subdivision Regulations and as needed for the maintenance of City utilities and any others which may locate in this utility corridor.
3. All Modification/Waiver requests must be submitted in writing.
4. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.
5. Please add Limits of No Access (LNA) and access openings corresponding to existing and proposed curb cut locations. LNA language appears to be adequately provided in the DoD/RCs.
6. Subject to County Engineer approval of proposed curb cut locations on 101st St. S. and Mingo Rd.
7. Per the superimposed site plan elements shown on the Preliminary Plat, part of the driveway connection to Mingo Rd., via the existing Mutual Access Easement (MAE) straddling the south line of First National, will fall on proposed Lot 2, and would not be covered by any MAE. If this design is still planned, this matter will need to be addressed appropriately, with necessary dedication, use, and maintenance language provided in the DoD/RCs if dedicated via this plat.
8. Title Block area – please add PUD 45 where appropriate.
9. Per SRs Section 12-4-2.A.5, a Location Map (Vicinity Map) is required and must include all platted additions within the Section; the following need to be corrected as follows:
 - a. Block 2 Lots 8-13 The Enclave at Legacy (missing)
 - b. Trinity Presbyterian Church USA (misspelled)
 - c. Scale at 1" = 2,000'.
10. Preliminary Plat & Final Plat: Underlying Zoning district boundary lines not represented as required per SRs Section 12-4-2.B.3.
11. Preliminary Plat: Elevation contours at one (1) foot maximum intervals not represented as required per SRs Section 12-4-2.B.6.
12. Based on existing addresses and street names, measured dimensions, and/or Tulsa regional E-911 block numbering conventions, please adjust addresses such as follows:
 - Lot 3, Block 1: 9400 → 9494 E. 101st St. S. (RE: drive appears to be aligned with 94th E. Ave. to north in Tulsa; facility will be westerly of north-south drive)
 - Lot 1, Block 1: 9600 → 9550 E. 101st St. S. (RE: Need for spacing between lots/addresses to west and east and representation of 9500-block)
 - Lot 2, Block 1: 10200 → 10174 S. Mingo Rd. (RE: S. line of plat corresponds to 10200-block; recommended building number corresponds to precise measurement to the center of Mingo Rd. frontage)
13. The Preliminary Plat appears to include a superimposed image of the site plan for the assisted living facility and other site area elements, which is not appropriate for a Preliminary Plat. Please resolve.
14. The Preliminary Plat does not include critical surveying information as represented on the Final Plat. Please reconcile.
15. The southerly stub-in 15'-wide U/E within proposed Lot 3 has a 97.85' call which is ambiguous. Please clarify if it corresponds to the U/E's centerline or that part projecting south of the 17.5'-wide U/E along the south line of proposed Lot 1.
16. Face of Plat and DoD/RCs: The perimeter requirements for PUD 45 would fall on separate lots. Further, the two (2) lots now proposed may be divided further or differently as time passes. Please consider adding easements corresponding to the measurable perimeter buffering

standards (e.g. masonry fence easement, landscape easements, etc.). Language providing for the dedication, use, and share of maintenance responsibilities for same would be necessary. Otherwise, please propose a plan to address this issue.

17. If an easement is added corresponding to the 25'-wide strip along Development Area C for mature tree protection, consider relocating the 17.5'-wide U/E east of and parallel to such 25'-wide easement.
18. Face of Plat and DoD/RCs: Includes term "Addition" in Title Blocks, "Subdivision" in the development statistics summary, as both "Subdivision" and "Addition" in the DoD/RCs Preamble, and as "Addition" in the Certificate of Survey signature block. Please reconcile all instances.
19. DoD/RCs Preamble: Please replace "Broken Arrow" with "Bixby."
20. DoD/RCs Preamble: Per the Tulsa County Assessor's parcel records and the DoD/RCs preamble, there are now two (2) tracts being platted, which belong to two (2) different owners (Tulsa Senior Realty, LLC and AGO Trust). The legal description of the land being platted does not differentiate between what part of the underlying land is owned by which property owner. For clear title and tax purposes, Staff believes that each dedicating owner should have their respective legal description specified in the DoD/RCs. Reference how this was done with the plats of 101 South Memorial Plaza and Bixby Centennial Plaza II.
21. DoD/RCs Preamble: Missing critical wording such as "and have caused the above described tract of 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. The first four (4) underlined terms may be omitted in this instance, if no right-of-way would be dedicated by this plat, but the access rights reservation would need to be included at a minimum.
22. DoD/RCs: Consider whether other private restrictions are desired. For commercial/nonresidential developments, private restrictions in Bixby customarily include:
 - a. A "Maintenance Covenant" pertaining to maintenance and upkeep of properties free of trash, debris, and litter. Examples may be provided upon request.
 - b. A "Mutual Parking Privileges" covenant, so that all lots may allow their excess spaces to be used by patrons of other lots, which is common in developments such as this, especially when developed as a unit by a singular developer. Examples may be provided upon request.
 - c. Covenants pertaining to the dedication, use, and share of maintenance responsibility for any common elements (cf. PUD perimeter buffering standards and missing MAE per other recommendations herein).
23. DoD/RCs Section I.A.1: Please correct possible typo and qualify this section as follows: "...construct and maintain within the Utility Easements: properly-permitted parking areas, landscaping, ..."
24. DoD/RCs Section I.B.2: Please correct possible typo: "...apertures..."
25. DoD/RCs Section I.C.1: Please restrict
26. DoD/RCs Section I.E.1: Please qualify this section as follows: "...repair of damage to properly-permitted landscaping and paving occasioned ..."
27. DoD/RCs Section II: Missing Development Standards for DA A (proposed Lot 1 contains all of DA B but also the westerly 10' of DA A; cf. plat of First National). Note that DA A has no additional floor area to contribute to proposed Lot 1, as it was fully allocated to Lot 1, Block 1, First National by the plat of same. Please ensure to use amended text allowing 25' ground sign height within DA A as per PUD 45 Minor Amendment # 1.
28. DoD/RCs Section II DA A: Please correct typo "Lot" 1.
29. DoD/RCs Section II DA A: Please correct typo "home."
30. DoD/RCs Section II DA A: Please add double asterisk (**) to the double asterisk text following double asterisk, or remove double asterisk.
31. DoD/RCs Section II DA A: Please correct typo "square" in text following double asterisk.
32. DoD/RCs Section II DA A: Please correct "Minimum" → "Maximum" building height.
33. DoD/RCs Section II DA A: Please correct term "Outdoor" → "Outside."
34. DoD/RCs Section II DA B: Please correct typo "home."
35. DoD/RCs Section II DA B: Double asterisk (**) used in place of PUD's triple asterisk (***)

36. *DoD/RCs Section II DA B: Please add triple asterisk (***) to the triple asterisk text following triple asterisk, or remove triple asterisk.*
37. *DoD/RCs Section II DA B: Please correct typo "square" in text following triple asterisk.*
38. *DoD/RCs Section II DA B: Please correct "Minimum" → "Maximum" building height.*
39. *DoD/RCs Section II DA B: Please correct typo inherited from PUD "shall not to exceed" → "not to exceed."*
40. *DoD/RCs Section II DA B: Please correct term "Outdoor" → "Outside."*
41. *DoD/RCs Section III.B.1: This "Duration" section of DoD/RCs customarily provides language allowing for the automatic renewal of the DoD/RCs for successive periods unless voided by an adequate majority of the then owners. Please incorporate or advise.*
42. *Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.*
43. *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.*
44. *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).*
45. *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 Applicant Jason Mohler of Cedar Creek Consulting, Inc., 13422 S. 19th St., Jenks. Mr. Mohler stated that he represented the owners of all of the land included within the plat. Mr. Mohler stated that these were relatively simple plats, and that he was in agreement with the Staff's comments. Mr. Mohler stated that the Staff Report suggested the need for a Partial Modification/Waiver, because the plat was originally drawn up with some 11'-wide Utility Easements (UEs), but that [he and his client] were okay with 17.5' U/Es. Mr. Mohler stated that recommendations # 16 and 17 related to the landscape buffer on the west side of Lot 3/the plat. Mr. Mohler read the relevant parts of the concerned PUD 45 text:

"Along the west boundary of Development Area 'C' mature trees within the 25 feet of the drainage channel shall be protected. In the event that mature trees are disturbed as a result of utility installation, the developer shall screen the area disturbed with a combination of deciduous and non-deciduous trees a minimum of 2" caliper in size."

Jason Mohler stated that he had discussed with Erik Enyart earlier that day how the passage was to be interpreted; was it 25' from the centerline of the channel, the top of bank, or the propertyline, and that he and Mr. Enyart had agreed that it meant the propertyline, which was the west[erly] line of the plat and the right-of-way line of the City-owned creek. Mr. Mohler stated that the second matter was to determine how to protect the mature trees within the 25'. Mr. Mohler proposed a solution [on his and his client's behalf] to the issues raised by the recommendations: include the 17.5' U/E within the 25' area [but without an easement for the 25' area], which U/E had no utilities proposed within it today, and in which none were expected in the future. Mr. Mohler stated that the area was very dense, and it was difficult to determine how many mature trees were in there. Mr. Mohler proposed to clear and grub [underbrush within] the area and assess which trees could be saved. Mr. Mohler stated that there was a need to grade areas within 2' to 4' along the east side [of the 25'-wide area] to add small retaining walls, and so they would adjust the grade accordingly. Mr.

Mohler stated that [the City] already had X number of feet of [vegetation within the channel], and then there would be an additional 25' [with protected and replaced mature trees on the subject property]. Mr. Mohler read the parts of the concerned PUD 45 text pertaining to mature tree replacement, and stated that the landscape plan showed trees along that boundary. Mr. Mohler provided a copy of the draft landscape plan. Mr. Mohler stated that the PUD originally planned commercial/retail development here, but now that it was proposed for assisted living, [his clients] wanted it to be quiet and natural and to keep as many trees as they could.

Larry Whiteley asked who was responsible for the drainage areas. Erik Enyart stated that this was part of the Oliphant Drainage and Detention system, but that he did not know exactly how the City acquired ownership of the land or the arrangements [as to drainage rights or maintenance].

Jerod Hicks confirmed with Jason Mohler and Erik Enyart that [the assisted living facility] would have two (2) entrances and exits, one (1) on 101st St. S. and one (1) on Mingo Rd.

After some discussion, Lance Whisman made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat and Final Plat as recommended by Staff.

A Commissioner asked Erik Enyart if Staff was in agreement with the approach to the 25' mature tree preservation area. Mr. Enyart indicated agreement and stated that the other part of his understanding with the Applicant was that mature trees be defined according to the most widely recognized manual by the Landscape Architecture profession.

Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Whisman, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 5:0:0

OTHER BUSINESS

8. **PUD 40 – Regal Plaza – Minor Amendment # 3.** Discussion and possible action to approve Minor Amendment # 3 to PUD 40 for all of *Regal Plaza*, approximately 25 acres in part of the SW/4 NW/4 of Section 25, T18N, R13E, with underlying zoning CS Commercial, which amendment proposes amending development standards pertaining to the existing development entrance ground sign and its replacement, modifying PUD-imposed setbacks, modifying parking standards, and making certain other amendments.
Property Located: Intersection of E. Regal Pl. / E. 105th St. S. and Memorial Dr.

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

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Tuesday, April 07, 2015

RE: Report and Recommendations for:
PUD 40 – “Regal Plaza” – Minor Amendment # 3

LOCATION: – Intersection of E. Regal Pl./E. 105th St. S. and Memorial Dr.
– All of Regal Plaza

SIZE: 25 acres, more or less

EXISTING ZONING: CS/PUD 40

SUPPLEMENTAL ZONING: PUD 40; there is Corridor Appearance District supplemental zoning along Memorial Dr.

EXISTING USE: Multiple use commercial center featuring the PostRock Plaza, the SpiritBank Event Center, the Hampton Inn & Suites Tulsa South-Bixby, and several outparcel/pad site commercial businesses fronting on Memorial Dr.

REQUEST: Approval of Minor Amendment # 3 to Planned Unit Development (PUD) # 40 (“Regal Plaza”), with underlying zoning CS Commercial Shopping Center District, which amendment proposes amending development standards pertaining to the existing development entrance ground sign and its replacement, modifying PUD-imposed setbacks, modifying parking standards, and making certain other amendments.

SURROUNDING ZONING AND LAND USE:

North: CS & CS/CG/PUD 63; The Starworld 20 movie theater, the The Palazzo shopping center, and other businesses and vacant commercial lots in 101 South Memorial Center and 101 South Memorial Plaza.

South: CS, CS/PUD 67, & RS-3; The Panda Express restaurant zoned CS & PUD 67 in Lot 1, Block 1, Panda Express, the Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision zoned CS, and single-family residential in South Country Estates zoned RS-3.

East: RS-3/PUD 27; Single-family residential in The Village at Legacy.

West: (Across Memorial Dr.) CS/PUD 815, CS, AG, CS/PUD 370 and CS/PUD 619; The new Costco under construction to the northwest in PUD 815, the new Warren Clinic, the Avalon Park commercial/office development in PUD 370, the First Priority Bank zoned CS, and to the southwest are the Life Time Fitness and other businesses being developed in Memorial Commons and/or The Vineyard on Memorial, all in the City of Tulsa.

COMPREHENSIVE PLAN: Medium Intensity + Commercial Area + Corridor

PREVIOUS/RELATED CASES: (Not necessarily a complete list; minor signage and Architectural Committee approvals omitted)

BZ-92 – Allen G. Oliphant – Request for rezoning from AG to CS for an area platted as Wildwood Garden Center, since vacated in favor of Regal Plaza (subject property) – Recommended for Approval by PC 08/25/1980 and Approved by City Council 09/02/1980 (Ord. # 411).

Final Plat of Wildwood Garden Center – Request for Final Plat approval for part of what was latter platted as Regal Plaza (subject property) – Approved by PC 09/29/1980, subsequently approved by City Council, and recorded 11/07/1980 (since vacated in favor of Regal Plaza).

BZ-244 – Gertrude Oliphant et al. – Request for rezoning from AG to CS for part of what later was platted as Regal Plaza (subject property) (related to PUD 24) – City Council Approved 02/22/1999 (Ord. # 787).

PUD 24 – Oliphant Center – Request for PUD approval for part of what later was platted as Regal Plaza (subject property) (related to BZ-244) – City Council Approved 02/22/1999 (Ord. # 788).

PUD 40 – Regal Plaza – Request for PUD approval for all of what later was platted as Regal Plaza (subject property) – Recommended for Approval by PC 05/16/2005 and Approved by the City Council 06/13/2005 (ordinance approved but not executed; approved ordinance document signed, sealed, assigned Ord. # 981, and recorded 11/21/2007) (Replaced PUD 24).

PUD 40 Minor Amendment # 1 – Request for approval of a Minor Amendment to PUD 40 for what later was platted as Regal Plaza (subject property) – PC Approved 12/19/2005.

Preliminary Plat of Regal Plaza – Request for Preliminary Plat approval for Regal Plaza (subject property) – PC Approved 08/15/2005 (older version of the plat, apparently) and then a revised, final version was approved by PC 02/21/2006 and by the City Council 02/27/2006.

Final Plat of Regal Plaza – Request for Final Plat approval for Regal Plaza (subject property) – PC Approved 06/19/2006 and City Council Approved 07/10/2006 (Plat # 6019 recorded 07/18/2006).

PUD 40 Minor Amendment # 2 – Request for approval of a Minor Amendment to PUD 40 for what later was platted as Regal Plaza (subject property) – PC Approved 05/21/2007.

AC-06-08-01 – Hampton Inn & Suites – Request for Architectural Committee approval of [a Detailed Site Plan and Building Plans] for Hampton Inn & Suites Tulsa South-Bixby on Lot 10, Block 1, Regal Plaza – AC Approved 08/21/2006.

AC-06-10-02 – Popeye's Chicken – Request for Architectural Committee approval of [a Detailed Site Plan and Building Plans] for Popeye's on Lot 5, Block 1, Regal Plaza – AC Approved 10/16/2006.

AC-07-06-03 – Monument Signage for Regal Plaza – Request for Architectural Committee approval of a combined development entrance ground sign for Regal Plaza, to be located at the northeast corner of the intersection of E. Regal Pl./105th St. S. and Memorial Dr. within the Mutual Access Easement as platted with Regal Plaza – AC Approved 06/18/2007.

AC-07-07-01 – Tom Christopoulos – Request for Architectural Committee approval of a 26' high ground sign for Hampton Inn & Suites Tulsa South-Bixby on Lot 10, Block 1, Regal Plaza – Denied by Architectural Committee 07/16/2007 due to excessive height.

AC-07-08-03 – Tom Christopoulos – Request for Architectural Committee approval of a 10' high ground sign for Hampton Inn & Suites Tulsa South-Bixby on Lot 10, Block 1, Regal Plaza – Approved by Architectural Committee 08/20/2007.

BL-355 – Home Ventures, Inc. – Request for Lot-Split to create (1) an approximately 0.27-acre tract from Lot 4 to be attached to Lot 3 for the development of a Chick-fil-a restaurant – PC Approved 06/23/2008.

BBOA-479 – Ben Holliday – Request for Variance from the 150' minimum spacing standard of Zoning Code Section 11-9-21.C.9.a to allow the installation of (A) a 119.41 square foot, 30-foot tall freestanding ground sign, (B) a 21.83 square foot freestanding menu board, (C) a 8.33 square foot freestanding pre-sale menu board, and (D) a flag pole of undetermined square feet, in the CS Shopping Center District with PUD 40 for Chick-fil-a on Lot 3 and part of Lot 4, Block 1, Regal Plaza – BOA Approved 07/07/2008.

BSP 2008-03 / AC-08-07-02 – Chick-fil-a – Request for Planning Commission and Architectural Committee approval of a Detailed Site Plan for Lot 3 and part of Lot 4, Block 1, Regal Plaza for Chick-fil-a restaurant – PC and AC Conditionally Approved 07/21/2008.

BBOA-509 – Elias Thompson for Apple Eight Hospitality Ownership, Inc. – Request for Variance from the 20-foot-high height restriction for pole-mounted exterior lighting of the Zoning Code and PUD 40, to allow the existing 30-foot-high lights to remain for Hampton Inn & Suites Tulsa South-Bixby on Lot 10, Block 1, Regal Plaza – BOA Denied 08/03/2009.

BBOA-510 – Phyliss Guthrie of Acura Neon, Inc. for Home Ventures, Inc. – Request for Variance from Zoning Code Section 11-9-21 and PUD 40, to allow multiple ground signs holding individual letters and without arterial street frontage, for Lot 9, Block 1, Regal Plaza – BOA Conditionally Approved 08/03/2009.

BL-395 – SpiritBank care of AAB Engineering, LLC – Request for Lot-Split to allow for the separation of a 38' X 199.3' strip of land, containing the angled parking lot strip and north-south internal drive immediately east of the Chick-fil-a restaurant property, from the balance of Lot 4, for its conveyance to the owner of the Chick-fil-a restaurant property – PC Conditionally Approved 12/15/2014 subject to the approval of a PUD Minor Amendment.

RELEVANT AREA CASE HISTORY:

BACKGROUND INFORMATION:

Around the end of 2014 and first part of 2015, the former The Shoppes at Regal Plaza commercial center was acquired and rebranded as "PostRock Plaza" (see www.postrockplaza.com). As a part of the acquisition of the commercial center, the former SpiritBank owner sought and was Conditionally Approved for a Lot-Split, BL-395, to separate part of Lot 4, Block 1, Regal Plaza from the rest of the shopping center ownership, in order to convey the strip of land to the owner of the Chick-fil-a to the west. The Condition of Approval of BL-395 was "subject to a PUD Minor Amendment resolving setback, parking, and any other minor deficiencies to be caused by the Lot-Split." This PUD 40 Minor Amendment # 3 would resolve this issue.

Secondly, as a part of the rebranding to "PostRock Plaza," the large combined development entrance sign at the northeast corner of E. Regal Pl./105th St. S. and Memorial Dr. is being replaced with new

signage bearing the name "PostRock Plaza." The existing sign, permitted pursuant to Architectural Committee approval per case # AC-07-06-03 in 2007, does not comply with certain requirements of the Zoning Code and PUD 40. This PUD 40 Minor Amendment # 3 would also resolve these signage issues. Per the AC-07-06-03 case file, the existing sign is slightly more than 40' in height, due to a crown moulding cornice above the main identification sign element, and contained roughly 660 square feet of display surface area, roughly 78 square feet of which was the "OPTEC" red monochrome LED/Electronic signage element. The proposed new sign will be precisely 40' in height and have less than 500 square feet of display surface area, and so will be shorter and have less display surface area than the existing sign. The new, full-color "Daktronics GP4 Galaxy Pro" LED/Electronic signage element is proposed to be 14' 11" X 7' 9" (116 square feet).

ANALYSIS:

Subject Property Conditions. The subject property consists of all of Regal Plaza, according to the recorded Plat # 6019 thereof. Altogether, the subject property contains approximately 25 acres. The Applicant, under the name Moab Holdings Regal Plaza, LLC, is understood to own most of Lot 4 and all of Lots 7, 8, and 9, which consists of all of the shopping center buildings. The Applicant's property includes parts or all of PUD 40 Development Areas A, B, C, and D. PUD 40 Development Area E consists of the SpiritBank Event Center and the structured parking garage to the south, Lots 12 and 11 of Regal Plaza, respectively.

The subject property is moderately sloped and is designed to drain to an onsite stormwater detention facility underneath the structured parking garage on Lot 11 of Regal Plaza. From this point, it drains southeasterly through Quail Creek Park to the Oliphant drainage and detention system located between 101st St. S. and 111th St. S., which is itself an upstream part of Fry Creek Ditch # 1.

The existing shopping center is presently served by the critical utilities (water, sewer, electric, etc.).

Comprehensive Plan. The Comprehensive Plan designates all of the subject property as (1) Medium Intensity, (2) Commercial Area, and (3) Corridor.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the existing CS zoning is In Accordance with the Medium Intensity and Corridor 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.

At the time it was approved, that vacant land was In Accordance with the Commercial Area designation of the Comprehensive Plan, and as it is now developed commercially, it is consistent with this designation.

Per the Matrix, PUDs (as a zoning district) are In Accordance with the Medium Intensity and Corridor designations of the Comprehensive Plan Land Use Map, and thus PUD 40 is In Accordance with the Comprehensive Plan as a zoning district.

Due to the relatively limited scope of proposed changes, the proposed PUD 40 Minor Amendment # 3 should be recognized as being not inconsistent with the Comprehensive Plan.

General. The Applicant is requesting a Minor Amendment to PUD 40 "Regal Plaza," which amendment proposes amending development standards pertaining to the existing development entrance ground sign and its replacement, modifying PUD-imposed setbacks, modifying parking standards, and making certain other amendments.

For the Lot-Split-related amendments, the relevant part of the Staff Report for BL-395 provided:

"Per the Lot-Split exhibits, as the subject property is proposed to be divided, the The Shoppes at Regal Plaza shopping center building at 10438 S. 82nd E. Ave. would fall below the 10' setback, from the

new westerly property line, required within Development Area B of PUD 40. Also, it is not known whether the minimum required parking would be compromised, or compromised further, upon the separation and conveyance of the parking lot strip. Since the underlying CS zoning has no setback required between CS-zoned lots, since the shopping center is built and no parking spaces are expected to be added or lost within the shopping center, and presuming there are mutual parking privileges in place, these matters may be addressed by a PUD Minor Amendment."

PUD 40 Minor Amendment # 3 proposes modifying certain setbacks within Development Area B. However, the proposed language would not resolve the requirement to maintain a 10' setback within Development Area B, whose boundaries do not move with the parcel boundary changes. The underlying CS zoning requires no setbacks between abutting commercially-zoned lots. Further, the plat of Regal Plaza provides Mutual Access Easements, lined by U/Es, which serve as effective Building Lines / setbacks. Unless there is a compelling reason to maintain some setbacks, Staff recommends the amendatory language simply remove all the language under "MINIMUM BUILDING SETBACKS:" be replaced with "From all boundaries...0.0 feet."

To address the parking questions, as recommended by Staff, the Applicant proposes to remove the parking-related language from the affected Development Areas A, B, C, and D, and add a new standard under "Development Standards for All Development Area Lots" pertaining to parking, which recognizes the existing, developed condition of the business center and provides for Planning Commission review and approval of parking standards for any new buildings or building modifications.

Since the proposed changes are minor and are unlikely to elicit objections from the Technical Advisory Committee (TAC) utility company providers, Staff did not place this application on the April 01, 2015 TAC agenda.

Access & Circulation. The Plat # 6019 Regal Plaza subject property has access as follows:

- Memorial Dr. via the E. Regal Pl./105th St. S. Mutual Access Easement private drive,
- Memorial Dr. via the E. Regal Ct. Mutual Access Easement private drive,
- Memorial Dr. via an un-named east-west internal driveway connecting to the 82nd E. Ave. private drive, located north of Chick-fil-a within Lot 4,
- an 82nd E. Ave. connection to an un-named, north-south private drive connecting to 103rd St. S. and all points of access afforded through 101 South Memorial Center, 101 South Memorial Plaza, and 101 Memorial Square to the north, and
- by two (2) driveway connections to Panda Express to the south, which has cross-access to 106th St. S. through the Home Hardware / Builder's Center / JWI Supply / CWC Interiors hardware, interiors, and supply store in the Grigsby's Carpet Center subdivision to the south.

Providing internal access for the development, the "streets" within Regal Plaza consist of a parcel of land mutually exclusive from the development lots, which was dedicated as the "Mutual Access Easement" by the plat. The plat did not give names to the "Mutual Access Easement." The "Regal Place," "Regal Boulevard," "Regal Court," and "S. 82nd E. Ave." names became associated with the main four (4) such "street" segments at some point. The addresses used within the "back" areas only having frontage on these private ways are all addressed using these [street] names. Although not dedicated as "streets" per se, they were obviously intended as either streets or private mutual access drives. These Mutual Access Easement private drives provide access to parking areas and parking lot drives.

Sidewalks exist along S. Memorial Dr., and were constructed as each outparcel/pad site was constructed.

PUD 40 Minor Amendment # 3 proposes no changes to existing access.

Surrounding Zoning and Land Use. See summary hereinabove.

Staff Recommendation. For all the reasons outlined above, Staff recommends Approval subject to the following corrections, modifications, and Conditions of Approval:

1. Document Section B.b: Please preface the entry with "Amend MINIMUM BUILDING SETBACKS to be as follows:"
2. Document Section B.b: Unless there is a compelling reason to maintain some setbacks, Staff recommends the amendatory language simply remove all the language under "MINIMUM BUILDING SETBACKS:" be replaced with "From all boundaries...0.0 feet."
3. Document Section B.a: Please preface this section with "Prior to the final sentence under ACCESS, CIRCULATION AND PARKING, add the following:"

4. Document Section B.a.a: Please amend the first section to read as follows: "The entire development, with the associated parking, has been constructed and no parking changes are currently proposed at the time of this Minor Amendment # 3. All such parking is deemed by the owner of Development Areas B, C, and D to be adequate and sufficient for the current uses."
5. Document Section B.a.b: Please revise the first sentence of the amendatory text to be such as follows: "For any new Building Permits to be issued for new construction or reconstruction of any building, minimum and maximum parking requirements may be amended upon Planning Commission approval of the Detailed Site Plan."
6. Document Section B.b: Please preface this section with "Amend SIGNS to be as follows:"
7. Document Sections B.b.a and B.b.b: Please use quotations containing the numbering system used within the existing PUD Text framework such as "1) One (1) ground sign..." and "2) All other signage..." Subsections can remain lowercase Roman numerals or be changed to bullet points as used elsewhere within the existing PUD Text.
8. Document Section B.b.a.ii: Please replace "700'" with "700 square feet."
9. Consider whether the existing ground sign, advertising the former Elmer's BBQ Express satellite/pickup store, will be replaced and whether such would need additional PUD text amendatory language to accommodate same. Please address appropriately.

Mir Khezri of Acura Neon, Inc., 1801 N. Willow Ave., Broken Arrow, stated that the new sign would be smaller than the existing one. Mr. Khezri provided photos and exhibits showing the signs.

Chair Thomas Holland confirmed with Erik Enyart that the recommendations included the 10' setbacks matter. Mr. Enyart stated that this matter was covered by recommendations # 1 and 2.

Chair Thomas Holland recognized Yoko Lam of Acura Neon, Inc., 1801 N. Willow Ave., Broken Arrow, from the Sign-In Sheet. Ms. Lam deferred to Mir Khezri. Mr. Khezri stated that the new sign would use the same footing and foundations as the existing one.

Chair Thomas Holland asked if there were any questions.

There being no further discussion, Chair Thomas Holland asked to entertain a Motion.

Larry Whiteley made a MOTION to APPROVE PUD 40 Minor Amendment # 3 as recommended by Staff. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whiteley, Whisman, Sutton, and Hicks.
NAY:	None.
ABSTAIN:	None.
MOTION PASSED:	5:0:0

9. **BSP 2015-04 – "Chateau Villas" – Larry Kester of Architects Collective (PUD 81).**
 Discussion and possible action to approve a PUD Detailed Site Plan and building plans for "Chateau Villas," a Use Unit 8 multifamily residential and commercial development for approximately 23 in part of the NW/4 NW/4 of Section 01, T17N, R13E.
Property Located: 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S.

Chair Thomas Holland introduced the item and confirmed with Erik Enyart that the Applicant had requested this be Continued to the May 18, 2015 Regular Meeting.

There being no further discussion, Larry Whiteley made a MOTION to CONTINUE BSP 2015-04 to the May 18, 2015 Regular Meeting. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, Whisman, Sutton, and Hicks.
NAY: None.
ABSTAIN: None.
MOTION PASSED: 5:0:0

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 further 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 8:22 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary

Overall Site Landscape Schedule

Symbol	Qty	Botanical Name	Common Name	Size/Sp. (H x W)	Color	Remarks
	16	Gardenia variegata 'Soleil'	Exotic Shrub	2'	White, yellow	2' x 10" plant, spread to canopy
	17	Pittosporum tenuifolium	London Plane Tree	25'	Green	25' x 10" plant, spread to canopy
	17	Gardenia variegata 'Soleil'	Exotic Shrub	2'	White, yellow	2' x 10" plant, spread to canopy
SMALLER TREES						
	5	Japanese Camellia 'Kikujo'	Kikujo Camellia	5' H	White	symmetrical spreading form
	10	Prunella 'Mandarin's Promise'	Chinese Plum	6' H	White	symmetrical spreading form
	10	Prunella 'Mandarin's Promise'	Chinese Plum	6' H	White	symmetrical spreading form
SMALLER SHRUBS						
	4	Cordyline allamanda	Common Palm	15'	Green	
	4	Magnolia speciosa	Japanese Magnolia	15'	White	
	3	Anemone pulsatilla	Buttercup	12"	White, blue	
SUCCESS PLANTINGS						
	100	Large mature tree	Various	10' H	Green	Plant @ 10' H
	100	Medium mature tree	Various	5' H	Green	Plant @ 5' H
	100	Small mature tree	Various	2' H	Green	Plant @ 2' H
	100	Shrub	Various	2' H	Green	Plant @ 2' H
PERENNIAL PLANTS						
	15	Perennial plant	Various	3' H	White	Plant @ 3' H
	12	Perennial plant	Various	3' H	White	Plant @ 3' H
	7	Perennial plant	Various	3' H	White	Plant @ 3' H
GRASS/POSSIBLE						
	50	Grass	Various	1' H	Green	Plant @ 1' H
PERENNIALS						
	20	Perennial	Various	1' H	White	Plant @ 1' H
	50	Perennial	Various	1' H	White	Plant @ 1' H
LAND PLANTING						
	10,000	Land plant	Various	1' H	Green	Plant @ 1' H

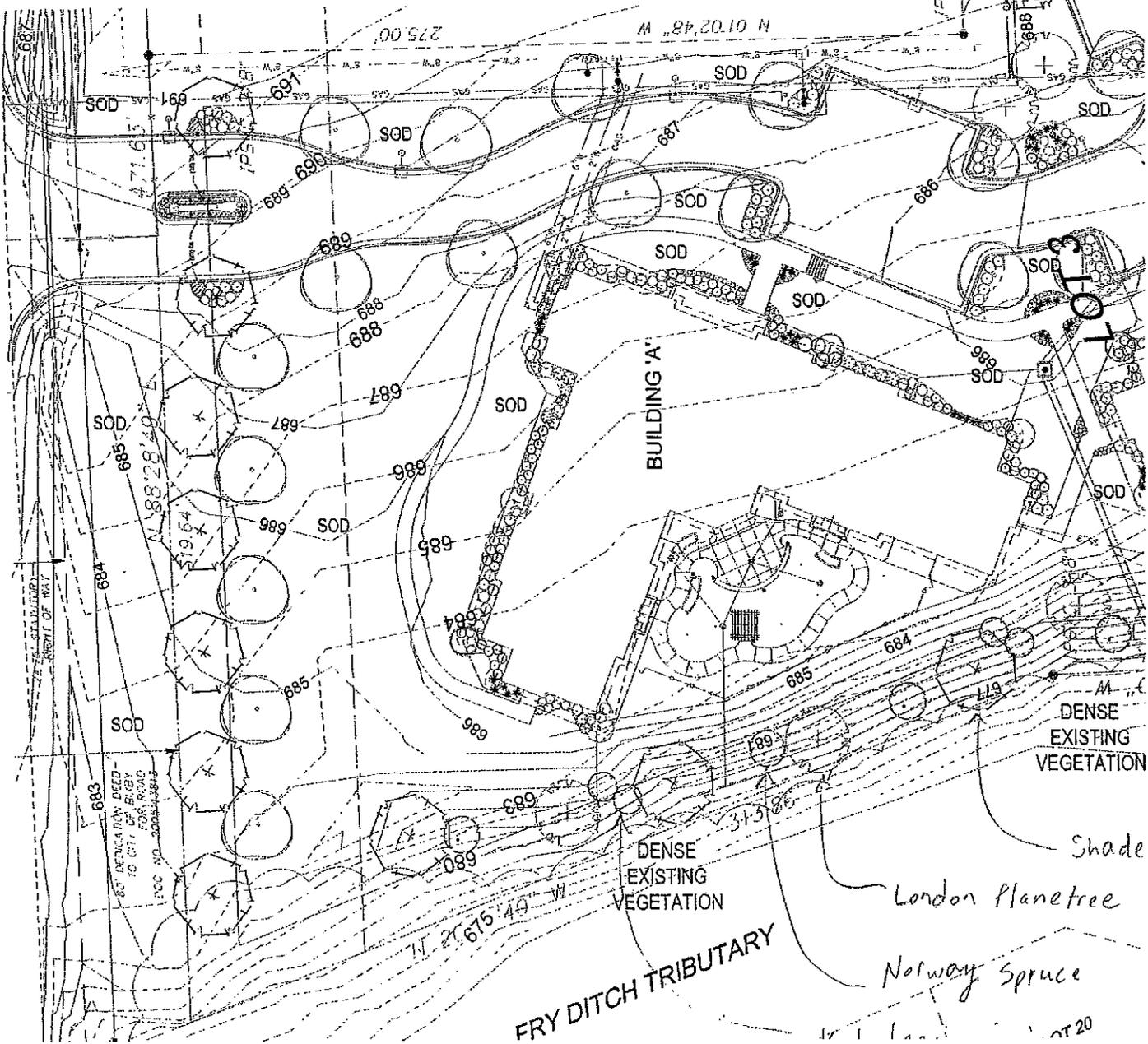
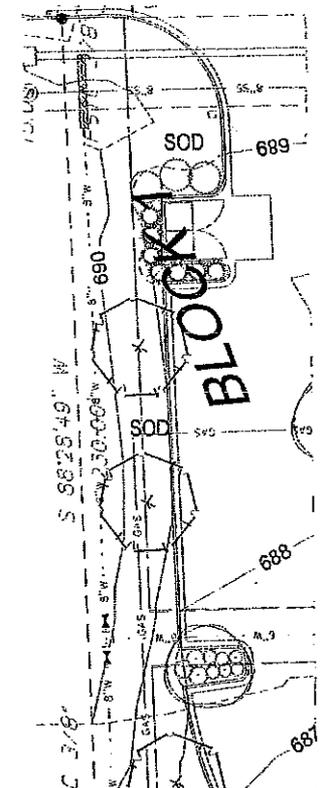
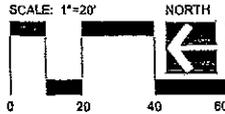
Landscape Calculations

Frontage And Perimeter Requirements:
 Not less than fifteen percent (15%) of the street yard shall be established and maintained as landscaped area.
Requirement Met

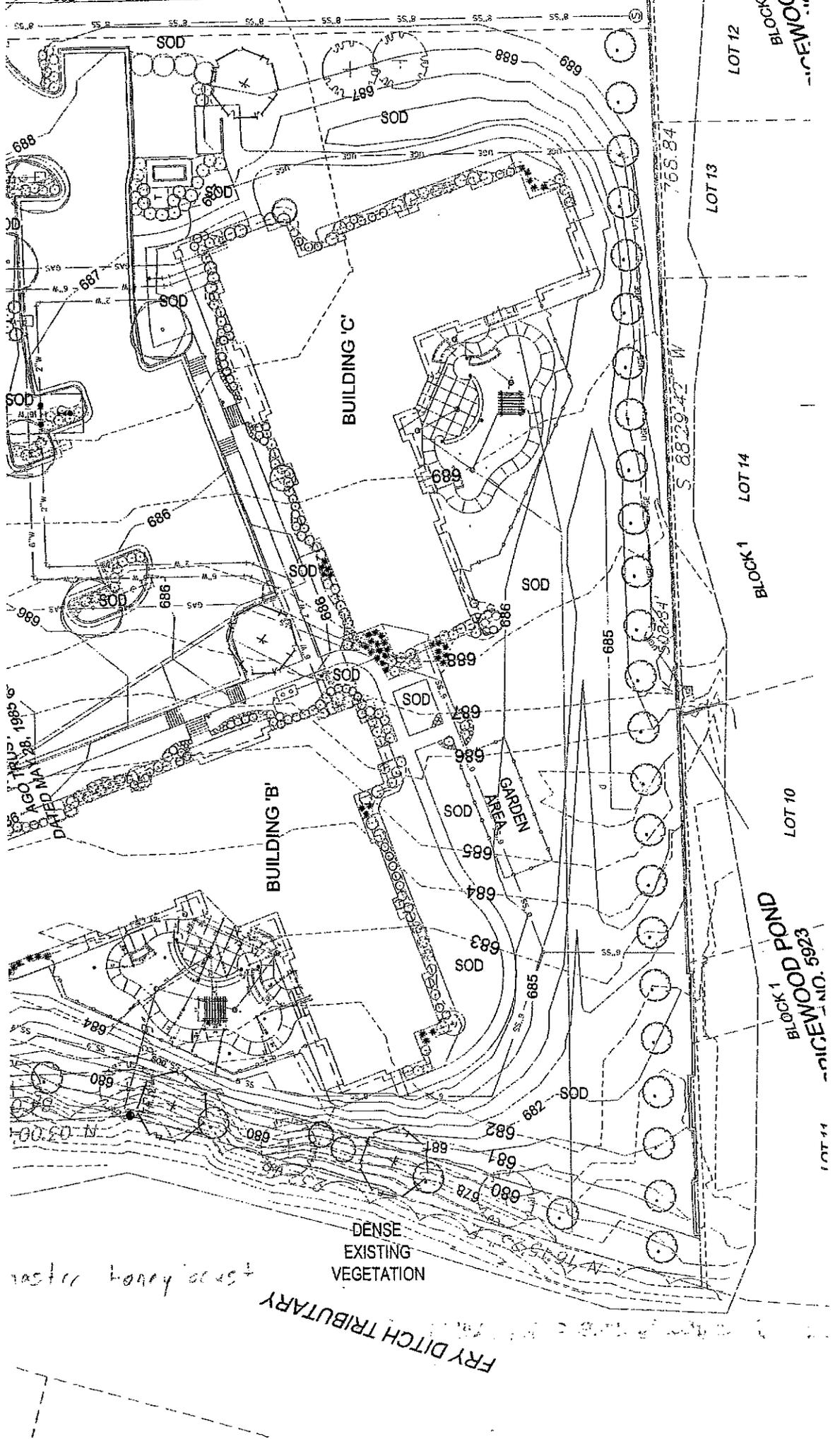
A landscaped area shall be established which is not less than ten feet (10') in width and which extends along the entirety of the abutting arterial right of way.
Requirement Met

PUD Perimeter requirements:
 Along the south boundary of development area 'C', a six foot tall masonry fence shall be constructed, with the south fifteen feet of development area 'C' a landscape buffer shall be established and maintained. The landscape buffer shall be planted with a minimum of 2' caliper non-deciduous trees on 20' centers.
Requirement Met

Along the west boundary of development area 'C' mature trees within the 25 feet of the drainage channel shall be protected. In the event that mature trees are disturbed as a result of utility installation, the developer shall screen the area disturbed with a combination of deciduous and non-deciduous trees a minimum of 2' caliper in size.
Requirements Met



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FRY DITCH TRIBUTARY
 DENSE EXISTING VEGETATION

Lantz-Boggio Architects, P.C.
 6650 DTC Pkwy, Suite 200 | Englewood | CO 80111
 Ph: 303.773.0436 | Fax: 303.773.8769

Heritage Point of Tulsa
 Tulsa | Oklahoma

Owner:
 Oklahoma City Senior Realty, LLC.
 15550 Ansoch Rd, Suite 101
 Overland Park, KS 66221
 P: 913.239.9191

Civil Engineer:
 Cedar Creek
 PO Box 14534
 Oklahoma City, OK 73115
 P: 405.406.4922

Structural Engineer:
 Jena Hedrick & Associates
 7000 E. Bellevue Ave, Suite 250
 Greenwood Village, CO 80111
 P: 303.838.1963
 F: 303.839.1983

Mechanical/Plumbing:
 Given & Associates, Inc.
 735 S. Xenon Ct, Suite 201
 Lakewood, CO 80228
 P: 303.716.1271
 F: 303.716.1272

Kitchen:
 United Restaurant Supply
 725 Clark Place
 Colorado Springs, CO 80915
 P: 719.572.1462
 F: 303.858.9960

Landscape Architect:
 Meier Consulting LLC
 3692 W. 179th Terr.
 Shawnee, KS 66205
 P: 913.787.2617

Electrical:
 Albee Engineering INC
 5173 Oak Willow Dr.
 Montrose, CO 80645
 P: 303.736.2739

Issued For:

Item	Date	Description
1.	4/1/2015	Permit Set

Seal:
 Key Plan:

CITY OF BIXBY

APR 20 2015

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By Envent

LEA Project Number: 2014-52
 Date: APR 1, 2015

cf. Preliminary/Finan Plat Bixby Memory

Landscape Plan Cave

L1



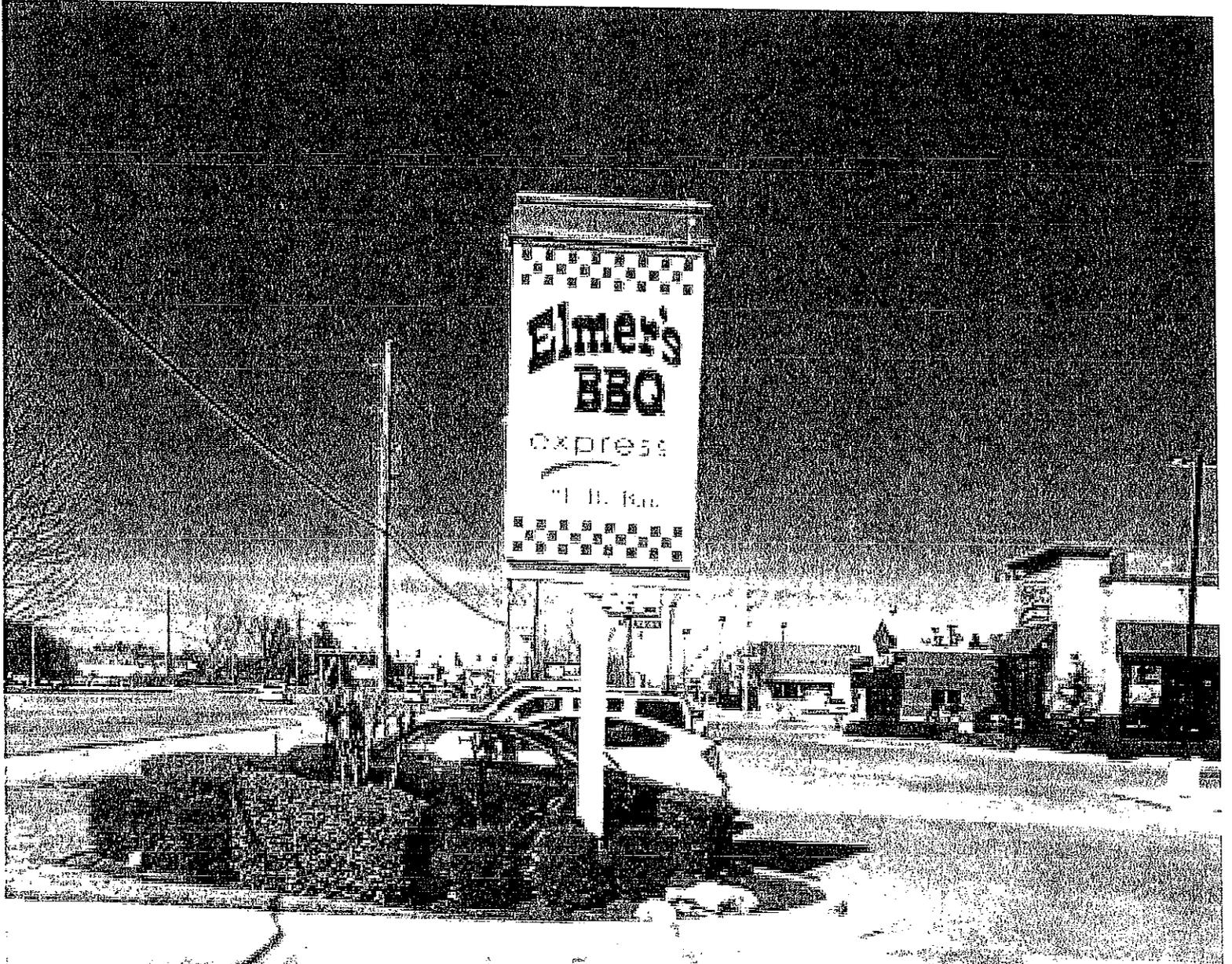
CITY OF BIXBY

APR 20 2015

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By Enyork

cf PUD 40 Minor
And. #3



CITY OF BIXBY

APR 20 2015

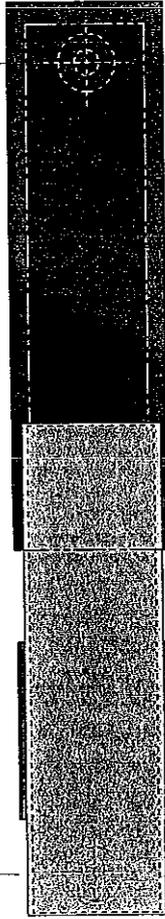
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By Enyart

cf. PUD 40

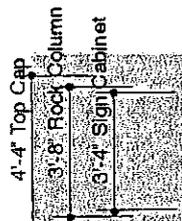
Minor Amend #3

23'-0" Center to Center



3 Top View

13'-9" Cultured Stone Column
Equal
4'-11"
Equal
3'-6"
14'-11" LED Display



Paint top cap to match Grey cultured stone, exact color to be determined (Semi-Gloss finish)

Culture Stone pole cover, Exact color to be determined (Cultured Stone by others)

Internally illuminated "PR" sign cabinet. Applied vinyl graphics first surface on white lexan. Paint sign retainers & returns to match Magenta bkg'd on lexan face

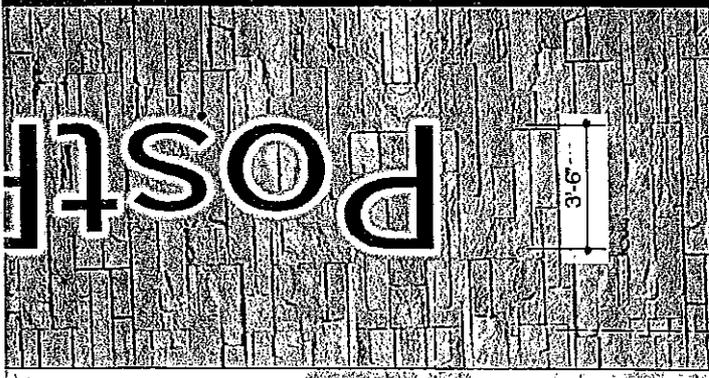
Daktronics GP4 Galaxy Pro Full Color RGB LED Display 7'-9" (T) x 14'-11" (L)

Paint accent piece Dark Grey with a Semi-Gloss textured finish



Height

40'-0" Over
23'-6"
16'-6" Tenant Sign
8'-0" To Grade



TENANT C	TENANT D
TENANT E	TENANT F
TENANT G	TENANT H
TENANT I	TENANT J
TENANT K	TENANT L

Internally illuminated tenant sign cabinet. Tenant logo to be vinyl graphics applied first surface on white lexan faces. Paint sign cabinet Dark Grey with a Semi-Gloss finish

Reverse channel letters with White Halo-lighting "Plaza Post Rock", 2" deep returns on "Plaza" & 3" deep returns on "Post Rock" paint Dk. Bronze with a Semi-Gloss finish

Applied Plum Purple vinyl on White lexan face. Black trimcap & Black returns, illuminated with White LED's (Typical)

Paint sign base Dark Grey with a Semi-Gloss textured finish

Existing (2) 20" dia. steel poles 23'-0" center to center

23'-0" C-C (Surveyed)

1 Front View Scale: 3/16" = 1'-0"

- Daktronics Full Color RGB LED Display
- Internally illuminated tenant sign cabinet
- Reverse channel letters with White Halo-lighting

2 End View

CITY OF BIXBY

APR 20 2015

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By *Engert of PUD 40 Minn Amd. #3*

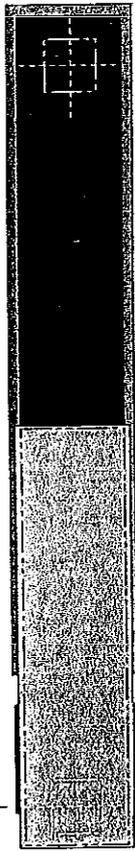
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Client: Post Rock Plaza	Approved By:
Job Location: 106th St & Memorial - Tulsa, OK	Date:
Rep: Yoko Lam	File: POSTROCK-10
Dwg No: 041715-03	Date: 4-17-2015



21'-0" Center to Center



3 Top View

3'-6"
3'-4"
3'-0"

11'-9" Cultured Stone Column

14'-11" LED Display

4'-11"

Paint top cap to match Grey cultured stone, exact color to be determined (Semi-Gloss finish)

Culture Stone pole cover, Exact color to be determined (Cultured Stone by others)

Internally illuminated "PR" sign cabinet, Applied vinyl graphics first surface on white lexan, Paint sign retainers & returns to match Magenta bkg'd on lexan face

Daktronics GP4 Galaxy Pro Full Color RGB LED Display 7'-9" (T) x 14'-11" (L)

Paint accent piece Dark Grey with a Semi-Gloss textured finish



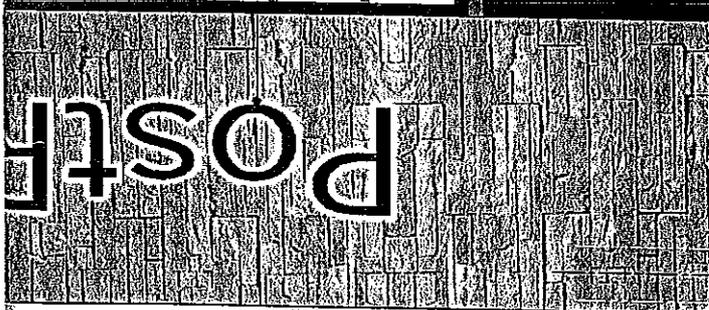
7'-9" LED Display

Height

40'-0" Over

16'-6" Tenant Sign

7'-0" To Grade



TENANT C	TENANT D
TENANT E	TENANT F
TENANT G	TENANT H
TENANT I	TENANT J
TENANT K	TENANT L

Internally illuminated tenant sign cabinet. Tenant logo to be vinyl graphics applied first surface on white lexan faces. Paint sign cabinet Dark Grey with a Semi-Gloss finish

Reverse channel letters with White Halo-lighting. "Plaza Post Rock", 2" deep returns on "Plaza" & 3" deep returns on "Post Rock" paint Dk Bronze with a Semi-Gloss finish

Illuminated RGB LED channel accent lighting stripe (typical)

Paint sign base Dark Grey with a Semi-Gloss textured finish

Existing (2) 18" sq steel poles 21'-0" center to center

21'-0" C-C

1 Front View

Scale: 3/16" = 1'-0"

- Daktronics Full Color RGB LED Display
- Internally illuminated tenant sign cabinet
- Reverse channel letters with White Halo-lighting

2 End View

CITY OF BIXBY

APR 20 2015

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By *Emyent* of PUD 40 minor *Amnd #3*



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Client: Post Rock Plaza

Job Location: 106th St & Memorial - Tulsa, OK

Rep: Yoko Lam

Dwn: J. Harley

Dwg No: 031015-01

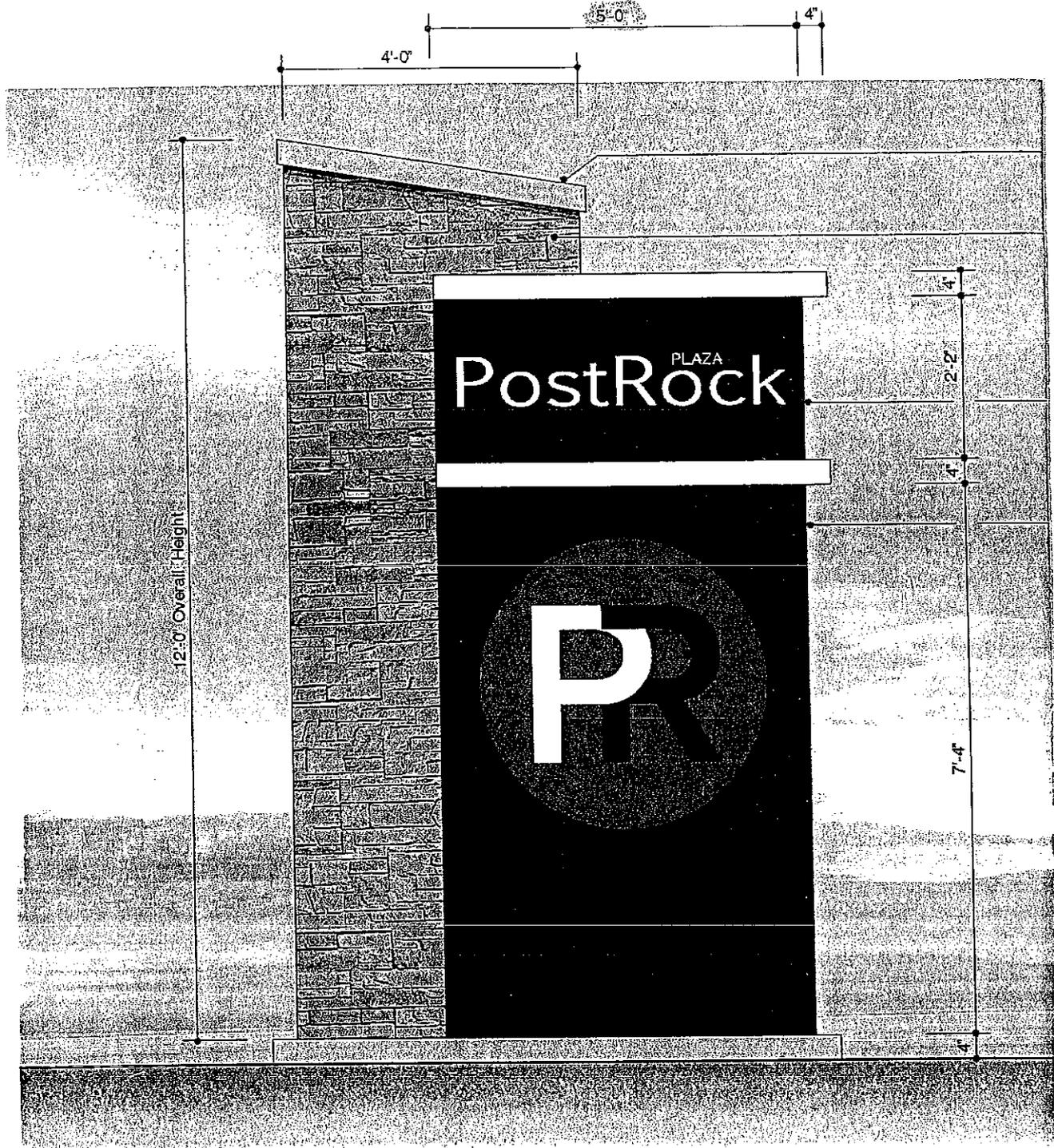
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Approved By:

Date:

File: POSTROCK-06

Date: 3-10-2015



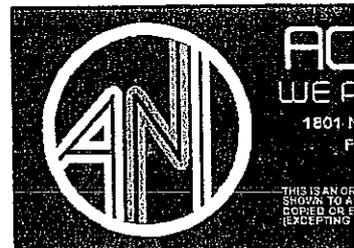
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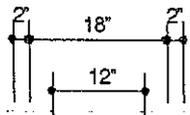
Front View

Scale: 1/2" = 1'-0"

-Non-illuminated tenant sign cabinet, sign cabinet to have external up-lighting

5/29/24



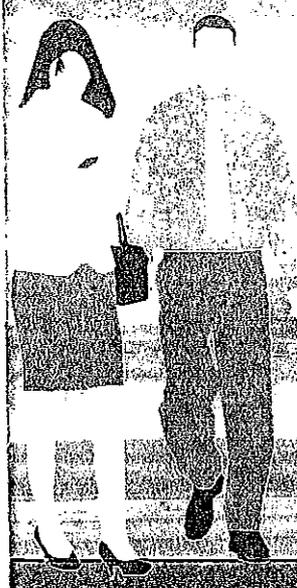


Paint top cap to match Beige, exact color to be determined (Semi-Gloss finish)

Culture Stone pole cover, Exact rock finish & texture to be determined (Cultured Stone by others)

Routed 3/16" thk. acrylic letters: silicone to sign cabinet, Prime & paint with semi-gloss finish (Exact color to be determined)

Applied opaque vinyl graphic on Dk. Grey painted background (Semi-Gloss Finish)



CITY OF BIXBY

APR 20 2015

RECEIVED
By *Enyart*

*cf. PUD 40
Minor Amend #3*

*21' from
edge of memorial*

*63' from
center line of
memorial*

2 End View

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Client: <i>Post Rock Plaza</i>		Approved By:
Job Location: <i>106th St & Memorial - Tulsa, OK</i>		Date:
Rep: <i>Yoko Lam</i>	Dwn: <i>J. Harley</i>	File: <i>POSTROCK-04A</i>
Dwg No: <i>040115-04</i>	Scale: <i>Noted</i>	Date: <i>4-1-2015</i>

BIXBY PLANNING COMMISSION
SIGN IN SHEET
DATE: April 20, 2015

NAME	ADDRESS	ITEM
✓ 1. Kathy Rogers	7500 E. 15 th St. Lot 37	PUD 87 #4
✓ 2. Carolyn Case	" Lot 63	PUD 87 #4
✓ 3. Ted Holt	7500 E. 15 th St	PUD 87 #4
✓ 4. Dymon Wells	7500 E 15 th #17	PUD 87 #4
✓ 5. Shirley Boerner	7500 E 15 th St So Lot 151	PUD 87 #4
→ 6. Juan Presa	7500 E 15 th St Lot 6	PUD 87 #4
→ 7. Nicolas Presa	7500 E. 15 th St Lot 38	PUD 87 #4
→ 8. Tony Gutierrez	7500 E. 15 th St Lot 42	PUD 87 #4
✓ 9. Samantha Parker	7500 E 15 th St. Lot 28	Pud 87 #4
→ 10. Dominic Rodriguez	7500 E 15 th Lot 28	Pud 87 #4
→ 11. Barbara Hernandez	7500 E 15 th #104	
✓ 12. Robert Clark	7500 E 15 th #11	Pud 87 #4
✓ 13. Pam Woods	7500 E 15 th #79	PUD 87
✓ 14. Ricardo Lopez	7500 E 15 th	67
→ 15. Joe Cowley	7500 E 15 th	Lot 31
→ 16. Gary Martin	7819 E 13 rd	108
✓ 17. Nikolam	1801 N. Willow Ave	PUD 40 #3 Item #8
✓ 18. Andy Brungardt	7500 E 15 th St Lot 10	PUD 40 #3
✓ 19. Daniel Castillo	7500 E 15 th Lot #80	Lot #80 4+5
✓ 20. James Turner	346 E Tulson	#4 #5



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

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner 
Date: Thursday, May 14, 2015
RE: Report and Recommendations for:
PUD 87 – “Shadow Valley” – Khoury Engineering, Inc. &
BZ-381 – Khoury Engineering, Inc.

LOCATION: – 7500 E. 151st St. S.
– All of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4 of Section 23, T17N, R13E

SIZE: 21.1 acres, more or less

EXISTING ZONING: RMH Residential Manufactured Home Park District

EXISTING USE: *Shadow Valley Manufactured Home Community*

REQUESTED ZONING: RM-3 Residential Multi-Family District & PUD 87

SUPPLEMENTAL ZONING: Corridor Appearance District (partial)

SURROUNDING ZONING AND LAND USE:

North: (Across 151st St. S.) AG; An approximately 150-acre tract of vacant/wooded and agricultural land. Across 151st St. S. to the northwest is rural residential along 68th E. Ave. and 149th / 148th St. S. in an unplatted subdivision possibly known as “Abbett Acres” zoned AG.

South: AG & RS-3/PUD 85; 136.48 acres of agricultural and vacant/wooded land zoned RS-3/PUD 85 “Conrad Farms” and agricultural land to the southwest along Sheridan Rd. zoned AG.

East: AG, CG, & IL; The northerly, AG-zoned portion of an approximately 125.5-acre parcel of land containing the former Conrad Farms retail facility (partially damaged by the July 23:24, 2013 “derecho” / “bow echo” event; greenhouses since removed) and a house, perhaps both addressed 7400 E. 151st St. S., and approximately seven (7) on-site labor houses, and a 3.7-acre rural residential and agricultural tract belonging to the Conrad family zoned AG. East and southeast is Bixby Creek and its attendant easements and rights-of-way primarily zoned AG. Farther east are commercial and industrial uses in *Bixby Industrial Park* zoned CG and IL.

West: CH, IL, CS, and AG; The “Spectrum Plaza” trade center zoned CH, a single-family house on 1-acre zoned IL, and a CS district containing the *Bethesda Girls Home* at 7106 E. 151st St. S., another nonresidential building (former location of the *Living Water Family Church*) at 7102 E. 151st St. S., and the *Bixby Chiropractic* at 7100 E. 151st St. S. Farther west along the east side of Sheridan Rd. are several vacant/wooded, agricultural, and rural residential tracts of land zoned AG.

COMPREHENSIVE PLAN: Development Sensitive + Residential Area + Corridor + Community Trails

PREVIOUS/RELATED CASES:

Preliminary Plat of Shadow Valley Mobile Home Park – Request for Preliminary Plat approval for Lot 1, Block 2, *Shadow Valley Mobile Home Park* portion of subject property – PC recommended Conditional Approval 08/25/1980 (City Council approval not researched).

Final Plat of Shadow Valley Mobile Home Park – Request for Final Plat approval for Lot 1, Block 2, *Shadow Valley Mobile Home Park* portion of subject property – PC recommended Conditional Approval 09/29/1980 and City Council presumably approved thereafter (Plat # 4056 recorded 11/18/1980).

RELEVANT AREA CASE HISTORY: (not a complete list; cases east of Bixby Creek and Memorial Dr. not included here)

- BBOA-70 – Luther Metcalf for Melvin Skaggs – Request for Special Exception to allow a single family dwelling (site built) in an RMH district for property of approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – BOA Approved 01/08/1980.

BZ-81 – Jerry Green – Request for rezoning from RMH to IL for approximately 4.8 acres, which included a house on 1 acre and the (now) 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Recommended Approval 03/31/1980 and City Council Approved 04/21/1980 (Ord. # 395).

BL-107 – Jerry Green – Request for Lot-Split approval to separate approximately 4.8 acres into (1) a 1 acre tract with a house and (2) the (now) 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Approved 10/28/1985 and City Council Approved 11/12/1985 per case notes.

BZ-199 – Dan Stilwell – Request for rezoning from RMH to CG for approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – PC recommended Approval 05/18/1992 and City Council Approved 05/25/1992 (Ord. # 667). However, the legal description used may not have closed and the ordinance did not contain the approved Zoning District. The official Zoning Map reflects

CS instead of CG. Any interested property owner may petition the City of Bixby to reconsider a CG designation as an amendment to Ordinance # 667 per BZ-199, subject to the recommendations and instructions of the City Attorney.

BBOA-252 – Dan Stilwell – Request for Special Exception to allow horses as a Use Unit 20 use in the (then requested) CG district for property of approximately 3 ¾ acres abutting subject property to the north and now addressed 7100, 7102, and 7106 E. 151st St. S. – BOA Approved 06/01/1992.

BZ-283 – Mike Marker – Request for rezoning from AG to CS for a 1.3-acre tract to the west of subject property and containing the *Leonard & Marker Funeral Home* main building at 6521 E. 151st St. S. – PC Recommended Approval 02/19/2002 and City Council Approved 03/11/2002 (Ord. # 848).

BBOA-381 – Mike Marker – Request for Variance from the parking standards of Zoning Code Chapter 10 Section 1011.4 for a 1.3-acre tract to the west of subject property and containing the *Leonard & Marker Funeral Home* main building at 6521 E. 151st St. S. – BOA Approved Variance, to include requiring 62 parking spaces, 05/06/2002.

BBOA-389 – Joe Donelson for Mike & Pam Marker – Request for Variance from the sign setback requirement of Zoning Code Chapter 2 Section 240.2(e) for a 1.3-acre tract to the west of subject property and containing the *Leonard & Marker Funeral Home* main building at 6521 E. 151st St. S. – BOA Approved 08/05/2002.

BZ-287 – Randy King – Request for rezoning from AG to CG for a 4-acre tract to the northwest of subject property at 6825 E. 151st St. S. – PC (09/16/2002) Recommended Denial and suggested that the item be brought back as a PUD; denial recommendation evidently not appealed to City Council.

BBOA-423 – Karen Johnson – Request for Floodplain variance “to allow fill in the floodplain without providing compensatory storage (Engineering Design Standards Section E)” for property to the east of subject property at 7580 E. 151st St. S., a former *NAPA* auto parts store that had been destroyed by fire – BOA Denied 07/13/2004.

AC-05-01-01 – Commercial buildings for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – Architectural Committee Approved 01/27/2005.

BZ-325 – The Porter Companies, Inc. for Claxton/Clayton Broach Trust – Request for rezoning from AG to CS for a 150-acre tract located to the north of subject property in the 6900 : 7700-block of E. 151st St. S. – PC Recommended Approval 01/16/2007. Withdrawn by Applicant by letter dated 02/05/2007 (letter requested the application be “postponed... until such time that the Porter Companies take title to the property).”

AC-07-08-06 – Architectural Committee (08/20/2007) reviewed the building plans for a proposed new building for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. and Continued the case pending the resolution of Zoning issues. AC took no action on 09/17/2007 due to discovery of lack of jurisdiction (building not within 300’ Corridor Appearance District).

BBOA-460 – JR Donelson for Oman Guthrie – Request for Special Exception per Zoning Code Section 11-11-8 for an alternative compliance plan to parking and screening requirements in the CH Commercial High Intensity District for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – BOA Approved 10/01/2007.

BZ-335 – JR Donelson for Oman Guthrie – request for rezoning from IL to CH for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at

7220/7222/7224 E. 151st St. S. – PC Recommended Approval 10/15/2007 and City Council Approved 11/12/2007 (Ord. # 982).

BLPAC-1 – JR Donelson for Oman Guthrie – Landscaping Plan Alternative Compliance plan per Zoning Code Section 11-12-4.D for the 3.4-acre “Spectrum Plaza” property abutting subject property to the west and north at 7220/7222/7224 E. 151st St. S. – PC Conditionally Approved 11/19/2007.

BCPA-8, PUD 75 “LeAnn Acres,” & BZ-359 – JR Donelson, Inc. / Roger & LeAnn Metcalf – request to (1) amend the Comprehensive Plan Land Use Map to redesignate those parts of the property presently designated “Low Intensity” and/or “Special District # 4” to “Medium Intensity” and remove the “Special District # 4” designation, (2) rezone from AG to RM-2, and (3) approve PUD 75 for a multifamily development on approximately 25 acres abutting the subject property to the west at 15329 S. Sheridan Rd. – PC Recommended Conditional Approval 01/21/2013 and City Council Conditionally Approved 01/28/2013. However, ordinance not approved because the PUD package presented was not in its final form / did not incorporate the required Conditions of Approval. To date, the final PUD package has not been received. All applications were recognized as “inactive” and filed away on 04/29/2014.

BZ-376 – Joseph Guy Donohue for J.C. & Lila Morgan – request for rezoning from IL to CH for a 1-acre tract to the west of subject property at 6636 E. 151st St. S. (to be re-addressed 7108 and 7110 E. 151st St. S.) – PC Recommended Denial absent a PUD 08/18/2014. Not appealed to City Council.

BCPA-12, PUD 85, & BZ-377 – Conrad Farms Holdings, LLC – Request to amend the Comprehensive Plan to remove the Special District # 4 designation, rezone from AG to RS-3, and approve PUD 85 for a single-family residential development on 136 ½ acres abutting subject property to the south – PC recommended Conditional Approval 09/15/2014. City Council Conditionally Approved 11/10/2014 (Ord. # 2143).

PUD 85 – Conrad Farms – Minor Amendment # 1 – Request for approval of Minor Amendment # 1 to PUD 85 for a single-family residential development on 136 ½ acres abutting subject property to the south – On 02/17/2015, as requested by Applicant, PC Tabled and provided that the Applicant may return the applications to any Planning Commission agenda within one (1) year, provided the Applicant gives the City at least one (1) month’s advance notice of the next agenda placement.

Sketch Plat of “Conrad Farms” – Request for approval of a Sketch Plat for a single-family residential development on 136 ½ acres abutting subject property to the south – On 02/17/2015, as requested by Applicant, PC Tabled and provided that the Applicant may return the applications to any Planning Commission agenda within one (1) year, provided the Applicant gives the City at least one (1) month’s advance notice of the next agenda placement.

BACKGROUND INFORMATION:

The Public Notice for these two (2) applications has elicited a number of phone calls and office visits from current residents of the *Shadow Valley Manufactured Home Community* asking whether the approval of the applications would result in their relocation. Staff has responded that this appears to be the case and directed them to contact the property owner for further information.

During the TAC meeting held April 01, 2015, the Applicant advised Staff that, due to the fact that the outcome of the zoning changes was not known, the owners were not in the position to tell the residents [about something that may not happen], that the owners would be allowing an extended relocation timeline for the residents, that the law required 30 days, but the owners would plan to give “in excess of six (6) months notice,” that the owners were in communication with other [mobile home] parks in the area to discuss potential relocation, and that some of the units were not in adequate condition to be moved and would have to be demolished.

At its regular meeting held April 20, 2015, the Planning Commission held a Public Hearing and Continued the Public Hearing and consideration of both BZ-381 and PUD 87 to this May 18, 2015 Regular Meeting, subject to being Continued again to the June 15, 2015 Regular Meeting if the owners failed to meet with the residents to discuss relocation matters.

On May 08, 2015, three (3) of the four (4) owners met with representatives of the residents to discuss relocation matters. Also in attendance were Mayor John Easton, Ward 3 Councilor Harold King, and City Planner Erik Enyart. Pursuant to the meeting, the owners have agreed to issue Revised Lease Agreements for the tenants guaranteeing them six (6) months’ notice and a move out credit of \$1,080 if rent is paid timely during the six (6) month period, which sum is intended to assist in relocation. The owners have also been addressing certain sanitary sewer and street pavement issues.

At the April 20, 2015 Planning Commission meeting, the Applicant agreed to all of the Staff recommendations, which have not changed since the original Staff Report. If an updated PUD Text and Exhibits package is received in a timely manner, Staff will attempt to review and issue a revised Staff Report reflecting the changes in time for the May 18, 2015 Planning Commission meeting or May 26, 2015 City Council meeting.

ANALYSIS:

Subject Property Conditions. The subject property of 21.1 acres, more or less, is zoned RMH Residential Manufactured Home Park District and is composed of two (2) parcels of land:

1. All of Shadow Valley Mobile Home Park: Approximately 10.39 acres, contains the southerly portion of the *Shadow Valley Manufactured Home Community*, Tulsa County Assessor’s Parcel # 58030732325860, and
2. Part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4 of Section 23, T17N, R13E: Approximately 10.6 acres, contains the northerly portion of the *Shadow Valley Manufactured Home Community*, Tulsa County Assessor’s Parcel # 97323732325260.

The subject property is relatively flat and appears to primarily drain to the east to Bixby Creek; southerly parts appear to drain south toward a wooded drainageway and drainage basin located on the Conrad Farms property abutting to the south.

The northeast corner of the subject property, including the singular private drive access to 151st St. S., presently contains an area of 100-year floodplain attendant to Bixby Creek. As this PUD acknowledges, the proposed redevelopment of the subject property will require additional

access out of the 100-year Floodplain as will be recommended by City Staff upon receipt of actual development plans.

The subject property is presently served by the critical utilities (water, sewer, electric, etc.). Plans for utilities are adequately described in the text and represented on Exhibit C, and are discussed further in the City Engineer's memo.

Comprehensive Plan. The Comprehensive Plan designates all of the subject property as (1) Development Sensitive, (2) Residential Area, (3) Corridor, and (4) Community Trails.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the requested RM-3 district is *In Accordance* with the Corridor designation of the Comprehensive Plan Land Use Map. Also per the Matrix, the requested RM-3 district *May Be Found In Accordance* with the Development Sensitive designation 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.

The site is developed, and so this test does not appear to apply. Staff notes, however, that the requested RM-3 district and residential use should be considered substantially consistent with the Residential Area land use designation of the Comprehensive Plan Land Use map.

Per the Matrix, PUDs (as a zoning district) and the requested RM-3 district are both *In Accordance* with the Corridor designation of the Comprehensive Plan Land Use Map and *May Be Found In Accordance* with the Development Sensitive designation of the Comprehensive Plan Land Use Map. Provided it is approved with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below, Staff believes that PUD 87 should be found *In Accordance* with the Comprehensive Plan as a zoning district.

Due to all of the factors listed and described above, Staff believes that the proposed RM-3 zoning and residential development proposed per PUD 87 should be found *In Accordance* with the Comprehensive Plan, provided they are approved together and with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

The Comprehensive Plan Land Use Map designates a Community Trail more or less paralleling the west side of Bixby Creek from the old Railroad line south of 141st St. S. to its former (pre-channelized) confluence with the Arkansas River. This trail appears to cross 151st St. S. through the northeast corner of the subject property. The Matrix only includes, and the Zoning Code only requires consistency with the land use elements for rezoning purposes, not the Public Facilities / Urban Design Elements such as trails. However, please reference related PUD recommendations for design enhancements to support the overall multifamily development quality.

General. The PUD proposes a multifamily residential redevelopment of the existing *Shadow Valley Manufactured Home Community* with a maximum of 527 dwelling units, per PUD Development Standards and the proposed underlying RM-3 zoning. The PUD provisions of the Zoning Code would enable slightly more, as it allows for the use of ½ of the abutting 151st St. S. right-of-way in the multifamily dwelling units per land area formula, which option this PUD does not exercise.

The submitted site plan does not include any specific development designs. Per discussions with the Applicant, Staff understands that this is because, if approved for rezoning and PUD, the property would be sold to a third-party developer, and so the future PUD Detailed Site Plan will be prepared by the then developers who will be in the position to make specific design changes as the City may request. Therefore, the Applicant has not represented proposed location of uses, off-street parking, open spaces, public and private vehicular and pedestrian circulation, or signage. The PUD chapter of the Zoning Code may anticipate such generalized PUDs, as it includes in Sections 11-7I-8.B.1.b and .d requirements that are conventionally expressed in the PUD Text, and not on the site plan itself.

To satisfy the spirit and intent of the specific informational elements of the PUD conceptual site plan, (1) the connection of required elements between the Text and the site plan Exhibits is established by the provision of development standards for the singular Development Area A and the representation of the singular Development Area A on the Exhibit B PUD Plan and (2) Staff recommends that the required PUD Detailed Site Plan be reviewed and recommended upon by the Planning Commission and Approved by the City Council.

The proposed development standards are nearly identical to those of PUD 70 Encore on Memorial, except that it allows the generation of 25 dwelling units per acre, versus 20 per acre with Encore, and requires 20' setbacks around the entire development, versus 10' setbacks except for a 20' front yard setback.

Because the review methodology is similar, and both applications are essentially rezoning-related and propose to prepare the subject property for the same single-family residential subdivision development, this review will, for the most part, include both applications

simultaneously, and not attempt to differentiate between the analyses pertaining to each of the different applications.

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

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

The Technical Advisory Committee (TAC) discussed PUD 87 at its regular meeting held April 01, 2015. Minutes of that meeting are attached to this report.

Access and Internal Circulation. Plans for access and internal circulation are described in the "Access and Circulation" section of the PUD Text as follows:

"The main Ingress and egress to *Shadow Valley* will be from 151st Street South. The existing driveway along the east side will be improved and removed from the 100 yr flood plain by installing drainage structure under the access road. A second access road will eventually be installed to provide a secondary means of access to 151st Street. The location of the secondary access will be determined upon acquiring additional property between this development and 151st Street. Sidewalks, minimum 4 feet in width, will be installed by the developer along all street frontages in accordance with the Subdivision Regulations. The sidewalks will be ADA compliant to be approved by the City Engineer. The minimum width of the internal drives will be 26 feet and the minimum gate width will be 14 feet. A Knox rapid entry system will be installed. Internal sidewalks will be provided to enhance the quality of the development and to provide a convenient and safe passageway for pedestrians."

Plans for access can be further inferred from the site plans. The site plans indicate a "Potential Secondary Access" via an approximately 2.5-acre tract of land at 7102/7106 E. 151st St. S. Per the discussion at the April 01, 2015 TAC meeting, Staff understands that the Applicant has been in discussions with the owner of this property about such access. If this is not secured prior to PUD approval, the designations on the site plans should be removed and other appropriate adjustments made to require secondary access.

Per the discussion at the April 01, 2015 TAC meeting, the Fire Marshal has expressed some concern regarding compliance with the Fire Code requirement for a minimum separation between access roads based on a formula using the diagonal width of the development tract. PUD approval should be subject to all Fire Marshal recommendations as to access, as listed as recommendations # 2 and # 3 below.

Due to the scale of this development, 527 apartment units, Staff has recognized a need to consider the number and formats of points of access in proportion to the number of dwelling units served. This ratio matter was discussed for the single-family housing additions "Willow Creek," "The Trails at White Hawk," and "Conrad Farms" developments proposed and approved most recently in 2013 and 2014.

For single-family housing addition developments, the Subdivision Regulations do not contain a ratio schedule for the number of required points of access to a subdivision based on the number of lots within it. Recommendations as to adequacy of the three (3) means of ingress and egress in ratio to the number of lots proposed should and have previously come from the City Planner, Fire Marshal, and Police Chief. In the case of “Willow Creek” in 2008, when 254 lots were proposed, all considered and expressed that the three (3) points of access should be considered adequate, two (2) of which points of access consisted of a Collector Street connecting 131st St. S. to Mingo Rd. All three (3) verbally indicated that the three (3) were still adequate when that number was increased to 276 lots in 2009. Once more, all three (3) indicated that the three (3) were still adequate when that number was increased to 291 lots in 2013. In the case of “The Trails at White Hawk,” City Staff concurred that three (3) points of access would be acceptable for the 261 residential lots planned behind a commercial frontage development area, including a Collector Street connecting 151st St. S. to Lakewood Ave. in *The Ridge at South County*, which in turn connects to 141st St. S. The third access serving “The Trails at White Hawk” is an emergency access drive connection to Kingston Ave. In the case of “Conrad Farms,” City Staff concurred that three (3) points of access would be acceptable for the 500 residential lots legally entitled by PUD 85 be served by not less than three (3) points of access, two (2) of which shall consist of a Collector Street connecting 161st St. S. to one (1) other Arterial Street.

For multifamily developments, neither the Zoning Code nor the Subdivision Regulations contains a ratio schedule for the number of required points of access to a multifamily development based on the number of dwelling units served. PUD 61 “Marquis on Memorial” developed 132 apartment units and has two (2) points of access, being the reduced-width 82nd E. Ave. residential Collector Street connecting 146th St. S. and 148th St. S. PUD 70 “Encore on Memorial” developed 248 apartment units and has two (2) points of access, being the 126th St. S. Collector Street and an emergency-access drive along the former Fry Creek maintenance road connecting to Memorial Dr. Proposed PUD 81 “Chateau Villas” proposes 375 apartment units and two (2) points of access.

This PUD 87 would legally entitle up to 527 apartment units, and proposes two (2) points of access. City Staff has considered what measure of access will be acceptable. The Fire Marshal, Fire Chief, Police Chief,¹ and City Planner recommend two (2) points of access, consisting of at least one (1) Collector Street connecting to 151st St. S. and a secondary regular access drive or emergency-access only drive. If the secondary access is designed and approved as an emergency-access only drive, the Collector Street should be designed with not less than two (2) driveway connections thereto, of adequate width and separation. The latter design would likely require the Collector Street be extended throughout the north-south depth of the subject property.

The existing PUD Text should be enhanced to specify that at least one (1) Collector Street, for which Subdivision Regulations Section 9.2.2 requires a minimum of 60’ of right-of-way and 36’ of paving width, will serve the development and connect to 151st St. S. The PUD site plans should be updated to reflect street configuration changes pursuant to these connectivity recommendations.

¹ The Police Chief has stated that he is not in favor of an additional apartment complex, but if it is to be approved, minimum required access should be as recommended herein.

The City of Bixby has the responsibility to ensure that development properties are not hampered by lack of planning and access provision when abutting properties are developed. The Subdivision Regulations require stub-out street provision to all adjoining unplatted tracts. Abutting the subject property to the south is the 136½ -acre PUD 85 "Conrad Farms" housing addition development property. During the approval of PUD 85, City Staff recommended, and the PUD included a requirement that the 500 single-family lots legally entitled by the PUD be served by not less than three (3) means of ingress/egress, two (2) of which shall consist of a Collector Street connecting 161st St. S. to one (1) other Arterial Street. During the review of the "Conrad Farms" Sketch Plat and PUD 85 Minor Amendment # 1 applications, City Staff recommended that the Collector Street connect 161st St. S. to 151st St. S., as opposed to Sheridan Rd. or Memorial Dr. City Staff recognizes that the improvement of the existing access to the subject property and/or the provision of a secondary means of ingress/egress, as proposed to be required by this PUD, may additionally serve to provide, whether it be by the Collector Street or something less, the additional recommended access to 151st St. S. for the PUD 85 development property. City Staff has discussed this matter with the Applicant, and the Applicant has not expressed objection to this concept. Staff recommends the PUD Text provide language specifying the potential for through access to the PUD 85 development property to the south during the platting and site plan approval stages. Through access provisions may ultimately take the form of platted Public right-of-way allowing for future connection by third parties.

INCOG regional trails plans and the Bixby Comprehensive Plan show a trail as planned along west side of Bixby Creek; the latter designates the same a "Community Trail." Staff requests the developer consider (1) constructing a walking trail within or along the abutting Bixby Creek right-of-way as an amenity for the multifamily development, or otherwise describe plans provide for future connections to same during the platting of the development, and (2) incorporating pedestrian / trail elements within the development consistent with the intent of the Comprehensive Plan. These enhancements would help the PUD provide a "unified treatment of the development possibilities of the project site" and "achieve a continuity of function and design within the development." If the developer would be willing to make such improvement(s), appropriate language should also be added to the PUD Text Section "Access and Circulation" and the PUD site plan should be updated accordingly.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily CS, CH, CG, IL, AG, and RS-3/PUD 85. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

Across 151st St. S. to the north is vacant/wooded and agricultural land zoned AG, and to the northwest is rural residential along 68th E. Ave. and 149th / 148th St. S. in an unplatted subdivision possibly known as "Abbott Acres," zoned AG.

To the east is the part of the former Conrad Farms' farmland on a tract of land containing approximately 125.5 acres (the SE/4 of the NW/4 and the NW/4 of the SE/4 and the W/2 of the SW/4 of the NE/4 and part of the N/2 of the N/2. This parcel contains the former Conrad Farms retail facility (partially damaged by the July 23:24, 2013 "derecho" / "bow echo" event; greenhouses since removed) and a house, perhaps both addressed 7400 E. 151st St. S., and

approximately seven (7) on-site labor houses east of the southeast corner of the subject property. Farther to the east is a 3.7-acre rural residential and agricultural tract at 7402 E. 151st St. S., also belonging to the Conrad family and commercial and industrial uses in *Bixby Industrial Park* zoned CG and IL. Cutting through these areas diagonally downstream to the southeast is Bixby Creek and its attendant easements and rights-of-way primarily zoned AG.

Abutting to the west and north is the approximately 3.4-acre “Spectrum Plaza” trade center property zoned CH. Immediately west of that is a single-family house on 1-acre zoned IL. Abutting to the north is approximately 3 ¾ acres of CS zoning containing the *Bethesda Girls Home* at 7106 E. 151st St. S. and another nonresidential building (former location of the *Living Water Family Church*) at 7102 E. 151st St. S. and the *Bixby Chiropractic* at 7100 E. 151st St. S. Farther west along the east side of Sheridan Rd. are several vacant/wooded, agricultural, and rural residential tracts of land zoned AG.

Abutting the subject property to the south is the 136½-acre PUD 85 “Conrad Farms” housing addition development property. Staff believes that, if properly enhanced as recommended herein, the proposed RM-3 zoning and multifamily PUD would serve as an appropriate buffer between single-family residential development land to the south and more intensive IL, CH, and CS zoning and commercial uses fronting on 151st St. S.

As required by Zoning Code Section 11-7I-8.B.1.e., the PUD proposes to buffer the proposed multifamily development from the future single-family residential to the south with a 6’-tall screening fence and “a twenty (20) foot wide landscaped buffer. This landscape buffer will be planted with at least one (1) tree per 1000 square feet of buffer area and at least one half of the trees shall be evergreen.” Staff believes that additional buffering measures should be required, such as massing (height, especially) restrictions for such buildings, a specific height limitation based on a formula factoring the distance to the nearest single-family residential property line, building placement and/or orientation, window-facing or window-screening restrictions, etc.

PUD 81 “Chateau Villas PUD,” for which the City Council Conditionally Approved an application for Major Amendment # 1 on March 30, 2015, contained specific minimum standards oriented toward buffering that PUD’s multifamily development area from the established single-family residential neighborhood in *Houser Addition* abutting to the east. These included:

- Enhanced screening fences/walls and landscaping pursuant to previous PUD 68,
- A 75’ minimum setback from the single-family residential areas for the three (3) story buildings as initially approved, and then a 75’ minimum setback when the buildings were reduced to two (2) stories,
- A 200’ (or potentially more) minimum setback from the single-family residential areas for the fourth-story portions of multifamily buildings at 50’ in height,
- Restriction of windows from east-facing 2-story buildings, with potential allowances for clerestory or faux windows.

The proposed RM-3 zoning and multifamily PUD would likely result in an increased intensity of land use. Per Staff’s estimation of GIS and aerial data, the existing manufactured home park contained roughly 163 individual manufactured home spaces. Per 2014 aerial data, Staff

estimated there were roughly 83 actual manufactured homes in the park at that time. The Corridor designation of the Comprehensive Plan Land Use Map, however, contemplates intensive redevelopment for the subject property.

The proposed RM-3 zoning and multifamily PUD would also be consistent with the RM-2 zoning and PUD Conditionally Approved for the 25-acre development tract abutting to the west per BCPA-8/PUD 75 "LeAnn Acres." However, since the final PUD Text and Exhibits were never submitted, the City of Bixby never effected the approval of the applications by ordinance, and the official Zoning Map continues to reflect AG zoning.

For all the reasons outlined above, Staff believes that RM-3 zoning and PUD 87 would not be inconsistent with the surrounding zoning, land use, and development patterns and are appropriate in recognition of the available infrastructure and other physical facts of the area.

Development Quality / Multifamily Use PUD Element. Not including assisted living facilities, Bixby has four (4) apartment complexes. Parkwood Apartments was constructed in or around 1973. The Links at Bixby was developed in or around 1996, and was done with PUD 16. Marquis on Memorial was developed in 2008/2009, and was done with PUD 61. Encore on Memorial was developed in 2011 and was done with PUD 70. PUD 75 "LeAnn Acres" and PUD 76 "Scenic Village Park" were conditionally approved in 2012/2013, and PUD 81 "Chateau Villas PUD" was approved in 2013/2014 and Conditionally Approved for Major Amendment # 1 on March 30, 2015. Since 1973, no apartment development has been developed in Bixby absent a PUD, and the PUDs arguably contribute to the improvement of the value and quality of such projects.

To ensure the highest value and quality for any multifamily development that may occur on the subject property, consistent with the City Council's recent Conditional Approvals of multifamily PUDs 70, 75, PUD 76 (which originally included limited multifamily use elements), 81 "Chateau Villas PUD," and to a certain extent multifamily PUD 61 ("Marquis on Memorial"), Staff recommends multifamily PUDs incorporate an appropriate variation of the following, which should help ensure the development product is of adequate quality and is adequately invested for the long term:

1. Consistent with PUDs 61, 70, 75, 76, and 81, the adequacy of multifamily construction quality shall be determined by means of a PUD Detailed Site Plan, which is hereby recommended to be reviewed and recommended upon by the Planning Commission and approved by the City Council.
2. Consistent with PUDs 70, 75, 76, and 81, multifamily PUDs should propose a specific masonry requirement for all buildings or otherwise each multifamily development building type (Encore on Memorial included a 25% masonry requirement for the standard 3-story apartment buildings ["Type I"], a 35% masonry requirement for the modified-type 2/3-story apartment buildings ["Type III"], and a 40% masonry requirement for the leasing office. The garages and carport buildings had no masonry requirement). The non-masonry balance of the buildings consisted of a cementitious fiber masonry alternative. This PUD proposes the same proportions, sans the 35%/Type III. PUD 81, as originally approved, included "not less than 75% masonry materials from the ground to the top floor top plate." It is now Conditionally Approved to have,

on average throughout the development, not less than 40% traditional masonry (brick and stone), with not less than 20% on any building, and the balance of all structures being cementitious fiber “with a stucco appearance” masonry alternative. As such, PUD 81 would have the highest masonry standards of any multifamily PUD proposed in Bixby to date. The Applicant should consider increasing the traditional masonry standard consistent with PUD 81, as may be specifically modified by the City Council in recognition of circumstantial and contextual factors, and consider proposing a masonry alternative for the balance of the buildings or a certain percentage of the balance of the buildings.

3. Consistent with PUDs 70, 75, 76, and 81, multifamily PUDs should describe in the PUD what will be done with existing natural features. In this case, such elements could include the hillside to the west, Bixby Creek to the northeast, and mature trees along the property perimeters (including within the proposed 20’ landscaped buffers) and throughout the redevelopment site.
4. Consistent with similar recommendations for PUDs 70, 76, and 81, and in recognition of INCOG regional trails plans and the Bixby Comprehensive Plan, consider whether the property perimeters and/or the concerned portion of the west bank of Bixby Creek within the adjacent Bixby Creek right-of-way could be improved as a walking trail amenity for the development. Internal sidewalks could link to the perimeter trails / public trail on the perimeter. If the developer would be willing to make such improvements, appropriate language should also be added to the PUD Text section entitled “Access and Circulation” and the same should be represented on the appropriate site plans.
5. Describe additional measurable minimum standards for land use buffering and compatibility needs. See the analysis above describing (1) the minimum screening, buffering, and landscaping standards, and (2) measures to mitigate land use interface issues between multifamily use and parking lots and single-family residential uses planned to the south per PUD 85 “Conrad Farms.”
6. Consistent with PUDs 70, 75, and 81, consider proposing more than 15% minimum lot area landscaping for the multifamily DA. PUD 70 was approved with 15%, PUD 75 was Conditionally Approved with 16.8%, and PUD 81 “Chateau Villas PUD” was approved with 15% but was most recently Conditionally Approved at 30%.

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.

For the sake of development and land use compatibility, as described more fully above, Staff would be supportive of the Zoning approvals supporting the development proposal if it (1) offers quality-enabling standards such as outlined above, (2) provides for land use buffering and compatibility needs, and (3) provides for adequate access as recommended by City Staff. If these were satisfactorily provided for, Staff believes that the prerequisites for PUD approval per Zoning Code Section 11-7I-8.C will have been met.

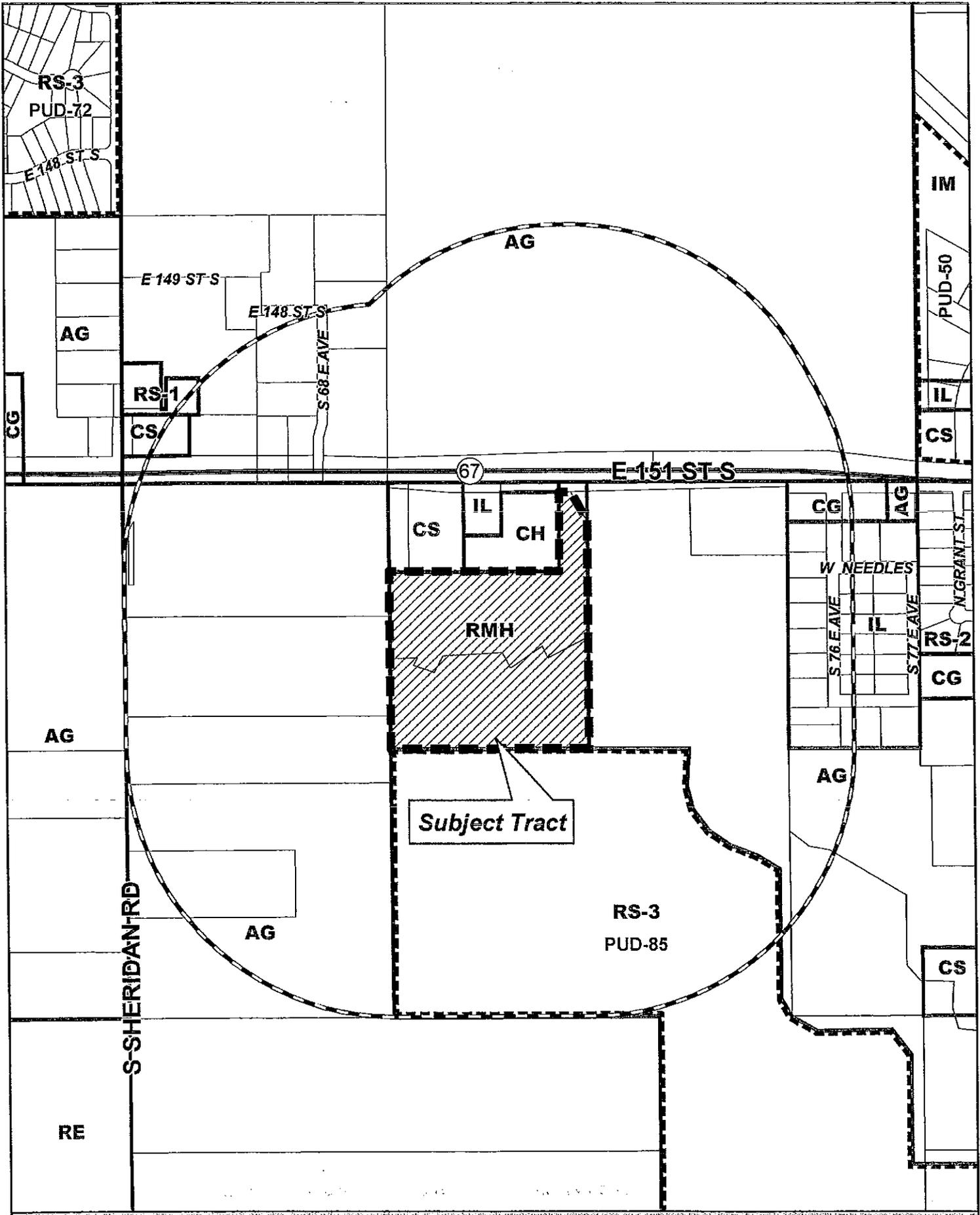
Staff Recommendation. For all the reasons outlined above, Staff believes that the surrounding zoning and land uses and the physical facts of the area weigh in favor of the requested PUD and rezoning applications generally. Therefore, Staff recommends Approval of both requests, subject to the following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

1. The approval of RM-3 zoning shall be subject to the final approval of PUD 87 and vice-versa.
2. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item may be addressed by adding a “Standard City Requirements” section to the PUD Text, with language such as “Standard requirements of the City of Bixby Fire Marshal, City Engineer and City Attorney shall be met.”
3. Subject to City Engineer curb cut ODOT curb cut / driveway permit approval for modifications to the existing entrance drive, and any new driveway connections to with State Hwy 67 (151st St. S.), and the Fire Marshal’s approval of locations, spacing, widths, and curb return radii. This item may be addressed by adding to “Access & Circulation” section of PUD Text appropriate language such as “All driveway and/or street connections shall be reviewed and approved by all jurisdictions having authority including, but not limited to: City of Bixby Engineering and Fire Marshal and the Oklahoma Department of Transportation.”
4. Please address within the Text and Exhibits, or otherwise by letter to the Planning Commission, the six (6) numbered recommendations listed above pertaining to development quality and multifamily developments.
5. Please update all PUD number blanks with number 87.
6. Development Concept & Character: Please specify that the RM-3 zoning is being requested per BZ-381.

7. Detail Site Plan Review: Please add appropriate language incorporating recommendation herein that the required PUD Detailed Site Plan shall be reviewed and recommended upon by the Planning Commission and approved by the City Council.
8. Landscaping and Screening: Please clarify the text such as "...at least one (1) tree per 500 square feet of street yard (using the 35' minimum setback pursuant to Zoning Code Section 11-7I-5.E) and..."
9. Landscaping and Screening: Please clarify that the Street Yard tree planting requirements attending any new public or private streets constructed within or adjacent to the development will be Street Yards as would otherwise be required by the RM-3 district pursuant to Zoning Code Section 11-7I-5.E.
10. Landscaping and Screening: Regarding the 6' fence, please replace cardinal directions references with "around all property perimeters," or with more specifics if that is not the intent.
11. Landscaping and Screening: Because the PUD lacks sufficient details for landscaping and screening, please add language such as "To mitigate the visual effects which commonly attend intense uses such as multifamily, and in recognition of Zoning Code Section 11-7I-6, the owner acknowledges that the ultimate landscaping and perimeter requirements may be more than that described in this PUD, in exchange for the special benefits conferred upon the developer by this PUD."
12. Grading and Utility Plans: Regarding the extent of the 100-year Floodplain, please replace the description with "Northeast portions of the subject property, including the singular existing entrance drive, are located within..."
13. Grading and Utility Plans: Please update as appropriate to reflect new sanitary sewer infrastructure as per the City Engineer's review memo.
14. Grading & Utility Plans: The plat of *Shadow Valley Mobile Home Park* indicates [Utility] Easements cut through the central parts of the platted area, which will likely ultimately frustrate reasonable multifamily site development plans. Although easement information for the northerly part of the manufactured home park was not provided to the City, it is reasonable to expect some measure of U/Es or other easements may affect the northerly part. The PUD Text should explain here whether the plat of *Shadow Valley Mobile Home Park* or otherwise its internal U/Es, and if any other inconvenient easements affecting either lot of record will be vacated prior to replatting for the redevelopment.
15. Access and Circulation: Please modify language to incorporate City Staff recommendations pertaining to ultimate access serving the multifamily redevelopment on the subject property. All references to private Residential Collector Streets (for primary access) or Low Density Residential Minor Streets (for secondary access) should specify that the same will be designed and constructed to City of Bixby minimum standards for corresponding public streets per Subdivision Regulations Section 9.2.2 and the Bixby Engineering Design Criteria Manual.
16. Access and Circulation: Please provide language specifying the potential for through access to the PUD 85 development property to the south during the platting and site plan approval stages. Through access provisions may ultimately take the form of platted Public right-of-way allowing for future connection by third parties.
17. Access and Circulation: Please modify language, "The existing driveway along the east side shall be improved as a public or private street and/or private drive and removed from the 100 Year..."

18. Access and Circulation: Please modify language, "A second public or private access road..."
19. Access and Circulation: Please remove term "eventually" and add language providing that no Building Permits shall be issued for any building within PUD 87 until both required means of ingress/egress have been constructed and/or reconstructed and approved by the City Engineer.
20. Access and Circulation: Please add language acknowledging the existing sidewalk along 151st St. S. and specifying its width.
21. Access and Circulation: Please acknowledge the sidewalk construction requirement with language such as "In accordance with the Bixby Subdivision Regulations, sidewalks shall be constructed by the developer along all public or private streets and/or private drives and shall connect the internal sidewalk network to the existing sidewalk along 151st St. S. New sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer."
22. Access and Circulation: Please address trail matters as discussed above in the analysis section of this report.
23. Access and Circulation: Please update language, "A Knox rapid entry system will be installed" with current recommendations / practice such as "A rapid entry system with radio transmitters, approved by the Fire Marshal, shall be installed," in order to allow access to all emergency responders.
24. Signs & Site Lighting: Consider whether the 32 square feet of maximum display surface area for the multifamily development's identification sign will be adequate; if not, please specify development standards for same. Sign(s) should be identified on the site plans if known at this time.
25. Signs & Site Lighting: In light of the preceding item, consider qualifying the following sentence as follows: "All signage shall comply with the Bixby Zoning Code except as otherwise specifically provided herein."
26. Signs & Site Lighting: The specific lighting fixtures proposed are identical to those used in the 2010 PUD for Encore on Memorial. If this is not yet known, the language should be written less specifically.
27. Signs & Site Lighting: Please add a standard that the photometric plan demonstrate 0.0 footcandles at all property boundaries shared with all properties in an RS district and/or actually used for single-family residential.
28. Scheduled Development: Please remove ambiguity by restating such as "late 2016" or "early 2017."
29. Legal Description: Please consider whether the legal description should include reference to the fact that it contains all of *Shadow Valley Mobile Home Park*, as Staff used in the legal description for the Public Notice.
30. Exhibits: A conceptual landscape plan, or otherwise a site plan conceptually reflecting proposed landscaping, is a required PUD element per Zoning Code / City Code Section 11-7I-8.B.1.e, and is respectfully requested.
31. Exhibits A, B, and C: The site plans indicate a "Potential Second/ary Access" via an approximately 2.5-acre tract of land at 7102/7106 E. 151st St. S. Per the discussion at the April 01, 2015 TAC meeting, Staff understands that the Applicant has been in discussions with the owner of this property about a such access. If this is not secured prior to PUD approval, the designations on the site plans should be removed and other appropriate adjustments made to require secondary access.

32. Exhibits B and C: Please represent the [Utility] Easements as per the recorded plat of *Shadow Valley Mobile Home Park*, any other easements of record affecting the subject property, and a minimum 17.5' perimeter Utility Easement along with description "to be dedicated by plat."
33. Exhibits B and C: The following corrections or enhancements should be made to Exhibits B and/or C if/as appropriate:
 - a. Please represent and label the width of the existing sidewalk along 151st St. S.
 - b. Please indicate the centerline and dimension the widths of 151st St. S. and dimension the distance between the subject property and the curb line or centerline.
 - c. Please represent curb return radii for the existing driveway intersection with 151st St. S. as represented.
34. Exhibit C: Please correct typos in Exhibit's title, "Existing Contours & Utilities."
35. Exhibit C: Please update as appropriate to reflect new sanitary sewer infrastructure as per the City Engineer's review memo.
36. For the recommended Conditions of Approval necessarily requiring changes to the Text or Exhibits, recognizing the difficulty of attaching Conditions of Approval to PUD ordinances due to the legal requirements for posting, reading, and administering ordinance adoption, please incorporate the changes into appropriate sections of the PUD, or with reasonable amendments as needed. Please incorporate also the other conditions listed here which cannot be fully completed by the time of City Council ordinance approval, due to being requirements for ongoing or future actions, etc. Per the City Attorney, if conditions are not incorporated into the PUD Text and Exhibits prior to City Council consideration of an approval ordinance, the ordinance adoption item will be Continued to the next City Council meeting agenda.
37. A corrected PUD Text and Exhibits package shall be submitted incorporating all of the corrections, modifications, and conditions of approval of this PUD: two (2) hard copies and one (1) electronic copy (PDF preferred).



300' Radius



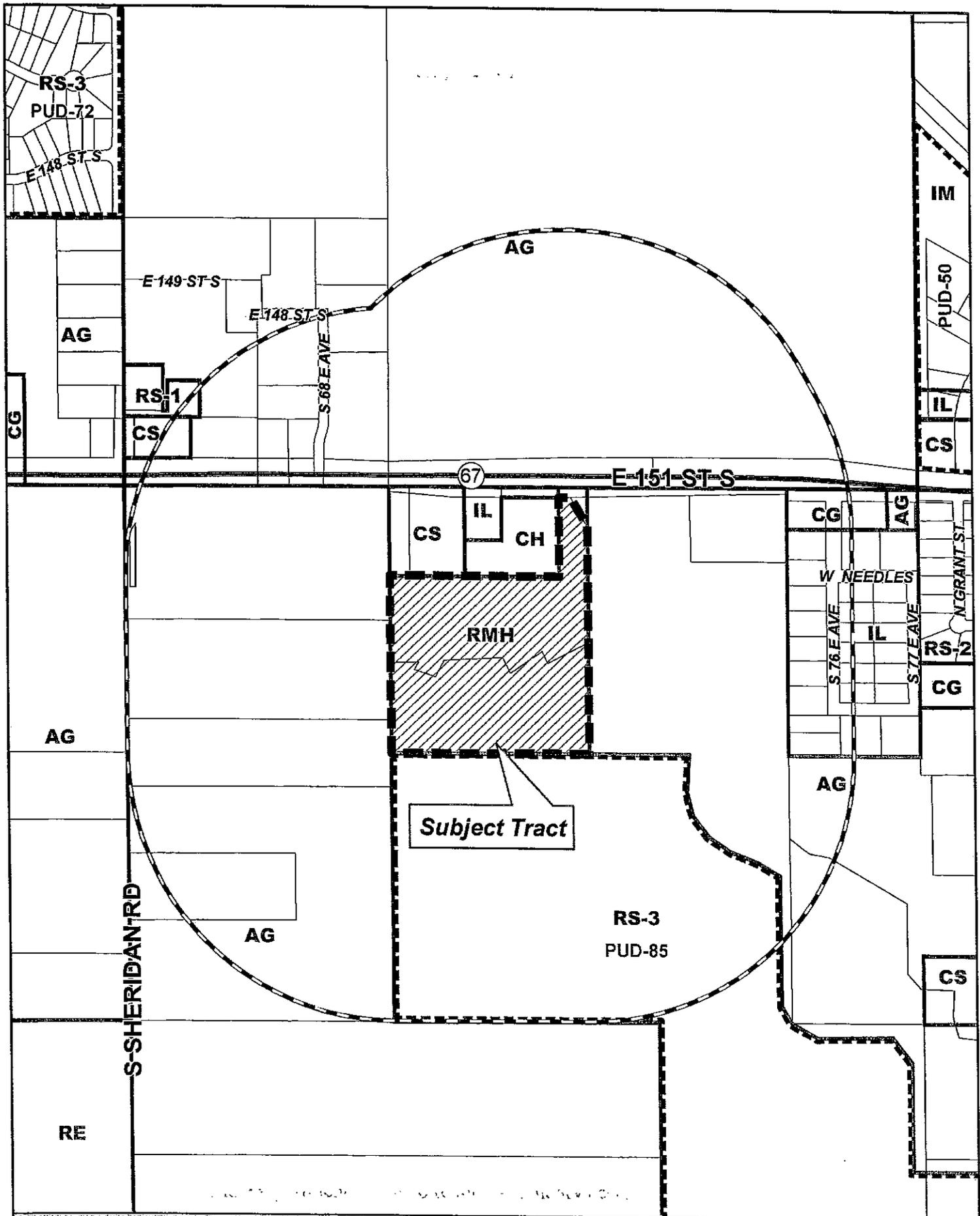
Subject Tract

PUD 87



23-17-13





300' Radius



Subject Tract

BZ-381



23 17-13



Memo

To: Erik Enyart

From: JOEY WIEDEL

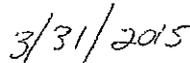
Date: 2/28/2014

Re: PUD 87 "Shadow Valley"

- Fire Hydrants shall be spaced no further than 300 feet in commercial district.
- Fire Hydrant shall be within 150 feet of any sprinkled building.
- Hydrants shall be Mueller or AVK brand, chrome yellow per city standards.
- Two means of egress/ingress shall be established before construction begins.
- Fire Apparatus access to be discussed in Tac Meeting.
- ICC codes 2009, except electrical IEC 2011.
- No further comment until more details are provided.



Joey Wiedel, Fire Marshal



Date:

CITY OF BIXBY

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

Engineering Department Memo

To: Erik Enyart, City Planner

From: Jared Cottle, PE *JWC*

CC: Bea Aamodt, PE
File

Date: 03/31/15

Re: Shadow Valley
PUD 87 Review

General Comments:

1. The PUD contains no information on Utilities, Paving, Grading, or Drainage information. No additional comments can be provided until Paving, Grading, Drainage, and Utility information has been submitted.
2. The property is located in the Bixby Creek Drainage basin. Storm water detention will be required.
3. The current site access is partially located within a floodplain.
4. Site access and circulation must be approved by the Fire Marshall.
5. The existing utility information does not reflect current conditions. The lift station shown is no longer in service nor is the 4" force main. A gravity sewer line has been constructed that connects the Shadow Valley property to the Bixby Creek Interceptor located on the east side of Bixby Creek.
6. Excess capacity charges for connection to the Bixby Creek Interceptor will be applicable.

MINUTES
TECHNICAL ADVISORY COMMITTEE
DAWES BUILDING CITY OFFICES
113 W. DAWES AVE.
BIXBY, OK 74008
April 01, 2015 – 10:00 AM

MEMBERS PRESENT

Gary Hamilton, *Cox Communications*

Jim Peterson, *BTC Broadband*

STAFF PRESENT

Erik Enyart, AICP, City Planner, City of Bixby

Joey Wiedel, Fire Marshal, City of Bixby

OTHERS PRESENT

Ted Sack, RPLS, *Sack & Associates, Inc.*

Malek Elkhoury, PE, *Khoury Engineering, Inc.*

Larry Kester, AIA, *Architects Collective*

Luke Strawn, *McGraw Realtors*

Neil Dailey, *McGraw Realtors*

Alan Betchan, PE, CFM, *AAB Engineering, LLC*

Kevin Jordan, *Black Gold Group, LLC / Chateau Villas, LP*

Jason Mohler, PE, *Cedar Creek Consulting, Inc.*

1. Around 10:00 AM, Erik Enyart provided copies of the City Engineer's review memos to Malek Elkhoury and Ted Sack for the PUD 87 and PUD 49-A, applications, respectively. Mr. Sack asked if the City Engineer would be able to attend, and Mr. Enyart stated that Jared was in a meeting and was about to go into another meeting, so would not be able to attend.

Erik Enyart called the meeting to order at 10:07 AM.

Erik Enyart observed that all cases appeared to have representation and asked if there were any objections to taking the items in the order of their placement on the agenda. There were no objections.

2. **PUD 87 – “Shadow Valley” – Khoury Engineering, Inc.** Discussion and comment on a rezoning request for approval of Planned Unit Development (PUD) # 87 for approximately 21.1 acres consisting of all of *Shadow Valley Mobile Home Park* and part of the W/2 of the NE/4 of the NW/4 and part of the W/2 of the E/2 of the NE/4 of the NW/4, with proposed underlying zoning RM-3 Residential Multi-Family District.
Property Located: 7500 E. 151st St. S.
-

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart stated that the property was the Shadow Valley Mobile Home Park at 7500 E. 151st St. S., and the PUD was accompanied by an application for rezoning from RMH to RM-3, to enable the property to be redeveloped as a multifamily product. Mr. Enyart stated that the PUD lacked specificity because plans had not, to his knowledge, yet been drawn up yet. Luke Strawn indicated agreement. Mr. Enyart asked Malek Elkhoury if he cared to summarize the project further.

Malek Elkhoury stated that the PUD conceptual site plan was blank because it was not yet known how many buildings there would be or the type of amenities. Mr. Elkhoury noted that he had just received the City Engineer's review memo and commented briefly on the contents, including that the sanitary sewer exhibit he had prepared was not valid because sanitary sewer was already in place per the City Engineer's memo, and that there would need to be onsite stormwater detention and payment of excess capacity fees. Mr. Elkhoury stated that he would need to find out what those fees would be.

Erik Enyart stated that he observed on the PUD conceptual site plan that the "primary access" was proposed to be from the existing driveway connection to 151st St. S., and that a "potential secondary access" label was indicated [on a parcel of land at 7102/7106 E. 151st St. S.]. Malek Elkhoury and Luke Strawn discussed a couple of current negotiations between various property owners that would have implications for ultimate access plans for the subject property. Mr. Strawn stated that more information should be available by the Planning Commission meeting on April 20, 2015. Mr. Enyart indicated agreement.

Joey Wiedel asked about whether the secondary access as shown would meet the minimum separation standard for secondary access, ½ of the diagonal of the widest property width. Mr. Wiedel referenced how this standard had come into play with the previous Conrad Farms development plans. Mr. Wiedel discussed the matter with Malek Elkhoury, and confirmed with him that the diagonal measurement should be taken from the southwest and northeast corners of the subject property. Mr. Elkhoury suggested the secondary accessway may need to be from the westerly side of that frontage parcel, and asked if a "variance" would be needed if the standard could not be met. Mr. Wiedel stated that that would need to be discussed internally, including the Fire Chief, Police Chief, and City Staff. Mr. Wiedel discussed previous access issues identified [with the previous Conrad Farms development plans], including the [Bixby] Creek and floodplain areas. Mr. Wiedel noted that previous discussions included the possibility of an access to 151st St. S. [west of the westernmost line of the Shadow Valley Mobile Home Park] and the need for Collector Streets. Mr. Elkhoury asked if a Collector Street would be required. Erik Enyart stated that he believed the [Bixby] Comprehensive Plan and/or the [Tulsa Metropolitan Area] called for mid-mile Collector Streets connecting 151st St. S. to 161st St. S. and Sheridan Rd. to Memorial Dr., and if not here specifically, that pattern was well established that there should be mid-mile Collector Streets. Mr. Elkhoury asked if the City would be building the Collector Streets. Mr. Enyart stated that the Plans do not specify what entity would be responsible for constructing the streets. Mr. Enyart stated that the property being developed at 121st St. S. and Memorial Dr. was having a Collector Street constructed by the developed. Mr. Enyart confirmed with Mr. Elkhoury that the first leg of that Collector Street system, the 126th St. S. extension west of Memorial Dr., was constructed by the Encore on Memorial developer, with some [public-private partnership] participation by the City of Bixby. Mr. Enyart stated that[, generically speaking,] streets could be

constructed by the developer, the City, or some hybrid. Luke Strawn discussed ongoing real estate negotiations, which also pertained to access. Mr. Enyart indicated agreement.

Erik Enyart stated that, from a planning/zoning standpoint, multifamily was not a universally popular landuse. Mr. Enyart stated that this was a unique situation, however, in that the proposal was to redevelop a trailer park with a modern, multifamily product. Luke Strawn stated that the product being contemplated would be similar in design and quality to the apartments constructed next to *Reasor's* in Jenks. Mr. Enyart confirmed with Mr. Strawn that he was referring to The Reserve on Elm. Neil Dailey stated that this should be seen as an improvement, and Mr. Enyart stated that he was "inclined to agree." Mr. Enyart stated that, for multifamily development entitlements by PUD in Bixby, the City had a "track record" of recommendations and Conditions of Approval designed to ensure the highest possible development quality outcomes. Mr. Enyart stated that these standards included, among other things, minimum masonry, and City Council approval of the PUD Detailed Site Plan, and preservation of natural features. Mr. Enyart agreed with Mr. Strawn and Malek Elkhoury to send them the current list of such multifamily standards.

Malek Elkhoury or one of his clients asked if there had been any opposition to the application received so far. Erik Enyart stated that, as soon as he posted the Public Notice sign the day prior, he was visited by a gentleman who claimed to be a resident of the park and claimed he had not been informed of the potential change. Mr. Enyart noted that he had also received a voicemail from another person claiming to be a resident that he had not had an opportunity to call back yet. Luke Strawn stated that, due to the fact that the outcome of the zoning changes was not known, the owners were not in the position to tell the residents [about something that may not happen]. Mr. Strawn stated that the owners would be allowing an extended relocation timeline for the residents. Mr. Strawn stated that the law required 30 days, but the owners would plan to give "in excess of six (6) months notice." Mr. Strawn stated that the owners were in communication with other [mobile home] parks in the area to discuss potential relocation. Mr. Strawn stated that some of the units were not in adequate condition to be moved and would have to be demolished. Mr. Enyart stated that [these additional relocation efforts] were appreciated.

Discussion ensued regarding what minimum masonry standard which should be proposed. Malek Elkhoury stated that the PUD included a 25% masonry standard [and 40% for the leasing office]. Erik Enyart stated that he could not answer how much would ultimately be required, as it was context-sensitive, but the last one was proposing 40%. Neil Dailey asked where that one was located, and Mr. Enyart stated that it was the "Chateau Villas" development that was going to be discussed later on this agenda. Mr. Dailey noted that the "Chateau Villas" development was in a different location. Mr. Enyart stated that each new multifamily development entitlement has raised the bar as far as standards, and that this would be the Applicant's argument to make that this was a different area, but a comparison to "Chateau Villas" would be made in any event. Mr. Enyart acknowledged that this would be redeveloping a trailer park into a modern, multifamily product. Mr. Elkhoury stated that the Encore on Memorial included a 25% masonry standard¹ with the balance being "[James] Hardie" [cementitious fiber] or stucco.

¹ For the standard 3-story apartment buildings ("Type I"), with a 35% masonry requirement for the modified-type 2/3-story apartment buildings ("Type III") and a 40% masonry requirement for the leasing office

Erik Enyart asked the utility companies if they had any questions or comments.

Jim Peterson of *BTC Broadband* stated that the existing facilities would either have to be removed or abandoned and replaced, probably with fiber [optic cable].

Malek Elkhoury clarified with Erik Enyart that the PUD Detailed Site Plan would not be approved by only the Planning Commission as the Encore on Memorial multifamily development was. Erik Enyart stated that one such PUD required both the Planning Commission and City Council approve the PUD Detailed Site Plan, but he believed that it should be required to be reviewed and recommended by the Planning Commission and approved by the City Council. Mr. Enyart stated that this allowed the City Council, from a policy standpoint, to see the final plans for construction and say, "Yes, that's the quality I expected when I voted for the PUD." Mr. Enyart observed the language in the PUD calling for Planning Commission approval, and stated that it would be a review comment to change this to the City Council.

Gary Hamilton of *Cox Communications* stated that, "As soon as the last trailer is out," *Cox* would disconnect and/or remove their facilities.

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

Erik Enyart stated that, hearing none, the meeting would proceed to the next item on the agenda. Mr. Enyart thanked Luke Strawn, Neil Dailey, and Malek Elkhoury for their attendance.

Luke Strawn, Neil Dailey, and Malek Elkhoury left at this time at 10:37 AM.

3. **PUD 49-A – Bixby Crossing – Ted Sack of Sack & Associates, Inc. for J & S Acquisitions, LLC.** Discussion and comment on a rezoning request for approval of Major Amendment # 1 to Planned Unit Development (PUD) # 49 for approximately 12.6 acres consisting of Lots 1 and 3, Block 1, *Bixby Crossing*, with underlying zoning CS Commercial, OM Office, RM-2 Residential Multi-Family, RD Residential Duplex, which amendment proposes to allow additional Use Unit 16 ministorage use and make certain other amendments.
Property Located: 13455 S. Memorial Dr. & the 13500-block of S. Memorial Dr.
-

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart clarified with Ted Sack that the "Bixby Crossing" PUD and development first came to the City approximately nine (9) years ago. Mr. Enyart noted that this was "before my time." Mr. Enyart stated that the development included the *Self Storage Depot* ministorage business and *TTCU [Tulsa Teachers Credit Union]*, and a vacant commercial lot at the corner of the intersection of 136th St. S. and Memorial Dr. Mr. Enyart stated that the main purpose of the PUD Major Amendment was to enable the vacant commercial lot to be developed with more ministorage use. Mr. Enyart stated that Bixby had a unique situation, in that, in mid-2014, the City Council approved a policy that expressly preferred retail uses for its commercial properties in its commercial corridors, to the exclusion of non-retail uses. Mr. Enyart stated that this was because cities rely and thrive on retail sales taxes, but yet Bixby has experienced much of its available commercial land being put to non-retail uses. Mr. Enyart stated that, as he has previously related to Ted Sack during their previous meetings, the City Staff is obligated to follow the express policy and not recommend the change

converting the commercial lot into ministorage. Mr. Enyart stated that, "That being said, this is a technical meeting to inform the design, should it pass."

Ted Sack described the application and noted the quality of the *Self Storage Depot*. Mr. Sack stated that his client had owned the vacant lot for nine (9) years and it had not been sold for retail development.

Joey Wiedel stated that the northerly access was not approved. Mr. Wiedel stated that he believed it was intended as some sort of temporary access, but did not meet standards. Mr. Wiedel stated that he believed the access was also gated off. Erik Enyart stated that he had recent experience with this, when he went to post the Public Notice signs the day prior. Mr. Enyart stated that he was [turning south onto Memorial Dr. from 134th St. S.] and intended to turn left onto the drive, but found it curbed off with a "stand-up curb," and there was no center turn lane [but rather narrow pavement striping]. Mr. Enyart stated that he found it hazardous to sit in the middle of traffic until he could enter using the shared center access drive. Mr. Enyart stated that he found that the northerly access was gated with a padlock, which appeared to require a key. Mr. Wiedel suggested that the northerly access would need to be "finished," but he was not sure if it would be approved by ODOT. Mr. Enyart observed that it was "pretty close to [134th St. S.]. Mr. Sack stated that he / his firm designed the development, but was not involved in the design of the actual buildings, so he would contact the owners to see what design and approval documents they might have.

Erik Enyart confirmed with Ted Sack that the same owners owned the unplatted strip of land to the north of the development. Mr. Enyart observed that it appeared to essentially consist of a drainageway. Mr. Sack stated that it was not included in the subject property, and that the owners had an opportunity to acquire the property after they platted "Bixby Crossing." Mr. Enyart suggested that, if additional northerly access had to be secured, it might connect through that parcel to 134th St. S. Mr. Sack observed that this would require a bridge, and Mr. Enyart indicated agreement.

Erik Enyart noted that, since the ministorage was first built, the City of Bixby had adopted new standards for Use Unit 16 ministorage. Mr. Enyart noted that these standards included screening and masonry requirements for the building elevations which faced public streets. Mr. Enyart stated that he had not yet had a chance to look into the PUD for the details, and asked Ted Sack if the PUD was written to incorporate these standards. Mr. Sack stated that it did provide for masonry [alternatives]² on the Memorial Dr.- and 136th St. S.-facing walls, but would allow for the ornamental fence[, similar to the existing serving the *Self Storage Depot*,] to be used. Mr. Enyart stated that this would be considered an exception to the minimum standard, and the PUD would need to call it out as such.

Erik Enyart noted, at this time or another, that, in all of "Bixby Crossing," there was no sales taxes being generated, since the credit union and ministorage generate no sales taxes, and now the proposal was to turn the last commercial lot into ministorage.

² After the meeting, Staff found that the PUD document called for "fiber cement brick panels as manufactured by the Nichiha Company as used on the existing self storage office," which the City of Bixby would recognize as a "masonry alternative" product.

Erik Enyart asked if there were any questions or comments from the utility companies. It was observed that there were existing communications facilities.

Erik Enyart stated that, since the recommendation would not be for approval, he would not be reviewing it for recommended corrections. Mr. Enyart stated that, if the Planning Commission were to indicate favor for the concept, it could then send it back to Staff for review and recommendation the following month. Ted Sack indicated objection, and noted that this would cost a month. Mr. Enyart stated that, in a case similar, he was specifically instructed not to bifurcate the review, stating, "No, this should not be approved," and then stating, "but if you approve, this is how you can make it better." Mr. Enyart stated that he would be reviewing the application and providing a Staff Report, but that it would likely not be issued until just before the April 20, 2015 Planning Commission meeting. Mr. Sack noted that Roy Johnsen would be presenting the application at the meeting. Mr. Enyart indicated agreement and stated that he had met with Mr. Johnsen on this matter.

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

Erik Enyart stated that, there being no further questions or comments on this item, the meeting would proceed to the next item on the agenda. Mr. Enyart thanked Ted Sack for his attendance.

Ted Sack left at this time.

4. **Preliminary Plat & Final Plat – "Bixby Memory Care" – Cedar Creek Consulting (PUD 45).** Discussion and review of a Preliminary Plat, a Final Plat, and certain Modifications/Waivers for "Bixby Memory Care," approximately 8.6512 acres in part of the NE/4 of the NE/4 of Section 25, T18N, R13E.
Property Located: Southwest corner of 101st St. S. and Mingo Rd.
-

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart stated that the property was located at the southwest corner of 101st St. S. and Mingo Rd. Mr. Enyart stated that, if anyone had been to the area recently, they would not be able to miss the new *Firststar Bank* on the corner. Mr. Enyart stated that the subject property consisted of all of the undeveloped land from the bank west to the creek, and to the south to the *Spicewood Villas* subdivision. Mr. Enyart stated that the larger, back portion of the acreage would be developed with a memory care assisted living facility, and the two (2) outparcels between it and the bank would be for commercial / office use as per the original PUD. Mr. Enyart observed that the PUD was written quite broadly and flexibly to allow a number of different uses. Mr. Enyart stated that the applications were represented by Jason Mohler of Cedar Creek Consulting[, Inc.]. Mr. Enyart asked Mr. Mohler if he cared to summarize the project further.

Jason Mohler discussed the development plans and outparcel lots. Gary Hamilton of *Cox Communications* provided Mr. Mohler a business card for the contact at *Cox Communications* with whom Mr. Mohler or his client should speak. Mr. Hamilton indicated he thought contact had already been made. Erik Enyart clarified with Mr. Mohler that there was another Jason at Cedar Creek Consulting, Jason Emmett. Mr. Mohler noted that Mr. Emmett was out of the Oklahoma City office and had been the first one working on the plans.

Erik Enyart observed that the Preliminary Plat appeared to have site plan elements superimposed. Jason Mohler stated that he / his clients had hoped to get everything done at one time, including the site plan, and they had put the site plan on the Preliminary Plat to differentiate between it and the Final Plat, as otherwise the only difference would be the title at the top. Mr. Enyart stated that the site plan elements were not customary, but that the Preliminary Plats normally contain elevation contours and preexisting buildings as the only distinguishing features. Mr. Mohler confirmed with Mr. Enyart that he would put the contours on the Preliminary Plat. Mr. Enyart stated that the underlying zoning districts should also be represented on both plats. Mr. Mohler indicated agreement. Mr. Mohler stated that he was coordinating with the architect and expected to turn in the Site Plan by Friday.

Erik Enyart asked Joey Wiedel if he had any questions or concerns from a fire standpoint. Mr. Wiedel noted that he had met with the engineer after he had issued his review comments and had discussed changing the configuration of the drive connection to Mingo Rd. Jason Mohler and Mr. Wiedel discussed that the multiple, right-angle turns were [mitigated] including with better curves and radii. Mr. Mohler noted that this had resulted in the loss of some [parking spaces], but the site was "over-parked" anyway. Mr. Wiedel asked for clarification on whether there would be gates on either the Mingo Rd. access drive or 101st St. S. access drive. Mr. Mohler stated that there would be no gate on the 101st St. S. access drive but, due to the location of the bank, the developer planned a "crash gate" on the Mingo Rd. access drive. Mr. Wiedel discussed the use of the term "crash gate" as compared to a remote access gate, and stated that the allowance of the gate would have to be discussed internally. Mr. Wiedel stated that he would prefer there not be a gate, as the Fire Department would most likely consider the Mingo Rd. access to be the primary access to the assisted living facility, due to the location of Fire Station # 2, since the Mingo Rd. route to it would be better. Mr. Wiedel and Mr. Mohler discussed likely further drive reconfigurations as the outparcel lots developed.

Gary Hamilton stepped out of the meeting briefly for a phone call around this time.

Joey Wiedel discussed fire hydrant locations, Fire Department Connections, and stand pipes with Jason Mohler.

Erik Enyart asked Jim Peterson if *BTC Broadband* served this area. Mr. Peterson stated that it was not in its service area but could be served, as *BTC Broadband* served the Spicewood Pond and Spicewood Villas subdivisions on either side of it. Mr. Peterson asked about the number of units. Jason Mohler stated that he would have to check, and Joey Wiedel provided estimates.

Observing that Gary Hamilton had not yet returned to the meeting, Erik Enyart stated that *Cox Communications* had provided Jason Mohler the proper contact information needed for the project.

Erik Enyart advised Jason Mohler that he would review the plats as soon as he could get to them, but that it would likely be close to the April 20, 2015 Planning Commission date. Mr. Enyart discussed the Site Plan application process with Mr. Mohler. Mr. Enyart noted that there was no Planning Commission approval required, and so no application submission deadlines. Mr. Enyart stated that, as soon as the application was submitted, the City's "clock starts ticking," and the City

would review it as soon as it was able to. Mr. Enyart agreed to send a Site Plan application form to Mr. Mohler.

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

Erik Enyart stated that, there being no further questions or comments on this item, the meeting would proceed to the next item on the agenda.

5. **BSP 2015-04 – “Chateau Villas” – Larry Kester of Architects Collective (PUD 81).**
Discussion and possible action to approve a PUD Detailed Site Plan and building plans for “Chateau Villas,” a Use Unit 8 multifamily residential and commercial development for approximately 23 in part of the NW/4 NW/4 of Section 01, T17N, R13E.
Property Located: 12303 S. Memorial Dr. and the 8300-block of E. 121st St. S.
-

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart stated that the “Chateau Villas” multifamily and commercial development was approved in late 2013 for approval of applications for PUD 81 “Chateau Villas PUD” and an underlying zoning change, and was reapproved by ordinance in early 2014. Mr. Enyart stated that the owner acquired one (1) of the two (2) parcels of land in mid-2014 and the second one in late 2014, and was now proposing to start developing the property. Mr. Enyart stated that the PUD required that the property be platted—approved for Preliminary and Final Plat—and be approved by the Planning Commission and City Council for PUD Detailed Site Plan. Mr. Enyart stated that, on the Monday prior, the City Council Conditionally approved an application for approval of Major Amendment # 1 to PUD 81, which amendment would, among other things, allow some of the buildings to go to four (4) stories and 50’ in height, and make a change to the masonry requirements. Mr. Enyart stated that the original PUD 81 required 75% masonry, but didn’t define what that meant. Mr. Enyart stated that the amendment proposed 40% traditional masonry, brick and stone, and the balance to be masonry alternatives, consisting of cementitious fiber. Mr. Enyart stated that this was an application for PUD Detailed Site Plan approval, and that the plats would be presented at a later date. Mr. Enyart asked if the Applicant would like to summarize the project further.

Gary Hamilton returned to the meeting around this time.

Applicant Kevin Jordan described the project further. Mr. Jordan noted that the new plans would include some buildings with four (4) stories, and there would be at least one (1) elevator, which was “indicia of high-end, luxury apartments.” Mr. Jordan stated that there would be some “townhouse[-style]” walk-up, third/fourth floor units. Mr. Jordan described the plans for water features and potential plans for the existing stormwater retention pond in Reserve Area A of *121st Center*. Mr. Jordan discussed with Alan Betchan the status of conversations with the developer of the [Memorial Square Amended townhouse development containing the] “duplexes” north of 121st St. S., regarding the potential widening of the “Fry Creek Trib[utary]” channel, and noted that he was “in negotiations now.”

Kevin Jordan asked about an east-west “easement” between the *North Carolina Furniture Mart* and the [*Spartan Self Storage*] ministorage business extending between Memorial Dr. and the stormwater retention pond. Mr. Jordan stated that one of the owners was asking if this could be

abandoned. Erik Enyart clarified with Mr. Jordan that he was describing an "access easement" of some sort. Mr. Enyart stated that he was not aware of such an easement and, unless it was shown on the plat of *121st Center*, it would be a separate instrument easement of some sort.³

Joey Wiedel discussed access with the Applicant. Responding to a comment that the emergency access drive may be moved when the commercial area was developed, Erik Enyart stated that, on an earlier site plan, he had remarked that the northerly connection to 121st St. S. should not be shown as "future," as the development would need a second means of ingress/egress, as the Fire Department would likely want to be able to enter the complex from 121st St. S., and as a large number of the tenants of the apartments would want to be able to use 121st St. S. to go north on Memorial Dr. Mr. Enyart noted that, at the City Council meeting, the City Engineer had referred to the drive as an emergency-access-only drive, but that he was likely recalling the initial design. Mr. Enyart asked if this northerly drive would be more of a temporary drive with paving width adequate only for emergency access, or if it would be a full, 26'-wide street [as shown on the site plan], such as would be built throughout the apartment complex, with curbs and gutters, etc. Discussion ensued. Alan Betchan discussed the City's new gated entrance requirements, including the 80' approach, and radio transmitters [allowing the Fire Department automatic, rapid entry]. Erik Enyart stated that, for the sake of discussion, it appeared to him that, wherever the northerly road was put in, it would "cut up the commercial pad sites." Mr. Enyart noted that the previous development had the driveway connection to 121st St. S. either at the same place, the existing curb cut, or to the east thereof, but then it "swung back to the east," opening up larger "building blocks" of land for commercial development to the west. Mr. Enyart suggested that, if the drive were moved to the east, it could connect to the easterly north-south drive. Larry Kester stated, and indicated on the site plan where he had left an opening in the parking lot at the north end to allow for such a design change. Mr. Wiedel discussed with Mr. Betchan, Mr. Enyart, and others the likelihood that the existing curb cuts were likely to be the only locations which could be approved. Mr. Betchan and Mr. Enyart speculated, with reference to the *QuikTrip* redevelopment to the northwest, as to whether the concerned sections of right-of-way were acquired by ODOT or using ODOT money, as that would determine whether ODOT would also have to approve, or simply the City of Bixby. Mr. Enyart noted that the curb cut may not be able to be moved farther east, due to the bridge approaches, and that the curb cut location may be affected if the bridge were replaced for the channel widening. Kevin Jordan, while the conversation was "free flowing," discussed some other access ideas involving commercial properties to the west in *121st Center*. Discussion on this theme ensued. Mr. Kester stated that such a design may be allowed as long as the Fire Department was okay with the turn radii on the curves and there was no more than a 10% drop to allow adequate maneuverability. Mr. Betchan stated that the new gated access drive standards read more like something intended for [housing addition] subdivisions accessing Arterial Streets as opposed to a commercial, or multifamily development. After further discussion, Mr. Enyart summarized the conversation as reflecting that [the parties involved were] "still discussing options as to the northerly access."

Erik Enyart asked Joey Wiedel if he had any other questions or concerns from a fire standpoint. Mr. Wiedel stated that the architect's letter, describing the extra sprinklers in the open air corridors and firewalls, had given [him and the Fire Chief] good arguments and allowed them to say that they

³ After the meeting, Staff found that there is a 40' Mutual Access Easement along the south side of Lot 4, Block 1, *121st Center*.

would be okay [with the additional building height to 50'], allowing the City Council to give its approval.

Erik Enyart asked the utility companies if they had any questions or comments.

Jim Peterson asked about platting. Alan Betchan stated that [the plat] was not done yet.

Larry Kester asked, and Jim Peterson of *BTC Broadband* and Gary Hamilton of *Cox Communications* both confirmed that both service providers would be able to serve the development with fiber [optic cable]. Mr. Peterson stated that *BTC* served the Encore on Memorial, and offered 1 Gigabit per second internet speeds. Mr. Hamilton stated that *Cox* was increasing speeds to 1 Gigabit in the newest housing additions also, and could provide this to this development. Erik Enyart asked, and Mr. Hamilton confirmed that *Cox* served Encore also. Mr. Enyart confirmed with Messrs. Hamilton and Peterson that it was possible for both companies to run parallel services to the same multifamily units. Mr. Peterson asked Mr. Hamilton if *Cox* ran fiber to the insides of the units, and Mr. Hamilton affirmed. Mr. Enyart asked both Mr. Hamilton and Mr. Peterson if there was an expense to the developer to install fiber services, and both stated that this was something that needed to be discussed by the [client sales/relations personnel at each firm]. Mr. Kester stated that, compared to a typical 1" chase walls, these buildings would have 8" of separation, which would allow for easy installation of conduits. Mr. Kester stated that there would be firestops at each wall and stops at each floor. Alan Betchan indicated agreement. Mr. Kester confirmed with Mr. Hamilton that *Cox* would install fiber [optic cable], Cat[egory] 6 [cable], and coaxial cable. Mr. Peterson stated that [*BTC Broadband*] may [install parallel systems] too. Mr. Enyart observed that communications services appeared to be well covered.

Joey Wiedel discussed fire caulking and recommended that the developer follow one (1) of three (3) options in this regard: (1) have third-party inspections, (2) have third party installers, or (3) provide [training] education for the trades. Mr. Wiedel stated that he recommended the first two (2). Mr. Wiedel described significant problems and delays caused by improper installation. Erik Enyart confirmed with Mr. Wiedel that he was referring to another project that was similar to the multifamily project proposed here. Mr. Wiedel stated that some of the larger proprietors [of these specialized products] can provide training, such as Hilti does. Larry Kester indicated agreement and stated that the developer was already planning to go with third-parties for the post-tension foundations.

Someone asked if the electric company was present. It was noted that this was in *AEP-PSO's* service area. Erik Enyart noted that he had had difficulty getting attendance from all of the utility providers, which was compounded by turnover in the representatives for the Bixby area. Alan Betchan noted that this phenomenon was not limited to Bixby, and noted how difficult it was to chase down release letters for Final Plats.

Jim Peterson asked when [the TAC] would see the Preliminary Plat, and Kevin Jordan stated that he would have to get back to him on that.

Erik Enyart offered to review the current list of recommendations for the site plan. Larry Kester stated that he and his client would be discussing the recommendations and would get back to Mr.

Enyart after having a chance to look at them all comprehensively and have responses to everything prepared. Mr. Enyart indicated agreement.

Erik Enyart offered to discuss options for timelines on PUD 81 Major Amendment # 1 ordinance approval.

Gary Hamilton noted that he had to leave for another meeting. Mr. Hamilton and Jim Peterson left about this time.

Erik Enyart, Kevin Jordan, Alan Betchan, Larry Kester, and others discussed matters pertaining to the timeline for ordinance approval, including Mr. Enyart's email the previous evening, Ordinance First and Second readings, City Charter requirements, 10-day newspaper publication of Ordinances without Emergency Clauses, the four (4) vote requirement for Emergency Clause attachment, and related matters. Mr. Betchan stated that he was informed that the City Council would only have three (3) Councilors present at the April 13, 2015 meeting. Mr. Enyart stated that he had asked the City Clerk to publish the notice of the ordinance consideration in the event it was not approved the previous Monday, but that he had not had a chance to follow up and confirm this was done. Mr. Enyart noted that, due to the high level of detail, the site plan proposed to replace the Conceptual Site Plan in the PUD had a lot of review comments. Mr. Enyart noted that a lot of this was due to there being informational elements on a site plan that he could not explain to the City Council, and that certain other elements were represented, and so he was responsible for confirming they were accurate. Discussion ensued.

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

6. Old Business – None.
7. New Business – None.
8. Meeting was adjourned at 12:10 PM.

BIXBY TAC MEETING
SIGN IN SHEET
Wednesday, April 01, 2015

NAME	COMPANY	PHONE
1. <u>Malek ElKhouy</u>	<u>Khoury Engineering</u>	<u>918 712-8768</u>
2. <u>NEL Danley</u>	<u>McGrawCP</u>	<u>918-853-7337</u>
3. <u>Luca Strawn</u>	<u>McGraw</u>	<u>918-859-2629</u>
4. <u>Joey Wiedel</u>	<u>JM CIVIL</u>	<u>918-366-0436</u>
5. <u>Jack Sack</u>	<u>SACK & Assoc</u>	<u>918-592-4111</u>
6. <u>Jim Peterson</u>	<u>BTC Broadband</u>	<u>918-366-0253</u>
7. <u>Barry Hamilton</u>	<u>Cox Cable</u>	<u>918-286-4666</u>
8. <u>Erik Enyart</u>	<u>City of Bixby</u>	<u>918 366 0427</u>
9. <u>Alan Betchen</u>	<u>AAB Engineering</u>	<u>918-514-4283</u>
10. <u>Jason Mohler</u>	<u>Cedar Creek</u>	<u>918-619-2113</u>
11. <u>Larry Cedar</u>	<u>Architect's Collective</u>	<u>918-492-2987</u>
12. <u>Kevin Jordan</u>	<u>Black Gold</u>	<u>918-605-5680</u>
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____
19. _____	_____	_____
20. _____	_____	_____

Shadow Valley

Planned Unit Development

PUD No. -

Submitted to:

City of Bixby, Tulsa County, Oklahoma

March 20, 2015

Property Owner:

*Shadow Valley Bixby, LLC
4105 S. Rockford Avenue
Tulsa, OK 74105*

Prepared By:



CITY OF BIXBY

MAR 20 2015

RECEIVED

By *[Signature]*

Khoury Engineering, Inc.

*1435 East 41st Street, Tulsa, OK 74105
Tel (918) 712-8768 • Fax (918) 712-1069*

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DEVELOPMENT CONCEPT & CHARACTER

Shadow Valley is a proposed multifamily residential use, submitted as a Planned Unit Development pursuant to the provisions of the City of Bixby Zoning Code. The PUD consists of one Development Area. Development Area “A”, being the multifamily site, contains 21.10 acres of land. The project consists of residential dwelling units in the form of low-rise apartments contained in multiple buildings, and encompasses approximately 21.1 acres of land. In addition to the apartment buildings a leasing office and clubhouse will be constructed on this site. This project is located approximately 3,200 feet west of Memorial drive, and 500 feet south of E. 151st Street South. This site is currently used as a Mobile home park. The subject property is currently zoned RMH. However, RM-3 zoning is being requested. The North side of the subject tract abuts lands zoned CS, IL and CH. The property abuts AG to the east and west. The adjacent property to the south is zoned RS-3 (PUD-85).

The purpose of a PUD is to permit flexibility within the development to best utilize the unique physical features of this particular site and provide and preserve meaningful open space. The proposed PUD meets and exceeds this requirement and the stated purposes of the Bixby Zoning Code.

DEVELOPMENT STANDARDS

This PUD shall be governed by the use and development regulations of Bixby Zoning Code except where provided otherwise as follows:

Development Area A

Permitted Use.....	As permitted in RM-3, Multi-Family apartments and customary accessory uses, such as clubhouses, pools, tennis courts, and the like.
Net Development Area.....	21.1 Acres (919,116 S.F.)
Maximum Density/Intensity of Use.....	25 units/ acre
Maximum Floor Area Ratio Per Lot.....	0.50
Minimum Livability Space.....	20% of the total site area
Minimum Building Setback:	
From Easterly side lines.....	20 feet
From Front/ North line	20 feet
From Rear/South line	20 feet
From Westerly side lines.....	20 feet
Maximum Building Height.....	50 feet (Not to exceed three stories)
Minimum Landscape Buffer	20 feet from E. 151st Street South 20 feet from Easterly side Lines 20 feet from Westerly side Lines 20 feet from South Property Line
Minimum Dwelling Unit size	600.00 Square feet
Percent of masonry	25% Buildings 40% Leasing Office

	0% Carports & Garages
Parking Ratio.....	1.5 space per 1 bedroom unit
	2.0 space per 2 & 3 bedroom units

PLATTING

No building permit within *Shadow Valley* shall be issued until a subdivision plat has been approved by the City of Bixby as being in compliance with the planned unit development concept and development standards. A subdivision plat will be submitted to the City of Bixby after approval of the PUD by the City Council. The platted area will establish private covenants which set forth criteria which will establish and maintain a very high quality of development.

DETAIL SITE PLAN REVIEW

A Detailed Site Plan shall be submitted to and approved by the City of Bixby prior to the issuance of a Building Permit. The applicant shall submit the Site Plan to the City and supply all information required.

LANDSCAPING AND SCREENING

Shadow Valley landscaping plan will be submitted to the City of Bixby during the Detailed Site Plan phase. The plan will be designed to enhance the E. 151st Street South frontage and to create an attractive view from said street and adjacent properties. The planting theme will highlight the site entries and buildings, and will utilize plant selections indigenous to North East Oklahoma that are durable and require low maintenance. All landscaping shall be provided in accordance with the City of Bixby Zoning Code except as noted herein.

A minimum of fifteen percent (15%) of the land area shall be improved as internal landscape open space.

The frontage along S. 151st Street South will have a twenty (20) foot wide landscaped strip along the street right-of-way. This landscape strip will be planted with at least one (1) tree per 500 square feet of street yard and at least one half of the trees shall be evergreen. Shrubs will also be installed to exceed the requirements of the Bixby Zoning Code.

Along the south, east and west sides of the PUD there will be a twenty (20) foot wide landscaped buffer. This landscape buffer will be planted with at least one (1) tree per 1000 square feet of buffer area and at least one half of the trees shall be evergreen.

All trees required by code will be planted at a minimum size of 2” caliper. Shrubs required by code will be planted with a minimum 3 gallon container size. All landscape areas will be irrigated with an underground sprinkler system, and maintained per requirements of the Bixby Zoning Code.

In order to screen the facility from the adjacent properties, we are proposing a 6-foot tall fence along the Eastern, southern, Northern and Western property lines. Details of the type of fence and screening will be provided during the detailed site plan phase.

GRADING & UTILITY PLANS

During the design phase, a Site Grading & Utility Plan will be submitted to the City of Bixby for review and approval. All utilities are available to serve this development including water and Sanitary Sewer.

Drainage and Utility plans will be prepared in accordance with the City of Bixby engineering requirements.

The site is fairly flat. Existing topography ranges from elevation 604 at the west side to elevation 600.00 at the east side of the property. A portion of the existing driveway near 151st is located within the FEMA 100 year floodplain.

There is a 12-inch water lines located on the north side of E. 151st Street, and a 6" water line along the east side of this property.

There is an existing 8" Sanitary Sewer line along the east side of this property. This line is flowing into an existing on-site lift station. A 4" forcemain is conveying waste water from this development into a manhole located within the Bixby Industrial Park located east of this project site. All other utilities and communication services are available along 151st street and accessible to serve this project. Fire Hydrant spacing within this development will be 300 feet apart. A fire hydrant layout plan will be submitted to the Fire Marshal for approval. All water mains will be looped outside of paved areas. Laterals sanitary sewer mains will be extended to locations within the development, with manholes located outside of paved areas.

ACCESS AND CIRCULATION

The main Ingress and egress to *Shadow Valley* will be from 151st Street South. The existing driveway along the east side will be improved and removed from the 100 yr flood plain by installing drainage structure under the access road. A second access road will eventually be installed to provide a secondary means of access to 151st Street. The location of the secondary access will be determined upon acquiring additional property between this development and 151st Street. Sidewalks, minimum 4 feet in width, will be installed by the developer along all street frontages in accordance with the Subdivision Regulations. The sidewalks will be ADA compliant to be approved by the City Engineer. The minimum width of the internal drives will be 26 feet and the minimum gate width will be 14 feet. A Knox rapid entry system will be installed. Internal sidewalks will be provided to enhance the quality of the development and to provide a convenient and safe passageway for pedestrians.

TRASH ENCLOSURE

Outside trash enclosures will be located within the development. There will be screened from the view from the residential area and roadways.

SIGNS & SITE LIGHTING

One free standing sign will be installed along the frontage of E. 151st Street South. Additional signs will be installed on the buildings. All Signage shall comply with the Bixby Zoning Code.

The site lighting consists of 400 watt metal halide fixtures, aluminum housing, type 3 distribution on 20 feet tall poles. Each building will have wall packs with high pressure sodium bulbs at the end of each building. Additional security lighting will be provided for the safety of the tenants. All outdoor lighting fixtures will be shielded to avoid light spillage onto adjacent properties. A photometric plan will be submitted to the City of Bixby for approval during the design phase of the project.

SOIL ANALYSIS

A complete soil investigation study will be provided by a qualified geotechnical engineering firm during the design phase of the project. For the purpose of this PUD, we have attached in Exhibit D a soil analysis from Tulsa County Soil Conservation services.

SCHEDULED DEVELOPMENT

Construction of *Shadow Valley* project will commence in late winter of 2016.

LEGAL DESCRIPTION

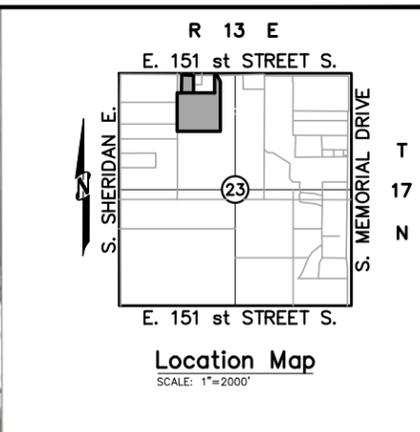
A tract of land located in the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Twenty-three (23), Township Seventeen (17) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest quarter (NW/4) of section Twenty-three (23), thence N 89° 56' 0" W, a distance of 330.62 feet, thence S 0° 04' 40" W, a distance of 1319.96 feet to the Point of Beginning; thence N 89° 57' 0" W, a distance of 990.44 feet, thence N 0° 11' 40" E, a distance of 880 feet, thence S 89° 56' 0" E, a distance of 850.35 feet, thence N 0° 04' 40" E, a distance of 390.25 feet, thence S 89° 56' 00" E, a distance of 59', thence S 28° 29' 32" E, a distance of 165.81 feet, thence S 0° 04' 40" W, a distance of 1124.32 to the Point of Beginning;

Having an area of 21.10 acres more or less.

EXHIBIT A

AERIAL PLAN



Khoury Engineering, Inc.
Civil Engineering - Land Development
1435 East 41st Street
Tulsa, OK 74105
CA #3751, Renewal 06-30-15
Tel: 918.712.8768
Fax: 918.712.1069

SHADOW VALLEY MOBILE HOME
7500 E. 151st STREET S
CITY OF BIXBY, OKLAHOMA

AERIAL PLAN

DATE: 03/20/15

EXHIBIT A

SHADOW VALLEY
MOBILE HOME PARK
PLAT #68030

7500 E 151st St S

AERIAL PLAN
SCALE: 1"=150'

UNPLATTED
ZONING: RS-8
PUD-85

UNPLATTED
ZONING: AG

UNPLATTED
ZONING: RMH

UNPLATTED
ZONING: AG

UNPLATTED
ZONING: AG

ZONING: CS

ZONING: IL

ZONING: CH

POTENTIAL ACCESS

ACCESS

EAST 151st STREET SOUTH

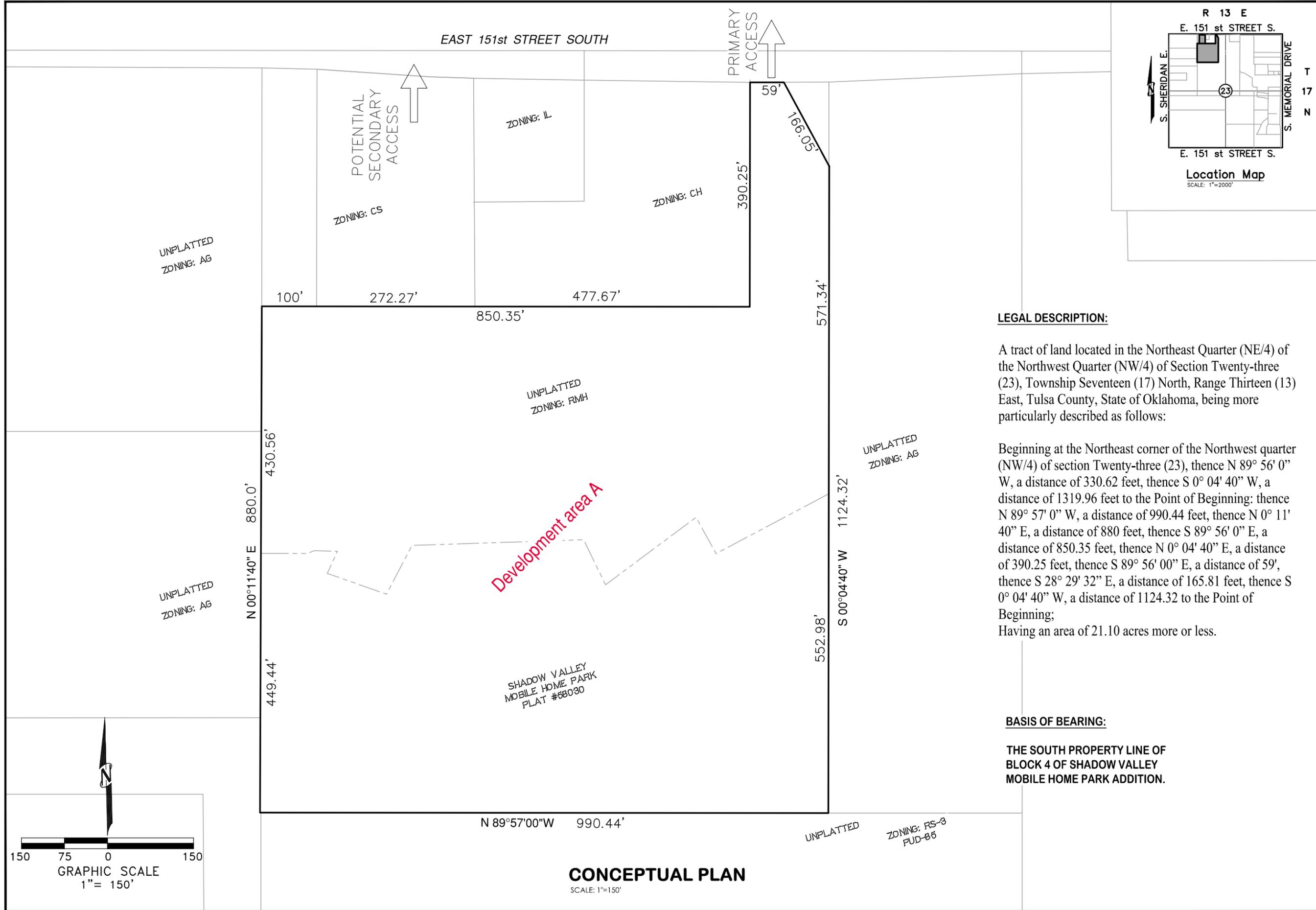
R 13 E
E. 151st STREET S.
S. SHERIDAN E.
S. MEMORIAL DRIVE
T 17 N
E. 151st STREET S.

Location Map
SCALE: 1"=2000'

150 75 0 150
GRAPHIC SCALE
1"= 150'

EXHIBIT B

PUD PLAN



LEGAL DESCRIPTION:

A tract of land located in the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Twenty-three (23), Township Seventeen (17) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma, being more particularly described as follows:

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 Having an area of 21.10 acres more or less.

BASIS OF BEARING:

THE SOUTH PROPERTY LINE OF BLOCK 4 OF SHADOW VALLEY MOBILE HOME PARK ADDITION.

Khoury Engineering, Inc.
 Civil Engineering - Land Development

1435 East 41st Street
 Tulsa, OK 74105
 CA #3751, Renewal 06-30-15

Tel: 918.712.8768
 Fax: 918.712.1069

SHADOW VALLEY MOBILE HOME
7500 E. 151ST STREET S
CITY OF BIXBY, OKLAHOMA

PUD PLAN

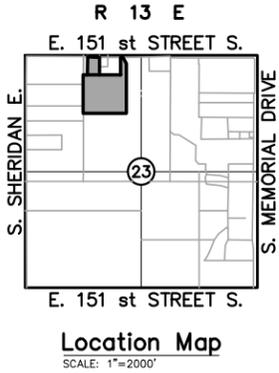
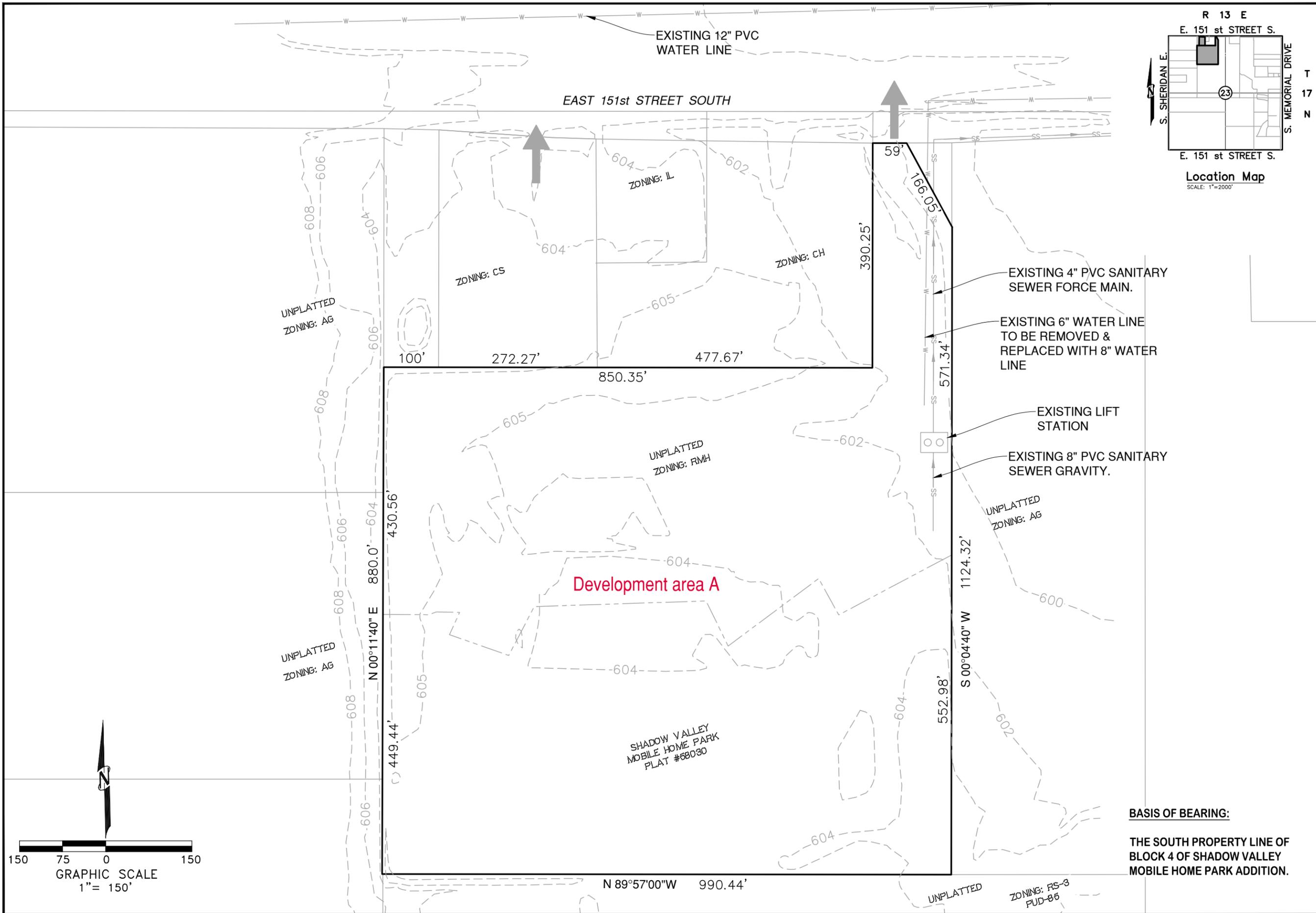
DATE: 03/20/15

EXHIBIT B

CONCEPTUAL PLAN
 SCALE: 1"=150'

EXHIBIT C

EXISTING CONTOURS & UTILITIES



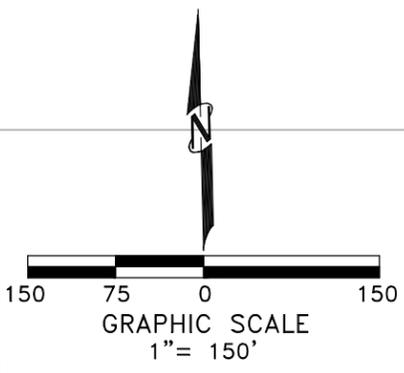
Khoury Engineering, Inc.
 Civil Engineering - Land Development
 1435 East 41st Street
 Tulsa, OK 74105
 CA #3751, Renewal 06-30-15
 Tel: 918.712.8768
 Fax: 918.712.1069

SHADOW VALLEY MOBILE HOME
7500 E. 151st STREET S
CITY OF BIXBY, OKLAHOMA

EXISTING CONTOUR AND UTILITIES

DATE: 03/20/15

EXHIBIT
C



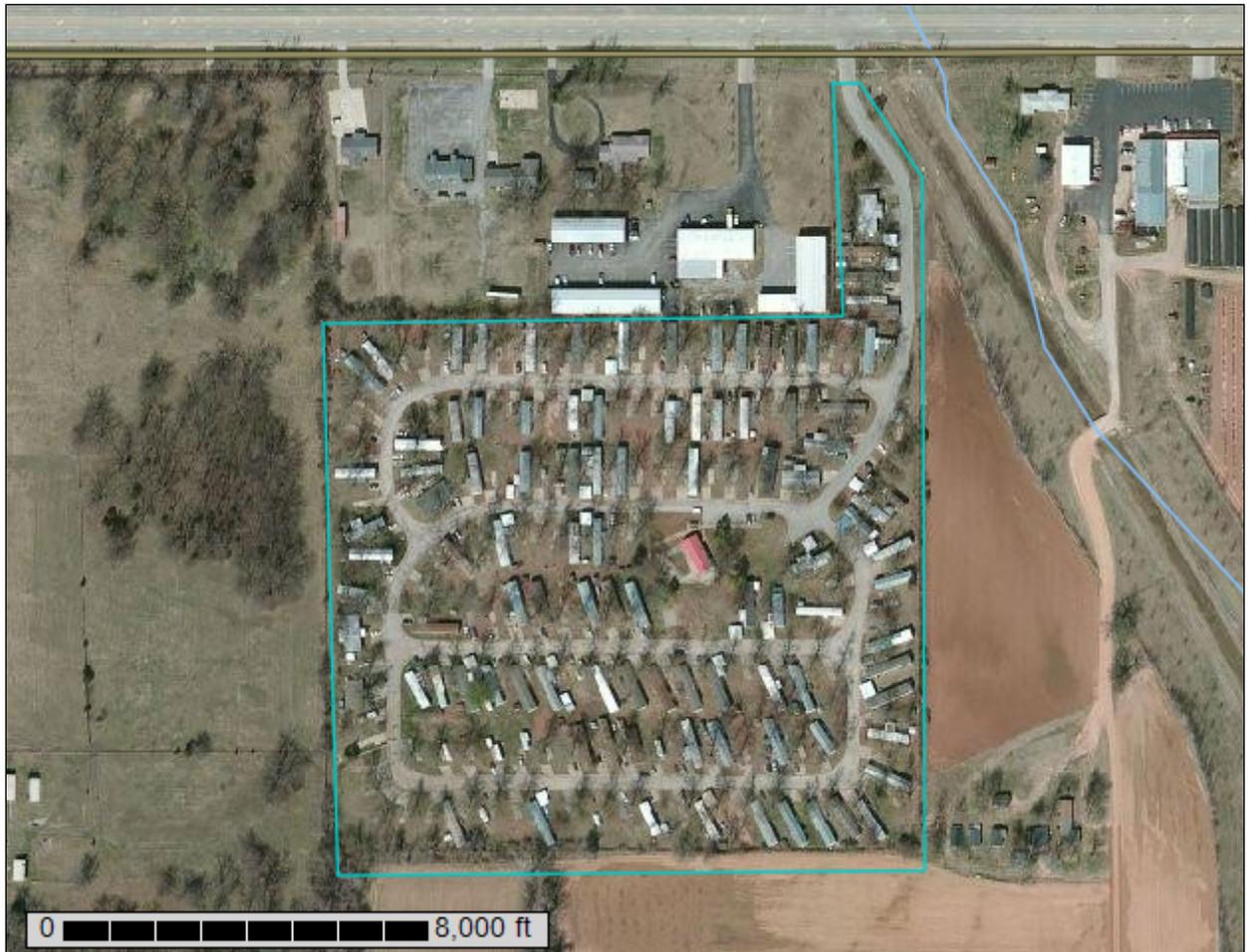
BASIS OF BEARING:
 THE SOUTH PROPERTY LINE OF
 BLOCK 4 OF SHADOW VALLEY
 MOBILE HOME PARK ADDITION.

EXHIBIT D

SOIL ANALYSIS

Custom Soil Resource Report for Tulsa County, Oklahoma

Shadow Valley



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

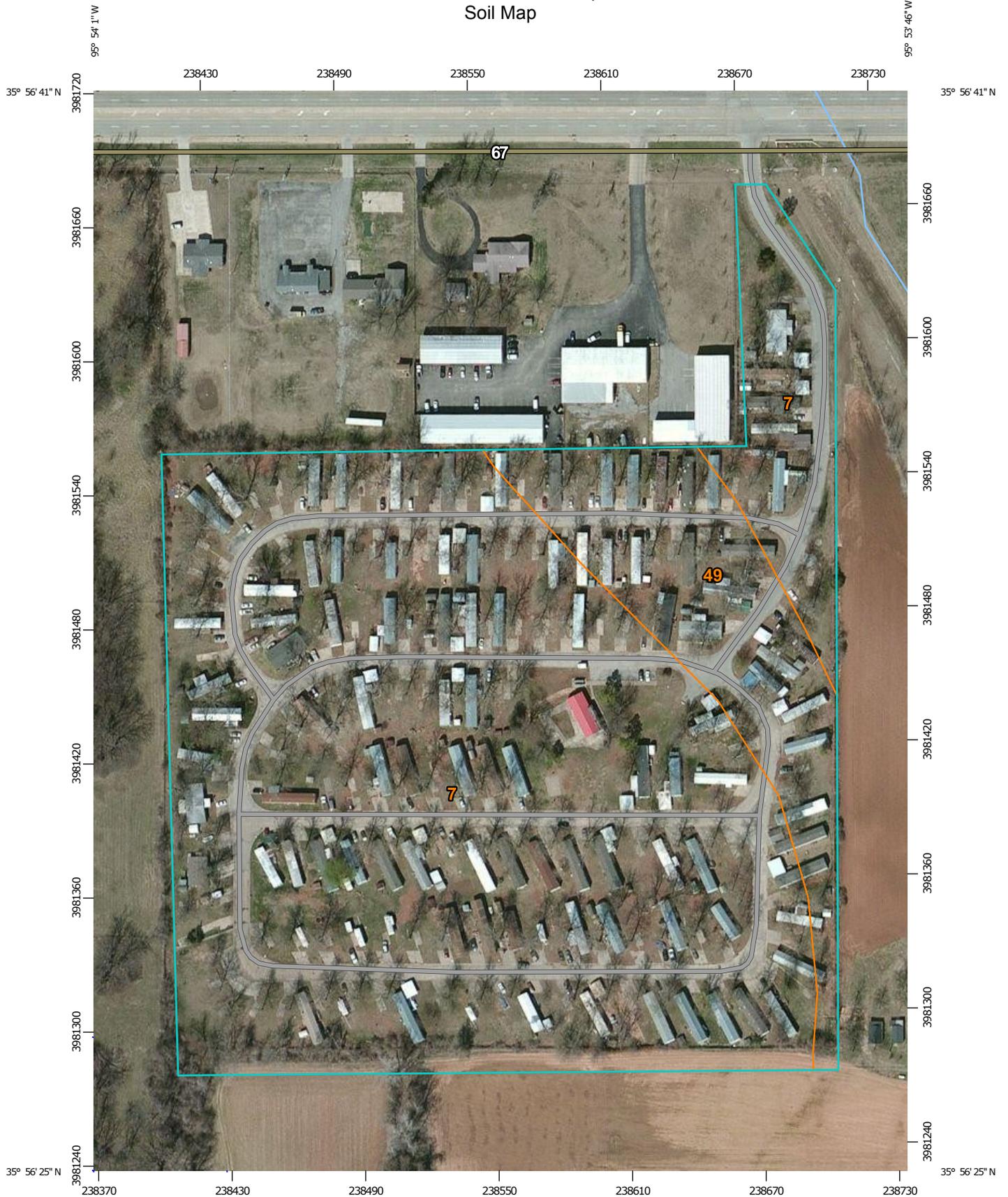
Contents

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49—Severn very fine sandy loam, 0 to 3 percent slopes, rarely flooded....	11

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



Map Scale: 1:2,360 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Tulsa County, Oklahoma
 Survey Area Data: Version 9, Sep 18, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 23, 2010—Jun 13, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Tulsa County, Oklahoma (OK143)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7	Choska very fine sandy loam, 0 to 1 percent slopes, rarely flooded	18.7	85.7%
49	Severn very fine sandy loam, 0 to 3 percent slopes, rarely flooded	3.1	14.3%
Totals for Area of Interest		21.8	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments

Custom Soil Resource Report

on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Tulsa County, Oklahoma

7—Choska very fine sandy loam, 0 to 1 percent slopes, rarely flooded

Map Unit Setting

National map unit symbol: 3I27
Elevation: 10 to 1,000 feet
Mean annual precipitation: 36 to 60 inches
Mean annual air temperature: 50 to 70 degrees F
Frost-free period: 200 to 300 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Choska and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Choska

Setting

Landform: Stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Convex

Typical profile

A - 0 to 14 inches: very fine sandy loam
C - 14 to 35 inches: very fine sandy loam
2C - 35 to 48 inches: silt loam
3C - 48 to 80 inches: stratified loamy fine sand to silt loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Available water storage in profile: High (about 10.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: B
Ecological site: Loamy bottomland pe 62-80 (R112XY050OK)
Other vegetative classification: Unnamed (G112XY020OK)

Minor Components

Severn

Percent of map unit: 10 percent
Landform: Flood plains
Down-slope shape: Linear

Custom Soil Resource Report

Across-slope shape: Linear
Other vegetative classification: Unnamed (G118BY034OK)

Latanier

Percent of map unit: 5 percent
Landform: Plains on paleoterraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Unnamed (G118AY126OK)

49—Severn very fine sandy loam, 0 to 3 percent slopes, rarely flooded

Map Unit Setting

National map unit symbol: 311z
Elevation: 10 to 1,000 feet
Mean annual precipitation: 36 to 60 inches
Mean annual air temperature: 50 to 70 degrees F
Frost-free period: 200 to 300 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Severn and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Severn

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous loamy and silty alluvium

Typical profile

Ap - 0 to 8 inches: very fine sandy loam
C1 - 8 to 28 inches: stratified loamy very fine sand to silty clay loam
C2 - 28 to 48 inches: very fine sandy loam
C3 - 48 to 80 inches: stratified loamy very fine sand to silty clay loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 2 percent
Available water storage in profile: High (about 10.4 inches)

Custom Soil Resource Report

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: Loamy bottomland pe 62-80 (R112XY050OK)
Other vegetative classification: Unnamed (G118BY034OK)

Minor Components

Choska

Percent of map unit: 10 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: Loamy bottomland pe 62-80 (R112XY050OK)
Other vegetative classification: Unnamed (G112XY020OK)

Latanier

Percent of map unit: 5 percent
Landform: Plains on paleoterraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Unnamed (G118AY126OK)

END OF PUD

South: CG; The *East China Buffet* restaurant, the *Car Country* used auto sales lot, and other businesses zoned CG in *Riverview Plaza* and *Riverbend Commercial Center Amended*.

East: (Across Memorial Dr.) CG & RS-1; The building complex containing the *Green Acres Sod Farm, Inc. Corporate Office* and the *Sam's Hamburgers & Chili* restaurant; to the northeast is the *South Plaza Center* shopping center and the *Kum & Go* gas station; to the southeast is the *Riverview Missionary Baptist Church* zoned RS-1 and CG.

West: AG, RS-4, & RS-1; Rural residential and vacant land zoned AG. Farther west is single-family residential zoned RS-4 in *Abbie Raelyn Estates* and unplatted residential tracts along 78th E. Ave. zoned RS-1.

COMPREHENSIVE PLAN: Medium Intensity + Commercial Area + Corridor

PREVIOUS/RELATED CASES:

BBOA-424 – Gary Fleener for Yale 31 Corporation – Request for Special Exception for a Use Unit 5 preschool/daycare center in an RS-1 district for subject property – BOA Approved 07/13/2004.

RELEVANT AREA CASE HISTORY: (not a complete list)

BZ-34 – L.C. Neel – Request for rezoning from RS-1 to CG for 3.5 acres to the east of subject property (now the *South Plaza Center* shopping center and the building complex containing the *Green Acres Sod Farm, Inc. Corporate Office* and the *Ron's Hamburgers & Chili* restaurant) – PC Recommended Approval 03/17/1975 and Town Board of Trustees Approved 05/06/1975 (Ord. # 292).

BZ-35 – L.C. Neel – Request for rezoning from AG to CG for 10 acres (NW/4 SW/4 NW/4) to the south of subject property – PC Recommended Approval 03/17/1975 and Town Board of Trustees Approved 05/06/1975 (Ord. # 292).

BZ-56 – Adrian Watkins for Watkins Brothers – Request for rezoning from AG to CG for approximately 6.25 acres to the south of subject property (now part of *Riverview Plaza* and part of *Riverbend Commercial Center*) – PC Recommended Approval 08/29/1977 and Town Board of Trustees Approved 09/19/1977 (Ord. # 336).

BZ-62 – Vernon L. Morgan – Request for rezoning from RS-1 to CG for approximately 1 acre to the northeast of subject property (now the *Kum & Go* gas station and the *KC Auto Repair* automobile repair business) – PC Recommended Approval 01/30/1978 and Town Board of Trustees Approved 08/07/1978 (Ord. # 361).

BZ-63 – Alfred A. Smith – Request for rezoning from AG to Residential for property of approximately 13.75 acres to the west of subject property (now the *Abbie Raelyn Estates* and unplatted residential tracts along 78th E. Ave.) – City Council Approved RS-1 08/07/1978 (Ord. # 362).

BZ-83 – Delcia G. Wilson – Request for CG, RMH, & RM-2 zoning for approximately 70 acres to the south of subject property (now the *Riverbend South* and areas along and to the south of 134th St. S.) – PC Recommended Approval and City Council Approved 04/07/1980 (Ord. # 390 Amended by Ord. # 536 on 01/14/1986).

BZ-129 – Watkins Sand Co., Inc. – Request for rezoning from RS-1 to CG for approximately 1.25 acres to the south of subject property (now part of *Riverview Plaza*) –

PC Recommended Approval 01/31/1982 and City Council Approved 02/07/1983 (Ord. # 472).

BBOA-142 – Ray A. Bliss for Watkins Sand Co., Inc. – Request for Special Exception to allow a horticultural nursery in a CG district on approximately 1.25 acres to the south of subject property (now part of *Riverview Plaza*) – BOA Conditionally Approved 02/18/1985 per case notes.

BZ-176 – L.C. Neel – Request for rezoning from RM-3 to CG for a strip of land along the south side of the *Riverview Missionary Baptist Church* to the southeast of subject property – PC Recommended Approval 08/25/1986 and City Council Approved 09/23/1986 (Ord. # 543).

BBOA-209 – Wilson Memorial Properties – Request for Variance from the 26’ maximum building height to 30’ to permit construction of the *Daily Family YMCA of Bixby* on property to the south of subject property (platted/replatted as *Bixby YMCA*) – BOA Approved 01/03/1989 per case notes.

BBOA-222 – Dale Isgrigg for Bixby YMCA – Request for Variance of the 170 parking spaces to 87 for the *Daily Family YMCA of Bixby* on property to the south of subject property in the *Bixby YMCA* subdivision – BOA Approved 12/04/1989 per case notes.

BZ-194 – Brewer Construction for Mildred Mattlock – Request for rezoning from RS-1 to CG for approximately 1 acre (the N/2 W/2 E/2 NW/4 NW/4 of Section 12, T17N, R13E) to the northeast of subject property at the 8200-block of E. 131st St. S. – PC Recommended Approval 01/15/1990 and City Council Approved 02/12/1990 (Ord. # 642).

BBOA-253 – Jack Selby – Request for Variance of the 600 square foot maximum floor area for detached accessory building in the RS-1 district to permit the existing 720 square foot accessory building for property located to the southeast of subject property at 8300 E. 133rd St. S., Lot 1, Block 3, *Gardenview Addition* – BOA Approved 07/06/1992 per case notes.

BBOA-254/BBOA-254a – Tim Terral of Pittman, Poe and Associates, Inc. for Lorice T. Wallace – Request for Special Exception to allow a Use Unit 5 golf course in an AG district on 145.1 acres to the southwest of subject property (see PUD 13/13A) – BOA Approved Revised Application 01/04/1993 per case notes.

PUD 13/13A / BZ-201/201A – “River Oaks” – Pittman, Poe and Associates, Inc. – City of Bixby applications (part of the overall 278-acre, dual-jurisdiction PUD for “River Oaks,” a golf and residential development, with the Bixby portion containing approximately 215 acres) requesting RS-1 and AG zoning and then RS-1 and CS zoning and PUD approval for approximately 215 acres to the southwest of subject property – Approved for RS-1 and AG zoning in January, 1993 (Ord. # 681 and # 682) and then re-approved for RS-1 and CS zoning, removing the part that became the Fry Creek Channel and zoning the same AG, in June, 1994 (Ord. # 703 and # 704).

BBOA-265 – Diane Sheridan – Request for Special Exception to allow the replacement of a mobile home with a new mobile home in the RS-1 district on approximately 1/3 acre to the northeast of subject property in the 8300-block of E. 131st St. S. (but addressed 8150 E. 131st St. S.) – Withdrawn by Applicant 07/20/1993.

BBOA-284 – Troy Hood – Request for Special Exception for a ministorage development in the (requested) CG district for property of approximately 8 acres to the west of subject property (now the *Abbie Raelyn Estates* and unplatted residential tracts along 78th E. Ave.) (related to BZ-211) – BOA Denied in November, 1994.

BZ-211 – Troy Hood – Request for rezoning from RS-1 to CG for property of approximately 8 acres to the west of subject property (now the *Abbie Raelyn Estates* and

unplatted residential tracts along 78th E. Ave.) (related to BBOA-284) – Withdrawn in November, 1994.

BBOA-327 – Ted Hill / Jay Ward – Request for Variance from the 100' lot width requirement in the CG district for Lot 1, Block 2, *Riverbend Commercial Center* (13402 and 13404 S. Memorial Dr.) to the south of subject property to allow for Lot-Split – BOA Approved 04/07/1997 per case notes.

BZ-268 – Rob Brewer – Request for rezoning from CS to CH for 0.4 acres to the northeast of subject property at the 8300-block of E. 131st St. S. – PC Tabled 11/20/2000 and no ordinance and no record found suggesting application further pursued.

BBOA-373 – Bill Ramsey – Request for Special Exception to place a temporary sales building for the Use Unit 17 Automotive and Allied Activities sale of trucks and horse trailers in a CG district on property abutting to the north of subject property (now the *VNB Addition*) – BOA Approved 11/05/2001.

BBOA-401 – Riverview Missionary Baptist Church – Request for Special Exception to allow a Use Unit 5 church use in the RM-3 district for approximately 5 acres across Memorial Dr. to the southeast of subject property – BOA Approved 04/07/2003.

BBOA-408 – Abbas Momeni – Request for Variance from a ground sign setback requirement for the *Car Country* used automobile sales lot at 13288 S. Memorial Dr. to the south of subject property – BOA Approved 09/02/2003.

BZ-309 – Kenneth D. Laster – Request for rezoning from RS-1 to RS-4 for property of approximately 6.81 acres to the west of subject property (now the *Abbie Raelyn Estates* and unplatted residential tracts along 78th E. Ave.) – Approved 02/14/2004 (Ord. # 901).

BBOA-452 – Jim Capps for Riverview Missionary Baptist Church, Inc. – Request for Variance to allow a manufactured or modular building to be used as a classroom for the *Riverview Missionary Baptist Church* across Memorial Dr. to the southeast of subject property – Withdrawn in April, 2007.

Preliminary & Final Plat of VNB Addition – Request for Preliminary & Final Plat approvals and certain Waivers/Modifications for property to the north of subject property – PC recommended Conditional Approval 02/18/2008 and City Council Conditionally Approved 02/25/2008 (Plat # 6192 recorded 03/14/2008).

BBOA-472 – Acura Neon, Inc. for Valley National Bank – Request for Variance from Zoning Code Section 11-9-21.C.2 to allow an electronic / LED-lighted variable message board sign in the CG General Commercial District for Lot 1, Block 1, *VNB Addition* located to the north of subject property at 13112 S. Memorial Dr. – BOA Approved 05/05/2008 (electronic / LED-lighted signage restriction removed by emergency ordinance on June 09, 2008).

BCPA-1 – Randall Pickard for Jim & Nannette Neafus – Request for approval of Amendment # 1 to the Comprehensive Plan Land Use Map to redesignate from Low Intensity to Medium Intensity and from Residential Area to Commercial Area for approximately 1.25 acres to the north of subject property at 8050 E. 131st St. S. – Withdrawn by Applicant 07/07/2008.

BCPA-2 – Randall Pickard for Matthew & Tia Smith – Request for approval of Amendment # 2 to the Comprehensive Plan Land Use Map to redesignate from Low Intensity to Medium Intensity and from Residential Area to Commercial Area for approximately 1.25 acres to the north of subject property at 7840 E. 131st St. S. – Withdrawn by Applicant 07/07/2008.

BBOA-574 – John Filbeck for Riverview Missionary Baptist Church, Inc. – Request for Variance from certain signage restrictions for a Use Unit 5 church in the RS-1 Residential Single-Family District for the *Riverview Missionary Baptist Church* across Memorial Dr. to the southeast of subject property – BOA Approved 04/01/2013.

BBOA-576 – Jack Selby for the Bixby Rotary Club and Bixby Funeral Service – Request for Appeal of a sign building permit denial, and the interpretation on which it was based, pursuant to Zoning Code Sections 11-4-6 and 11-4-7, which permit proposed the construction of signs on property in the CG General Commercial District, and to allow the project development to proceed for a 1-acre tract to the south of subject property at the northeast corner of the intersection of 134th St. S. and Memorial Dr. – Withdrawn by Applicant 06/03/2013.

BBOA-586 – Thomas Black – Request for Variance from the accessory building maximum floor area per Zoning Code Section 11-8-8.B.5 to allow a new 1,200 square foot accessory building in the rear yard for property in the RS-1 Residential Single-Family District for a residence to the northeast of subject property at 8301 E. 131st Pl. S. – BOA Conditionally Approved 04/07/2014.

BACKGROUND INFORMATION:

PUD 88 is being filed in support of the request for rezoning to CG (commercial) pursuant to the new PUD requirement for commercial rezonings within commercial Corridors of the Bixby Comprehensive Plan.

Pursuant to a discussion with the City Council at a Worksession meeting held May 27, 2014, City Staff prepared an amendment to the Comprehensive Plan and an amendment to the Zoning Code (1) to establish policy preferring retail land uses and PUDs within Bixby's commercial corridors, and (2) to require PUDs when granting commercial rezoning entitlements in same.

On July 14, 2014, the Planning Commission held a Special Meeting concurrent with the City Council's Regular Meeting to consider certain changes to the Bixby Comprehensive Plan (BCPA-11) and Zoning Code, all in an effort to encourage retail commercial uses within the City of Bixby. The Planning Commission recommended, and the City Council subsequently approved (Ord. # 2137) all changes. BCPA-11 provided specific policy language preferring retail commercial uses and PUDs within commercial corridors, which in turn supported an amendment to Zoning Code Section 11-5-2 requiring PUDs in these corridors when rezoning to commercial. Zoning Code Section 11-5-2 included a flexibility provision allowing the City Council to "Waive this requirement upon finding of sufficient good cause."

As described more fully in the General section of this analysis, these applications do not seek to convert the property to a retail use. However, retail use would become more likely in the future if rezoned to CG with this PUD, than if it remains zoned RS-1.

ANALYSIS:

Subject Property Conditions. The subject property of approximately 1.25 acres is zoned RS-1 and contains a vacant commercial building previously occupied by a daycare center, last or at one point doing business as *DeStiny Learning Academy* and/or "Sports Destiny Learning

Academy.” Per the PUD, the single-story brick building contains 7,000 to 8,000 square feet. The building is located at the back / west end of the property, and a large parking lot extends toward Memorial Dr. The subject property is unplatted and Tulsa County Assessor’s parcel records do not reflect any right-of-way has been acquired from it; presumably, ODOT/the Public has an easement on the property corresponding to the U.S. Hwy 64 / Memorial Dr. highway.

The subject property has approximately 165’ of frontage on Memorial Dr. two (2) existing driveway connections thereto. To the west of and parallel to the highway is an existing concrete trail.

The subject property is relatively flat and drainage patterns are not clear. The subject property may drain northerly and/or easterly. The ultimate drainage basin is not clear.

The subject property appears to be presently served by the critical utilities (water, sewer, electric, etc.). Plans for utilities are adequately described in the text and represented on Exhibit C, and are discussed further in the City Engineer’s memo.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Medium Intensity, (2) Commercial Area, (3) and Corridor.

The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that the requested CG district *May Be Found In Accordance* with both the Medium Intensity and Corridor 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.

The site is developed, and so this test does not appear to apply. Staff notes, however, that the requested CG district and commercial use should be considered substantially consistent with the Commercial Area land use designation of the Comprehensive Plan Land Use map.

Per the Matrix, PUDs (as a zoning district) are *In Accordance* with both the Medium Intensity and Corridor designations of the Comprehensive Plan Land Use Map. Provided it is approved with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below, Staff believes that PUD 88 should be found *In Accordance* with the Comprehensive Plan as a zoning district.

Due to all of the factors listed and described above, Staff believes that the proposed CG zoning and commercial use proposed per PUD 88 should be found *In Accordance* with the Comprehensive Plan, provided they are approved together and with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

General. The PUD provides that “The owners objective is to initially lease the existing building with uses that would follow in accordance with uses allowed in the City of Bixby’s CG Zoning uses groups.” Currently, the subject property is only “Zoned” for a Use Unit 5 preschool/daycare center pursuant to BBOA-424. Per pre-application discussions with the Applicant and a prospective tenant, Staff understands that the currently-expected tenant would be a pet boarding facility with related grooming services; a veterinary clinic element is suggested by the language of the PUD but intent for this use element is not clear. Zoning Code Section 11-2-1 would recognize the pet boarding element as a “kennel” use, which would cause the use in Bixby to fall under Use Unit 15. A Use Unit 15 business such as this is allowed by right in the requested CG district.

Zoning Code Sections 11-10-1.C and 11-11-8.C may trigger the requirement that parking and loading be brought up to code by the conversion of the use from a Use Unit 5 preschool/daycare center to a Use Unit 15 kennel, or other commercial uses. Existing parking conditions are not clear. The parking lot has some faded parking striping, so parking number counts cannot be precisely determined. The building may not have the one (1) loading berth required for a Use Unit 15 kennel per Zoning Code Section 11-9-15.D. As recommended by Staff, if parking areas are not counted and found reconciled with parking standards required, the PUD has been amended and now has language specifically stating that no changes to parking or loading are contemplated by the use conversion of the existing building, and by this PUD, no changes are required.

Because the review methodology is similar, and both applications are essentially rezoning-related and propose to prepare the subject property for the same commercial use and future redevelopment, this review will, for the most part, include both applications simultaneously, and not attempt to differentiate between the analyses pertaining to each of the different applications.

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

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

The Technical Advisory Committee (TAC) discussed PUD 88 at its regular meeting held May 06, 2015. Minutes of that meeting are attached to this report.

Access and Internal Circulation. The subject property has approximately 165' of frontage on Memorial Dr. two (2) existing driveway connections thereto. The subject property also has access to Memorial Dr. via an existing internal drive connection to the *Twisted Soul Sisters* retail business parking lot to the north. To the west of and parallel to the highway is an existing concrete trail.

No changes to existing access or circulation networks are proposed by this PUD.

Existing access can be inferred from the aerial exhibits.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily CG, AG, RS-1, and RS-4. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

Abutting the subject property to the north is the *Twisted Soul Sisters* retail business at 13160 S. Memorial Dr., a vacant lot owned by *Valley National Bank*, and the *Valley National Bank* branch at 13112 S. Memorial Dr., all zoned CG. There is additional CG zoning farther north at the northwest corner of 131st St. S. and Memorial Dr. To the northwest, there are residential homes along both sides of 131st St. S. west of *Valley National Bank* zoned RS-1.

South of the subject property are the *East China Buffet* restaurant, the *Car Country* used automobile sales lot, and other businesses zoned CG in *Riverview Plaza* and *Riverbend Commercial Center Amended*.

Across Memorial Dr. to the east is the building complex containing the *Green Acres Sod Farm, Inc. Corporate Office* and the *Sam's Hamburgers & Chili* restaurant, all zoned CG. To the northeast is the *South Plaza Center* shopping center and the *Kum & Go* gas station, all zoned CG. To the southeast is the *Riverview Missionary Baptist Church* zoned RS-1 and CG.

West of the subject property is rural residential and vacant land zoned AG. Farther west is single-family residential zoned RS-4 in *Abbie Raelyn Estates* and unplatted residential tracts along 78th E. Ave. zoned RS-1.

The proposed CG zoning and commercial use PUD would be consistent with the CG zoning and commercial uses abutting to the north, east, and south, and would be a logical extension of this large, established CG district.

For all the reasons outlined above, Staff believes that CG zoning and PUD 88 would be consistent with the surrounding zoning, land use, and development patterns and are appropriate in recognition of the available infrastructure and other physical facts of the area.

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

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

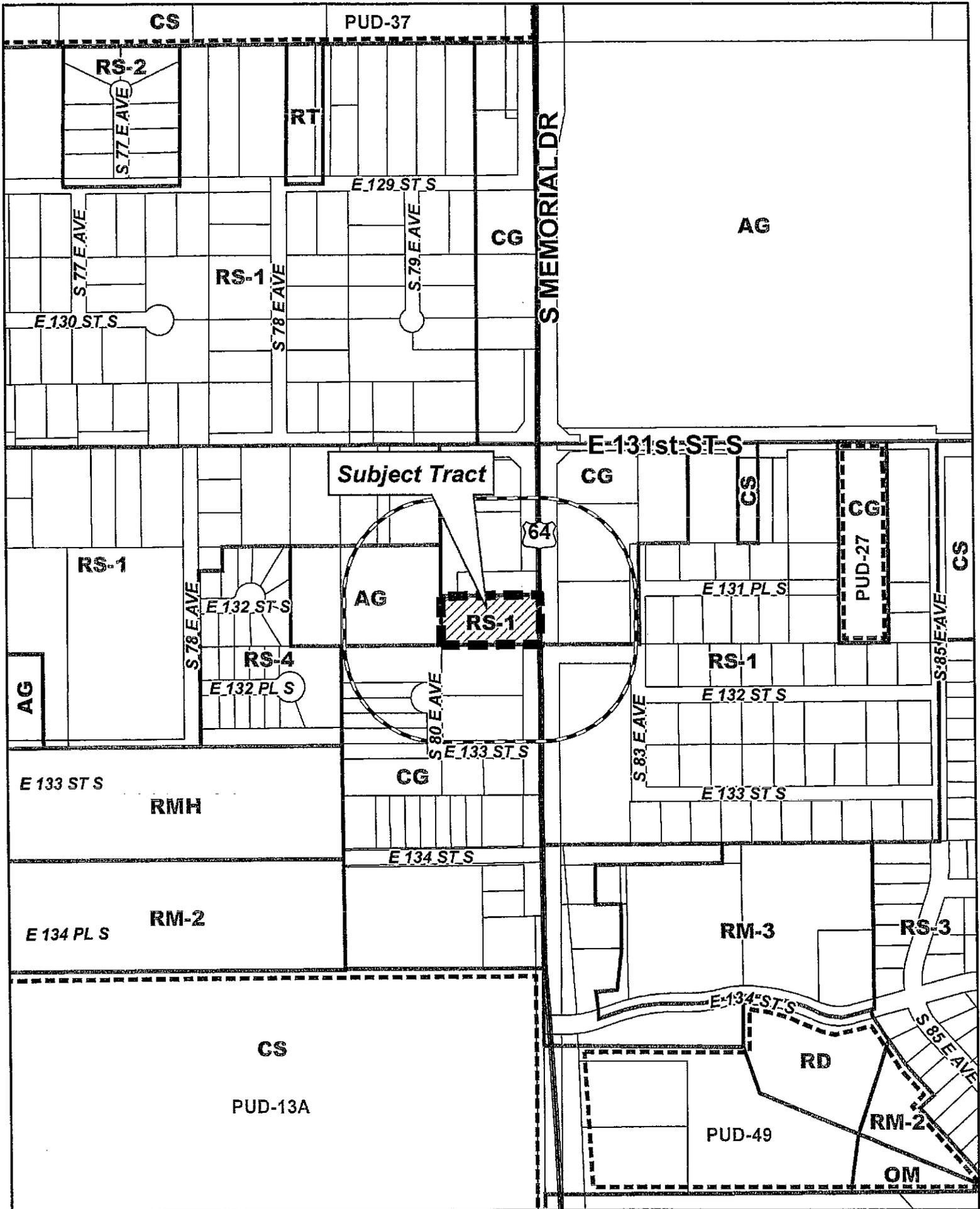
Regarding the fourth item, the “standards” refer to the requirements for PUDs generally and, per Section 11-7I-2, the “purposes” include:

- A. Permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties;
- B. Permit flexibility within the development to best utilize the unique physical features of the particular site;
- C. Provide and preserve meaningful open space; and
- D. Achieve a continuity of function and design within the development.

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

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

1. The approval of CG zoning shall be subject to the final approval of PUD 88 and vice-versa.
2. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item will be addressed by the “Standard City Requirements” section to the PUD Text.



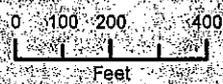
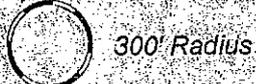
Subject Tract

AG

RS-1

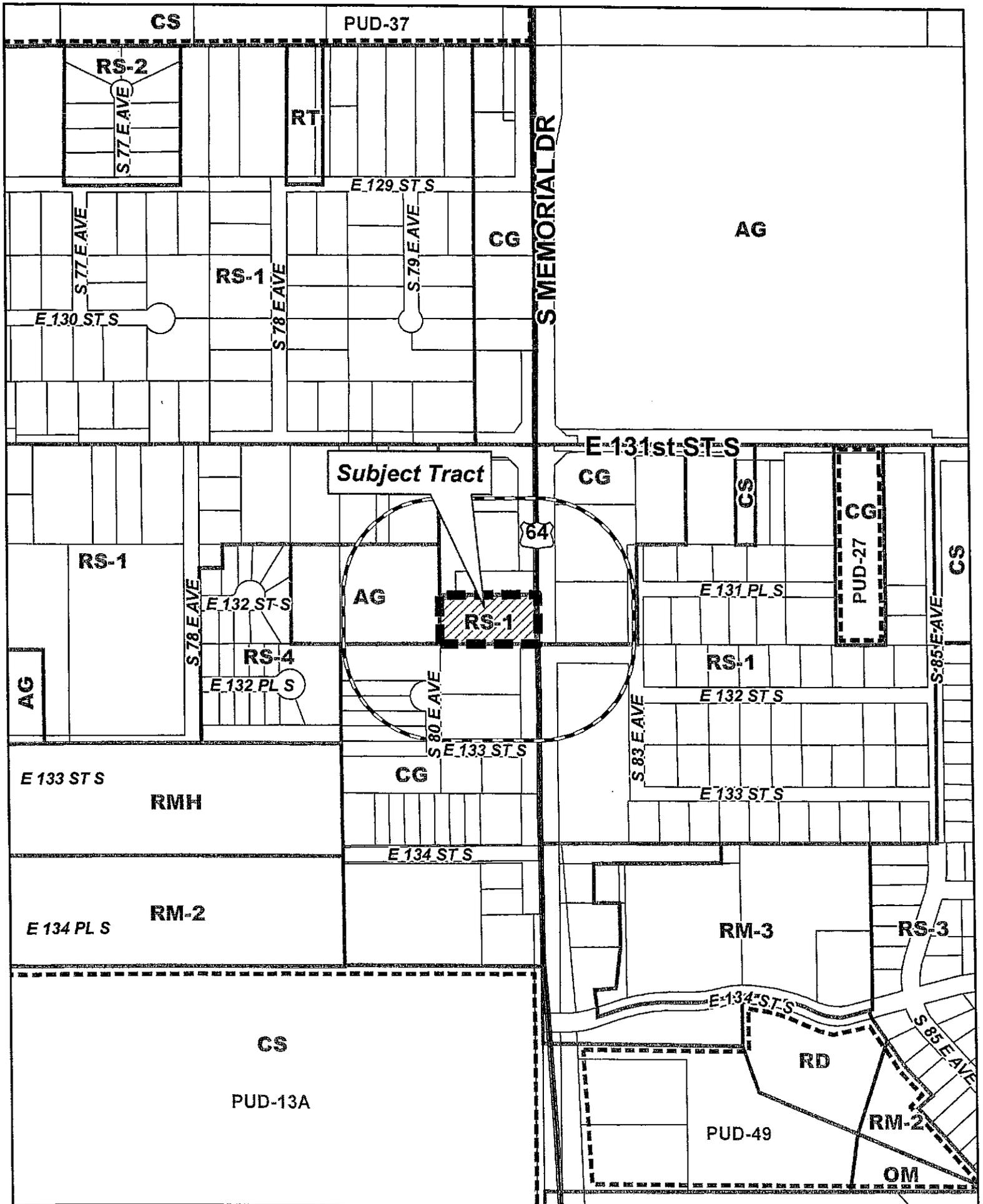
PUD-13A

PUD-88



11-17-13



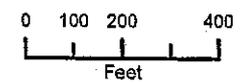


Subject Tract

64



BZ-382



11 17-13



CITY OF BIXBY

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

Engineering Department Memo

To: Erik Enyart, City Planner
From: Jared Cottle, City Engineer *JWC*
CC: Bea Aamodt, Public Works Director
File
Date: 03/31/15
Re: Yale 31 Corporation
PUD Review

General Comments:

1. Previous comments include:
 - Water and sewer utilities are available at the site.
 - On-site storm water detention will be required.
 - Based on recent developments within the Memorial corridor, I would recommend that they include a section which delineates architectural finishes, including percentages of masonry and other cladding materials.

2. The PUD contains no information on Utilities, Paving, Grading, or Drainage information. No additional comments can be provided until Paving, Grading, Drainage, and Utility Plans information has been submitted.

Erik Enyart

From: Erik Enyart
Sent: Wednesday, March 11, 2015 1:14 PM
To: Fire Marshal; Jared Cottle; Bea Aamodt; Patrick Boulden
Cc: Doug Enevoldsen; Erik Enyart
Subject: RE: PUD Draft for review / 131st & Memorial

Joey / All:

The purpose of the PUD is to allow the rezoning to commercial, now a requirement in our commercial corridors.

The purpose of the commercial zoning is to allow the buyer to change the use / occupancy to a dog boarding and grooming / kennel, as I recall. It was last used as a daycare center and/or private school, "DeStiny Learning Academy."

Although, in my conversation with the prospective buyer some weeks or months ago, it did not sound like they would be doing much in the way of building modifications, the PUD will also establish the development framework for when the property is ultimately redeveloped.

I'll get your and Jared's comments to Brooks Pittman when I am able to provide some review comments of my own, hopefully by week's-end.

Erik

-----Original Message-----

From: Fire Marshal
Sent: Wednesday, March 11, 2015 12:56 PM
To: Erik Enyart; Jared Cottle; Bea Aamodt; Patrick Boulden
Cc: Doug Enevoldsen
Subject: RE: PUD Draft for review / 131st & Memorial

Erik,

It is my understanding that the building in question will be changing ownership. If the building's use group and/or occupancy classification stays the same then the building will require life safety inspections prior to certificate of occupancy.

If the building's use group and/or occupancy changes then the following shall be met.

- 2009 International Fire Code

Section 102.3- No change shall be made in the use of occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of the International Fire Code and International Building Code.

Joey Wiedel/Fire Marshal
City of Bixby Fire Dept.
116 W. Needles

Bixby, OK 74008
PH: (918)366-0436
F: (918)366-4416

-----Original Message-----

From: Erik Enyart
Sent: Monday, March 9, 2015 3:38 PM
To: Jared Cottle; Bea Aamodt; Fire Marshal; Patrick Boulden
Cc: Doug Enevoldsen
Subject: FW: PUD Draft for review / 131st & Memorial

FYI and for your comments. Brooks Pittman is shooting for a 04/20/2015 submission to be on the April agenda cycle. I'll plan to review this and get some early comments put together as soon as I'm able.

Erik

-----Original Message-----

From: brooks@pittmanpoe.com [mailto:brooks@pittmanpoe.com]
Sent: Monday, March 09, 2015 3:32 PM
To: Erik Enyart
Subject: PUD Draft for review / 131st & Memorial

Eric, thank you for your time. Please reply or call with any questions, comments or concerns,

thank you

Brooks Pittman
Pittman Poe & Associates, Inc.
www.pittmanpoe.com
9183558552

MINUTES
TECHNICAL ADVISORY COMMITTEE
DAWES BUILDING CITY OFFICES
113 W. DAWES AVE.
BIXBY, OK 74008
May 06, 2015 – 10:00 AM

MEMBERS PRESENT

STAFF PRESENT

Erik Enyart, AICP, City Planner, City of Bixby
Joey Wiedel, Fire Marshal, City of Bixby

OTHERS PRESENT

Brooks Pittman, *Pittman Poe & Associates, Inc.*
Weldon Bowman, AIA, NCARB, *W Design, LLC*
Brian Letzig, Associate AIA, *W Design, LLC*
Ryan Coulter, *Coulter REALTORS / Coulter Partners, LLC*

1. Erik Enyart called the meeting to order at 10:03 AM.

Erik Enyart observed that no utility companies were present, and speculated that part of the reason could be that one case is essentially a rezoning to commercial, and another was the construction of an office building on a site surrounded by existing development, and another part of the reason may be the continued decline in attendance at these meetings. Brooks Pittman compared this meeting format to that in Broken Arrow. Mr. Enyart noted that the Bixby TAC meetings were not as well attended as those in Broken Arrow or Tulsa.

2. **PUD 88 – “Yale 31 Corporation PUD” – Pittman Poe & Associates, Inc., Brooks Pittman.**
Discussion and comment on a rezoning request for approval of Planned Unit Development (PUD) # 88 for approximately 1.25 acres consisting of the S/2 of the SE/4 of the NE/4 of the NE/4 of the NE/4 of Section 11, T17N, R13E, with proposed underlying zoning CG General Commercial District.
Property Located: 13164 S. Memorial Dr.

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart stated that, if one looks at a zoning map for this 131st St. S. and Memorial Dr. area, they would notice an odd feature, that being a Residential district surrounded by commercial zoning. Mr. Enyart stated that this property contained an existing daycare facility that the owners were wanting to rezone to commercial. Mr. Enyart asked Brooks Pittman if the use was to include veterinary services of any sort. Mr. Pittman stated that there was one possible tenant that would include a kennel, but that no contract had been signed. Mr. Enyart indicated agreement and stated that the property would need commercial zoning if to be used for any commercial use. Mr. Enyart noted that the PUD also contained language providing development standards for when the property was ultimately

redeveloped, and indicated favor for what he had seen. Mr. Enyart and Mr. Pittman discussed features of development standards. Mr. Pittman noted that he had included language specifying the requirement to comply with Fire Marshal requirements. Joey Wiedel indicated agreement and discussed with Mr. Pittman certain Fire Code standards.

Erik Enyart asked Brooks Pittman, for the sake of the Staff Report, if the land, although mostly flat, did not slope slightly to the north. Mr. Pittman indicated that the land was flat and that he was not sure. Mr. Enyart stated that he believed it sloped slightly to the north, based on contour data and a site inspection. Mr. Enyart stated that it appeared to him that the land sloped to the north, but he could not be sure as he was expecting that to be the case when he visited the site.

Erik Enyart noted that he had provided Brooks Pittman a printout of the draft Staff Report. Mr. Enyart stated that he was recommending approval but that there were certain corrections to be made. Mr. Pittman confirmed with Mr. Enyart that it would be appropriate to make the recommended changes at this time. Mr. Enyart stated that he would be able to report to the Commissioners that he and the Applicant had worked together on the Staff recommendations and made all changes as recommended, and the final version they received was the version as recommended by Staff. Mr. Enyart stated that he anticipated producing the Agenda Packet by Friday, and so he would be able to update the Staff Report to reflect that the corrections had been made. Mr. Pittman stated that he would make the changes per the draft Staff Report and return a revised PUD to Mr. Enyart shortly. Mr. Enyart stated that he would email an electronic version of the Staff Report as soon as he could finish it, which should be shortly.

Erik Enyart noted that the PUD had language suggesting veterinarian services may occur onsite, and asked Brooks Pittman if this was the case. Mr. Pittman stated that, at one point, this was mentioned as a possibility, so he included in the PUD.

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

Erik Enyart stated that, hearing none, the meeting would proceed to the next item on the agenda. Mr. Enyart thanked Brooks Pittman for his attendance.

Brooks Pittman left at this time around 10:10 AM.

3. **BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54).** Discussion and comment on a PUD Detailed Site Plan and building plans for “Jiffy Lube Office Building,” a Use Unit 11 office with incidental storage building development for approximately ½ acre consisting of Lot 2, Block 1, *Bixby Jiffy Lube*.
Property Located: 8000-block of E. 118th St. S.

Erik Enyart introduced the item and noted that this project needed no explanation as the Applicant was the only one in attendance and knew about the project.

Weldon Bowman confirmed with Erik Enyart that he had not yet issued his staff report. Mr. Enyart noted that he was just finishing the review for the PUD item that came before this one, but would get the report to Mr. Bowman as soon as he could complete it. Mr. Enyart stated that he expected to

be able to start on that review that day. Mr. Bowman confirmed with Mr. Enyart that the City Engineer's review correspondence had not yet been issued.

Weldon Bowman stated that Ryan Coulter would be the general contractor on the project.

Erik Enyart noted that the Applicant had met with Staff previously about the site plan, and the City had discussed the new development standards that apply today, including the masonry requirement in the Corridor [Appearance District]. Mr. Enyart stated that he had observed the new parking lot on the north side of the site and liked the design, which included the required sidewalk. Mr. Enyart stated that he had not yet had a chance to review the site plan in detail, but would do so as soon as he could get to it and would provide the Applicant with a copy.

Erik Enyart thanked the Applicants for attending and stated that he felt he needed to apologize that no utility company representatives had shown. Mr. Enyart stated that the site plans were included in the agenda packet, and the link to its posting online was included in the email sent to all the utility companies, so hopefully any utility company with questions would communicate directly with the Applicant.

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

4. Old Business – None.
5. New Business – None.
6. Meeting was adjourned around 10:20 AM.

Yale 31 Corporation PUD

**13164 S. Memorial Drive
Bixby, Oklahoma 74008**

**S/2 SE NE NE NE SEC II 17 13
Approximately 1.25 Acres**

Submitted to the City of Bixby

Prepared by:
Pittman Poe & Associates
1709 W. Granger St.
Broken Arrow, OK 74012

May 7, 2015

PUD #88

May 7, 2015

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I. Narrative

The property which is the subject of this PUD application for the City of Bixby, Oklahoma consists of 1.25 acres located at 13164 S. Memorial Drive, on the west side of Memorial Drive approximately 500 feet South of the center of the intersection of 131st Street hereinafter referred to as the “Property” or as the “Site”. The Property has approximately 165 lineal feet of frontage along the West Side of Memorial Drive. All Zoning Regulations referred to Title 11 Zoning Regulations for the City of Bixby, Oklahoma and shall be hereinafter referred to as the “Zoning Regulations” or “Zoning”.

The Property is currently Zoned RS-1; it is the request of this PUD to support rezoning application BZ-382, which proposes to change the Zoning to CG/Commercial General as designated in the Zoning Regulations. The properties directly to the North and South are currently zoned CG and the City of Bixby's Comprehensive Plan designates the property as a Corridor area which does allow for CG Zoning with the application of a PUD.

There is an approximately 7,000-8,000 square foot single story brick clad building on the site with approximately one half an acre of paved parking area. The Property has two existing curb cuts onto Memorial Drive. No changes to access are contemplated by this PUD.

The Property has access to City of Bixby Water and Sewer, Power provided by AEP PSO, and Gas Provided by One Ok.

The Property has no area in the FEMA 100 year flood designation. The soil on the site is listed as Choska very fine sandy loam, 0 to 1 percent by the USDA Web Soil Survey. This soil type allows for good drainage and little expansion and contraction. Standard building construction techniques can be used based on this soil type.

The owners objective is to initially lease the existing building with uses that would follow in accordance with uses allowed in the City of Bixby's CG Zoning uses groups, excluding uses designated in this PUD.

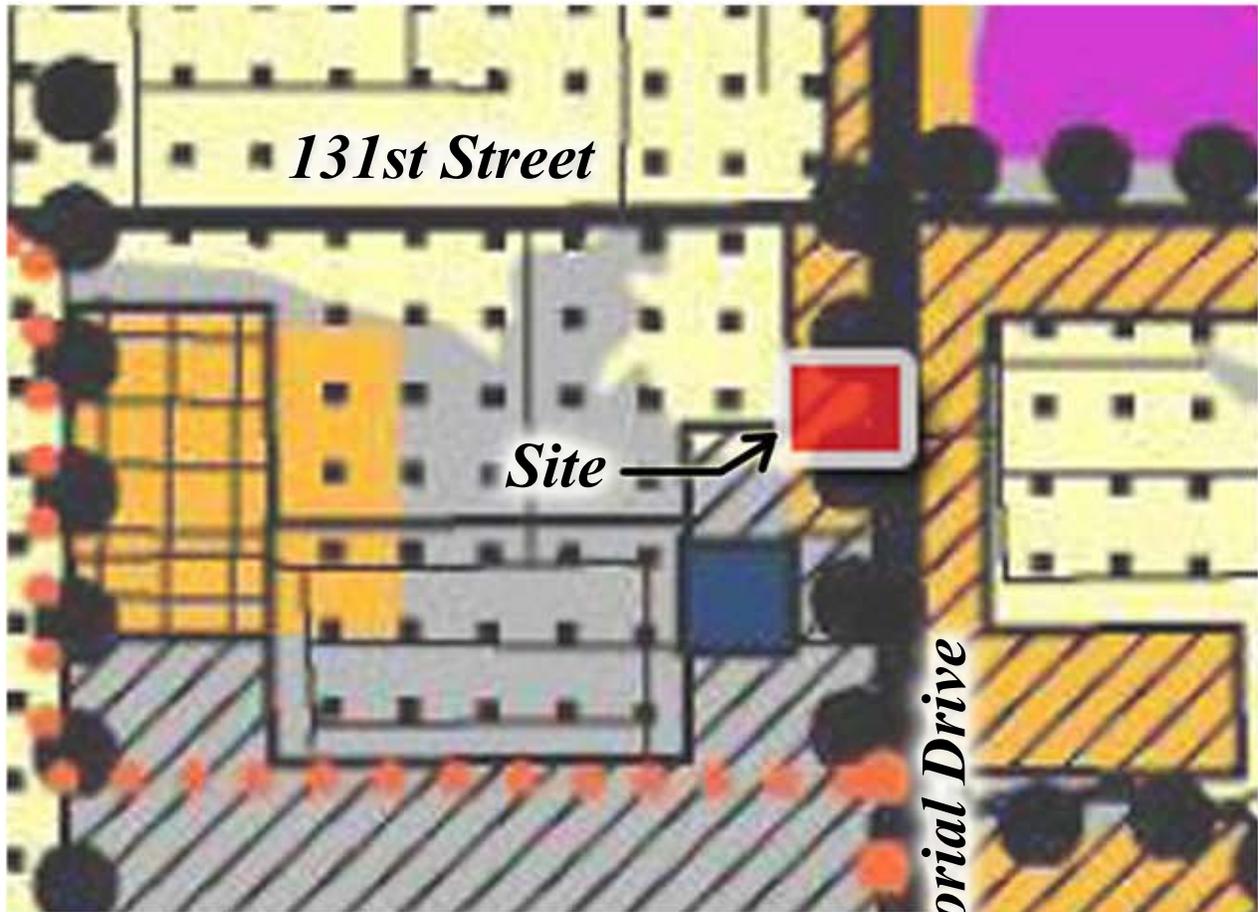
Any signage for a business in the existing building or in future development shall meet Chapter 9, Section 11-9-21 (USE UNIT 21) of the Zoning Code.

No changes to the parking or loading are contemplated by the use conversion of the existing building, and by this PUD, no changes are required.

The Property will be required to undergo and adhere to the platting requirements, site design requirements, landscape requirements, signage requirements listed in this text and/or the City of Bixby's Development requirements should any major improvements to the site be desired, not including routine building maintenance such as roofing repair/replacement, paving and fencing repairs/replacement.



Exhibit A
Proximity Aerial



Legend

Urban Design Elements		Land Use		Land Use Intensities	
	Corridor Arterial		Commercial Area		High
	Primary Arterial		Industrial Area		Medium
	Secondary Arterial		Public + Quasai-Public		Low
	Collector Streets		Recreation and Open Space		Rural
	Railroad		Residential Area		Development Sensitive
	Bixby Fence Line		Vacant, Agricultural, Rural Residences, and Open Land		Water
	Corridor				
	Special Districts				

S. Memorial Drive

Exhibit B
Comprehensive Plan



Exhibit C
Existing Site Aerial/Buildings
& Site Features

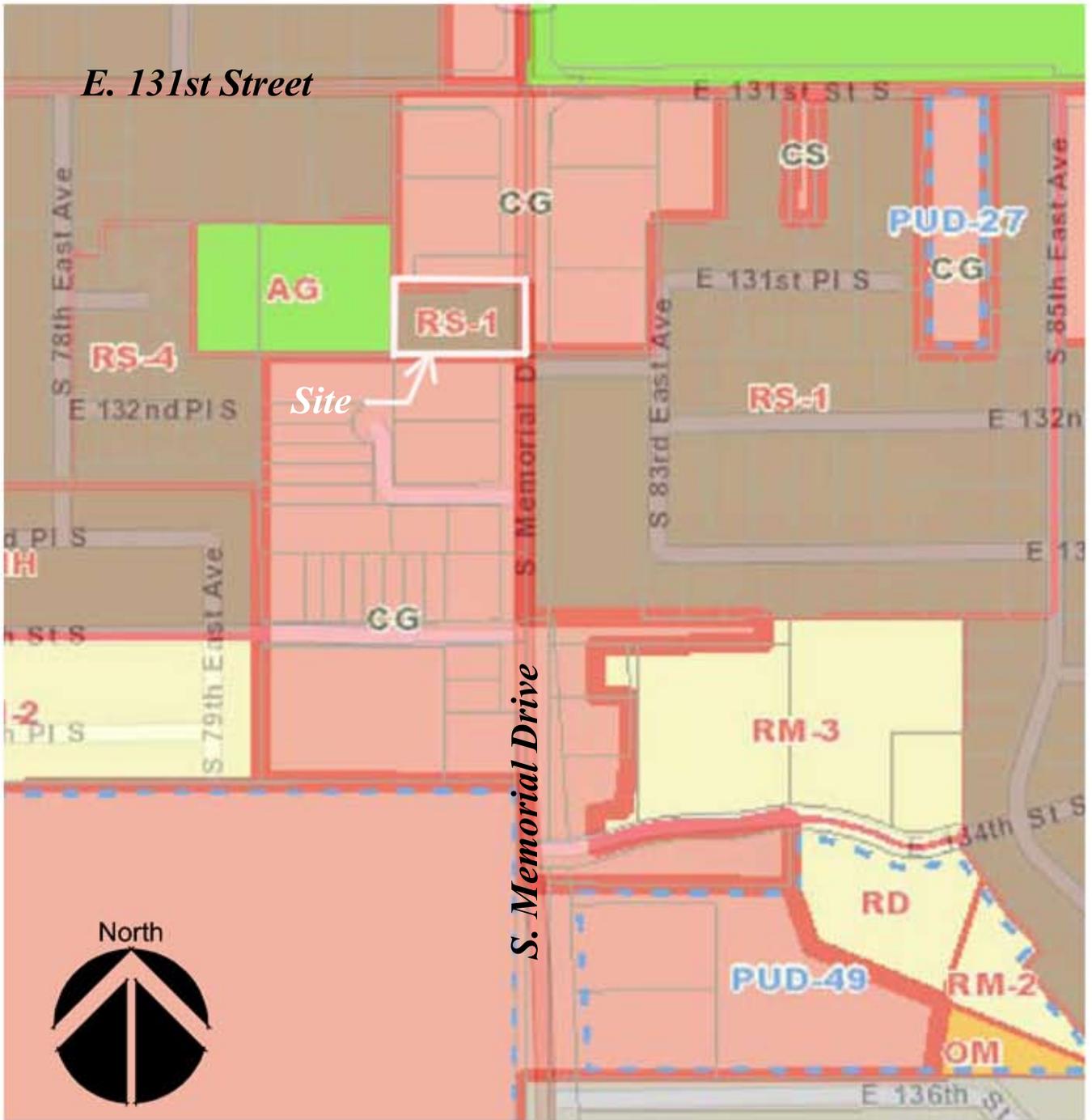


Exhibit D
Existing Zoning

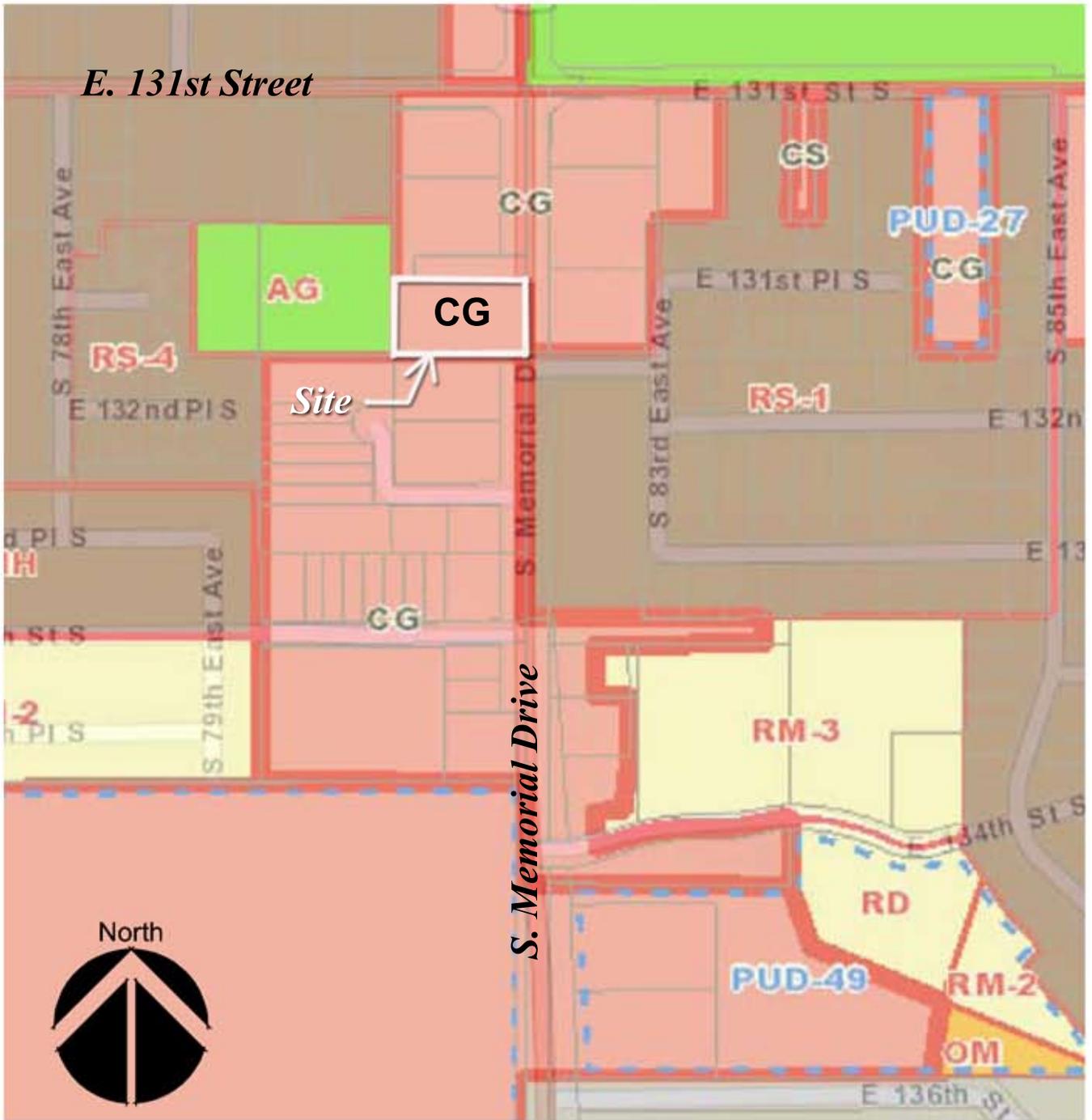


Exhibit E
Proposed Zoning

II. Standard City Requirements:

New uses to the existing building and future uses to the property shall meet Standard requirements of the City of Bixby Fire Marshall, City Engineer and City Attorney.

III. Legal Description:

Exhibit F

**S/2 SE NE NE NE SEC II 17 13
Approximately 1.25 Acres**

IV. Description of CG Uses/Prohibited Uses

A. Proposed CG Uses:

The property can be used as is for the uses listed in the City of Bixby's Zoning Code, Chapter 7, Article D, Section 11-7D-2 Table 1. These uses may include Office, Veterinary Office/Animal Care, and other Commercial and similar uses.

B. Prohibited Uses:

The Property shall not allow any uses listed or described in Chapter 7, Article D, Section 11-7D-6 Sexually Oriented Business of the City of Bixby's Zoning Code.

V. Future Development Requirements:

The Property shall adhere to the following requirements should any major improvements be required such as additional building square-footage, or building demolition and reconstruction.

- A. Platting: any platting or amendment to existing plat shall meet the development requirements of the City of Bixby's Land Subdivision Code.

- B. Site Plan Approval: as required by the City of Bixby's Zoning Code and Building Department including Site Plan Approval as designated in Chapter 7, Section 11-7G-6 of the City of Bixby's Zoning Code.

- C. Landscape Requirements: The subject property shall be enhanced with landscaping according to the minimum standards in effect at the time a Building Permit is sought for building expansion or redevelopment.

D. Bulk Area and Parking Requirements:

- | | |
|----------------------------------|--|
| 1). Minimum Lot Frontage: | 150' |
| 2). Setback from Memorial Drive: | 110' from the centerline or Sectionline, whichever is greater. |
| 3). Building Height: | 5 stories or 70' |
| 4). Floor Area Ratio: | 75%* |
| 5). Parking Requirements: | Provided a reasonable rationale is offered, minimum and maximum parking requirements may be modified upon site plan approval. |
| 6). Loading Berths: | Provided a reasonable rationale is offered, minimum loading berth requirements may be modified or waived upon site plan approval. |
| 7). Lighting Requirements: | Lighting shall be directed down and shielded from view of neighboring R districts. |
| 8). Building Exterior Materials: | All building walls (excluding windows) shall consist of masonry construction using brick, stone, stucco or concrete tilt-up panels. Metal or standard (smooth) concrete block exterior walls are not permitted on such exterior walls. |

*a bonus of up to 0.25 FAR shall be allowed, provided that the increase is accomplished by increasing the number of building stories, and not expanding horizontally.



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, May 14, 2015
RE: Report and Recommendations for:
PUD 80 – Wood Hollow Estates – Minor Amendment # 2

LOCATION:

- intersection of 123rd Pl. S. and Sheridan Rd.
- All of *Wood Hollow Estates*
- The S/2 of Government Lot 4 (NW/4 NW/4) of Section 02, T17N, R13E

SIZE: 20 acres, more or less

EXISTING ZONING: RS-3 with PUD 80 for “Wood Hollow Estates”

SUPPLEMENTAL ZONING: PUD 80 for “Wood Hollow Estates”

EXISTING USE: Vacant/wooded single-family residential lots with a few houses under construction

REQUEST: Minor Amendment to PUD 80, which amendment proposes amending setbacks pertaining to garages and making certain other amendments

SURROUNDING ZONING AND LAND USE:

North: RS-2/CS/OL/PUD 53 and AG; The *WoodMere* commercial and residential subdivision on 20 acres and 121st St. S. to the north of that; to the northeast is a vacant/wooded 1-acre tract just east of *WoodMere* and a 2-acre “taxed Tribal Land” tract, which contained the *Three Oaks Smoke Shop* located at 7060 E. 121st St. S.

until its recent removal; to the northwest are vacant commercial lots zoned CS in the “Crestwood Crossing” section of *Crestwood Village* in the City of Tulsa.

South: RS-4; The *Seven Lakes I, Seven Lakes II, Seven Lakes III, and Seven Lakes IV* residential subdivisions, and additional vacant land zoned RS-4 conditionally approved for Final Plats of “Seven Lakes V” and “Seven Lakes VI.”

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

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

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

PREVIOUS/RELATED CASES:

PUD 80 “Wood Hollow Estates” & BZ-367 – Sack & Associates, Inc. – Request for rezoning to RS-3 and PUD approval for subject property -- PC recommended Conditional Approval 10/21/2013 and City Council Approved final version of PUD incorporating Staff and PC recommendations 10/28/2013 (Ord. # 2124).

Preliminary Plat of “Wood Hollow Estates” – Sack & Associates, Inc. – Request for approval of a Preliminary Plat and certain Modifications/Waivers for subject property – PC recommended Conditional Approval 10/21/2013 and City Council Conditionally Approved 10/28/2013.

Final Plat of “Wood Hollow Estates” – Sack & Associates, Inc. – Request for approval of a Final Plat and certain Modifications/Waivers for subject property – PC recommended Conditional Approval 03/17/2014 and City Council Conditionally Approved 03/24/2014. One of the Conditions of Approval was consistent with the Staff’s recommendation to restore the 17.5’ Perimeter U/E or otherwise request, justify, and receive approval of a Modification/Waiver and a PUD Minor Amendment for same. Pursuant to these additional approvals, City Council Conditionally Approved a Revised Final Plat 09/22/2014 (Plat # 6563 recorded 09/30/2014).

Modification/Waiver – “Wood Hollow Estates” – Sack & Associates, Inc. (PUD 80) – Request for Modification/Waiver to reduce and/or remove certain portions of the 17.5’ Perimeter Utility Easement as required by Subdivision Regulations Section 12-3-3.A pursuant to Subdivision Regulations Section 12-3-5.B for subject property – PC recommended Partial Approval 04/21/2014 and City Council Partially Approved 04/28/2014.

PUD 80 “Wood Hollow Estates” – Minor Amendment # 1 – Request for Minor Amendment # 1 to PUD 80, which amendment proposed making certain subdivision design modifications pertaining to Utility Easements and making certain other amendments for subject property – PC Conditionally Approved 04/21/2014, subject to City Council approval, and City Council Conditionally Approved 04/28/2014.

BACKGROUND INFORMATION:

The need for this amendment was identified during the review of a Building Permit for a house now under construction on corner Lot 22, Block 2, *Wood Hollow Estates*. The language presently requires a 20' side yard setback for garages. This amendment proposes to qualify this setback to only apply to garages that face the street. In the interest of time, the Applicant amended the building plans to comply with the setback as now required.

Upon approval of this PUD Minor Amendment, the Applicant may elect to amend the Deed of Dedication and Restrictive Covenants of the plat of Wood Hollow Estates, but is not required to do so as per the provisions of the Amendment section thereof.

ANALYSIS:

Subject Property Conditions. The subject property of 20 acres is quite flat and appears to drain, if only slightly, in southerly and/or easterly directions. The *Wood Hollow Estates* development has been designed and constructed to drain to the east to Fry Creek Ditch # 2, or to a drainage channel which drains into Fry Creek Ditch # 2, using stormsewers and paying a fee-in-lieu of providing onsite stormwater detention. It is zoned RS-3 with PUD 80 and consists of vacant/wooded single-family residential lots with a few houses under construction. In late 2013, the small, old house in its extreme southwest corner, addressed 12307 S. Sheridan Rd., was removed in preparation for this development.

The subject property appears to presently be served by the critical utilities (water, sewer, electric, etc.) and has access to the stormwater drainage in the Fry Creek Ditch # 2 to the east.

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

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

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

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

The *Wood Hollow Estates* subdivision is consistent with the existing RS-3 zoning, which zoning is consistent with the Comprehensive Plan.

Due to the relatively limited scope of proposed changes, the proposed PUD 80 Minor Amendment # 2 should be recognized as being not inconsistent with the Comprehensive Plan.

General. *Wood Hollow Estates* consists of a single-family residential subdivision development with 51 lots, three (3) Blocks, and one (1) Reserve Area: Reserve Area A, the private street system. The subdivision is of conventional design but with exceptionally large lots and private, gated streets and enhanced landscaping and entry features.

This Minor Amendment # 2 proposes to amend the language pertaining to greater setbacks for the “front-entry” garages. However, that term may be slightly ambiguous, as a garage on a corner lot may in fact be entered from the front of the lot. Staff proposes using the term “street-facing” garages to avoid ambiguity.

The document provided with this application appears to be an excerpt from the Deed of Dedication and Restrictive Covenants. It is not presently formatted to allow for the intended use of amending the text of the PUD (identifying PUD, outlining scope, citing PUD Text section for amendatory language, etc.). Staff recommends using a more conventional format for PUD Minor Amendment documents, such as the format used for the PUD 81 Minor Amendment # 1.

Because the change is minor and unlikely to elicit objections from the utility company providers, it was not presented to the Technical Advisory Committee (TAC) for comment.

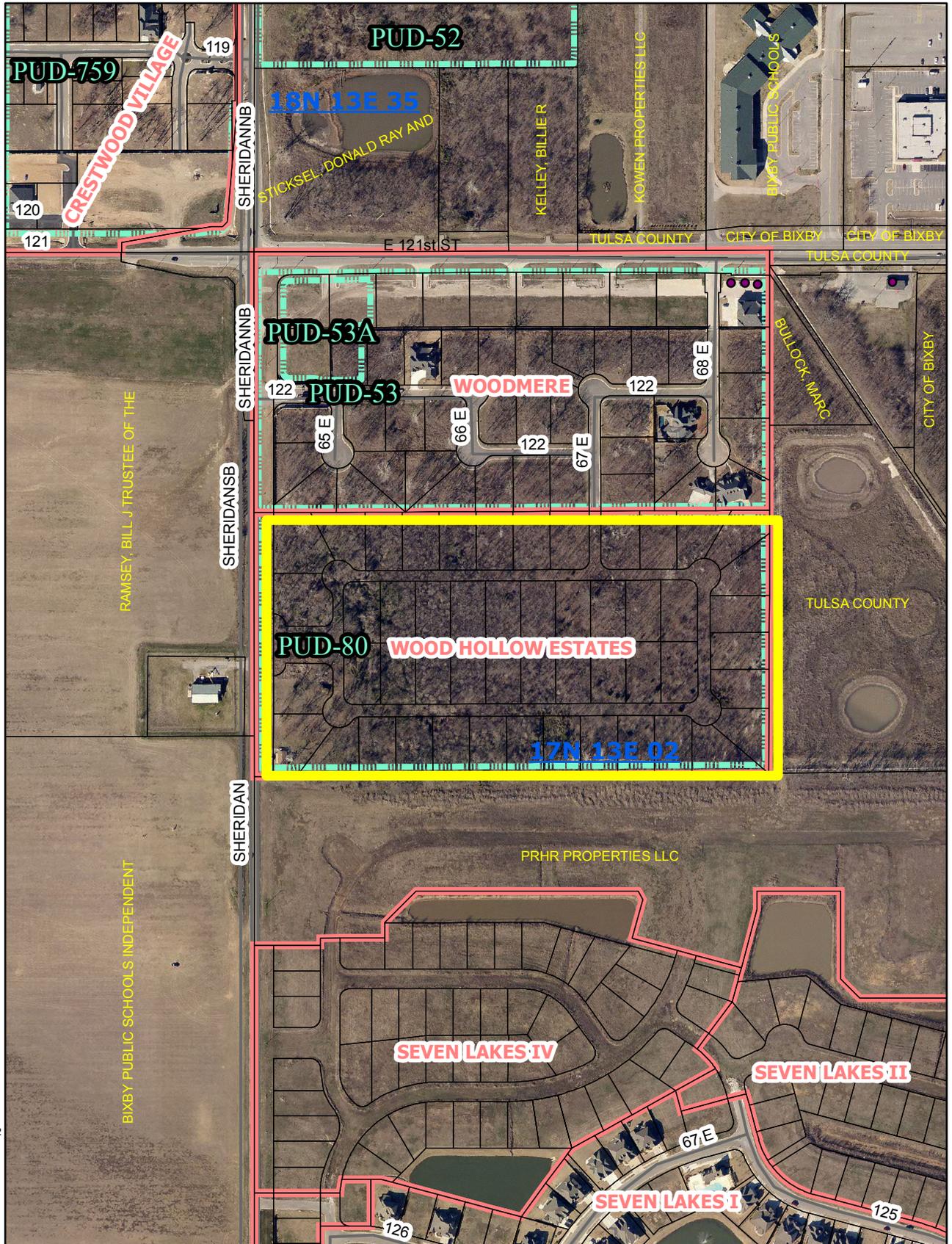
Access & Circulation. See Staff Report for the Final Plat of *Wood Hollow Estates*.

Surrounding Zoning and Land Use. See summary hereinabove.

Staff Recommendation. For all the reasons outlined above, Staff recommends Approval subject to the following corrections, modifications, and Conditions of Approval:

1. Please consider using more precise terminology such as “street-facing” garages to avoid ambiguity.
2. The document provided with this application appears to be an excerpt from the Deed of Dedication and Restrictive Covenants. It is not presently formatted to allow for the intended use of amending the text of the PUD (identifying PUD, outlining scope, citing PUD Text section for amendatory language, etc.). Staff recommends using a more conventional format for PUD Minor Amendment documents, such as the format used for the PUD 81 Minor Amendment # 1.

PUD 80 – Wood Hollow Estates – Minor Amendment # 2



- Businesses
- bixby_streams
- Tulsa Parcels 01/15
- ▭ TulsaSubdivisions
- WagRoads_Aug2012
- E911Streets
- ▭ PUD
- ▭ bixby_s-t-r
- ▭ county





City of Bixby Application for PUD

Applicant: Wayne Farabough
Address: 11501 S. Memorial Dr., Tulsa, OK 74133
Telephone: (918) 369-2181 Cell Phone: 810-0212 Email: Perfectionhomes@cox.net

Property Owner: Wood Hollow Estates LLC If different from Applicant, does owner consent?
Property Address: 12200 S. Sheridan
Existing Zoning: PUD-80 Requested Zoning: _____ Existing Use: _____
Proposed Use: _____ Use Unit #: _____

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

S/2 of Government Lot 4, Section 2, Township 17 North, Range 13 East
of the Indian Base and Meridian, Tulsa County, State of Oklahoma

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 the 100 year floodplain? YES NO
Are 5 copies of the PUD text and exhibits package attached? YES NO
Application for: PUD Major Amendment Minor Amendment Abandonment

BILL ADVERTISING CHARGES TO: _____
(NAME)

(ADDRESS) (CITY) (PHONE)

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

Signature: Wayne Farabough Date: 4/10/15

APPLICANT - DO NOT WRITE BELOW THIS LINE

PUD 80 Date Received 04/20/2015 Received By Enyart Receipt # 01244822
Planning Commission Date 05/18/2015 City Council Date _____

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

FEES:	PUD TYPE	ACREAGE	BASE FEE	ADD.	TOTAL
	<u>Minor And</u>	<u>—</u>	<u>\$200.00</u>	<u>0</u>	<u>\$200.00</u>

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

BY THE CITY OF BIXBY, OKLAHOMA SUFFICIENT TO ASSURE CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO.

WHEREAS, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ITS SUCCESSORS IN TITLE AND SHALL BE ENFORCEABLE BY THE OWNER, ANY PERSON OWNING A LOT OR A PARCEL IN "WOOD HOLLOW ESTATES" AND BY THE CITY OF BIXBY AS HEREINAFTER SET FORTH.

A. DEVELOPMENT STANDARDS - BLOCKS 1, 2 AND 3

1. PERMITTED USES

THOSE USES PERMITTED AS A MATTER OF RIGHT IN THE RS-3 ZONING DISTRICT, INCLUDING USE UNIT 6, SINGLE FAMILY DWELLINGS, INCLUDING CUSTOMARY ACCESSORY USES SUCH AS PARKING AND LANDSCAPED AREAS AND SECURITY GATEHOUSES.

- 2. MAXIMUM LAND AREA PER DWELLING UNIT 8,400 SF
- 3. MAXIMUM NUMBER OF LOTS 51
- 4. MINIMUM LOT AREA 12,000 SF
- 5. MAXIMUM BUILDING HEIGHT 3 STORIES, 48 FT
- 6. MINIMUM LIVABILITY SPACE PER DWELLING UNIT 4,000 SF
- 7. OFF-STREET PARKING:

THREE ENCLOSED OFF-STREET PARKING SPACES PER DWELLING UNIT AND AT LEAST THREE ADDITIONAL OFF-STREET PARKING SPACES PER DWELLING UNIT.

8. MINIMUM YARDS

FRONT YARD:

RESIDENCES AND FRONT-ENTRY GARAGES 25 FT

SIDE YARD:

ONE SIDE 5 FT
OTHER SIDE 10 FT
SIDE STREET YARD - RESIDENCES 15 FT
SIDE STREET YARD - FRONT-ENTRY GARAGES 20 FT

REAR YARD: 20 FT

9. PRIVATE STREETS

MINIMUM WIDTH 26 FT



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, May 14, 2015
RE: Report and Recommendations for:
BSP 2015-04 – “Chateau Villas” – Larry Kester of Architects Collective (PUD 81)

LOCATION:

16-Acre Tract: 8300-block of E. 121st St. S.
7-Acre Tract: 12303 S. Memorial Dr.

SIZE: 23 acres, more or less, in two (2) tracts

EXISTING ZONING: CS Commercial Shopping Center District, RM-3 Residential Multi-Family District, and OL Office Low Intensity District, & PUD 81

SUPPLEMENTAL ZONING: PUD 81 “Chateau Villas PUD” and Corridor Appearance District (partial)

EXISTING USE:
16-Acre Tract: Vacant
7-Acre Tract: Single-family house

DEVELOPMENT TYPE: Approval of a PUD Detailed Site Plan including as elements: (1) Detailed Site Plan, (2) Detailed Landscape Plan, and (3) Detailed Lighting Plan, (4) Detailed Sign Plan, and (5) building plans and profile view / elevations pursuant to PUD 81 for a

Use Unit 8 multifamily residential and commercial development

ANALYSIS:

At its March 30, 2015 Special Meeting, the City Council Conditionally Approved the application for PUD 81 Major Amendment # 1 by vote of three (3) in favor, one (1) opposed, and one (1) abstention.

Because the PUD Major Amendment was not ready for approval on at that time, and perhaps also because of the Council's 4:1:1 vote on the application item, (1) the ordinance First Reading and/or approval item and (2) the Emergency Clause attachment items were Tabled or Passed or similar, to be brought back at a later date when the PUD was ready. This matter was to have been on the April 13, 2015 Regular Meeting agenda for an Ordinance First Reading (no action). However, that City Council meeting was Cancelled due to a lack of quorum.

By phone conversation on April 14, 2015, Applicant Larry Kester asked that this application be placed on hold, as the ordinance effecting the approval of PUD 81 Major Amendment # 1 had not yet been considered by the City Council.

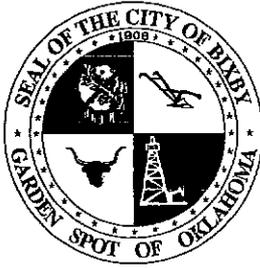
As requested by the Applicant and as recommended by Staff, the Planning Commission Continued this application from the April 20, 2015 Planning Commission Regular Meeting to this May 18, 2015 Planning Commission Regular Meeting.

The Ordinance First Reading requirement was satisfied at the April 27, 2015 City Council Regular Meeting. The Ordinance Second Reading and possible approval was tentatively scheduled for the May 11, 2015 City Council Regular Meeting agenda. However, the PUD Major Amendment document was not ready in time, and so it is now tentatively scheduled for the May 25, 2015 City Council Regular Meeting Agenda. There is thus no need for an Emergency Clause, and it is not planned to be returned to the agenda unless warranted. The draft Ordinance has been rewritten to remove the Emergency Clause elements and is being advertised in the newspaper for the May 25, 2015 City Council meeting.

If the ordinance effecting the approval of PUD 81 Major Amendment # 1 is approved by the City Council on May 25, 2015, this PUD Detailed Site Plan will be in order for Planning Commission consideration at the June 15, 2015 Regular Meeting.

By email on May 13, 2015, Applicant Larry Kester asked that this application be Continued again to a subsequent Planning Commission agenda.

As requested by the Applicant and as recommended by Staff, this item should be Continued to the June 15, 2015 Regular Meeting.



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

STAFF REPORT

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner 
Date: Thursday, May 14, 2015
RE: Report and Recommendations for:
BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54)

LOCATION:

- 8000-block of E. 118th St. S.
- 7740 E. 118th St. S. (previously associated address)
- 7712 E. 118th St. S. (current address assigned per plat; reassignment recommended)
- Lot 2, Block 1, *Bixby Jiffy Lube*

SIZE: ½ acre, more or less

EXISTING ZONING: OL Office Low Intensity District & PUD 54

SUPPLEMENTAL ZONING: PUD 54 for “Jiffy Lube”

EXISTING USE: Vacant lot

DEVELOPMENT TYPE: Approval of Detailed Site Plan including as elements: (1) Detailed Site Plan, (2) Detailed Landscape Plan, and (3) Detailed Lighting Plan, (4) Detailed Sign Plan, and (5) building plans and profile view / elevations pursuant to PUD 54 for “Jiffy Lube Office Building,” an office/storage building development

COMPREHENSIVE PLAN: Medium/Low Intensity + Residential Area

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

BZ-182 – Eugene Green – Request for rezoning from RS-1 to CG for Lots 1 and 2 of Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) at 11800 S. Memorial Dr. for a car lot (abutting subject property to the east) – City Council Approved 08/11/1987 (Ord. # 569).

BBOA-449 – Patrick Moore for SBM Corporation – Request for Special Exception to authorize a Use Unit 17 Automotive and Allied Activities for a *Jiffy Lube* auto service facility for Lots 1 and 2 of Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) at 11800 S. Memorial Dr. (abutting subject property to the east) – BOA Denied 10/02/2006.

BZ-318 – SBM Corporation for Eugene & Norma Green – Request for rezoning from RS-1 to OL for subject property Lot 3 Block 5, *North Heights Addition* (later replatted as Lot 2, Block 1, *Bixby Jiffy Lube*) – PC Recommended Approval 10/16/2006 and City Council Approved 11/13/2006 (Ord. # 953).

PUD # 54 – Jiffy Lube – Request for PUD overlay zoning for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – PC Recommended Approval 03/19/2007 and City Council Approved 04/09/2007 (Ord. # 963).

AC-07-04-01 – Request for Architectural Committee approval of site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – Approved in April, 2007 per contemporary sources (Minutes of 04/16/2007 meeting not found).

AC-07-10-07 – Request for Architectural Committee approval of site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – Tabled/No Action on 10/15/2007 due to realization that the site plans and buildings were already approved as per AC-07-04-01.

PUD # 54 Minor Amendment # 1 – Request for PUD Minor Amendment for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) to revise building setback lines to reflect the newly-dedicated additional right-of-way as proposed by the plat – PC Approved 01/21/2008.

Preliminary Plat of Bixby Jiffy Lube – Request for Preliminary Plat approval for “Bixby Jiffy Lube,” a replat of Lots 1, 2, and 3 of Block 5, *North Heights Addition* (includes subject property) – PC Recommended Conditional Approval 12/17/2007 and City Council Conditionally Approved 01/14/2008.

Final Plat of Bixby Jiffy Lube – Request for Final Plat approval for “Bixby Jiffy Lube,” a replat of Lots 1, 2, and 3 of Block 5, *North Heights Addition* (includes subject property) – PC Recommended Conditional Approval 01/21/2008 and City Council Conditionally Approved 01/28/2008 (Plat # 6276 recorded 03/02/2009).

AC-08-01-02 – Request for Architectural Committee approval of revised site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – AC Conditionally Approved 02/18/2008.

AC-08-08-01 & AC-08-08-02 – Request for Architectural Committee approval of ground and wall signs for *Jiffy Lube* for Lots 1 and 2, Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) abutting subject property to the east– AC Approved 08/18/2008.

BACKGROUND INFORMATION:

Language in the landscaping section of PUD 54 provides that the final landscaping and screening standards are to be determined as a part of the "PUD site plan." Although the text does not specify, this language indicates subjectivity, and suggests to Staff that a board or body would review and approve the "PUD site plan." The City of Bixby took the initial site plan (AC-07-04-01), and subsequent revised site plan (AC-08-01-02) through the Bixby Architectural Committee in April, 2007 and January/February, 2008. It is believed these site plan approvals were presented to the Architectural Committee (AC) because the property is located in the Corridor Appearance District, which required AC site plan approval at that time. It may have served a secondary purpose, approving the PUD-required "PUD site plan."

Upon Staff review of the documents pertaining the site plan per AC-08-01-02, PUD 54 Minor Amendment # 1, the Preliminary Plat, and the Final Plat, Staff discovered that certain language in the PUD section of the Deed of Dedication and Restrictive Covenants of the recorded plat differed from that of the PUD Text. Staff Reports and contemporary review emails do not reflect that the City of Bixby requested this change; the origination of the change is not known. The Deed of Dedication and Restrictive Covenants (DoD/RCs) Section 2 "Development Standards for All Lots" provides that (1) there shall be a "detailed landscape and screening plan," and (2) the "detail landscape plan...shall be approved by the Bixby Planning Commission." Read together, the PUD Text and the DoD/RCs text should be construed to require that the Bixby Planning Commission review and approve the required "PUD site plan," which "PUD site plan" should include the required "detailed landscape and screening plan." This BSP 2015-05 application requests approval as determined required by Staff.

The subject property shares a development history with the *Jiffy Lube* on the lot abutting to the east. The Zoning and development entitlements granted between 2006 and 2008 for the *Jiffy Lube* included the office building on the subject property, entitled and previously shown to be (60' X 100' =>) 6,000 square feet in floor area. However, the office building was not built at the same time, and more detailed plans for same have just now been received. According to Tulsa County Assessor's parcel records, both lots are presently owned by the same entity, Auto Oil Change, LC.

ANALYSIS:

Subject Property Conditions. The subject property consists of vacant Lot 2, Block 1, *Bixby Jiffy Lube*, and is zoned OL with PUD 54 "Jiffy Lube." The subject property slopes moderately downward to the south. It appears to partially drain southeasterly along the borrow ditch attending Memorial Dr., and partially to the south through the stormwater drainage system in *Bixby Centennial Plaza*, which presently utilizes a temporary stormwater detention pond to the west of the *Bank of Oklahoma*. This pond is ultimately planned to be replaced in favor of a stormsewer system installed along 121st St. S. and to drain west to the Fry Creek Ditch # 2, which may be accessed upon payment of applicable excess capacity fees and fees-in-lieu of continued onsite stormwater detention. The borrow ditch along Memorial Dr. may be in either or both of the Fry Creek Ditch # 1 or Fry Creek Ditch # 2 drainage basins.

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

General. The Detailed Site Plan represents a suburban-style design and indicates the proposed internal automobile traffic and pedestrian flow and circulation and parking. The subject property lots conforms to PUD 54 and, per the plans generally, the office building development would conform to the applicable bulk and area standards for PUD 54 and the underlying OL district.

Compared to the site plan last approved in 2008 per AC-08-01-02, a few changes have been made, including, but not necessarily limited to:

- Building is (109' X 55' =>) 5,995 square feet, compared to (100 X 60' =>) 6,000 square feet per the original site plan.
- The west setback has been increased from 25' to 30'.
- The north setback has been increased from ~28' to ~31'.
- The parking lot along the north side of the building has been reduced, and parking south of the building removed, and more parking relocated to the east side of the building.
- The required sidewalk will be added along the frontage of 118th St. S.

The site plan proposes approval of a building to be known as the "Jiffy Lube Office Building," which Staff understands is intended to be considered a Use Unit 11 "general business office" for the entity owning all of the *Jiffy Lube* franchise locations in "Tulsa County," and that this building will contain "incidental storage." Staff has advised the Applicant that, in order for the building to be deemed a Use Unit 11 office building with incidental storage, greater than 50% of the floor area should be actually devoted to general business office use. It is not clear, based on the floor plan provided with the application, whether or how the "future office" areas would be restricted from being actually used for storage until completed. The "storage" area is presently roughly 40% of the building floor area, and the "future office" areas are roughly 36% of the building floor area. If roughly 76% (or any part at or greater than 50%) of the building were to be used for storage, that would appear to cause the building's principal use to be recognized as a Use Unit 23 warehousing and/or storage use, which is not permitted per PUD 54. PUD 54 restricts Development Area A (*Jiffy Lube* site) to CS uses plus Use Unit 17 automotive oil changing/repair/[lubrication], and Development Area B (subject property) to uses allowed [by right] within the OL district. If Use Unit 23 is actually being proposed, and if the City was amenable to allowing same, this should require a PUD Major Amendment to "unlock" Use Unit 23 from the available CG zoning in Development Area A, allow its allocation to Development Area B, and specify a maximum building floor area corresponding to the percentage of the building actually to be devoted to Use Unit 23 use. The Applicant should be advised that such a Major Amendment would allow the City of Bixby to further inform the design and development standards, such as building and/or other building and/or site enhancements. See Exterior Materials and Colors section of this analysis for further detail.

The Detailed Site Plan was prepared by W Design, LLC of Tulsa. The submitted plan-view Site Plan drawing consists of "Architectural Site Plan" drawing AS100 and "Floor Plan First Floor" drawing A201 (hereinafter, individually or together, sometimes "Site Plan" or "site plan"). The landscape plan consists of a "Landscape Plan" drawing AS101. Appearance and

height information is provided on the "Exterior Elevations" drawing A301. Fence/screening information is provided by the representation of such information on AS100. The Lighting Plan consists of "Photometric Site Plan" drawing AS102. The application form indicates that the Sign Plan is "N/A." Per a site inspection, there are no signs on site, and no signs are indicated as proposed on any of the drawings; however, see Screening/Fencing and Signage analyses sections of this report.

The building is proposed to be a one (1) story building with a stairwell leading to an area of unspecified size represented on the plans as "unoccupied mechanical platform," and described as a "mezzanine or second floor" in the pre-application coordination meeting held March 12, 2015. This should be clarified and the same must be deemed a mezzanine or other elevated interior flooring structure not contributing building floor area or removed so as not to exceed the maximum permitted.

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

The Technical Advisory Committee (TAC) reviewed this application on May 06, 2015. The Minutes of the meeting are attached to this report.

Access & Circulation. Per the plat of *Bixby Jiffy Lube* and the site plan, the subject property has 105.64' of frontage on 118th St. S., and two (2) driveway connections are planned thereto. The westerly driveway connection would serve a small, three (3) space parking lot at the northwest building corner. The easterly driveway connection would correspond to a 25'-wide Mutual Access Easement (MAE) as represented on the plat of *Bixby Jiffy Lube*, half of which MAE is located on the subject property, and the easterly half on the *Jiffy Lube* property. Primarily to the east of this MAE, there is an existing north-south drive connecting 118th St. S. to an existing east-west private drive along the north side of the *Bixby Centennial Plaza* development to the south.

Plans for access can be further inferred from the site plans.

Staff could not find language in the recorded plat of *Bixby Jiffy Lube* pertaining to the dedication, purpose, beneficiaries, intended use, or maintenance responsibility for the MAE.

The MAE may have been intended to provide mutual access between Lots 1 and 2 of *Bixby Jiffy Lube*. As per the actual site construction and as per the first *Jiffy Lube* site plans (AC-08-01-02), the 25'-wide MAE does not correspond to the north-south driveway connecting 118th St. S. to the east-west private drive along the north side of the *Bixby Centennial Plaza* development to the south. However, per contemporary development review narratives, rather than or in addition to this purpose, it is possible that the MAE may have been intended to secure an additional access through *Bixby Centennial Plaza*, by agreement with the developer of that commercial subdivision, "as the Applicant has stated has been reached." A copy of such agreement was not found in the development review files. Any existing agreement should be provided to allow the City to confirm the site development plans proposed for City approval, as outlined further below, will not conflict with such previous agreement. If the MAE was not (at

least also) intended to secure mutual access with the *Bixby Centennial Plaza* development to the south, the Applicant should consider and advise how the MAE may be modified, and potentially expanded, to reconcile actual use areas (e.g. parking and landscaping versus drive lanes) according to current site designs.

Most of the pavement for the existing north-south drive is located on the *Jiffy Lube* property, but there is some measure located on the subject property as well. Per the site plan, most of the MAE on the subject property will be occupied by the parking lot strip along the east side of the building. Per the site plan, the 18'-deep parking lot stalls will be located 15' on the subject property and three (3) feet on the *Jiffy Lube* property. There will also be a curb-protected landscaped area defining the new curb return that will modify the existing north-south drive at the northeast corner of the subject property lot. The landscaped area will occupy all of the subject property's MAE here, and extend approximately three (3) feet into the abutting Lot 1, Block 1, *Bixby Jiffy Lube*, which area is part of the existing drive lane.

Since the site design calls for three (3) feet of the 18'-deep parking lot stalls to be located on the *Jiffy Lube* Lot 1, Block 1, *Bixby Jiffy Lube*, the Applicant should research, determine positively, and advise whether ADA standards will allow the handicap-accessible space and access aisle to be divided by a common property line which will separate different lots, which may be independently owned, now or in the future. The Applicant should advise what accommodations will be used to ensure continued maintenance and shared expenses of all of the shared areas (formal dedication or rededication and modification of existing MAE, new easement agreement, etc.). If ADA standards do not allow this even with accommodations, the Applicant will need to amend the site plan such that the areas are wholly on the subject property.

The proposed new and any modifications to existing driveway/street intersections require City Engineer curb cut approval, and the Fire Marshal's approval in terms of locations, spacing, widths, and curb return radii. Internal drives also require Fire Marshal's approval in terms of locations, widths, and curb return radii.

The required sidewalk along 118th St. S. is indicated. Sidewalks are part of complete streets, providing a safe and convenient passageway for pedestrians, separate from driving lanes for automobile traffic.

Internal pedestrian accessibility will be afforded via internal sidewalks, connecting pedestrians between parking areas and building entrances within the development (reference Zoning Code Section 11-10-4.C). There does not, however, appear to be a connection between the sidewalk along 118th St. S. and the internal sidewalks. Further, an accessible route does not appear to connect the building's public entrance to the public sidewalk along 118th St. S. The Applicant's design professionals should provide changes as needed to comply with ADA standards as to accessible routes, or otherwise confirm ADA standards are met.

It is not clear if the sidewalk along 118th St. S. will have curbs or pavement striping; this should be clarified.

Dimensions and curb return radii for internal drives, as required by the Site Plan and as needed for full review, are missing throughout the site plan. See recommendations below for details.

Parking & Loading Standards. The site plan reports, and Staff counted 20 off-street parking spaces to serve the subject property.

If the building were deemed a Use Unit 11 office use, Zoning Code Section 11-9-11.D would require 1 space / 300 square feet of floor area. At 5,995 square feet, 20 parking spaces would be required. If the building were deemed a Use Unit 23 warehousing/storage use, in whole or in part, Zoning Code Section 11-9-23.D would require 1 space / 5,000 square feet of floor area, and the 20 parking spaces would exceed the minimum number required.

Zoning Code Section 11-10-2.H provides a “minimum plus 15%” maximum parking number cap, to prevent excessive parking that results in pressure to reduce greenspaces on the development site. At 20 parking spaces proposed, the number of parking spaces proposed would comply with this standard if the building were deemed a Use Unit 11 office use. However, the 20 spaces would exceed the maximum allowable restriction if the building were deemed a Use Unit 23 warehousing/storage use, in whole or in part, and in that case, unless the number would be reduced to the maximum allowable, a Special Exception or PUD Amendment will be required.

PUD 54 requires compliance with the parking requirements of the Zoning Code, but also provides the following mutual parking privileges provision:

“...parking spaces required in one development area may be satisfied by spaces in another area, as long as "the total spaces provided shall not be less than the sum of the individual requirements and the spaces required for each use, and shall be under the ownership or permanent control of the owners of the use for which the spaces are required." Mutual use shall be authorized by a duly recorded mutual access or reciprocal access agreement.”

Regardless of Use Unit designation, the subject property would comply with the minimum parking spaces standard of the Zoning Code and would not require credit or use of parking spaces located within Development Area A / Lot 1, Block 1, *Bixby Jiffy Lube*. Per the 1976 Zoning Code, parking and loading requirements did not apply to oil lubrication and service business uses previously classified under Use Unit 16. Per the 2008 Zoning Code Text Amendment pertaining to Use Unit 16 ministorage developments, oil lubrication and service businesses uses were reclassified under Use Unit 17, and no parking or loading standards were added to the Zoning Code upon the reclassification. Thus, the *Jiffy Lube* does not have parking or loading requirements. However, if anything is proposed in regard to the mutual parking privileges provision of the PUD, the Applicant should notify Staff.

With 20 parking spaces on site, the one (1) handicapped-accessible parking space appears to comply with the minimum number required by ADA standards (Table 208.2 Parking Spaces / IBC Table 1106.1 Accessible Parking Spaces) and Zoning Code Section 11-10-4.D Table 2.

ADA guidelines require one (1) van-accessible design for the handicapped-accessible space, for up to seven (7) accessible spaces (reference New ADAAG Section 208.2.4, DOJ Section 4.1.2(5)b, and IBC/ANSI Section 1106.5). The Site Plan provides that the one (1) accessible space will be of van-accessible design, and the dimensions provided on the space appear to

comply with ADA dimensional standards. The dimensional design standards of per Zoning Code Section 11-10-4.C Figure 3 do not apply to van-accessible spaces. Typically, the van-accessible space is to the left of a shared accessible aisle, allowing for passenger-side convenience.

During the design of the ADA parking features, the designer should consult with the Building Inspector to confirm the plans will comply with ADA standards (locations, proximity to primary entrance, maximum slopes, transition areas, level landing areas, pavement coloring, etc.).

The individual parking space dimensions have been provided and demonstrate compliance with standards for the same Zoning Code Section 11-10-4.

The parking lot is subject to a 7.5' minimum setback from 118th St. S. per Zoning Code Section 11-10-3.B Table 1. The proposed parking lot setback does not appear to be provided, but the 11'-wide U/E is. Based on its relative representation, it is not clear if the northwestern-most parking space would meet this standard. A dimension should be added here to demonstrate compliance, and the site should be adjusted if/as needed to achieve the minimum 7.5' parking lot setback.

The parking lot is subject to a 10' minimum setback from an R district per Zoning Code Section 11-10-3.B Table 1. The subject property abuts an R district to the west, and meets this parking lot setback standard.

The Site Plan shows parking area and driveway paving would encroach on the 11'-wide U/E along the north side and the 7.5'-wide U/E along the east side of the subject property. Paving and site improvements on public Utility Easements is subject to City Engineer and Public Works Director approval.

For Use Unit 11 office buildings, Zoning Code Section 11-9-11.D requires one (1) loading berth per 10,000 to 100,000 square feet, plus 1 per each additional 100,000 square feet of floor area, and thus the building does not meet the threshold for requiring any. If deemed to be a Use Unit 23 storage/warehouse use, in part, Zoning Code Section 11-9-23.D would require one (1) loading berth per 5,000 to 25,000 square feet, plus 1 per each additional 25,000 square feet of floor area, and thus one (1) would be required. The east side of the building will have three (3) loading bay areas. These are not designated. If required and/or if intended as loading berths, their dimensions must be provided and must comply with standards for same per Zoning Code Section 11-10-5. This would involve removing parking spaces which occupy the 10' X 30' loading berth areas in front of the overhead doors.

Screening/Fencing. PUD 54 requires for screening “[a]n eight (8) feet high screening fence...along the west boundary of Development Area B consisting of a block wall or other acceptable material.” The site plan represents the location of the existing 8'-high masonry wall, and depicts it in a photograph (or Google Street View image capture) as Diagram # 2. The City required the masonry wall be erected when the *Jiffy Lube* was built as there was a delay in the construction of the office building. However, the image and previous correspondence with the owner indicate that the northerly end of the fence is not at the 8' height, but is rather “stepped

down” at its approach to the street. Staff has previously advised the owner that this would require a PUD Amendment.

Previous discussions and correspondence with the owner indicate that the owner may have, at one point, intended to install signage in the screening wall identifying the North Heights Addition, as a part of the owner’s discussions with the neighborhood to secure zoning entitlements for the *Jiffy Lube* and office building development on the subject property. It does not appear, however, that such a design element was included as a development standard in the PUD or as a condition of approval for any other development entitlement. Staff discussed this matter with the owner during a pre-application coordination meeting held March 12, 2015. The owner should advise and, if there is still intent to do this, the plans should be amended accordingly. See signage analysis section of this report for further information on this matter.

PUD 54 requires the following for garbage dumpster screening:

“There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. An opaque fence of at least 8 feet in height shall be placed around all dumpsters. All dumpsters shall be located behind the front building lines.”

The site plan identifies one (1) trash can enclosure area at the northwest corner of the building, in compliance with the locational restriction of the PUD. However, the plans call for it to be a 6’-high cedar wood trash can enclosure, which height does not comply with PUD requirements. As a site plan application requirement and in order to demonstrate compliance with the opacity PUD requirement, the Applicant should provide a profile view/elevation exhibit, including enclosure screening height and composition details, for the Planning Commission’s review and approval as a part of this Detailed Site Plan.

Landscape Plan. PUD 54 requires compliance with the landscaping standards of the Zoning Code and provides the following special standards for landscaping:

“Provided open space and landscape areas shall be calculated to comprise no less than ten percent (10%) of the gross development area of the PUD. The actual [quantity] and quality of open space and landscape areas within a particular development area shall be approved and determined through the PUD site plan. The plan shall include, but not be limited to, a 25 feet wide landscaped open space area along the west boundary of Lot 3, Block 5, North Heights, which is Development Area B...”

Notwithstanding the subjectivity of the second sentence, which is subject to the Planning Commission’s approval of this PUD site plan, all specific and special PUD-imposed landscaping requirements outlined in the above paragraph have been met with this landscape plan.

The proposed landscaping is compared to the Zoning Code and PUD 54 as follows:

1. 15% Street Yard Minimum Landscaped Area Standards (Section 11-12-3.A.1): Standard is not less than 15% of the Street Yard area shall be landscaped. The Street Yard is the required Zoning setback, which is 25’ along 118th St. S., on which

the subject property has 105.64' of frontage. PUD 54 does not increase the 25' setback required by the OL district. The Street Yard thus contains (105.64' X 25' =) 2,641 square feet, 15% of which would be 396.15 square feet. The Street Yard calculations provided on the plan are incorrect, and may be based on the frontage of all of *Bixby Jiffy Lube* (see Landscape Plan analysis # 10 below). Thus, based on the calculations provided, and per dimensions indicated on the site plan, at least 24% of the Street Yard will be landscaped. **This standard is met.**

2. Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7): Standard is minimum Landscaped Area strip width shall be 7.5', 10', or 15' along abutting street rights-of-way. A 7.5' minimum width strip is required along 118th St. S. The proposed parking lot setback / landscaped strip does not appear to be provided, but the 11'-wide U/E is. Based on its relative representation, it is not clear if the northwestern-most parking space would meet this standard. A dimension should be added here to demonstrate compliance, and the site should be adjusted if/as needed to achieve the minimum 7.5' parking lot setback. **Compliance with this standard cannot be determined.**
3. 10' Buffer Strip Standard (Section 11-12-3.A.3): Standard requires a minimum 10' landscaped strip between a parking area and an R Residential Zoning District. There is an RS-1 district abutting to the west. Based on dimensions on the site plan and the relative representation of site features, **this standard is met.**
4. Building Line Setback Tree Requirements (Section 11-12-3.A.4): Standard is one (1) tree per 1,000 square feet of building line setback area. Excluding the building line setback along 118th St. S. (which is a Street Yard), the PUD provides setbacks along the east, south, and west boundaries of Development Area B / Lot 2, Block 1, *Bixby Jiffy Lube*. The PUD-imposed setbacks are greater than the underlying OL district in all cases, so are the ones which apply to this standard.

197.63' Easterly Boundary Setback Tree Requirements: East line @ 197.63' • 10' = 1,976.3 square feet / 1,000 = 2 trees. Excluding Boundary Setback Trees elsewhere accounted for, two (2) trees are proposed in the landscaped area containing the setback along this line (at southeast lot corner). **This standard is met.**

105' South Boundary Setback Tree Requirements: South line @ 105' • 20' = 2,100 square feet / 1,000 = 2.1 = 3 trees (1/10 of a tree is not possible, and minimum numbers of required trees are not rounded-down). Excluding Boundary Setback Trees elsewhere accounted for, three (3) trees are proposed in the landscaped area containing the setback along this line (westernmost 3 along south line). **This standard is met.**

185.99' West Boundary Setback Tree Requirements: West line @ 185.99' • 25' = 4,649.75 square feet / 1,000 = 4.6 = 5 trees. Excluding trees elsewhere accounted for, five (5) trees are proposed in the landscaped area containing the setback along this line (northerly 5 of the southerly 6 trees along the west line). **This standard is met.**

5. Maximum Distance Parking Space to Landscaped Area Standard (Sections 11-12-3.B.1 and 11-12-3.B.2): Standard is no parking space shall be located more than

50' or 75' from a Landscaped Area, which Landscaped Area must contain at least 30, 100, or 200 square feet and one (1) or two (2) trees. For the subject property, the standard calls for a maximum of 50' of spacing, with one (1) tree required within the Landscaped Area. It is not clear, based on the dimensions provided, whether the centermost parking spaces along the east side of the building will meet this standard from available landscaped areas. **Compliance with this standard cannot be determined.**

6. Street Yard Tree Requirements (Section 11-12-3.C.1.a): Standard is one (1) tree per 1,000 square feet of Street Yard. The Street Yard is the Zoning setback along an abutting street. The subject property has 105.64' of frontage on 118th St. S. which requires (105.64' X 25' =) 2,641 square feet / 1,000 = 2.6 = 3 trees. Excluding trees elsewhere accounted for, three (3) trees are proposed in the Street Yard. **This standard is met.**
7. Tree to Parking Space Ratio Standard (Section 11-12-3.C.2): Standard is one (1) tree per 10 parking spaces. 20 = 2 trees required. Excluding the Street Yard and Building Setback trees reported above, four (4) trees proposed. **This standard is met.**
8. Parking Areas within 25' of Right-of-Way (Section 11-12-3.C.5.a): Standard would be met upon and as a part of compliance with the tree standard per Section 11-12-3.C.1.a.
9. Irrigation Standards (Section 11-12-3.D.2): Zoning Code Section 11-12-4.A.7 requires the submission of plans for irrigation. Notes on the landscape plan indicate an underground irrigation system will be employed. Although sprinkler head and controller valve locations are indicated, irrigation lines are not. **Compliance with this standard cannot be determined.**
10. Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.): The reported heights and calipers of the proposed trees, tree planting diagram(s), the notes on the drawings, and other information indicate compliance with other miscellaneous standards, with the following exceptions:
 - a. The Street Yard tree requirements, Building Line Setback tree requirements, "Parking Tree Requirement" landscaping analyses in the "Landscape Ordinance Summary" are all inconsistent with the interpretations rendered in this analysis, and should be reconciled therewith or removed.
 - b. The list of utility companies listed at the bottom left-hand corner of the landscape plan should be updated to include any missing utility providers serving the area, to include, at a minimum, BTC Broadband and City of Bixby.
 - c. Impervious surface / landscaped area calculations provided will need to be updated if / as required in order to add sidewalks / ADA-compliant accessible paths.
 - d. The landscape plan proposes 17 crepe myrtles in satisfaction of tree requirements. Per internet sources, it would appear that some crepe myrtles may be classified as trees, while others appear to be shrubs. If they are intended to be recognized as trees, the Applicant's Architect, Landscape Architect, or Engineer should provide a statement to that effect, preferably on the plan sheet. This would also aid the plan executors in selecting the correct tree form cultivar.

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

11. Lot Percentage Landscape Standard (Section 11-7I-5.F; PUDs only): Standard is 15% of an office lot within a PUD must be landscaped open space. Although PUD 54 preempts the 15% standard with a 10% standard, per the Site Plan, 48% of the lot area will be pervious surface (sod). **This standard is not applicable.**

Exterior Materials and Colors. Appearance and height information is provided on the “Exterior Elevations” drawing A301. The PUD has a 35’ maximum building height in Development Area B / Lot 2, Block 1, *Bixby Jiffy Lube*, and the plans propose a shed-roof design with the highest elevation along the east-facing elevation at 23’ 7” and the lowest elevation along the west-facing elevation at 19’. The shed-roof is proposed to have a 1:12 pitch.

PUD 54 provides for “Building Facades”: “All construction shall comply with City of Bixby ordinances.”

The subject property is within the Corridor Appearance District, which, as of 2013, has a masonry and/or approved masonry alternatives requirement for all building elevations facing a Public street. Per the elevations drawing, the building is to be a metal building with EIFS veneer along the north/118th St. S.-facing elevation and east/Memorial Dr.-facing elevation, which EIFS is also “wrapped” around the easterly end of the south-facing elevation for an unspecified distance.

Although the office building was represented on the AC-07-10-07 and AC-08-01-02 site plans along with the *Jiffy Lube* to the east, elevations for the office building were not included with either application. However, Staff found building elevations and floor plans drawings for the original office building as proposed, and as the Architectural Committee apparently approved per AC-07-04-01 in April, 2007. The plans only included the front building elevation, and showed it to be a stucco building with a high-pitched shingle roof with four (4) dormers, a projecting portico and/or recessed vestibule with temple-front design, including a pediment and two (2) columns or pilasters, and what appears to resemble a brick “wainscot” roughly 2’-high. The floor plan reflected no loading docks or storage areas.

As Staff advised the owner and Applicant in the pre-application coordination meeting held March 12, 2015, and by subsequent email to the Applicant, if there are any particular design elements that would be superior to what is now proposed, those will be included as a review comment for comparison and discussion. In Staff’s estimation, this metal building with metal shed roof, evidently primarily designed for storage and only secondarily for general business offices, at least as compared to the previous “pure” office building, would represent a diminished quality design.

The OL zoning and office building on the subject property were originally intended or otherwise should be recognized as serving as a buffer and transitional zoning district and land use between the heavy commercial *Jiffy Lube* to the east and the single-family residential neighborhood to the west. As indicated elsewhere in this report, if a PUD Major Amendment is required to permit Use Unit 23 warehousing/storage, the Applicant should consider building and/or site enhancements as a part of the prerequisites for PUDs pursuant to Zoning Code Section 11-7I-8.C, especially:

1. Harmonizing with the existing and expected development of surrounding areas,
2. Presenting a unified treatment of the development possibilities of the project site, and
3. Maintaining consistency with the stated purposes and standards the Zoning Code provisions for PUDs, which, per Zoning Code Section 11-7I-2, include purposes pertinent to this PUD such as:
 - (A) Permitting innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, and
 - (B) Achieving a continuity of function and design within the development.

Such building and/or site design enhancements, to be proposed by the Applicant and to be considered and approved by the Planning Commission and City Council in exchange for the special benefit of more intensive land use approval, could include:

- Upgrading the type of siding to traditional masonry,
- Increasing the overall percentage of minimum masonry and/or approved masonry alternatives,
- Adding minimum masonry and/or approved masonry alternatives to all sides of the building,
- Changing from a metal shed-roof to a hip or gable roof, or another type with roofing materials more compatible and consistent with the residential neighborhood abutting to the west,
- Bringing the *Jiffy Lube* development area up to code for minimum landscaping, and/or
- Completing the required sidewalk along the *Jiffy Lube* development area.

Information on proposed building materials colors was not provided, but should be part of the PUD Detailed Site Plan.

Outdoor Lighting. The Lighting Plan consists of “Photometric Site Plan” drawing AS102, which includes a photometric plan and a legend describing the different light fixtures proposed and certain other particulars. There do not appear to be any pole-mounted lights; all are building-mounted and appear typical for an office building application.

PUD 54 provides for lighting:

“Exterior light poles shall meet the requirements of the Bixby Zoning Ordinance. Lighting used to illuminate the development area shall shield and direct the light away from properties with[in] an R District that are residentially developed. Shielding of such light shall be designed so as to prevent the light producing element of the light fixture from being visible to a person standing in an R District that is residentially developed. Exterior lighting mounted on building walls shall be permitted.”

Per the photometric plan, it appears that the footcandle effects of the proposed lighting will be reduced to 0.0 at the westerly propertyline shared with an existing single-family dwelling. This appears to demonstrate compliance with the PUD requirements and Zoning Code restrictions on lighting used to illuminate off-street parking areas.

Signage. PUD 54 requires compliance with the signage standards of the Zoning Code and provides no special standards for signage other than the representation of any proposed ground signs on the site plan.

The application form indicates that the Sign Plan is “N/A.” Per a site inspection, there are no signs on site, and no signs are indicated as proposed on any of the drawings.

As noted in the Screening section of this report, the owner should advise if there is still intent to install signage in the screening wall identifying the North Heights Addition, and if so, the plans should be amended accordingly. Unless PUD 54 is amended to provide specific allowance and development standards for such a sign, it should otherwise be permitted pursuant to Zoning Code Section 11-9-21.C.3.f: “Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes.”

Building-wall-mounted signs are expected, but are not indicated on any of the plans. If proposed and if known at this time, they should be represented on the elevations or another drawing, dimensioned, and comply with applicable standards for same. Alternatively, the Applicant may respond that wall signs are not known at this time and that future wall signs will be reviewed in the context of a future sign permit application.

Directional signs, although not indicated, are limited to a maximum of three (3) square feet in display surface area per Zoning Code Section 11-9-21.C.3.k.

Signs reserving the ADA accessible parking spaces and directional signage painted to the pavement of the driveways (not visible from adjoining public streets) should conform to applicable standards or are otherwise exempt per Federal standards.

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

1. Subject to compliance with all Fire Marshal and City Engineer recommendations and requirements.
2. As described more fully in the General section of this report, the building’s principal use appears to be recognized as a Use Unit 23 warehousing and/or storage use, which is not permitted per PUD 54. PUD 54 restricts Development Area A (*Jiffy Lube* site) to CS uses plus Use Unit 17 automotive oil changing/repair/[lubrication], and Development Area B (subject property) to uses allowed [by right] within the OL district. If Use Unit 23 is actually being proposed, and if the City was amenable to allowing same, this should require a PUD Major Amendment to “unlock” Use Unit 23 from the available CG zoning in Development Area A, allow its allocation to Development Area B, and specify a maximum building floor area corresponding to the percentage of the building actually to be devoted to Use Unit 23 use. The Applicant should be advised that such a Major Amendment would allow the City of Bixby to further inform the design and development standards, such as building and/or other building and/or site enhancements. See Exterior Materials and Colors section of this analysis for further detail.

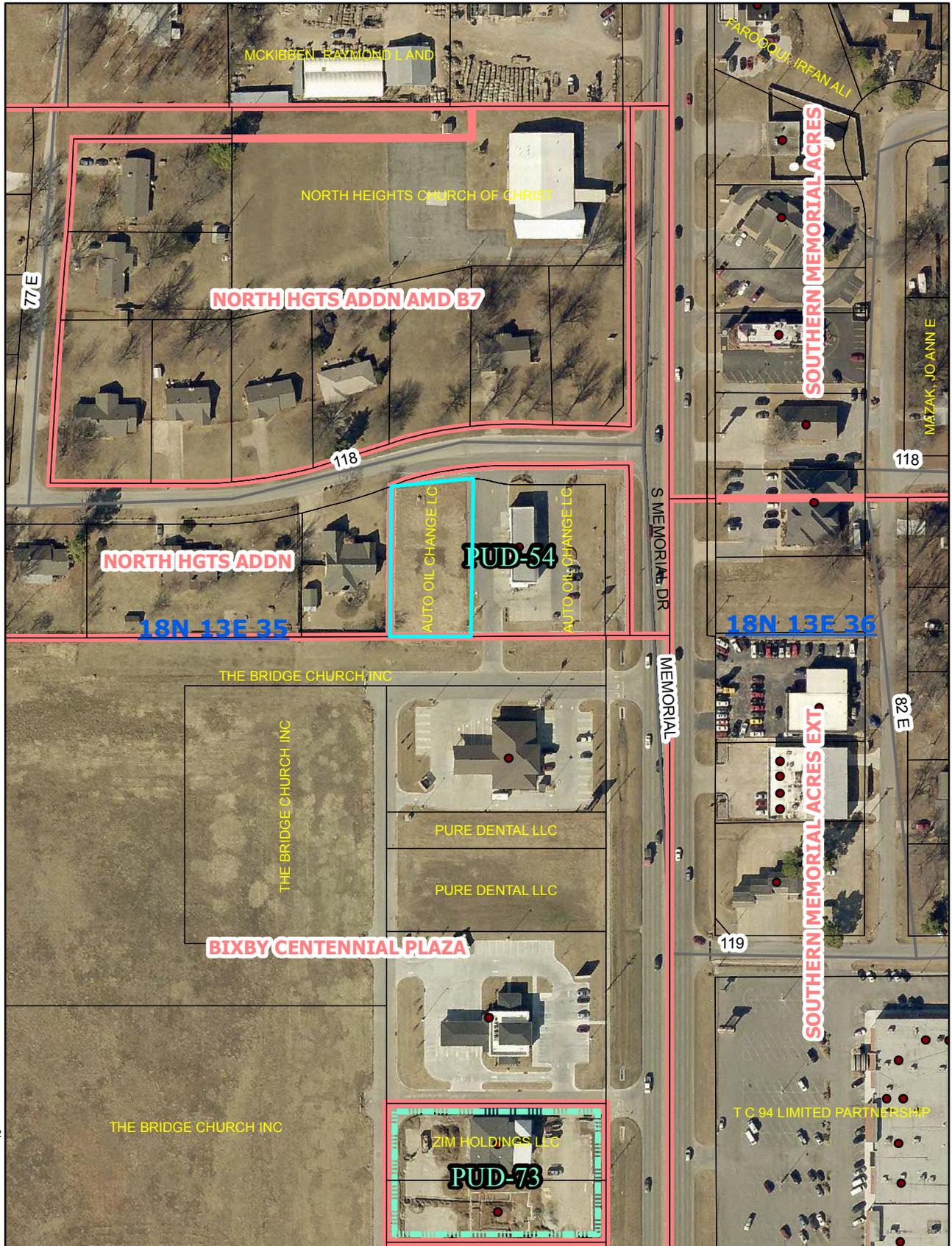
3. As described more fully in the General section of this report, the “unoccupied mechanical platform” / “mezzanine or second floor” should be clarified and the same must be deemed a mezzanine or other elevated interior flooring structure not contributing building floor area or removed so as not to exceed the maximum permitted.
4. Staff could not find language in the recorded plat of *Bixby Jiffy Lube* pertaining to the dedication, purpose, beneficiaries, intended use, or maintenance responsibility for the MAE. Regardless of whether the MAE was (at least also) intended to secure mutual access with the *Bixby Centennial Plaza* development to the south, the Applicant should consider and advise how the MAE may be modified, and potentially expanded, to reconcile actual use areas (e.g. parking and landscaping versus drive lanes) according to current site designs. See Access & Circulation section of this report for further details.
5. A copy of any agreement with the then-owner of the *Bixby Centennial Plaza* to secure an additional access through *Bixby Centennial Plaza* was not found in the development review files. Any existing agreement should be provided to allow the City to confirm the site development plans proposed for City approval, as outlined more fully in the Access & Circulation section of this report, will not conflict with such previous agreement.
6. Since the site design calls for three (3) feet of the 18'-deep parking lot stalls to be located on the *Jiffy Lube* Lot 1, Block 1, *Bixby Jiffy Lube*, the Applicant should research, determine positively, and advise whether ADA standards will allow the handicap-accessible space and access aisle to be divided by a common property line which will separate different lots, which may be independently owned, now or in the future. The Applicant should advise what accommodations will be used to ensure continued maintenance and shared expenses of all of the shared areas (formal dedication or rededication and modification of existing MAE, new easement agreement, etc.). If ADA standards do not allow this even with accommodations, the Applicant will need to amend the site plan such that the areas are wholly on the subject property.
7. The proposed new and any modifications to existing driveway/street intersections require City Engineer curb cut approval, and the Fire Marshal's approval in terms of locations, spacing, widths, and curb return radii.
8. Internal drives require Fire Marshal's approval in terms of locations, widths, and curb return radii.
9. There does not appear to be a connection between the sidewalk along 118th St. S. and the internal sidewalks. Further, an accessible route does not appear to connect the building's public entrance to the public sidewalk along 118th St. S. The Applicant's design professionals should provide changes as needed to comply with ADA standards as to accessible routes, or otherwise confirm ADA standards are met.
10. Please clarify whether the sidewalk along 118th St. S. will have curbs or pavement striping.
11. Please provide/dimension abutting street centerline and right-of-way and roadway widths as required by the site plan application.
12. Please add proposed interior drive widths and curb return radii.
13. Zoning Code Section 11-10-2.H provides a “minimum plus 15%” maximum parking number cap, to prevent excessive parking that results in pressure to reduce greenspaces on the development site. At 20 parking spaces proposed, the number of parking spaces proposed would comply with this standard if the building were deemed a Use Unit 11 office use. However, the 20 spaces would exceed the maximum allowable restriction if

the building were deemed a Use Unit 23 warehousing/storage use, in whole or in part, and in that case, unless the number would be reduced to the maximum allowable, a Special Exception or PUD Amendment will be required.

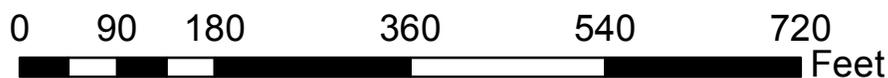
14. Typically, the van-accessible space is to the left of a shared accessible aisle, allowing for passenger-side convenience. Please consider adjusting appropriately.
15. During the design of the ADA parking features, the designer should consult with the Building Inspector to confirm the plans will comply with ADA standards (locations, proximity to primary entrance, maximum slopes, transition areas, level landing areas, pavement coloring, etc.).
16. The parking lot is subject to a 7.5' minimum setback from 118th St. S. per Zoning Code Section 11-10-3.B Table 1. Based on its relative representation, it is not clear if the northwestern-most parking space would meet this standard. Please add a dimension here to demonstrate compliance. The site should be adjusted if/as needed to achieve the minimum 7.5' parking lot setback.
17. The Site Plan shows parking area and driveway paving would encroach on the 11'-wide U/E along the north side and the 7.5'-wide U/E along the east side of the subject property. Paving and site improvements on public Utility Easements is subject to City Engineer and Public Works Director approval.
18. If required and/or if intended as loading berths, please designate as such and provide dimensions for same, which dimensions must comply with standards for same per Zoning Code Section 11-10-5. This would involve removing parking spaces which occupy the 10' X 30' loading berth areas in front of the overhead doors. Please adjust all site plan elements for any resultant parking space number changes.
19. PUD 54 requires for screening an 8'-high screening fence along the west boundary of the subject property, consisting of a block wall or other acceptable material. It appears that the northerly end of the existing fence is not at the 8' height, but is rather "stepped down" at its approach to the street. As Staff has previously advised the owner, this would require a PUD Amendment.
20. The owner should advise if the owner still intends to install signage in the screening wall identifying the North Heights Addition. If there is still intent to do this, the plans should be amended accordingly. See Screening/Fencing and Signage analyses sections of this report for further information on this matter.
21. The proposed 6'-high cedar wood trash can enclosure does not comply with the 8'-height standard of PUD 54. Please adjust appropriately.
22. As a site plan application requirement and in order to demonstrate compliance with the opacity PUD requirement, the Applicant should provide a profile view/elevation exhibit, including enclosure screening height and composition details, for the Planning Commission's review and approval as a part of this Detailed Site Plan.
23. Please resolve the Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7) matter as described in the Landscape Plan analysis above.
24. Please resolve the Maximum Distance Parking Space to Landscaped Area Standard (Sections 11-12-3.B.1 and 11-12-3.B.2) matter as described in the Landscape Plan analysis above.
25. Please resolve the Irrigation Standards (Section 11-12-3.D.2) matter as described in the Landscape Plan analysis above.
26. Please resolve the Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.) matter as described in the Landscape Plan analysis above.

27. Building-wall-mounted signs are expected, but are not indicated on any of the plans. If proposed and if known at this time, they should be represented on the elevations or another drawing, dimensioned, and comply with applicable standards for same. Alternatively, the Applicant may respond that wall signs are not known at this time and that future wall signs will be reviewed in the context of a future sign permit application.
28. AS100: Impervious surface calculations provided will need to be updated if / as required in order to add sidewalks / ADA-compliant accessible paths.
29. The site design summary table on AS100 is titled "Parking Tabulations." Please consider retitling more consistent with the scope of the table.
30. In the electronic (PDF) version of the site plan, the Location Map appears to have a rendering issue corrupting the text and shifting the features. Please address appropriately.
31. AS100: Please enhance MAE label with "per Plat # 6276" or otherwise as appropriate.
32. AS100: Please add 7.5'-wide U/E along the east side of the common property line shared with Lot 1, Block 1, *Bixby Jiffy Lube*.
33. AS100: Please label *Bixby Centennial Plaza* to the south.
34. Please submit complete, corrected copies of the Detailed Site Plan incorporating all of the corrections, modifications, and conditions of approval as follows: Two (2) full-size hard copies, one (1) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).
35. Minor changes in the placement / locating individual trees or parking spaces, or other such minor site details, are approved as a part of this Detailed Site Plan, subject to administrative review and approval by the City Planner. The City Planner shall determine that the same are minor in scope and that such changes are an alternative means for compliance and do not compromise the original intent, purposes, and standards underlying the original placement as approved on this Detailed Site Plan, as amended. An appeal from the City Planner's determination that a change is not sufficiently minor in scope shall be made to the Board of Adjustment in accordance with Zoning Code Section 11-4-2.

BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54)



- Businesses
- bixby_streams
- Tulsa Parcels 01/15
- WagParcels 01/15
- TulsaSubdivisions
- WagSubdivision
- WagRoads_Aug2012
- E911Streets
- PUD
- bixby_s-t-r
- county





City of Bixby Site Plan Application

Applicant: W DESIGN (BRIAN LETZIG)
Address: 1513 E 15TH STREET, SUITE A
Telephone: 715.794.6616 Cell Phone: 405.269.6063 Email: brian.letzig@wdesignsite.com

Property Owner: SBA CORP. PAT + GREG MOORE If different from Applicant, does owner consent? YES
Property Address: _____
Existing Zoning: OL Existing Use: — Proposed Use: OFFICE Use Unit #: 11

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

**DEVELOPMENT AREA IS
LOT 3, BLOCK 5, NORTH HEIGHTS ADDITION TO THE CITY OF BIXBY, TULSA
COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.**

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

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

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

City of Bixby Site Plan Application

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

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

Included		Submittal Items	Comments
Yes	N/A		
<input checked="" type="radio"/>	<input type="radio"/>	Site plan showing the information listed above	
<input checked="" type="radio"/>	<input type="radio"/>	A landscape plan representing all existing and/or proposed landscaping.	
<input type="radio"/>	<input checked="" type="radio"/>	A sign plan representing all existing and/or proposed signs.	
<input checked="" type="radio"/>	<input type="radio"/>	Building elevations or building height information.	
<input checked="" type="radio"/>	<input type="radio"/>	A screening and fence plan or representation on another drawing of all existing and/or proposed fences, walls, gates, and trash receptacle screening enclosures.	EXISTING FENCE SHOWN ON THE SUBSET 2/AS100
<input checked="" type="radio"/>	<input type="radio"/>	A lighting plan and lighting information.	

Is the subject property located in a Planned Unit Development (PUD)? YES PUD #: 54

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

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

Signature:  Date: 04/17/2015

APPLICANT – DO NOT WRITE BELOW THIS LINE

.....
 Date Received 04/20/2015 Received By Enyark Date Approved _____
 Building Permit # _____ Case Reference # BSP 2015-05

JR DONELSON
17440 So.89th E. Ave.
Bixby, Okla. 74008-6407
1-918-366 3413
Fax 1-918-366 3908

LETTER OF TRANSMITTAL

DATE: April 10, 2007

TO: Jim Coffee
City Planner
City of Bixby

07-04-01

GENTLEMEN:

ACCOMPANYING DOCUMENTS FOR

Architectural review committee, Jiffy Lube
(1) office elevation
(1) office plan
(1) site plan
(1) Jiffy Lube elevation

JR Donelson

Received by:

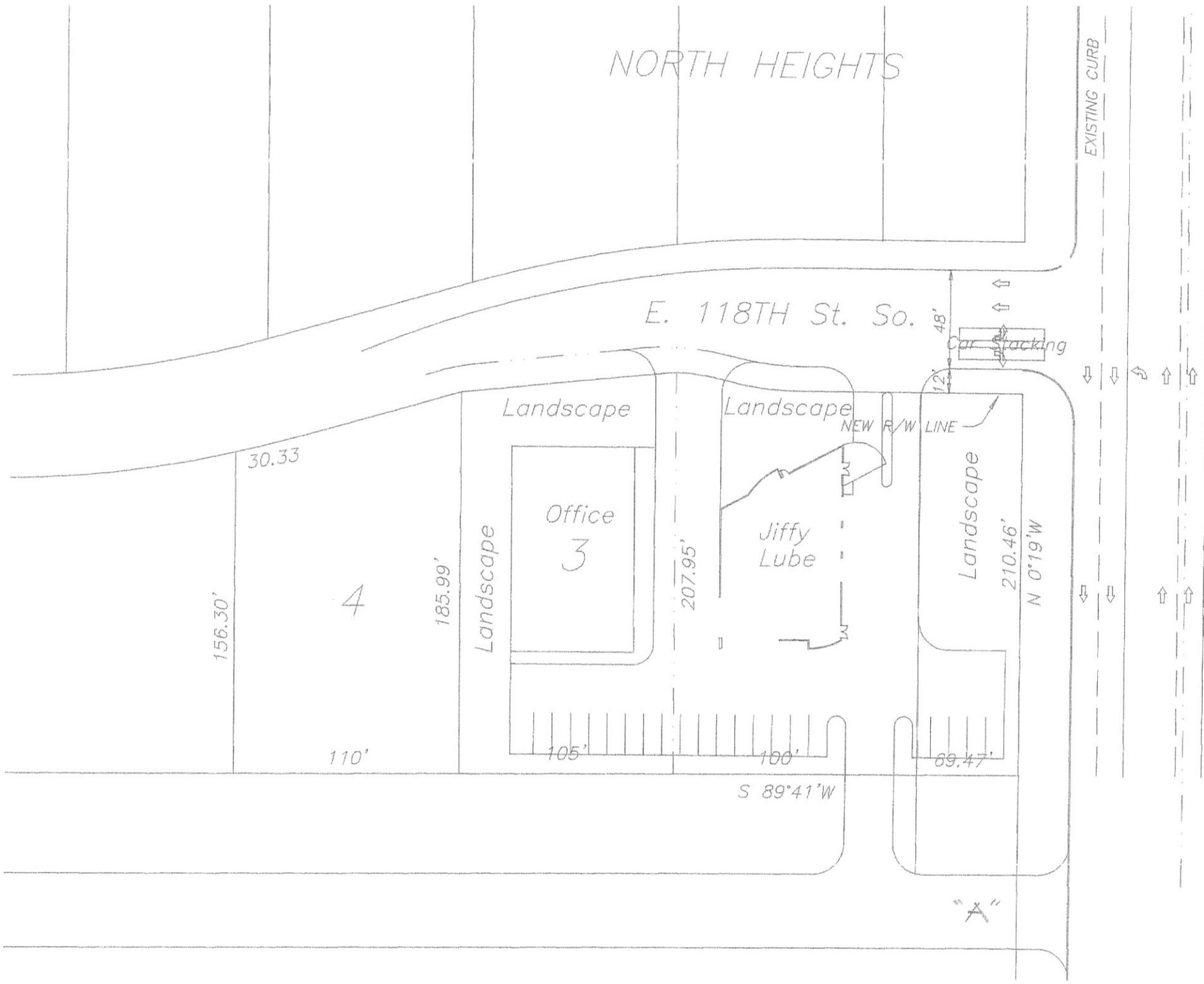
Date:

NORTH HEIGHTS

E. 118TH St. So.

EXISTING CURB

SOUTH MEMORIAL DRIVE



Building Facade – New-Build Architecture Direction 1 – Refinements



Left View



Aerial View



Right View

DORMER
W/ F.G.

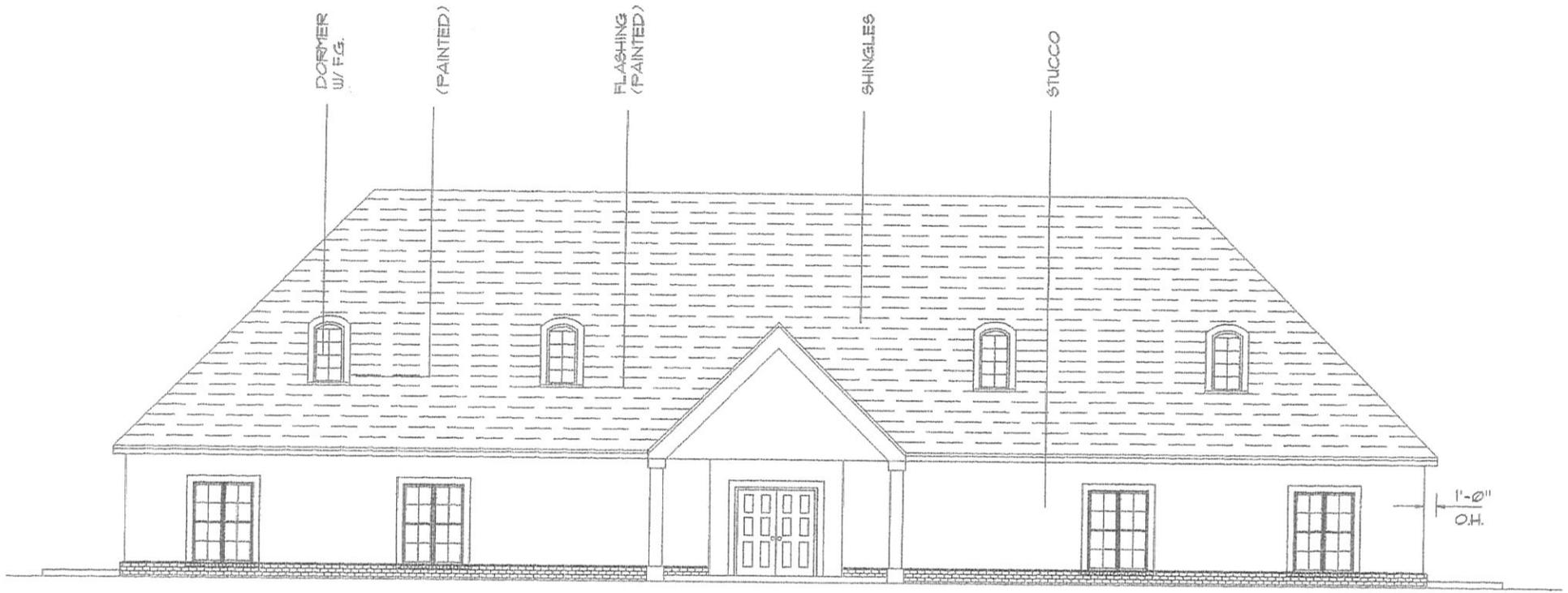
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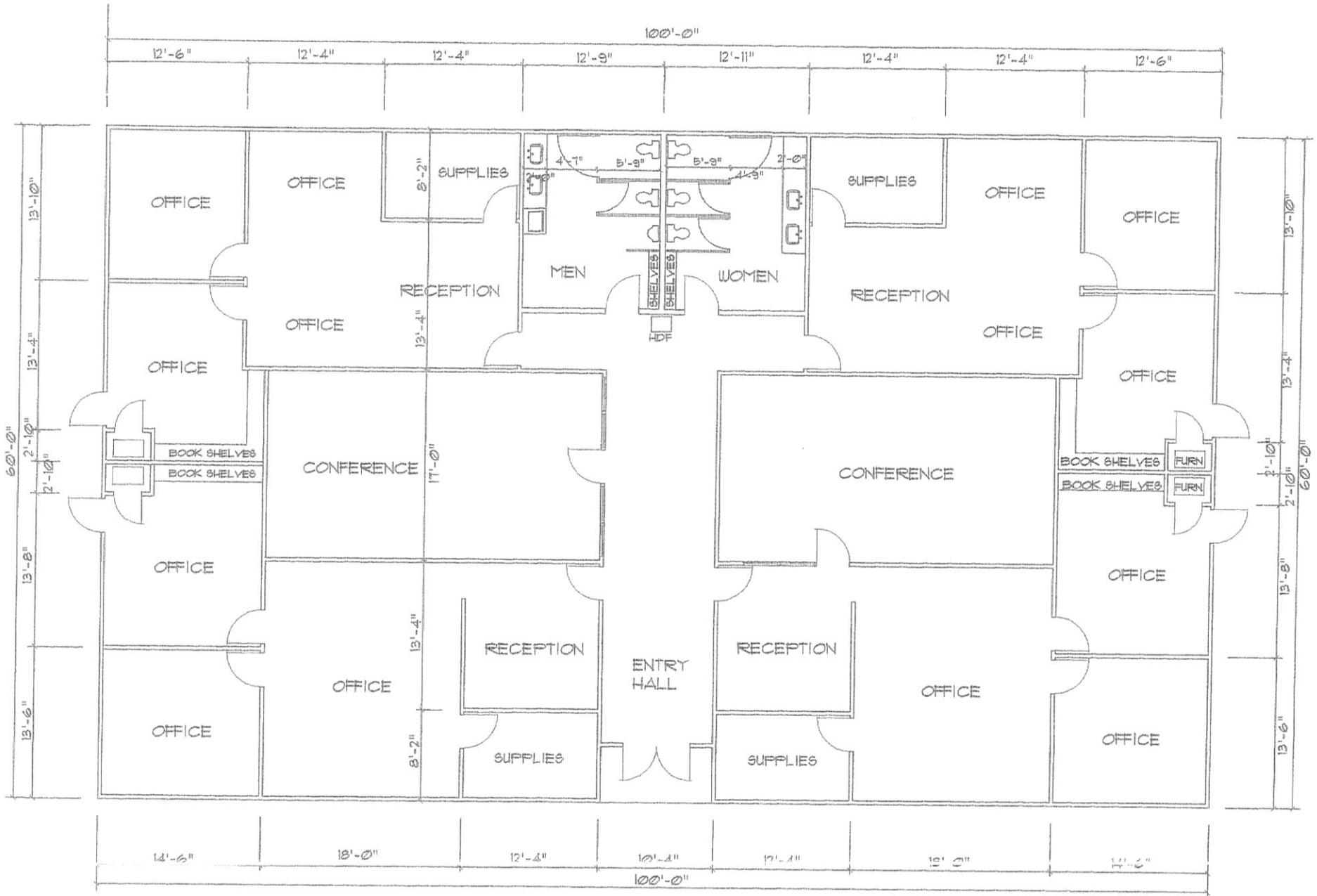
FLASHING
(PAINTED)

SHINGLES

STUCCO

1'-0"
O.H.





FLOOR PLAN

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

CITY OF BIXBY

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

Engineering Department Memo

To: Erik Enyart, City Planner
From: Jared Cottle, City Engineer *JWC*
CC: Bea Aamodt, Public Works Director
File
Date: 05/13/15
Re: Jiffy Lube Office Building
Site Plan Review

General Comments:

1. Plans submitted do not provide any Utility, Paving, or Grading information. Additional review and comments will be provided with Building Permit Application.
2. If modification to City utility mains are anticipated, complete utility plans will be required.
3. Building Permit issuance will require an Earth Change Permit.
4. Special consideration should be given to the finishes used to clad the building. Council input on the final appearance may be required if the new building will differ significantly from the requirements placed on recent commercial building projects within the Memorial Corridor.



Bixby
Fire Marshal's Site Plan Review Worksheet

Date of Review: 4-28-2015 Permit Number: _____
Business/Bldg Name: Jiffy Lube Office Building Address of Project: _____
Designer Name: W. Design Designer's Phone: (918) 794-6616

The numbers that follow worksheet statements represent a IFC code section unless otherwise stated. Appendix D and the references noted below are not mandatory unless the AHJ has incorporated the Appendix as a regulatory requirement.

Worksheet Legend: X or OK = no problem, N = need to provide, NA = not applicable

Access:

1. X Drawings are provided.
2. X The required fire department access roads is a minimum unobstructed 20 ft. in width and 13 ft. 6 in. clear height, IFC 503.2.1. Check with local or state requirements that may have street planning regulations that supercede the IFC requirements.
3. N "No Parking Fire Lane" signs are provided at AHJ prescribed locations, IFC 503.3.
4. X Required fire department access roads are designed to support an apparatus with a gross axle weight of 75,000 lb, engineering specifications are provided, IFC App D102.1.
5. X Required fire department access roads are an all weather driving surface such as asphalt, concrete, chip seal (oil matting), or similar materials, IFC 503.2.3.
6. X The proposed building does have an emergency vehicle access road within 150 ft. of any exterior portion of the structure, if not, a fire department access road must be provided, IFC 503.1.1.
7. N The grade for required fire department access road does not exceed 10 percent unless approved by the Chief, Appendix D103.2.
8. N A local jurisdiction alternative to the 10 percent grade restriction could be the following: If the grade exceeds 10 percent, the first portion of the grade shall be limited to 15 percent for a length of 200 ft. and then 15 percent to 20 percent for a maximum of 200 ft., repeat the cycle as necessary unless the building is sprinklered.
9. N No access drive grades are greater than 10 percent if Appendix D is applicable at the local level, Appendix D 103.
10. N The access road design for a maximum grade conforms to specifications established by the fire code official, IFC 503.2.7.
11. NA The dead-end fire department access roads (s) in excess of 150 ft. is provided with a turn-around, IFC 503.2.5.
12. NA The turn-around cul-de-sac has an an approved inside and a outside radius, e.g. 30 ft. 50 ft. respectively, a hammerhead design is a minimum 70 ft. L x 20 ft. W, or another approved design may be used, IFC 503.2.4.
13. NA The turning radius for emergency apparatus roads is 30 ft. inside and 50 ft. outside radius or as approved by the code official.
14. X Fire department access roads shall be constructed and maintained for all construction sites, IFC 1410.1.
15. NA Dead-end streets in excess of 150 ft. resulting from a phased project are provided an approved temporary turnaround, IFC 503.2.5.

Water Flow and Hydrants: An in-depth plan review for private hydrants and private water mains will occur during the project plan review phase.

16. X A fire flow test and report is provided to verify that the fire flow requirement is available. Also, refer to the note at the bottom of the page.
17. X Water mains and pipe sizes are detailed on the site plan, IFC 508.1.
18. X All water mains and hydrants shall be installed and operate as soon as combustible materials arrive on a construction site, IFC 1412.1.



19. N The nearest hydrant(s) to the project structure and/or property road frontage are shown on the plan.

20. NA Prior to the installation of private water main systems, plans shall be submitted for a permit, review and approval.

Note: When a hydrant water flow report is required, the test should be performed by the local water purveyor or a company approved by the water purveyor. The report shall provide the water pressures measured and provide the available GPM at 20 PSI residual pressure. Existing reports may be used if not dated more than 3 years ago or as approved by the code official.

Additional Comments:

PLANS APPROVED CONTIGENT UPON THE FOLLOWING ITEMS BEING ADDRESSED.

Item 7-10 - Ensure no more than 10 percent grade on emergency access roads.

Item 19- Ensure there is a fire hydrant within 300 feet of said property.

Review Date: 4-28-2015
Review Date: _____
Review Date: _____

Approved or Disapproved
 Approved or Disapproved
 Approved or Disapproved

FD Reviewer: *Joey W. Wood*
FD Reviewer: _____
FD Reviewer: _____

KEYNOTES ○ NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.

- SITE PLAN**
- NEW 1.5 STORY METAL BUILDING
 - 4" WIDE PARKING STRIPING
 - 6" CONCRETE CURB
 - SIDEWALK RAMP, 1:12 MAX SLOPE
 - 4'-0" W SIDEWALK PER CITY OF BIXBY STANDARDS
 - 5'-0" W SIDEWALK
 - ACCESS AISLE WITH DIAGONALS AT 36" O.C.; DIAGONALS AND PERIMETER STRIPES TO BE 4" WIDE
 - ACCESSIBLE PARKING, VAN STALL
 - EXISTING 8'H MASONRY FENCE, RE: 2/AS100
 - EXISTING LANE STRIPING
 - 6'H CEDAR WOOD TRASH CAN ENCLOSURE
 - EXISTING POWER POLE
 - EXISTING FIRE HYDRANT
 - EXISTING CONCRETE CULVERT
 - EXISTING CONCRETE STORM RUNOFF DRAIN

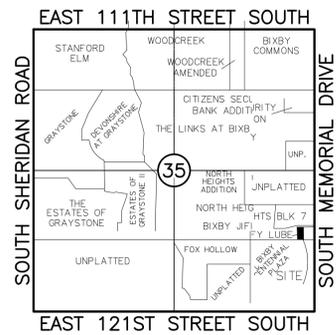
LEGEND

- SITE PLAN**
- LANDSCAPED AREA
 - CONCRETE PAVING
 - ASPHALTIC CONCRETE PAVING
 - EXISTING METAL BUILDING
 - EXISTING SITE (NOT IN CONTRACT)
 - EXISTING OVERHEAD ELECTRIC

PARKING TABULATIONS

PARKING SPACES REQUIRED		COUNT	
USE UNIT 11: 5,995 SF / 300		20	
ACCESSIBLE SPACES REQUIRED		1	
VAN ACCESSIBLE SPACES PROVIDED		1	
STANDARD SPACES PROVIDED		19	
LAND USE			
LIGHT OFFICE		OL (PUD-54)	
BUILDING SETBACK			
FROM 118TH STREET SOUTH		MIN.	
FROM THE EAST BOUNDARY		25'	
FROM THE WEST BOUNDARY		10'	
FROM THE SOUTH BOUNDARY		25'	
FROM THE NORTH BOUNDARY		20'	
SITE AREA			
	S.F.	ACRES	%
BUILDING AREA	5,995	.14	30
PAVING AREAS	4,465	.10	22
TOTAL IMPERVIOUS SURFACE	10,460	.24	52
TOTAL PERVIOUS SURFACE (SOD)	9,679	.22	48
TOTAL SITE AREA	20,139	.46	100
PROPOSED BUILDING HEIGHT	23'-7" TOP OF EAVE		

R -13- E

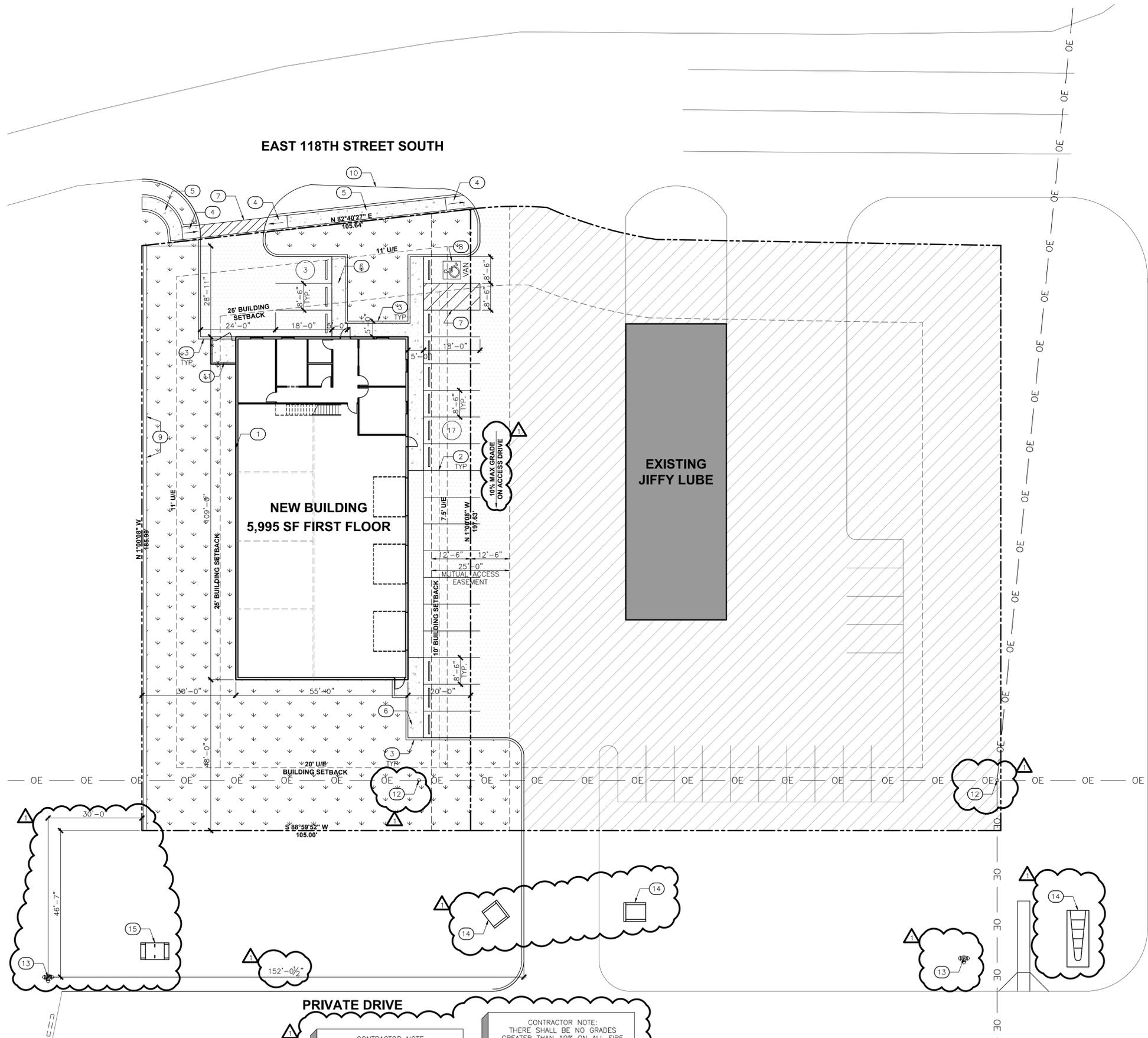


Location Map

SCALE: N.T.S.



2 EXISTING MASONRY FENCE
SCALE: NONE



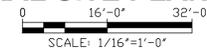
PRIVATE DRIVE

CONTRACTOR NOTE:
COORDINATE AND INSTALL "NO PARKING FIRE LANE" SIGNS AT AUTHORITY HAVING JURISDICTION PRESCRIBED LOCATIONS.

CONTRACTOR NOTE:
THERE SHALL BE NO GRADES GREATER THAN 10% ON ALL FIRE DEPARTMENT ACCESS ROADS. IF GRADES ARE TO BE GREATER THAN 10% COORDINATE ALTERNATIVE SOLUTION WITH THE AUTHORITY HAVING JURISDICTION, AND OBTAIN APPROVAL PRIOR TO ANY WORK BEING DONE.

1 ARCHITECTURAL SITE PLAN

SCALE: 1/16" = 1'-0"



SCALE: 1/16" = 1'-0"



wdesign
ARCHITECTURE & INTERIORS
1513 E. 15th Street, Suite A
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:



05/05/2015
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2015

PROJECT:

**JIFFY LUBE
OFFICE
BUILDING**

PUD 54A

**PROJECT #
15038**

**BIXBY, OK
74008**

CONSULTANT:

REVISIONS:

1 REV #1 05/05/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

**ARCHITECTURAL
SITE PLAN**

SHEET #:

AS100

DRAWN BY: BJL

LEGEND

- TURF / GRASS (AREA TO BE IRRIGATED)
- PROPERTY LINE / R.O.W.....
- ASPHALTIC CONCRETE (IMPERVIOUS MATERIAL).....
- CONCRETE (IMPERVIOUS MATERIAL).....
- PROPOSED STRUCTURE ROOFTOP (IMPERVIOUS MATERIAL).....
- POP-UP SPRINKLER HEAD.....
- IRRIGATION CONTROLLER VALVE.....
- 4" IRRIGATION SLEEVE.....

PLANTING NOTES

1. LANDSCAPE PLANS ARE FOR PLANT MATERIAL AND IRRIGATION ONLY.
2. FORTY-EIGHT HOURS PRIOR TO EXCAVATION, CONTRACTOR SHALL VERIFY UTILITY LOCATIONS AS GIVEN BY THE ELECTRIC, GAS, TELEPHONE, WATER, SEWER, AND CABLE TELEVISION COMPANIES, UTILITIES, OR ENTITIES. REVIEW WITH OWNER SITE ELECTRICAL, SITE GRADING AND DRAINAGE, SITE IRRIGATION AND ALL OTHER DRAWINGS PERTAINING TO UNDERGROUND UTILITY LOCATIONS AND RECORD SETS OF SAME IN POSSESSION OF OWNER. MARK ALL SUCH UTILITIES ON SITE PRIOR TO COMMENCING. COORDINATE WITH OWNER BEFORE AND DURING CONSTRUCTION. REPAIR DAMAGE TO ANY SYSTEM AT NO COST TO OWNER.
3. UTILITIES SHOWN FOR INFORMATION PURPOSES ONLY. LANDSCAPE AND IRRIGATION CONTRACTOR SHALL MOVE PLANTS AND IRRIGATION AS MAY BE NECESSARY TO AVOID CONFLICT WITH UTILITIES.
4. ALL DEMOLITION FOR EXISTING BLDGS, UTILITIES, FENCE, PAVEMENT, TREES, ETC. SHALL BE PERFORMED BY GENERAL CONTRACTOR PRIOR TO LANDSCAPE OR IRRIGATION INSTALLATION.
5. PROTECT PUBLIC FROM CONSTRUCTION WITH BARRIERS AND BARRICADES AS OUTLINED IN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
6. ALL LANDSCAPED AREAS SHALL BE IRRIGATED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.
7. ALL PLANT MATERIAL SHALL BE HEALTHY AND DISEASE FREE AT THE TIME OF PLANTING.
8. THE CONTRACTOR SHALL LAY OUT ON THE GROUND THE LOCATIONS FOR THE PLANTS AND OUTLINES OF AREAS TO BE PLANTED. THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE ENGINEER BEFORE EXCAVATION BEGINS. THE ENGINEER MAY ADJUST THE LOCATION OF ANY SPECIFIED PLANT MATERIALS PRIOR TO PLANTING.
9. REMOVE ALL WEEDS AND GRASSES FROM PLANTING BEDS. IF BERMUDA IS PRESENT, IT SHALL BE ERADICATED BY APPROVED MEANS.
10. ALL TRAFFIC ISLANDS TO BE OVER-EXCAVATED THREE FEET BELOW BASE OF CURB AND BACKFILLED WITH TOPSOIL. ISLANDS WILL BE CROWNED A MINIMUM OF ONE FOOT ABOVE TOP OF CURB.
11. FINISHED GRADES FOR SHRUB AND GROUND COVER AREAS SHALL BE HELD 1" BELOW TOP OF ADJACENT PAVEMENT AND CURBS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
12. ALL LAWN AND PLANTING AREAS SHALL SLOPE TO DRAIN A MINIMUM OF 2% UNLESS OTHERWISE NOTED AND REVIEWED WITH THE ENGINEER FOR FINAL APPROVAL.
13. WITHIN APPROVED BED AREAS, PREPARE SOIL BY ROTO-TILING TWO INCHES (2") OF COMPOST "BACK TO NATURE" SOIL CONDITIONER) OVER THE ENTIRE BED AREA TO A DEPTH OF SIX INCHES (6").
14. LANDSCAPE CONTRACTOR SHALL ADJUST TREE LOCATIONS IN THE FIELD TO INSURE THAT THE TREE TRUNK IS A MINIMUM OF 10' FEET FROM ANY UTILITY.
15. ON ALL TREES THE TOP SIX INCHES (6") OF BACK FILL SHALL CONSIST OF A 1:1 MIXTURE OF COMPOST TO SOIL.
16. AROUND ALL TREES FORM A CIRCULAR RING FREE OF VEGETATION. CIRCLE SHALL BE TRUE IN FORM AND CENTERED ON THE TREE.
17. ALL TREES SHALL BE STAKED WITH TWO (2) BLACK METAL SPLIT TEE FENCE POST AND TIED WITH WIRE THROUGH THE HOSE.
18. ALL AREAS THAT WERE DISTURBED DURING CONSTRUCTION AND ARE NOT COVERED WITH PAVEMENT, BUILDING, PLANTING BEDS, OR TREE PITS TO BE TOPSOILED 6" DEEP AND SHALL BE SODDED.
19. FOR OTHER PLANTING REQUIREMENTS, SEE DETAILS.
20. CONTRACTOR IS RESPONSIBLE FOR FURNISHING ALL MATERIALS, TOOLS, EQUIPMENT, LABOR, AND PLANTS NECESSARY FOR THE PROPER PLANTING OF ALL TREES, SHRUBS, GROUNDCOVERS, AND GRASS.
21. QUANTITIES ON PLANT MATERIALS LIST ARE FOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLANS AND COVERAGE OF ALL AREAS DELINEATED. WHEN DISCREPANCIES OCCUR BETWEEN PLANT LIST AND PLANTING PLANS, THE PLANS ARE TO SUPERSEDE THE PLANT LIST IN ALL CASES.
22. NO SUBSTITUTIONS WILL BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL BY THE ENGINEER.
23. DEVIATIONS FROM THESE PLANS SHALL BE NOTED ON THE RECORD DRAWING BY THE CONTRACTOR AND ONLY WITH THE APPROVAL OF THE ENGINEER.
24. NO PROPOSED TREE LOCATION IS CLOSER THAN 5' FROM ANY UNDERGROUND UTILITY, NOR IS ANY TREE CLOSER THAN 10' FROM ANY OVERHEAD UTILITY LINE.



EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

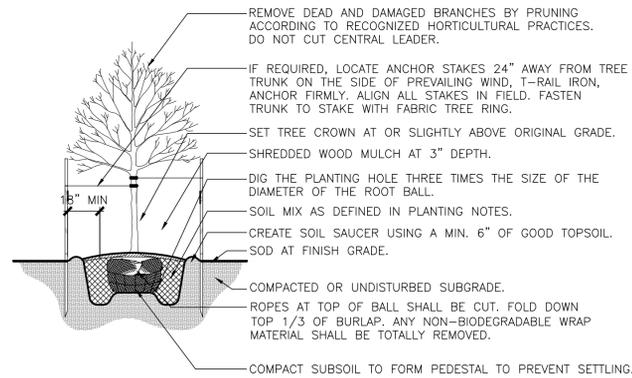
AT&T COMPANY
CDX COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
AMERICAN ELECTRIC POWER (AP&S)

LANDSCAPE ORDINANCE SUMMARY

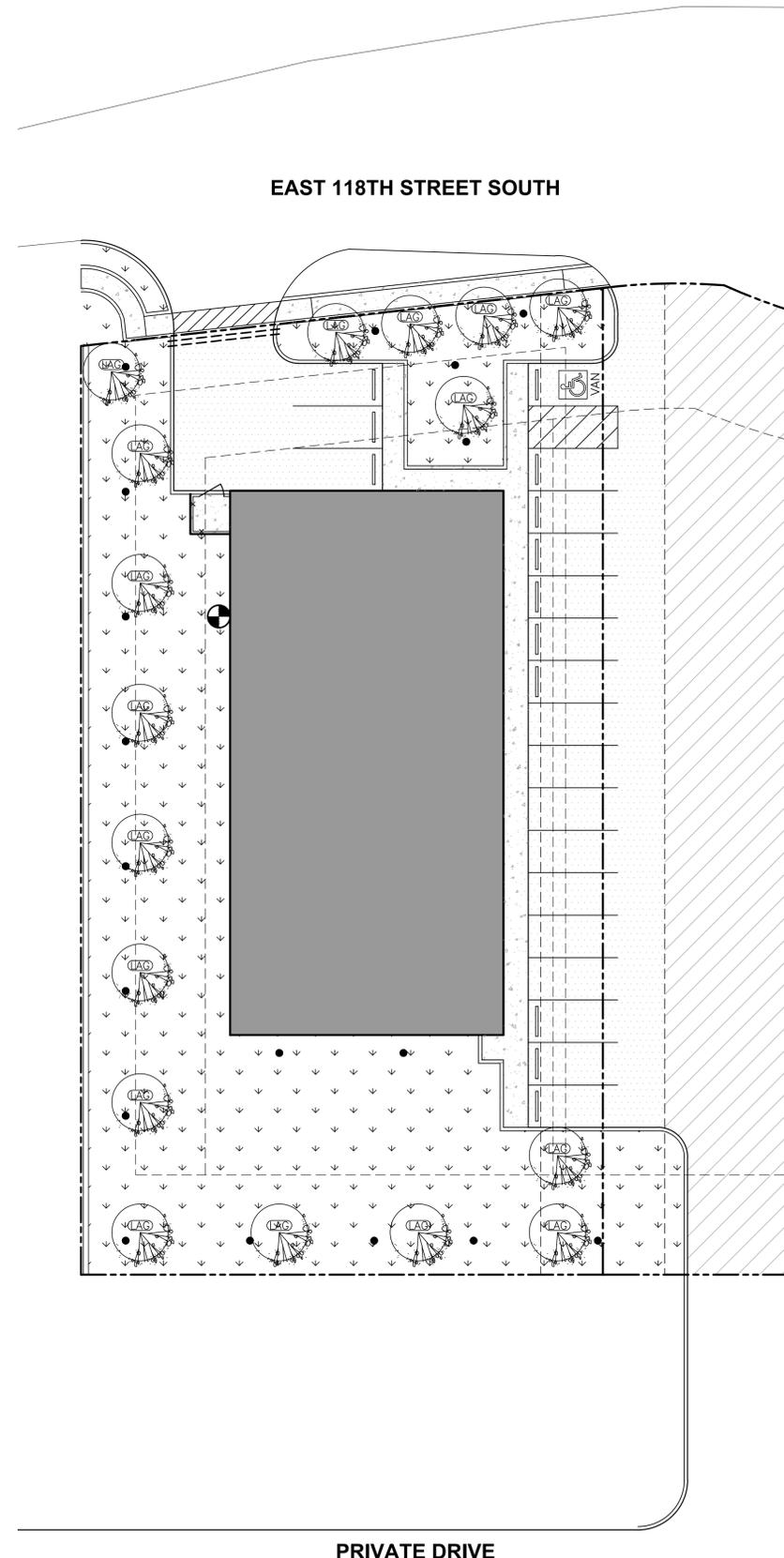
STREET YARD REQUIREMENT	
FRONTAGE STREET	EAST 118 th ST. SOUTH
STREET YARD AREA	6,551 sf
LANDSCAPE AREA REQUIRED	NO LESS THAN 15%(983 sf)
LANDSCAPE AREA PROVIDED	1,596 sf or 24%
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	7
EAST BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	1,720 sf
LANDSCAPE AREA REQUIRED	NO LESS THAN 15%(258 sf)
LANDSCAPE AREA PROVIDED	288 sf or 17%
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	2
WEST BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	3,555 sf
LANDSCAPE AREA REQUIRED	NO LESS THAN 15%(533 sf)
LANDSCAPE AREA PROVIDED	3,483 sf or 98%
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	4
SOUTH BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	1,899 sf
LANDSCAPE AREA REQUIRED	NO LESS THAN 15%(285 sf)
LANDSCAPE AREA PROVIDED	1,899 sf or 100%
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	2
PARKING TREE REQUIREMENT	
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	2

LANDSCAPE MATERIAL LIST

Key	Qty	Material Name	
LAG	17	LAGERSTROEMIA INDICA WHIT IV - RED ROCKET CRAPEMYRTLE	10' (H) - 2" (CAL)
BW	TBD	BOXWOODS	TBD
CM	TBD	DWARF CREPE MYRTLES	TBD
SP	TBD	SPIREA	TBD



2 TREE PLANTING DETAIL
SCALE: NONE



1 LANDSCAPE / IRRIGATION PLAN
SCALE: 1/16" = 1'-0"
0 16'-0" 32'-0"
SCALE: 1/16" = 1'-0"



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PROJECT:

**JIFFY LUBE
OFFICE
BUILDING**

PUD 54A

**PROJECT #
15038**

**BIXBY, OK
74008**

CONSULTANT:

REVISIONS:

ISSUE DATE:

04.17.2015

SHEET NAME:

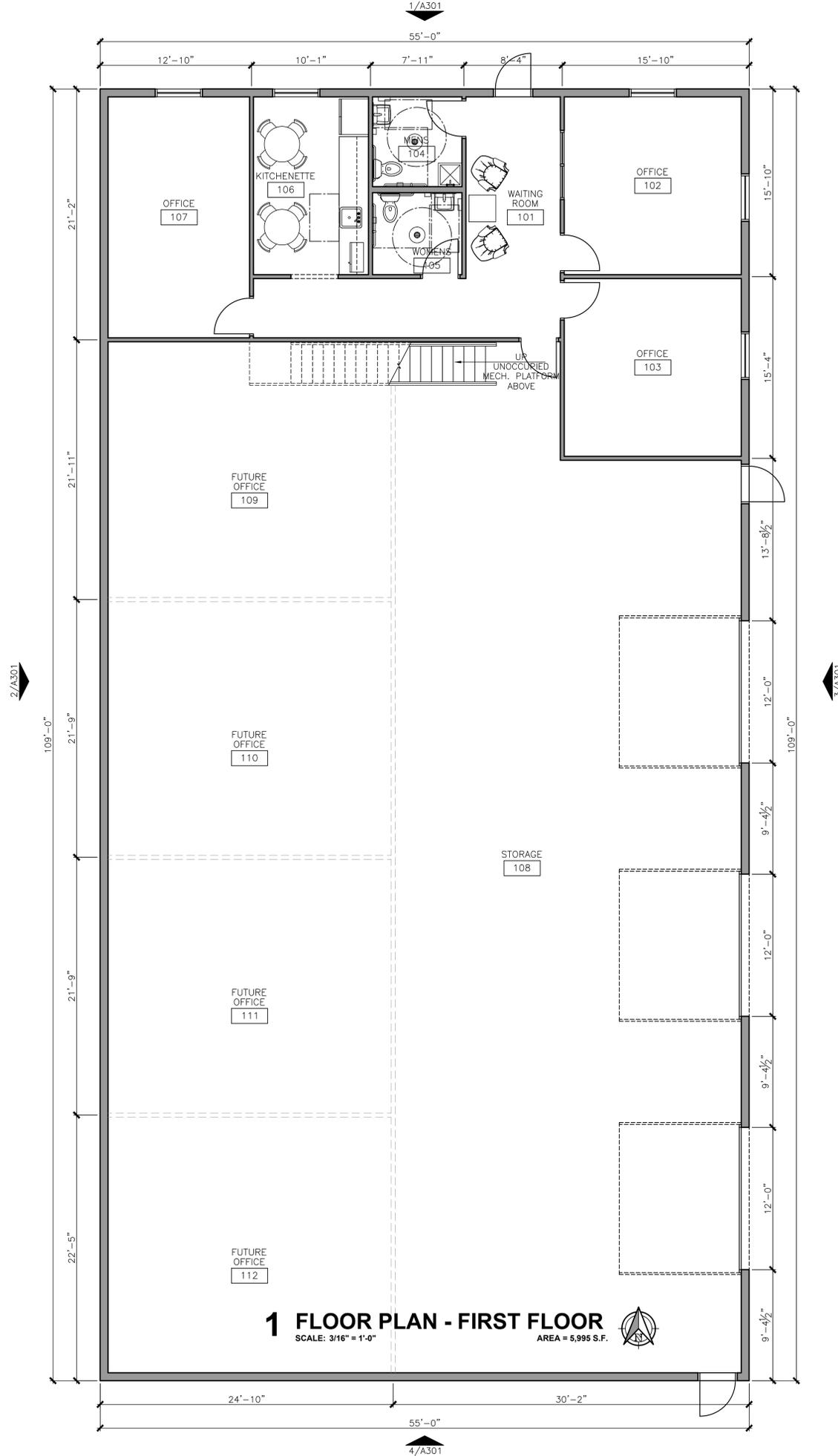
**LANDSCAPE
PLAN**

SHEET #:

AS101

DRAWN BY: JBL

wdesignserver\W Design\Projects\15038_Moore_Bixby_Jiffy Lube Office Building\AS101.dwg, 4/17/2015 10:29:00 AM, DWG To PDF.pc3



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PROJECT:

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 BUILDING**

PUD 54A

**PROJECT #
 15038**

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REVISIONS:

ISSUE DATE:

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SHEET NAME:

**FLOOR PLAN
 FIRST FLOOR**

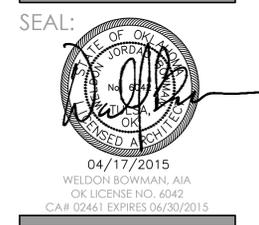
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A201

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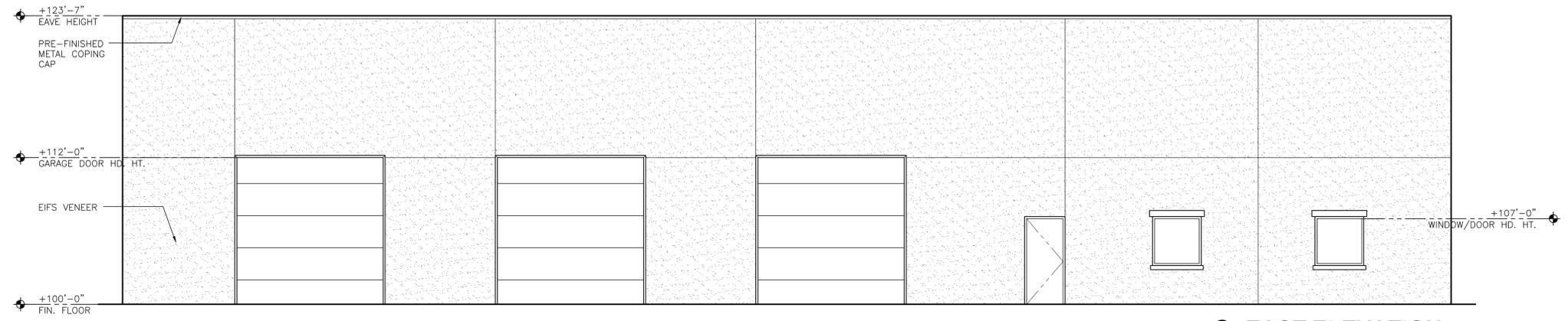
PROJECT:
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PUD 54A
 PROJECT #
15038
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 74008

CONSULTANT:
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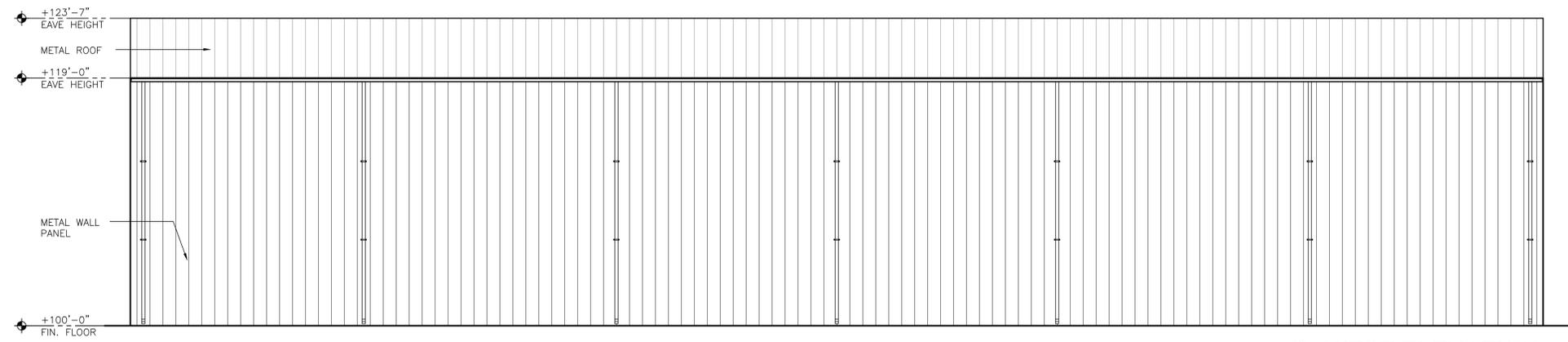
ISSUE DATE:
 04.17.2015
 SHEET NAME:
**EXTERIOR
 ELEVATIONS**
 SHEET #:

A301

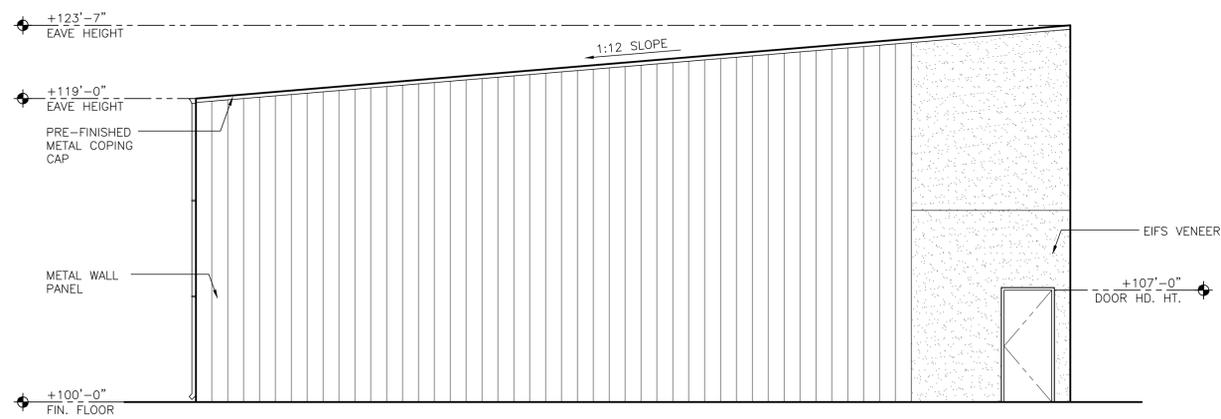
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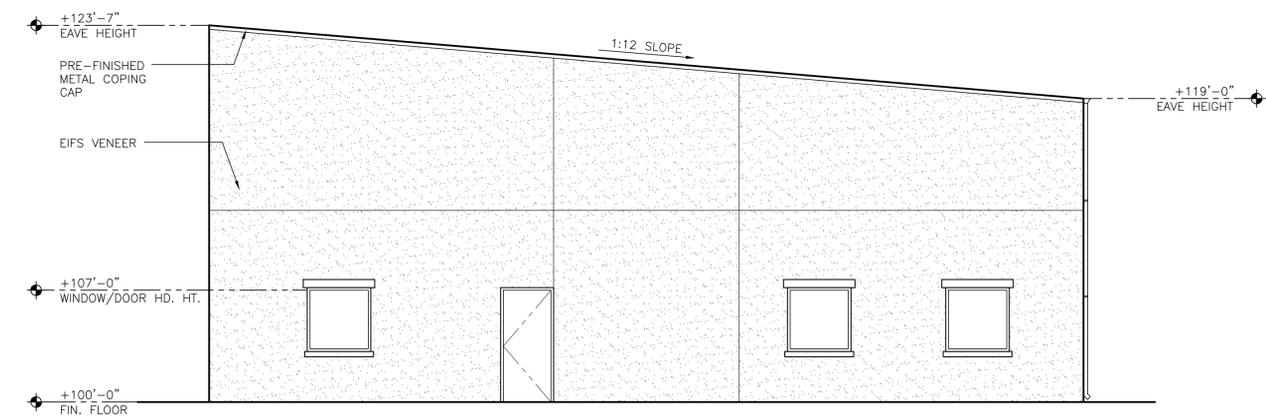
3 EAST ELEVATION
 SCALE: 3/16" = 1'-0"



2 WEST ELEVATION
 SCALE: 3/16" = 1'-0"



4 SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"



1 NORTH ELEVATION
 SCALE: 3/16" = 1'-0"