

**AGENDA**  
**PLANNING COMMISSION**  
**116 WEST NEEDLES**  
**BIXBY, OKLAHOMA**  
**July 20, 2015**                      **6:00 PM**

CALL TO ORDER

ROLL CALL

1. Annual nominations and elections for Chairperson, Vice-Chairperson, and Secretary (City Code Section 10-1-3).

CONSENT AGENDA

- ③ 2. Approval of Minutes for the May 18, 2015 Regular Meeting

PUBLIC HEARINGS

- ③ 3. **BCPA-13 – Mark Thomas of Architects Collective.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan of the City of Bixby, Oklahoma, specifically to remove the “Residential Area” specific land use designation for Lot 11, Block 7, *Amended Plat of Block 7 North Heights Addition*.  
Property Located: 7700:8000-block of E. 118<sup>th</sup> St. S.

4. **PUD 89 – “Auto Oasis PUD” – Mark Thomas of Architects Collective.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 1 1/3 acres consisting of Lots 11, 12, and 13 (less right-of-way of record), Block 7, *Amended Plat of Block 7 North Heights Addition*.  
Property Located: 7749 E. 118<sup>th</sup> St. S. / 7700:8000-block of E. 118<sup>th</sup> St. S.

5. **BZ-383 – Mark Thomas of Architects Collective.** Public Hearing, discussion, and consideration of a rezoning request from RS-1 Residential Single-Family District to OL Office Low Intensity District for approximately ½ acre consisting of Lot 11, Block 7, *Amended Plat of Block 7 North Heights Addition*.  
Property Located: 7700:8000-block of E. 118<sup>th</sup> St. S.

AGENDA – Bixby Planning Commission

July 20, 2015

Page 1 of 2

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

Persons who require a special accommodation to participate in this meeting should contact City Planner Erik Enyart, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or via Email: [eenyart@bixbyok.gov](mailto:eenyart@bixbyok.gov) as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

77

- 6. **PUD 90 – “Chisholm Ranch Villas II” – Tanner Consulting, LLC.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 4.665 acres in part of the E/2 of the NW/4 of Section 06, T17N, R14E.  
Property Located: 10200-block of E. 121<sup>st</sup> St. S.

PLATS

OTHER BUSINESS

110

- 7. (Continued from 05/18/2015)  
**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: 7700:8000-block of E. 118<sup>th</sup> St. S.

111

- 8. **BL-398 – Karen Cercy.** Discussion and possible action to approve a Lot-Split for Lot 6 and a part of Lot 7, Block 1, *The Reserve at Harvard Ponds*.  
Property located: 14472 S. Gary Ct.

116

- 9. **BL-399 – Ahmad Moradi.** Discussion and possible action to approve a Lot-Split for approximately 5.65 acres in part of the NE/4 of Section 11, T17N, R13E.  
Property located: 13200-block of S. 78<sup>th</sup> E. Ave.

117

- 10. **BL-400 – Tanner Consulting, LLC.** Discussion and possible action to approve a Lot-Split for Lot 22, Block 1, *Chisholm Ranch Villas*.  
Property located: 12154 S. 103<sup>rd</sup> E. Ave. (address to be reassigned within the 10200-block of E. 121<sup>st</sup> Pl. S.)

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Enyart Date: 06/23/2015 Time: 2:10 PM

AGENDA – Bixby Planning Commission July 20, 2015 Page 2 of 2  
All items are for Public Hearing unless the item is worded otherwise

Persons who require a special accommodation to participate in this meeting should contact City Planner Erik Enyart, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or via Email: [eenyart@bixbyok.gov](mailto:eenyart@bixbyok.gov) as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

2

**MINUTES  
PLANNING COMMISSION  
116 WEST NEEDLES  
BIXBY, OKLAHOMA  
May 18, 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:**

Prior to the meeting being called to order, Chair Thomas Holland and Patrick Boulden discussed posted maximum occupancy limits for the City Council meeting room and estimated occupancy. As Mr. Boulden requested, a few people in the audience left the meeting room and entered the hallway with both of the double doors opened to allow for continued participation from the hallway. Mr. Boulden again estimated occupancy and determined that it was then in compliance with the maximum occupancy limit.

Chair Thomas Holland called the meeting to order at 6:09 PM.

**ROLL CALL:**

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

**CONSENT AGENDA:**

1. Approval of Minutes for the April 20, 2015 Regular 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 April 20, 2015 Regular Meeting as presented by Staff. 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

Chair Thomas Holland declared that the agenda items would be taken out of order, that agenda item # 2 would be heard at the end of the meeting, and that agenda items # 8 and # 9 were to be Continued to the next meeting.

OTHER BUSINESS

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. 121<sup>st</sup> 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. 118<sup>th</sup> St. S.

---

Chair Thomas Holland introduced the two (2) items and confirmed with Erik Enyart that the Applicants, in both cases, had requested their applications be Continued to the June 15, 2015 Regular Meeting.

There being no further discussion, Larry Whiteley made a MOTION to CONTINUE BSP 2015-04 to the June 15, 2015 Regular Meeting. 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

There being no further discussion, Jerod Hicks made a MOTION to CONTINUE BSP 2015-05 to the June 15, 2015 Regular Meeting. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

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

4

PUBLIC HEARINGS

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. 151<sup>st</sup> 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. 151<sup>st</sup> 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:** Thursday, May 14, 2015  
**RE:** Report and Recommendations for:  
PUD 87 – “Shadow Valley” – Khoury Engineering, Inc. & BZ-381 – Khoury Engineering, Inc.

---

**LOCATION:** – 7500 E. 151<sup>st</sup> 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 151<sup>st</sup> St. S.) AG; An approximately 150-acre tract of vacant/wooded and agricultural land. Across 151<sup>st</sup> St. S. to the northwest is rural residential along 68<sup>th</sup> E. Ave. and 149<sup>th</sup> / 148<sup>th</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> St. S., another nonresidential building (former location of the Living Water Family Church) at 7102 E. 151<sup>st</sup> St. S., and the Bixby Chiropractic at 7100 E. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> St. S. (to be re-addressed 7108 and 7110 E. 151<sup>st</sup> 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

7

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 151<sup>st</sup> 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 141<sup>st</sup> St. S. to its former (pre-channelized) confluence with the Arkansas River. This trail appears to cross 151<sup>st</sup> 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 151<sup>st</sup> 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 151<sup>st</sup> 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 151<sup>st</sup> Street. The location of the secondary access will be determined upon acquiring additional property between this development and 151<sup>st</sup> 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 Second/ary Access" via an approximately 2.5-acre tract of land at 7102/7106 E. 151<sup>st</sup> 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 131<sup>st</sup> 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 151<sup>st</sup> St. S. to Lakewood Ave. in The Ridge at South County, which in turn connects to 141<sup>st</sup> 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 161<sup>st</sup> 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 82<sup>nd</sup> E. Ave. residential Collector Street connecting 146<sup>th</sup> St. S. and 148<sup>th</sup> St. S. PUD 70 "Encore on Memorial" developed 248 apartment units and has two (2) points of access, being the 126<sup>th</sup> 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,<sup>1</sup> and City Planner recommend two (2) points of access, consisting of at least one (1) Collector Street connecting to 151<sup>st</sup> 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 151<sup>st</sup> 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 161<sup>st</sup> 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 161<sup>st</sup> St. S. to 151<sup>st</sup> 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 151<sup>st</sup> 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.

---

<sup>1</sup> 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.

11

Across 151<sup>st</sup> St. S. to the north is vacant/wooded and agricultural land zoned AG, and to the northwest is rural residential along 68<sup>th</sup> E. Ave. and 149<sup>th</sup> / 148<sup>th</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> 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. 151<sup>st</sup> St. S. and another nonresidential building (former location of the Living Water Family Church) at 7102 E. 151<sup>st</sup> St. S. and the Bixby Chiropractic at 7100 E. 151<sup>st</sup> 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 151<sup>st</sup> 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.

12

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 (151<sup>st</sup> 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.

14

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 151<sup>st</sup> 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 151<sup>st</sup> 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."

15

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. 151<sup>st</sup> 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 151<sup>st</sup> St. S.
  - b. Please indicate the centerline and dimension the widths of 151<sup>st</sup> 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 151<sup>st</sup> 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).*

Co-owner Luke Strawn corrected a statement Erik Enyart had made that suggested that a formal offer may have been or was to have been presented to the residents of the *Shadow Valley Manufactured Home Community*. Mr. Strawn stated that a formal offer had not yet been presented.

Co-owner Neil Dailey stated that there was not an imminent plan for redevelopment; there were no plans drawn up and the land was not under contract. Mr. Dailey stated that [these applications were] an “opportunity to piggy-back on” progress along the 151<sup>st</sup> St. S. corridor. Mr. Dailey stated that the owners would exceed the minimum required notice to the residents [before they must move], were working with moving companies and trying to achieve economies of scale, were working with existing [manufactured home] parks, and were trying to help “bridge the gap” [between owner-offered relocation assistance and total relocation costs].

Chair Thomas Holland recognized Dominic Rodriguez of 7500 E. 151<sup>st</sup> St. S. Lot 28 from the Sign-In Sheet. Mr. Rodriguez expressed concern about relocation and asked where the \$1,080 figure quoted in the Staff Report had come from. Erik Enyart responded that it came from an email he had received after the landlord/tenant meeting the City had hosted. Mr. Rodriguez asked Mr. Enyart why he had included that, and Mr. Enyart stated that it was not a part of the rezoning analysis, and so was included in the Background Information, but that, since he had that information, he wanted to make it available to the residents. Luke Strawn stated that it represented 75% of six (6) months’ rent. Mr. Rodriguez stated that mobile home skirting alone costs \$1,100. Mr. Rodriguez expressed concern for the elderly residents and those whose mobile homes would not qualify to move. Mr. Rodriguez stated that the City of Bixby had been a “small town for so long,” but that it was now a “utopia of overflowing money.” Mr. Rodriguez stated that the residents should be “compensated properly.” Mr. Rodriguez noted that the Staff Report had referred to a TAC meeting and expressed concern that notice was not given for that meeting. Mr. Enyart stated that the Technical Advisory Committee was primarily composed of utility companies and its purpose was to discuss technical matters pertaining to development or redevelopment, such as utility easement locations, etc. Mr. Enyart noted that notice was not required for TAC meetings.

Luke Strawn discussed the manufactured home park business, the need to invest the money back into the property, and recent progress on fixing water, sewer, and road issues. Mr. Strawn stated that the meeting with [representatives of the tenants] was “very productive,” and that the owner and residents “continue to make more progress.” Mr. Strawn stated that [he and the other co-owners] wanted to “improve the property through rezoning.”

Neil Dailey stated that other [manufactured home] parks would love to have more tenants, and discussed the need for economies of scale when working with moving companies.

Dominic Rodriguez addressed the Planning Commission and stated, “Please do not do this to these people. You cannot do this to the poor. It’s immoral. Let it lay in Shadow Valley.”

Chair Thomas Holland recognized Valerie Underhill of 7500 E. 151<sup>st</sup> St. S. Lot 96 from the Sign-In Sheet. Ms. Underhill stated that, as opposed to other areas with violence, crime, and pollution,

Bixby was calm, clean, and had no violence. Ms. Underhill stated that the [Bixby Public] "school system is fantastic here." Ms. Underhill expressed concern for lack of maintenance and higher rents. Ms. Underhill expressed concern for those who did not have enough money to move, and indicated that the residents were fighting for their homes since they had "no place else to go." Ms. Underhill stated that she did not want to move, as [Shadow Valley and/or Bixby] had been "very good to me; secure and safe." Ms. Underhill expressed concern for crime, violence, and burglary. Ms. Underhill stated that Shadow Valley was already multifamily. Ms. Underhill expressed concern that the water, streets, and trees were not fixed.

Chair Thomas Holland admonished Valerie Underhill to focus on the rezoning applications and noted that the subject property was private property and that the private matters were between the owner and the renters.

Chair Thomas Holland recognized Mandy Brungardt of 7500 E. 151<sup>st</sup> St. S. Lot 10 from the Sign-In Sheet. Ms. Brungardt expressed concern for the adequacy of access across the Arkansas River. Ms. Brungardt stated that the schools had already taken a budget cut, that more schools were needed, and that the school district had not had enough time to catch up. Ms. Brungardt stated that most of the stores were on the other side of [the Arkansas River], and expressed concern that people were paying [sales] taxes to Tulsa and not Bixby.

Chair Thomas Holland recognized Rachel Ryan of 7500 E. 151<sup>st</sup> St. S. Lot 20 from the Sign-In Sheet. Ms. Ryan stated that she was a student at Bixby High School and would be starting her senior year very soon. Ms. Ryan stated that she would like to stay in Bixby.

Chair Thomas Holland recognized Darrin Wells of 7500 E. 151<sup>st</sup> St. S. Lot 47 from the Sign-In Sheet. Mr. Wells stated that there was a lot of vacant land in Bixby, and estimated there were 27 [parcels] [along 151<sup>st</sup> St. S. from Shadow Valley west] to Harvard [Ave.] which contained [at least] 20 acres. Mr. Wells suggested that these should be developed first. Mr. Wells stated that he had looked at the other three (3) mobile home parks in Bixby, and [estimated the number of mobile home pad spaces available by] counting driveways. Mr. Wells estimated there were 65 spaces in the [*Riverbend Manufactured Home Community*] north of the Arkansas River, and 17 in the two (2) mobile home parks south of the river, but that [the *Shadow Valley Manufactured Home Community*] had five (5) more than that. Mr. Wells stated that the residents were basically being told to "get out." Mr. Wells expressed concern for having to move out. Mr. Wells asked, rhetorically, "When you talk to God, will he say, 'Look what you did to these people,' or 'Well done'?"

Chair Thomas Holland recognized Ruthie Gunnells of 5888 E. 165<sup>th</sup> St. S. from the Sign-In Sheet. Ms. Gunnells stated that [she and her family] had moved from Tulsa to get away from the Tulsa violence and schools, that her son had lived [in the *Shadow Valley Manufactured Home Community*] for 16 years and that her granddaughters had lived in town their whole lives. Ms. Gunnells expressed concern that [her granddaughters] would have to relocate to another school district. Ms. Gunnells stated that she had always known Bixby to be kind, and expressed concern that the City would "throw your own people out and bring others in." Ms. Gunnells expressed concern that her granddaughters would not be able to graduate from Bixby High School, and stated that they were good kids earning straight As. Ms. Gunnells suggested City officials would refer to residents as "mobile home people," and stated that these [manufactured homes] were their homes.

18

Ms. Gunnells stated, "I like Bixby," expressed concern for her family members having to relocate, expressed concern for drugs and violence, and expressed concern for the effect on families if there were [another] wreck on [the Memorial Dr.] bridge. Ms. Gunnells stated, "Please consider not rezoning. Save these peoples' homes." Ms. Gunnells described Bixby as "quiet, country, safe," and asserted that Tulsa had [one of the] highest crime rates in the U.S. Ms. Gunnells stated that she did not want the property rezoned, and stated "Please consider not rezoning. Thank you."

Chair Thomas Holland recognized Rick Ryan of 7500 E. 151<sup>st</sup> St. S. Lot 20 from the Sign-In Sheet. Mr. Ryan stated that he had lived here for 17 years. Mr. Ryan stated that Erik Enyart and Patrick Boulden seemed to support this, and asked what they were "getting out of this." Mr. Holland stated that Mr. Enyart and Mr. Boulden were just doing their jobs and admonished Mr. Ryan not to engage in such accusations. Mr. Ryan suggested that the firefighters be asked if they want to fight a four (4) story meth lab fire, and suggested this is what Bixby would get if it approved apartments. Mr. Ryan stated that this was "not a good idea."

Chair Thomas Holland recognized Emily Ryan of 7500 E. 151<sup>st</sup> St. S. Lot 20 from the Sign-In Sheet. Ms. Ryan stated that she lived and graduated and now teaches in Bixby Public Schools, and that she loved to go to work every day and loved to see the kids. Ms. Ryan stated that the kids [living in the *Shadow Valley Manufactured Home Community*] were scared, and could not afford to relocate. Ms. Ryan stated that the schools were already overcrowded. Ms. Ryan stated, "I like it here. This is my home and I would like it to stay that way."

Chair Thomas Holland thanked those who spoke for expressing their thoughts and concerns. Mr. Holland stated that the City must respect the rights and privileges of other people. Mr. Holland stated that he had lived in a manufactured home before, and "We don't refer to people as 'mobile home people,'" so this insinuation was not correct.

A question was asked about when the owners would develop the property, and Erik Enyart clarified that he understood that, if approved for rezoning, the owners would sell the property to a third party, which third party would then redevelop it.

Chair Thomas Holland asked to entertain a Motion, if there were no other questions.

Jerod Hicks asked if the Commissioners could collaborate for a moment. Another Commissioner stated that the Commissioners can discuss it but publicly. A Commissioner asked if the Commissioners could be sued if it failed to take a Motion. It was noted that the Commissioners are not paid, but rather were volunteers. Patrick Boulden confirmed that a suit could be filed in District Court, and that the ordinance required that the Commission vote to recommend approval, or as amended, or that the applications be denied. Mr. Boulden stated that this would ultimately be decided by the City Council.

Jerod Hicks asked Steve Sutton for his thoughts. Mr. Sutton stated, "Regardless of what we do, this goes to the City Council."

Chair Thomas Holland stated that the "politics falls on another body" and noted the City Council would see this next.

Erik Enyart stated that the City Council would vote on this as soon as Tuesday of the following week, if not for some unforeseen delay.

Dave Farrell asked how the City Council room would handle all the people, and predicted that the attendance would be “probably double this.” Erik Enyart stated that the Municipal Courtroom in this building had a live video feed that could be used.

Samantha Butler asked if the City Council did not always follow the Staff recommendation. Patrick Boulden responded that it sometimes did, and sometimes did not. Steve Sutton stated that he had been on both the Planning Commission and City Council, and that it “comes down to the discussion by the five (5) [City Councilors].”

Mandy Brungardt asked if there was a conflict of interest, as City Councilor Brian Guthrie worked for McGraw Realtors. Patrick Boulden responded, “There appears to be, yes,” but that “I need to know more about” this matter.

There being no further discussion, upon clarification of the Motion with Erik Enyart, Chair Thomas Holland made a MOTION to Recommend Approval of both BZ-381 and PUD 87 with all the recommendations of City Staff. Larry Whiteley SECONDED the Motion. Roll was called:

**ROLL CALL:**

AYE: Holland, Whiteley, and Hicks.  
NAY: Sutton.  
ABSTAIN: None.  
MOTION PASSED: 3:1:0

Most of everyone in attendance left around this time at 7:05 PM.

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.

---

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:** Thursday, May 14, 2015

**RE:** Report and Recommendations for:  
PUD 88 – “Yale 31 Corporation PUD” – Pittman Poe & Associates, Inc., Brooks Pittman &  
BZ-382 – Pittman Poe & Associates, Inc., Brooks Pittman

---

**LOCATION:** – 13164 S. Memorial Dr.  
– The S/2 of the SE/4 of the NE/4 of the NE/4 of the NE/4 of Section 11, T17N, R13E

**SIZE:** 1.25 acres, more or less

**EXISTING ZONING:** RS-1 Residential Single-Family District

**EXISTING USE:** Vacant commercial building

**REQUESTED ZONING:** CG General Commercial District & PUD 88

**SUPPLEMENTAL ZONING:** Corridor Appearance District

**SURROUNDING ZONING AND LAND USE:**

**North:** CG & RS-1; 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 131<sup>st</sup> St. S. and Memorial Dr. There are residential homes along both sides of 131<sup>st</sup> St. S. west of Valley National Bank zoned RS-1.

**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 78<sup>th</sup> 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 78<sup>th</sup> 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 134<sup>th</sup> St. S.) – PC Recommended Approval and City Council Approved 04/07/1980 (Ord. # 390 Amended by Ord. # 536 on 01/14/1986).

21

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 Matlock – Request for rezoning from RS-1 to CG for approximately 1 acre (the N/2 W/2 E/2 NW/4 NW/4 NW/4 of Section 12, T17N, R13E) to the northeast of subject property at the 8200-block of E. 131<sup>st</sup> 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. 133<sup>rd</sup> 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. 131<sup>st</sup> St. S. (but addressed 8150 E. 131<sup>st</sup> 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 78<sup>th</sup> 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 78<sup>th</sup> 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. 131<sup>st</sup> 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 78<sup>th</sup> 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. 131<sup>st</sup> 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. 131<sup>st</sup> 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 134<sup>th</sup> 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. 131<sup>st</sup> 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

24

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 131<sup>st</sup> St. S. and Memorial Dr. To the northwest, there are residential homes along both sides of 131<sup>st</sup> 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 78<sup>th</sup> 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.

25

*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.*

A Planning Commissioner expressed concern that the PUD did not restrict land uses to retail uses. Erik Enyart stated that the currently contemplated tenant, a pet grooming and boarding, "kennel" use, was not a retail use. Mr. Enyart stated that the Comprehensive Plan and Zoning Code amendments from the previous summer were designed to encourage retail use, but the PUD requirement was understood to be an opportunity, when the developer, typically of an undeveloped tract, comes to the city proposing a shopping center or retail use, for the City to then ask that the PUD restrict to retail uses, but that was not the case here. Mr. Enyart stated that he personally felt that there was a better chance of the property being redeveloped for retail, hopefully sooner than later, if it was approved for rezoning to commercial.

Steve Sutton confirmed with Erik Enyart that the PUD contained everything that Mr. Enyart believed it should.

There being no further discussion, Jerod Hicks made a MOTION to Recommend APPROVAL of PUD 88 and BZ-382 as recommended by Staff. Steve Sutton SECONDED the Motion. Roll was called:

**ROLL CALL:**

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

**PLATS**

**OTHER BUSINESS (Resumed)**

- 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 123<sup>rd</sup> Pl. S. and Sheridan 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:** Thursday, May 14, 2015  
**RE:** Report and Recommendations for:  
 PUD 80 – Wood Hollow Estates – Minor Amendment # 2

**LOCATION:** – Intersection of 123<sup>rd</sup> 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 121<sup>st</sup> St. S. to the north of that; to the northeast is a vacant/wooded 1-acre tract just east of WoodMere and a 2-acre “taxed Tribal Land” tract, which contained the Three Oaks Smoke Shop located at 7060 E. 121<sup>st</sup> 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.

27

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.

Erik Enyart observed that the Applicant was not present. Mr. Enyart noted that this issue had come up previously in *WoodMere*, and that, in that case, the builder simply redesigned the house to meet the setback, but that a similar amendment may be proposed there as well at some point.

A Commissioner asked how many lots this change would affect, and Erik Enyart estimated four (4).

There being no further discussion, Steve Sutton made a MOTION to APPROVE PUD 80 Minor Amendment # 2 as recommended by Staff. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

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

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.

2. Presentation by INCOG on the GO Plan Tulsa Regional Bicycle & Pedestrian Master Plan

---

Chair Thomas Holland introduced the item and recognized James Wagner, AICP, Principal Transportation Planner for INCOG. Mr. Wagner noted that the regional trails plan was adopted approximately 15 years prior, and now the region had about quadruple the number of trails as then. Mr. Wagner noted that Bixby was almost connected to the regional trails system. Mr. Wagner noted that, as a part of the planning process for this plan, INCOG held several "Walkshops," which were a collaborative process with the community directly and with staff. Mr. Wagner stated that the plan was now in its fourth iteration, and there were two (2) current goals: create a plan "mission statement" and encourage each city to adopt the plan as a part of their Comprehensive Plan, and [so see community development decisions as through a] lens of connectivity. Mr. Wagner stated that, when a city planned to update its Capital Improvements Plan, these [bicycle and pedestrian elements] could be implemented over time, like the Fry Ditch Trail. Mr. Wagner stated that the plan also included [on-street] bike lanes like on Riverview [Rd.] in front of the High School and 151<sup>st</sup> St. S. just east of Memorial Dr. Mr. Wagner indicated that [adoption of the plan] would make Bixby eligible for future grant programs, and discussed such programs. Mr. Wagner stated that the plan may be ready for formal proposal in early July, after the [Independence Day] holiday. Mr. Wagner noted that the plan would be considered by the Technical Committee and Policy Committee, and then finally by the INCOG Board of Directors. Mr. Wagner stated that the Public process was running parallel with that. Mr. Wagner stated that interested parties could find more information and participate at [www.tulsatrc.org/goplan](http://www.tulsatrc.org/goplan). Mr. Wagner stated that the Transportation Alternatives Program grant was available with a 20% local match, but it was awaiting Federal reauthorization.

Discussion ensued regarding planned trails. A question was asked regarding funding for trails construction. Erik Enyart noted that many of the trails represented in the plan came from the Bixby Comprehensive Plan, and most of those were on private land. Mr. Enyart stated that, when tracts of land get developed, the City asks the developer to consider implementing their respective planned trails, but this was not a requirement. Jerod Hicks asked if the City could simply ask the developer to give the City an easement, and Mr. Enyart responded that [implementation could take] any form. Chair Thomas Holland confirmed with Erik Enyart that one such form was used in the River Trail II development at 126<sup>th</sup> St. S. and Memorial Dr. Mr. Enyart stated that, through the PUD process, the City asked, and the developer put language in their PUD that allowed each commercial lot developer to either construct their segment of the planned trail along Fry Creek 1, or the otherwise construct the required sidewalk segment across the deep borrow ditch along the Memorial Dr. roadway, and in the case of the first two (2) buildings under construction, both opted to build their

segments of trail. James Wagner noted that it may help the City's effort to be a part of the regional plan.

Steve Sutton confirmed with Erik Enyart that Mr. Enyart had captured the website link for the Minutes. Mr. Sutton and Mr. Enyart agreed that there were several people in a certain area that were keenly interested in the trails route.

Steve Sutton confirmed that there was no action to be taken at this time, as this was only a presentation for discussion.

ADJOURNMENT:

There being no further business, Chair Thomas Holland declared the meeting Adjourned at 7:40 PM.

APPROVED BY:

\_\_\_\_\_

Chair

\_\_\_\_\_

Date

\_\_\_\_\_

City Planner/Recording Secretary

31

BIXBY PLANNING COMMISSION  
SIGN IN SHEET  
DATE: May 18, 2015

NAME	ADDRESS	Lot	ITEM
1. Valerie Underhill	7500 E 151st S	96	
2. Mandy Bengardt	7500 E 151st S	Lot 10	Rezoning
3. Rachel Ryan	7500 E 151st S	Lot 70	
4. Darrin Wells	7500 E 151st	Lot 47	
5. Faithie Gunnells	5888 E 165th St		Rezoning
6. Rick Ryan	7500 R. 151st St.	#20	Rezoning
7. Dominic R.	7500 E 151st		Rezoning
8. Emily Ryan	7500 E 151st	#20	Rezoning
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

Spokes person →



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

## STAFF REPORT

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner   
**Date:** Friday, July 17, 2015  
**RE:** Report and Recommendations for:  
BCPA-13 – Mark Thomas of Architects Collective,  
PUD 89 – “Auto Oasis PUD” – Mark Thomas of Architects Collective, &  
BZ-383 – Mark Thomas of Architects Collective

**(NOTE: BCPA-13 and BZ-383 concern one [1] lot, while PUD 89 concerns three [3] lots).**

**LOCATION:**

PUD 89: – 7749 E. 118<sup>th</sup> St. S.  
– 7700:8000-block of E. 118<sup>th</sup> St. S.  
– Lots 11, 12, and 13 (less right-of-way of record), Block 7, *Amended Plat of Block 7 North Heights Addition*

BCPA-13/BZ-383:

– 7700:8000-block of E. 118<sup>th</sup> St. S.  
– Lot 11, Block 7, *Amended Plat of Block 7 North Heights Addition*

**LOT SIZE:**

PUD 89: approximately 1 1/3 acres in three (3) lots  
BCPA-13/BZ-383: approximately 1/2 acre in one (1) lot

**EXISTING ZONING:**

PUD 89: CS Commercial Shopping Center District & RS-1 Residential Single-Family District  
BCPA-13/BZ-383: RS-1 Residential Single-Family District

EXISTING USE:

- PUD 89: Single-family house addressed 7749 E. 118<sup>th</sup> St. S. and vacant lots to the west and east maintained as additional yard area
- BCPA-13/BZ-383: Vacant lot maintained as yard area for the single-family house addressed 7749 E. 118<sup>th</sup> St. S.

REQUESTED ZONING: OL Office Low Intensity District (Lot 11; existing CS zoning to remain in place for balance) & PUD 89

SUPPLEMENTAL ZONING: Corridor Appearance District

SURROUNDING ZONING AND LAND USE:

- North: RS-1; The North Heights Church of Christ in *Amended Plat of Block 7 North Heights Addition* and the *Hardscape Materials* and *Hardscape Outdoor* landscaping sales business and outdoor bulk materials storage yards at 11610, 11708, and 11710 S. Memorial Dr. (last one is now *Hardscape Outdoor* and was formerly "Sunnyside Gardens") zoned CG and AG. To the northwest are unplatted residential acreages and agricultural land zoned AG.
- South: (Across 118<sup>th</sup> St. S.) CG/OL/PUD 54, OL, & CS; The *Jiffy Lube* at 11800 S. Memorial Dr. with a vacant lot zoned OL behind it, both within PUD 54, and farther south are vacant commercial lots and the *IBC Bank* and other commercial businesses fronting Memorial Dr. zoned OL and CS in *Bixby Centennial Plaza*.
- East: (Across Memorial Dr.) CG & RS-1; Commercial along Memorial Dr., including the *Express Lane / Cars & Credit* convenience store and used auto sales business (a former gas station), the *BTC Television Earth Station*, the *Western Sun Federal Credit Union*, the *Kentucky Fried Chicken*, the *Urgent Care of Green Country*, the *Shield Screening* office building, a vacant commercial lot, and the *Calvary Motors, Inc.* used car sales lot. Farther east is single-family residential in *Southern Memorial Acres* and *Southern Memorial Acres Extended*.
- West: RS-1; Single-family residential in *North Heights Addition* and *Amended Plat of Block 7 North Heights Addition*.

COMPREHENSIVE PLAN: Medium/Low Intensity + Residential Area (BCPA-13 requests removal of Residential Area designation from Lot 11)

PREVIOUS/RELATED CASES:

BZ-182 – Eugene Green – Request for rezoning from RS-1 to CG for (1) Lots 12 and 13, Block 7, *Amended Plat of Block 7 North Heights Addition* (part of PUD 89 subject property) and (2) 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 across 118<sup>th</sup> St. S. to the south of subject property – City Council Approved CS for subject property and CG for lots in Block 5 08/11/1987 (Ord. # 569).

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

BBOA-5 – Carlos Inman – Request for Variance from setback requirements for Lot 14, Block 1, *Southern Memorial Acres* (then addressed 1817 E. 117<sup>th</sup> St. S.; now *South Tulsa*)

34

*Roofing*) to the northeast of subject property at 11643 S. Memorial Dr. – Advertised for BOA hearing 08/11/1970 but no Minutes of such meeting found.

BBOA-7 – Earl Mead Jr. for Git-N-Go Grocery – Request for Variance from certain setback and/or ground sign height requirements for Lot 14, Block 1, *Southern Memorial Acres* (then addressed 1817 E. 117<sup>th</sup> St. S.; now *South Tulsa Roofing*) to the northeast of subject property at 11643 S. Memorial Dr. – Advertised for BOA hearing 06/28/1971 but no Minutes of such meeting found.

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 southeast 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).

BBOA-12 – Bill Ramsey [for John & Dixie Smith] – Request for Variance from the 10’ side yard setback along the north side to allow a northerly 38’-wide add-on to the original 1965 60’-wide building, which add-on was under construction before the application was filed for Lot 4, Block 5, *Southern Memorial Acres Extended* to the southeast of subject property at 11835 S. Memorial Dr. – BOA Denied 10/30 or 10/31/1973, on the advice of the Town Attorney, per notes found in the case file (Minutes not found for any BOA meetings in 1973).

BZ-68 – Joyce E. Maxwell/Icenogle – Request for rezoning from RS-1 to CG for a “sandwich shop” for Lot 6, Block 6, *Southern Memorial Acres Extended*, located to the southeast of subject property at 11843 S. 82<sup>nd</sup> E. Ave. – Withdrawn by Applicant 09/19/1978 per case notes.

BZ-74 – Raymond L. McKibben for Betty Tate – Request for rezoning from AG to CG for retail sales and service for a 200’ X 200’ area (0.92 acres) to the north of subject property, which 0.92-acre area roughly corresponded to 11708 S. Memorial Dr. – Correspondence indicates PC recommended Denial in early 1979 and Board of Trustees approved on appeal by 3:2:0 vote, which correspondence indicated failed to achieve unanimity required for such an appeal. No ordinance found. See BZ-122.

BZ-78 – DuWaine Holmes for DuWaine’s Homes, Inc. & Crest Properties, Inc. – Request for rezoning from AG to OL for a 1-acre tract to the north of subject property at 11640 S. Memorial Dr. (now *South Manufacturing Company, Inc.*) – PC Recommended Approval 09/10/1979 and City Council Approved 10/01/1979 (Ord. # 379).

BZ-99 – Joyce Icenogle – Request for rezoning from RS-1 to CS for a “flower & gift shop” for Lot 6, Block 6, *Southern Memorial Acres Extended* to the southeast of subject property at 11843 S. 82<sup>nd</sup> E. Ave. – Withdrawn by Applicant 02/23/1981.

BZ-102 – DuWaine Holmes for DuWaine’s Homes, Inc. & Crest Properties, Inc. – Request for rezoning from OL to CG for a 1-acre tract to the north of subject property at 11640 S. Memorial Dr. (now *South Manufacturing Company, Inc.*) – PC Recommended Approval 03/30/1981 and City Council Approved 04/06/1981 (Ord. # 424).

BZ-104 – Ed Everett for Betty Tate – Request for rezoning from AG to RM-2 for apartments for approximately 5 acres to the northwest of subject property at the north dead-end of S. 76<sup>th</sup> E. Ave. – “Withdrawn” 04/27/1981 per case notes.

BBOA-103 – Glen Nunley for Ray McKibben – Request for Special Exception to allow a horticultural nursery in a (then pending) CG district for a southeasterly 0.69-acre portion of the 1.36-acre tract now containing the *Hardscape Outdoor* (formerly the “Sunnyside Gardens”) landscaping sales business and outdoor bulk materials storage yards to the north of subject property at 11710 S. Memorial Dr. (then possibly addressed 11702 S. Memorial Dr.) – BOA Conditionally Approved 04/12/1982.

BZ-103 – Raymond L. McKibben – Request for rezoning from AG to CG for auto repair for a southeasterly 0.69-acre portion of the 1.36-acre tract now containing the *Hardscape Outdoor* (formerly the “Sunnyside Gardens”) landscaping sales business and outdoor bulk materials storage yards to the north of subject property at 11710 S. Memorial Dr. (then possibly addressed 11702 S. Memorial Dr.) – PC Recommended Approval 05/26/1981 and City Council Approved 06/01/1981 (Ord. # 428).

BZ-122 – Raymond L. McKibben for Betty Tate – Request for rezoning from AG to CG for ministorage for 6.64 acres to the north of subject property, including a 4.6-acre tract containing outdoor bulk materials storage yards serving the *Hardscape Materials / Hardscape Outdoor* landscaping sales business, outdoor bulk materials storage yards at the 11700-block of S. Memorial Dr. and 11708 S. Memorial Dr., and a northerly portion of the 1.36-acre tract now containing the *Hardscape Outdoor* (formerly the “Sunnyside Gardens”) landscaping sales business and outdoor bulk materials storage yards at 11710 S. Memorial Dr. – PC Recommended Approval of the easterly 204’ only 08/30/1982 and City Council Approved the easterly 204’ only 09/07/1982 (Ord. # 461).

BBOA-134 – Ronald G. Kelley – Request for Special Exception for a Use Unit 17 motorcycle sales business in the (then pending) CS district for what is now the *Hardscape Materials* landscaping materials sales and services business to the north of subject property at 11610 S. Memorial Dr. – BOA Approved 11/13/1984 subject to several conditions, including rezoning to CS (as per BZ-156), platting the property, and conditions pertaining to the motorcycle sales building and business.

BZ-156 – Ronald G. Kelly for Ray McKibben – Request for rezoning from AG to CS for (then) approximately 3.16 acres containing what is now the *Hardscape Materials* landscaping materials sales and services business to the north of subject property at 11610 S. Memorial Dr. (then possibly known as 11620 S. Memorial Dr.) – PC Recommended Approval 11/26/1984 and City Council Approved 12/11/1984 (Ord. # 518).

BBOA-207 – Raymond L. McKibben – Request for Variance from required 30’ of public street frontage and Variance from bulk and area requirements in the AG district to permit an existing 1-acre tract to be issued a Building Permit (for a house) to the northwest of subject property at 11607 S. 77<sup>th</sup> E. Ave. – BOA Conditionally Approved 08/29/1988 per case notes.

BBOA-251 – Raymond McKibben – Request for Variance from required 30’ of public street frontage and Variance from bulk and area requirements in the AG district to permit a 1-acre tract (to have been created pursuant to BL-162) to be issued a Building Permit (for a house at 11625 S. 77<sup>th</sup> E. Ave.) on a 2-acre tract to the northwest of subject property at 11625/11641 S. 77<sup>th</sup> E. Ave. – BOA Conditionally Approved 05/04/1992 per case notes.

BZ-206 – G. Dwight Claxton for 116th & Memorial, Ltd. – Request for rezoning from AG to RS-3 for approximately 102.5 acres to the north of subject property consisting of an

easterly part of what was later platted as *Devonshire at Graystone*, areas which later became Fry Creek Ditch # 2 right-of-way, and a westerly part of what was later platted as *The Links at Bixby* – Per case notes, PC Recommended Approval 11/15/1993 and City Council Denied 11/22/1993, “re opened” and heard 12/13/1993 and 01/10/1994, and Approved for [RS-2] 01/24/1994, but ordinance was not published per Applicant.

BBOA-286 – J. Lynn Schmook for Raymond L. McKibben – Request for Variance from lot size and width requirements in the AG district to permit a 1-acre tract to be created (pursuant to BL-180) to the northwest of subject property at 11644 S. 76<sup>th</sup> E. Ave. (then possibly known as 11690 S. 76<sup>th</sup> E. Ave.) – BOA Approved 11/07/1994.

BBOA-290 – Jody Porter/Brad Porter – Request for Special Exception for a [Use Unit 15] landscaping materials sales and services business for what is now the *Hardscape Materials* landscaping materials sales and services business to the north of subject property at 11610 S. Memorial Dr. – BOA Approved 02/20/1995 subject to several conditions, including the permanent building and paving to be completed within one (1) year, administrative approval of a site plan, and certain tree planting standards.

BBOA-291 – Ed Schermerhorn – Request for Variance of bulk and area requirements in the AG district to allow the creation of a 2.87-acre tract (pursuant to BL-183; now the Green Acres / *Enterprise Sod Store*) at 11590 S. Memorial Dr. – BOA Conditionally Approved 02/20/1995.

BBOA-302 – Randall Prevatt for Raymond L. McKibben – Request for Variance from bulk and area requirements in the AG district to permit a 1.25-acre tract to be created (pursuant to BL-197) from a 7-acre tract to the northwest of subject property at the north dead-ends of both 76<sup>th</sup> E. Ave. and 77<sup>th</sup> E. Ave. – BOA Tabled 12/04/1995.

BZ-219 / PUD 16 “The Links” – Roy Stanley of Lindsey Management for E.A. Schermerhorn – Request for rezoning from AG to CS & RM-1 and approval of PUD 16 for approximately 90.8 acres which was later platted as *The Links at Bixby*, a multifamily residential and 9-hole golf course development with commercial lots along Memorial Dr., to the north of subject property at 115<sup>th</sup> St. S. and Memorial Dr. – PC Recommended Approval 03/18/1996 City Council Approved 04/22/1996 (Ord. #s 738/739).

BZ-228 – Steve Abel of Steve’s Sod Store, Inc. for Robert Cook II – Request for rezoning from AG to CG for a 2.87-acre tract (now the Green Acres / *Enterprise Sod Store*) to the north of subject property at 11590 S. Memorial Dr. – City Council Approved 02/24/1997 (Ord. # 751).

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, to the south of subject property, which 73 acres became *Bixby Centennial Plaza* and *Fox Hollow* and an unplatted 11-acre tract later approved as PUD 51 – PC Recommended Approval as amended for CS, OM, OL, RS-3, and RS-2 on 11/19/2001 and City Council Approved 10/10/2001 (Ord. # 842).

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. across 118<sup>th</sup> St. S. to the south of subject property – BOA Denied 10/02/2006.

BZ-319 – 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*) across 118<sup>th</sup> St. S. to the south of subject property – 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*) across 118<sup>th</sup> St. S. to the south of 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*) across 118<sup>th</sup> St. S. to the south of 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*) across 118<sup>th</sup> St. S. to the south of 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*) across 118<sup>th</sup> St. S. to the south of 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* across 118<sup>th</sup> St. S. to the south of 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* across 118<sup>th</sup> St. S. to the south of 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*) across 118<sup>th</sup> St. S. to the south of subject property – AC Conditionally Approved 02/18/2008.

BBOA-499 – Richard Hayer for BTC Broadband – Request for Variance from the 150-foot maximum height, 400’ minimum setback from Residential zoning districts, and other such related development standards for a Use Unit 4, 195-foot high communications tower in the CG district for the *BTC Television Earth Station* property, Lot 6, Block 2, *Southern Memorial Acres* to the northeast of subject property at 11733 S. Memorial Dr. – BOA Conditionally Approved for 150’ 03/02/2009.

BBOA-533 – Clay Smith – Request for Special Exception to allow a Use Unit 23 warehouse use in the CG district for Lot 4, Block 5, *Southern Memorial Acres Extended* to the southeast of subject property at 11835 S. Memorial Dr. – BOA Conditionally Approved 01/03/2011.

BBOA-534 – Clay Smith – Request for Variance from the screening requirement per Zoning Code Sections 11-9-11.C and/or 11-9-23.C for Lot 4, Block 5, *Southern Memorial Acres Extended* to the southeast of subject property at 11835 S. Memorial Dr. – BOA Denied 01/03/2011.

BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54) – Request for Planning Commission approval of a PUD Detailed Site Plan and building plans for a

38

proposed “Jiffy Lube Office Building” for Lot 2, Block 1, *Bixby Jiffy Lube*, across 118<sup>th</sup> St. S. to the south of subject property) – Pending PC consideration 07/20/2015.

### BACKGROUND INFORMATION:

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

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

Comprehensive Plans can be highly prescriptive, prescribing specific land uses and land use intensities to specific parcels of land, or can be highly generalized, merely mapping out large swaths of land which may be suitable for certain intensities of development, and including a broad range of zoning districts which may be authorized therein. Bixby’s Comprehensive Plan falls somewhere in between, specifically designating certain areas with specific land uses, and others more generally (e.g. the “Corridor” designation.).

Zoning Code Section 11-5-2 prohibits rezonings which would conflict with the Comprehensive Plan, and requires that such rezonings “must be processed along with a request to amend the land use map and a PUD in order to be accepted and considered.” The Applicant has requested PUD 89 in support of BCPA-13 and the rezoning application.

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

After receiving the first two (2) requests in mid-2008 (BCPA-1 and BCPA-2), Staff consulted the City of Broken Arrow to determine how that community goes about facilitating applications for Comprehensive Plan amendments, and followed the same method, which was supported by the Applicant’s attorney in those cases, which was to advertise the public hearing in the same manner used for a rezoning application: By sign posting on the property, newspaper publication, and mailing a notice to all property owners within a 300’ radius of the subject

property. This method was used in applications BCPA-3 and BCPA-4 in 2009, BCPA-5 and BCPA-6 in 2011, BCPA-7 and BCPA-8 in 2012, BCPA-9 and BCPA-10 in 2013/2014, and BCPA-12 in 2014, and all of these have been done in this amendment case as well. BCPA-11 was an amendment to the Comprehensive Plan text, approved by Ordinance # 2136 on July 14, 2014.

ANALYSIS:

Subject Property Conditions. The subject property is composed of three (3) parcels of land:

1. Lot 11, Block 7, Amended Plat of Block 7 North Heights Addition: Containing approximately 1/2 acre, this vacant lot is zoned RS-1 and is maintained as yard area for the single-family house on Lot 12 of the subject property. This lot is the subject of BCPA-13 and BZ-383. Tulsa County Assessor's Parcel # 57875833500970,
2. Lot 12, Block 7, Amended Plat of Block 7 North Heights Addition: Containing approximately 1/2 acre, this lot is zoned CS and contains a single-family house addressed 7749 E. 118<sup>th</sup> St. S. Tulsa County Assessor's Parcel # 57875833500980,
3. Lot 13 (less right-of-way of record), Block 7, Amended Plat of Block 7 North Heights Addition: Containing approximately 4/10 acre, this lot is zoned CS and is maintained as yard area for the single-family house on Lot 12 of the subject property. Tulsa County Assessor's Parcel # 57875833500990.

Together, the subject property lots contain approximately 1 1/3 acres.

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 toward the stormwater drainage system in *Bixby Centennial Plaza* (also utilized by *Bixby Jiffy Lube*), which system 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 121<sup>st</sup> 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 City Engineer's review memo indicates the subject property may be designed to drain to the Fry Creek Ditch # 2 system with payment of fee-in-lieu, but that utilization of existing, downstream stormsewer systems must be designed to not exceed existing drainage flow rates absent necessary system design upgrades.

The subject property is presently served by the critical utilities (water, sewer, electric, etc.), or otherwise will be served by line extensions as required.

Comprehensive Plan. The Comprehensive Plan designates all of the subject property as (1) Medium/Low Intensity and (2) Residential Area. BCPA-13 proposes to remove the Residential Area specific land use designation from the Lot 11 subject property, to allow it to be rezoned to OL and be developed with a carwash as a part of PUD 89. The Low Intensity designation would be retained for the Lot 11 subject property.

40

The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that OL zoning *May Be Found In Accordance* with the Low Intensity 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. Removing the Residential Area designation from the Lot 11 subject property will allow the requested OL zoning to be approved.

Per the Matrix, PUDs (as a zoning district) are *In Accordance* with the Medium Intensity designation and *May Be Found In Accordance* with the Low Intensity designation of the Comprehensive Plan Land Use Map, and thus PUD 89 *May 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 OL zoning and commercial development proposed per PUD 89 should be found *In Accordance* with the Comprehensive Plan, provided they are approved together and along with BCPA-13 and the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

General. The PUD proposes a Use Unit 17 “automated conveyor tunnel express carwash” business development.

The submitted site plan exhibits a suburban-style development design and indicates the proposed internal automobile traffic and pedestrian flow and circulation and parking.

PUD Text Section I provides that the proposed carwash building(s) will contain approximately 4,600 square feet. Although gross land areas have not yet been provided in the PUD, per GIS estimates, the land area attending the existing CS-zoned lots is approximately 1 1/3 acres, which Zoning Code Section 11-7I-5.A.2.a would enable to produce (Maximum/proposed FAR

@ 0.50 X 58,080 square feet => ~29,040 square feet of building floor area. Thus, the proposed building would comply with the maximum permitted.

As discussed in the pre-application coordination meeting, the PUD Text needs to specify intended masonry/masonry alternatives materials: EIFS and/or stucco on front tower portion of building and split face Concrete Masonry Unit (CMU) for the balance, so that this is specifically part of the PUD the Planning Commission and City Council approve and does not require a future Waiver of the masonry/masonry alternatives standard for the CMU element, which the City of Bixby has not interpreted to comply with the masonry/masonry alternatives standard of the Corridor Appearance District. As recommended, PUD Text Section VII provides:

“Building exterior wall finish surfaces shall be Stucco, EFIS, or Split Face Masonry Units, Sloped roofing materials shall be standing seam metal. Flat roof areas shall be EPDM or similar material. Exhibit F depicts an existing carwash facility in Tulsa developed by the prospective purchaser of the Property which is illustrative of the exterior materials and general concept planned for the subject Property”

Exhibit F depicts the prospective owner’s existing carwash business at 6750 S. Lewis Ave. The PUD also provides that the proposed facility will resemble other facilities developed by the prospective owner in Broken Arrow (81<sup>st</sup> St. S. & Garnett Rd.) and Sapulpa (Hwy 66/Mission St. & E. Jackson Ave.).

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

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 BCPA-13 and PUD 89 at its regular meeting held July 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 V of the PUD Text as follows:

“Vehicular access to and from the PUD will be provided by one entrance only access from Memorial Drive and one entrance and exit point onto 118<sup>th</sup> street. The Memorial access will be configured to prevent exit onto memorial and the 118<sup>th</sup> street access will be positioned to generally align with the western most drive to Jiffy Lube across 118<sup>th</sup> to the south. Limits of

No Access (LNA) will be imposed by the future plat along Memorial and 118<sup>th</sup> frontage except at these points of ingress and egress.

Sidewalks shall be constructed by the developer along the entire Memorial Drive and 118<sup>th</sup> street frontage of the Property. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer.

The proposed access from Memorial Drive requires ODOT driveway permit and City Engineer and Fire Marshal curb cut approval.”

---

The language describing ingress-only access to Memorial Dr. and related circulation design matters is in response to the City Engineer’s specific recommendations and appears to be in order.

Plans for access can be further inferred from the site plans.

The PUD Text and Exhibits provide that the required sidewalks shall be constructed along Memorial Dr. and 118<sup>th</sup> St. S., as appropriate.

Surrounding Zoning and Land Use. Surrounding zoning is a mixture of RS-1, CG, AG, CG/OL/PUD 54, OL, and CS. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

Zoned RS-1, the North Heights Church of Christ abuts the subject property to the north on approximately 2.5 acres in *Amended Plat of Block 7 North Heights Addition*. Farther north is the *Hardscape Materials* and *Hardscape Outdoor* landscaping sales business and outdoor bulk materials storage yards at 11610, 11708, and 11710 S. Memorial Dr. (last one is now *Hardscape Outdoor* and was formerly “Sunnyside Gardens”) and are zoned CG and AG. To the northwest are unplatted residential acreages and agricultural land zoned AG.

Across 118<sup>th</sup> St. S. to the south is the *Jiffy Lube* at 11800 S. Memorial Dr. with a vacant lot zoned OL behind it, both within PUD 54, and farther south are vacant commercial lots and the *IBC Bank* and other commercial businesses fronting Memorial Dr. zoned OL and CS in *Bixby Centennial Plaza*. Together with the existing CS zoning on the easterly portion of the subject property, the requested OL zoning would “mirror” the CG/OL zoning pattern on the south side of 118<sup>th</sup> St. S. and would maintain the existing intensity and landuse patterns established for this section of the west side of Memorial Dr. In other words, this method does not require amending the Comprehensive Plan to extend Medium Intensity or commercial zoning farther into the North Heights neighborhood.

Prior to applications submission, Staff counseled the Applicant to only seek OL zoning for the Lot 11 subject property, for the reasons just stated. The OL zoning would require removal of the Residential Area specific land use designation, requested per BCPA-13. Staff also counseled the Applicant that the OL zoning would still enable the development of all three (3) existing constituent lots to be developed with the carwash campus, but that, pursuant to Zoning Code Section 11-7I-5.A.2.b, an accounting exercise must be conducted to ensure that the amount of CS-dependent carwash use/development site elements, as measured in improved

areas (e.g. buildings, mechanical equipment areas, vacuum/canopy/parking areas, and driveway areas devoted to carwash functions), do not exceed the lot area of the CS-zoned lots. Thus, the pending OL-zoned area can only be used for residual landscaped/greenspace and driveway areas. As recommended, the PUD enables the commercial use allocation and development site footprint to be spread throughout the three (3) constituent lots, allocating the pending OL-zoned area to areas which will be landscaped/greenspace and driveway areas. This arrangement is primarily found in PUD Text Sections VIII and XVI, and the treatment here appears to be adequate for this purpose. The future PUD Detailed Site Plan, as will be required by this PUD, must demonstrate compliance with this PUD standard by use of precise calculations. However, Staff recommends the Applicant perform this exercise now to ensure there is no design problem which must be mitigated by this PUD.

Across Memorial Dr. to the east are various commercial/nonresidential uses along Memorial Dr. zoned CG, including the *Express Lane / Cars & Credit* convenience store and used auto sales business (a former gas station), the *BTC Television Earth Station*, the *Western Sun Federal Credit Union*, the *Kentucky Fried Chicken*, the *Urgent Care of Green Country*, the *Shield Screening* office building, a vacant commercial lot, and the *Calvary Motors, Inc.* used car sales lot. Farther east is single-family residential zoned RS-1 in *Southern Memorial Acres* and *Southern Memorial Acres Extended*.

Single-family residential zoned RS-1 lies to the west in *North Heights Addition* and *Amended Plat of Block 7 North Heights Addition*.

For all the reasons outlined above, Staff believes that OL zoning, PUD 89, and BCPA-13 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.

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.

Subject to certain design issues being resolved as recommended herein, 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 all three (3) requests generally. Therefore, Staff recommends Approval of all three (3) requests, subject to the following corrections, modifications, and Conditions of Approval:

1. The approval of OL zoning, PUD 89, and BCPA-13 are each and all subject to the final approval of all others.
2. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item will be addressed by PUD Text Section XII entitled "Standard City Requirements."
3. Subject to City Engineer and ODOT curb cut / driveway permit approval for any street intersections with U.S. Hwy 64 (Memorial Dr.), and the Fire Marshal's approval of locations, spacing, widths, and curb return radii. This item will be adequately addressed by PUD Text Sections XII "Standard City Requirements" and V "Access and Circulation."
4. As noted in the analysis above, pursuant to Zoning Code Section 11-7I-5.A.2.b, an accounting exercise must be conducted to ensure that the amount of CS-dependent carwash use/development site elements, as measured in improved areas (e.g. buildings, mechanical equipment areas, vacuum/canopy/parking areas, and driveway areas devoted to carwash functions), do not exceed the lot area of the CS-zoned lots. Staff recommends the Applicant perform this exercise now to ensure there is no design problem which must be mitigated by this PUD.
5. PUD Text Section I: Please clarify that the PUD "...contains one (1) Development Area (DA), as shown on Exhibit A," and list in the Development Standards (e.g. "Development Area A"; apparently added to PUD Text Section XV in error in version received July 16, 2015).
6. PUD Text Section VI Drainage and Utilities: Please confirm with City Engineer the accuracy of sentence, "Storm water would be directed into the Memorial storm drainage system" and make any modifications necessary to correspond to actual stormwater drainage design plans.
7. PUD Text Section VI Drainage and Utilities: PUD does not describe plans for utilities in any great detail. Please enhance appropriately. At a minimum, it should describe electrical requirements (e.g. conduit size to transformer as shown on site plan, plans for separate instrument Electrical Easement as discussed at TAC meeting, etc.), function of "reclaim pits," and sanitary sewer requirements.

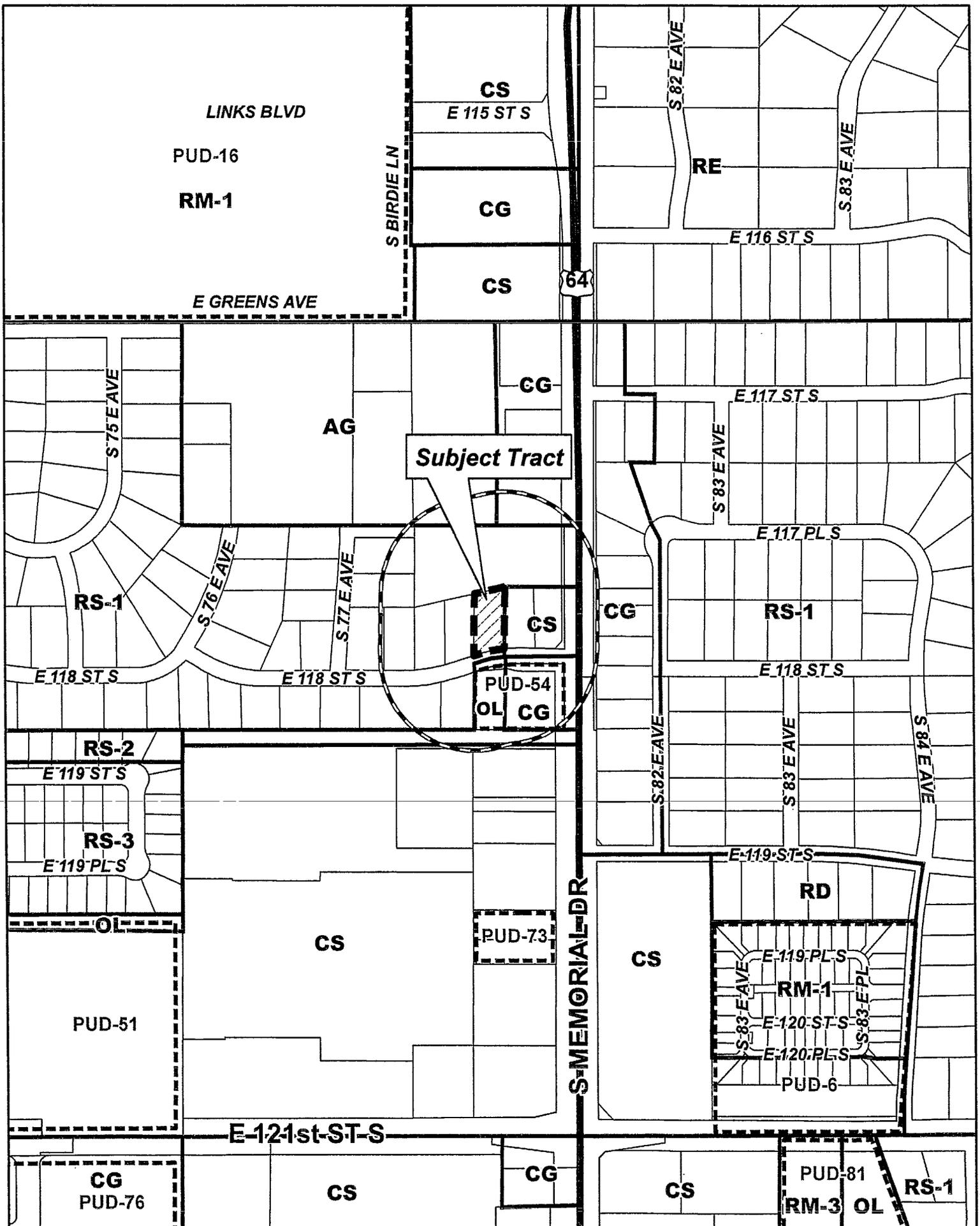
45

8. PUD Text Section VIII: Please qualify as per other recommendations in this report, “...(lot area not covered by buildings, parking areas not primarily used for vacuums, or driveway areas devoted to carwash functions)...”
9. PUD Text Sections XI/Landscaping and Screening: Staff continues to recommend a detailed description of the specific landscaping treatment proposed, and the same should be adequate to improve buffering to the residential neighborhood abutting to the west. Consistent with Staff’s recommendation to add extra effort at screening and landscaping buffering along this west boundary shared with single-family residential use, with the PUD version received July 16, 2015, three (3) more trees were added here. Additional enhancement in this regard may be discussed by the Planning Commission and City Council. Consider enhancing minimum screening tree standards, such as minimum tree spacing or alternatively clustering schemes to maximize screening to the nearest residence, minimum numbers of evergreen trees, minimum tree heights and/or calipers greater than the minimum standards of the Zoning Code, etc.
10. PUD Text Section XI: Please specify the trash area shall be screened by “...screening enclosure with opaque gates.”
11. PUD Text Section XVI: Development Standards: Signage: Please compare plans for signs to the Zoning Code and determine that all proposed signage can be permitted absent specific modification by this PUD (e.g. “entrance sign” and other directional signs as depicted in example photographs may be deemed “ground signs” if the same exceed 3 square feet in display surface area, menuboard signs may be deemed “ground signs” if the same face a Public street, etc.) and make any provisions for flexibility upon PUD Detailed Site Plan approval as may be necessary. In the PUD Text & Exhibits received July 16, 2015, a new Exhibit J was added, but is problematic for inclusion. If this signage review exercise is not conducted at this time, as per the original recommendation, please consider making provisions for flexibility upon PUD Detailed Site Plan approval, such as by adding text along the lines of “Signage regulations may be modified upon Planning Commission approval of the PUD Detailed Site Plan.” Exhibit J, and its entry in the Table of Contents, should be removed.
12. PUD Text Section XVI: Please calculate and list separately the Gross Land Area as needed for bulk and area calculations, or make other appropriate modifications achieving the same purpose as this Staff recommendation.
13. Exhibits H & I: Please appropriately relocate labels and angle/bearing information for propertylines along 118<sup>th</sup> St. S. and Memorial Dr.
14. Exhibit H: 50’ B/L setback along Memorial Dr. should follow propertyline as the angle changes, if to signify the 50’ Zoning setback required in the CS district and as per this PUD. Alternatively, 50’ B/L label may be qualified as “per Plat # 2683.”
15. Exhibits H & I: The number of trees shown along the Memorial Dr. Street Yard is fewer than the minimum required ( $\geq 10$ ). Please remember that, for the northerly propertyline, the minimum number of trees may be greater due to greater setbacks pursuant to the height-dependent setbacks provided in the asterisk text of Zoning Code Section 11-7D-4 Table 2. Please enhance appropriately.
16. Exhibits H and I: Consistent with Staff’s recommendation to add extra effort at screening and landscaping buffering along this west boundary shared with single-family residential use, with the PUD version received July 16, 2015, three (3) more trees were added here. Additional enhancement in this regard may be discussed by the Planning Commission and City Council.

46

17. Exhibits H & I: It appears that the 10' setback proposed to the internal drive only meets 10' minimum required per Zoning Code Section 11-10-3.B Table 1, which is not consistent with Staff's recommendation to add extra effort at screening and landscaping buffering along this west boundary shared with single-family residential use. Consider whether the paving (and building, if/as required) and trash enclosure could be advanced farther to the front/east for the sake of additional buffering. It does not appear that the building has moved to the east since the first conceptual site plan was provided to the City on 06/02/2015.
18. Exhibits H & I: Consistent with Staff's recommendation to add extra effort at screening and landscaping buffering along this west boundary shared with single-family residential use, with the PUD version received July 16, 2015, the trash enclosure was relocated slightly farther to the east. Additional enhancement in this regard may be discussed by the Planning Commission and City Council.
19. Exhibit H: Please label the east line of Lot 13.
20. Exhibit H: Please label widths of sidewalks.
21. Exhibit H: Please represent the existing U/Es along the northerly line of Lot 11 and the Lots 11/12 common line, along with an appropriate note that the latter will be vacated as a part of this development.
22. 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.
23. 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).

47



**Subject Tract**

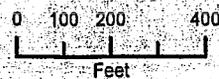


300' Radius



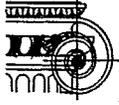
Subject Tract

**BCPA-13**



35-18-13





## Architects Collective

4200 East Skelly Drive Tulsa Ok 74136 918.492.2987 Mark Thomas AIA C 918.855.0810 mthomas@apid.net

Date: June 12, 2015 via mail

To: Mr. Erik Enyart, AICP  
City Planner  
City of Bixby  
PO Box 70  
Bixby, OK 74008

From: Mr. Mark A. Thomas, AIA  
Architects Collective

Re: Request for Comprehensive Plan Land Use Plan Amendment  
Lot 11, Block 7, North Heights Addition Amended

Dear Mr. Enyart,

I am writing on behalf of L & L Industries, LLC, the prospective purchaser of the properties, and with the permission of the owner of the property, Revocable Trusts for Jerry D. Green, Barbara Sue Skaggs, and Billy Joe Gibson/Donna Kay Gibson. The owner of Lot 11, Block 7 also owns Lot 12 and 13 immediately east of Lot 11. Lot 11 is currently zoned RS-1 and Lots 12 and 13 are CS.

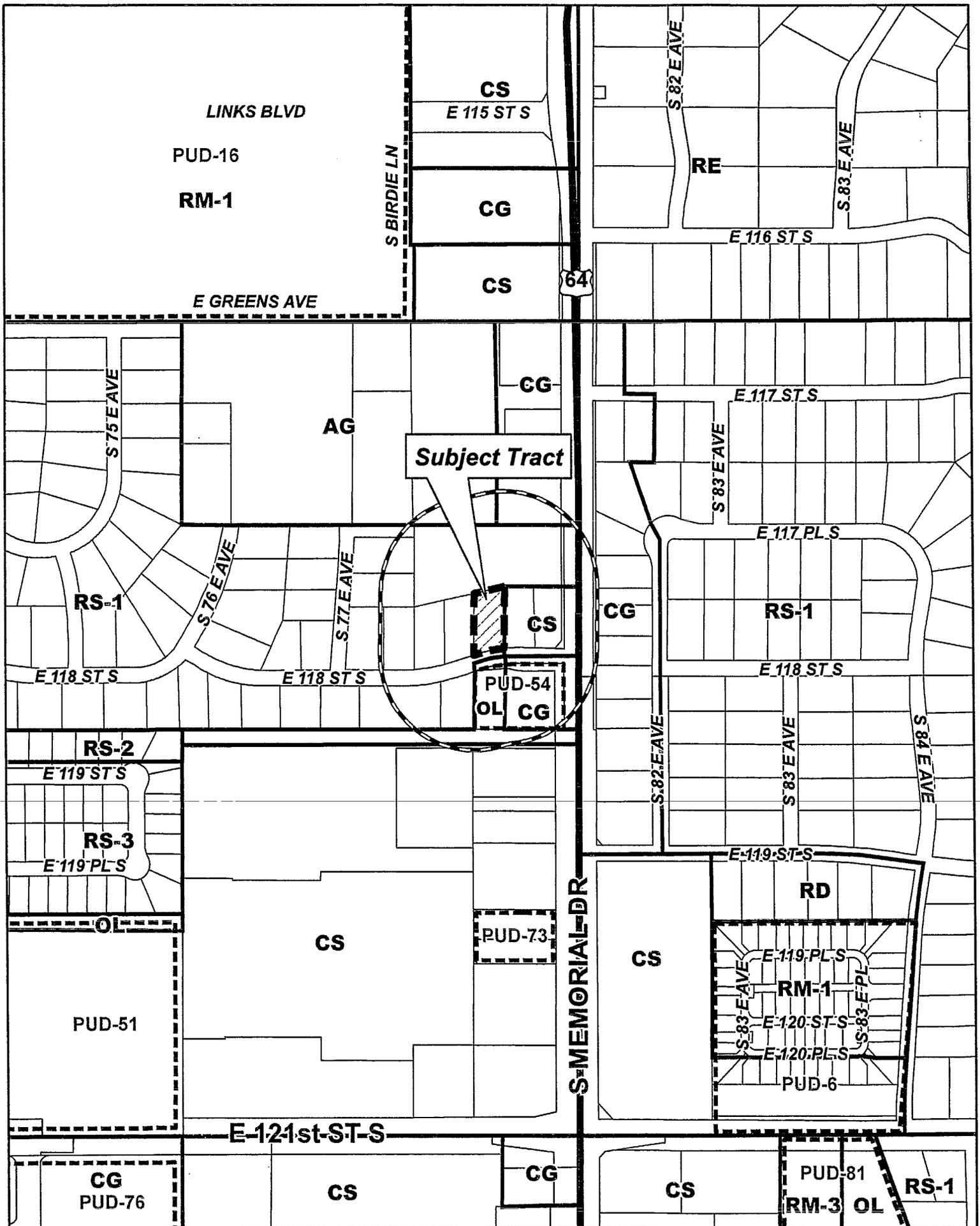
Consistent with the continuing development of the Memorial Drive area the owner and prospective purchaser of Lots 11, 12, and 13 propose commercial use of all three properties. The owner and prospective purchaser of Lot 11 hereby request modification of the Comprehensive Plan to remove the Residential Area land use designation to allow the property to be rezoned other than residential.

The prospective purchaser and property owner will be making an application to rezone Lot 11 to OL mirroring the existing zoning of the property across 118<sup>th</sup> street to the south and an application for a commercial PUD to include Lots 11, 12, and 13.

Respectfully,

Mark A. Thomas, AIA  
Architects Collective

cc L & L Industries, LLC

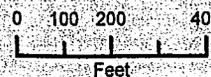


300' Radius



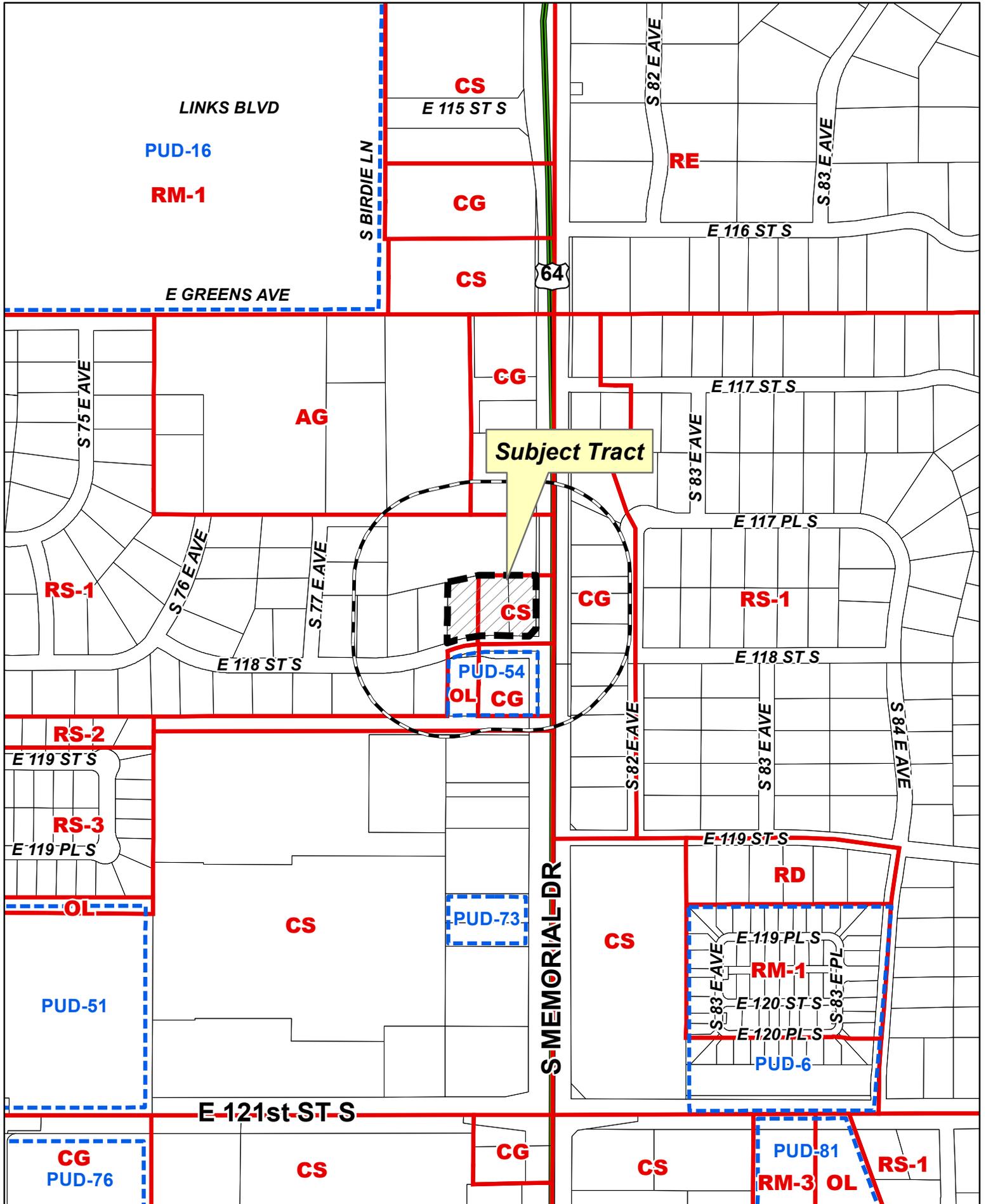
Subject Tract

**BZ-383**



35 18-13

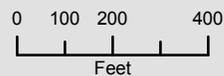




**Subject Tract**



**PUD-89**



35 18-13



# 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:** 07/06/15

**Re:** Auto Oasis  
PUD 89 Review

---

### General Comments:

1. The PUD should provide minimum building standards (square footage, exterior finish, etc.) for Council review and comment. They will likely wish to discuss location, context, and lot size relative to the surrounding development areas.
2. The PUD contains no information on Utilities, Paving, Grading, or Drainage information. No specific comments or review can be provided until Paving, Grading, Drainage, and Utility information have been submitted.
3. Water main connections along 118<sup>th</sup> are available to the site. Fire hydrant locations must be approved by the Fire Marshall.
4. Sanitary sewer is accessible from the site but will require relocation based on the site layout provided.
5. Water mains and sewer laterals must be located within project green spaces – outside of paved parking areas and drive lanes.
6. Development fees including sanitary sewer and storm water management (Fry Creek fee-in-lieu) will apply.
7. A Drainage Report will be required. Storm water discharges to existing, downstream storm sewer facilities may not exceed current levels unless those facilities are upgraded accordingly.
8. Emergency access and circulation must be approved by the Fire Marshall.
9. Ingress from Memorial must be reviewed and approved by ODOT. Egress from the site shall be via 118<sup>th</sup> Street.

52

# Memo

To: Erik Enyart, AICP, City Planner

From: Joey Wiedel

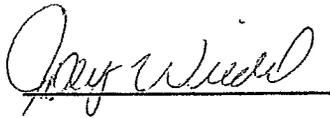
Date: 06-30-2015

Re: PUD 89 "Auto Oasis"

---

PUD 89 "Auto Oasis" are approved by this office with the following conditions:

1. Fire Hydrant shall be within 300 feet of structure per City of Bixby Ordinance.
2. All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction. (IFC 2009 Appendix D)
3. Fire Department access roads shall have a minimum 20 feet in width and 13 feet 6 inch in height unobstructed clearance.
4. Grades shall not exceed 10% per IFC 2009 Appendix D 103.



Joey Wiedel

06/30/2015

Date

**Auto Oasis PUD  
PUD #89**

**Lots 11, 12, & 13, Block 7  
North Heights Addition to the City of Bixby, Oklahoma**

**A Planned Unit Development in the  
City of Bixby, Oklahoma**

**June 19, 2015**

**APPLICANT:**

L&L Industries, LLC  
405 South 9<sup>th</sup> Street  
Broken Arrow, OK 74102

**PREPARED BY:**



4200 E. Skelly Dr. Suite 750  
Tulsa, OK 74135  
918-492-2987  
918-493-6149 fax

## TABLE OF CONTENTS

	PAGE
I. Narrative.....	3
II. Legal Description.....	3
III. Surrounding Zoning and Land Uses.....	3
IV. Permitted and Prohibited Uses.....	4
V. Access and Circulation.....	4
VI. Drainage and Utilities .....	4
VII. Building Exterior Materials and Appearance.....	5
VIII. Required Minimum Area of Landscaping and Drives.....	5
IX. Soil Classification.....	5
X. Concept Site Plan.....	5
XI. Landscaping and Screening.....	5
XII. Standard City Requirements.....	5
XIII. Platting Requirement .....	5
XIV. Site Plan Review .....	6
XV. Schedule of Development .....	6
XVI. Development Standards .....	6-7
XVII. Exhibits.....	8-17
Exhibit A – Proximity Aerial	
Exhibit B – Comprehensive Plan	
Exhibit C – Existing Zoning	
Exhibit D – Proposed Zoning	
Exhibit E – Legal Description- Preliminary ALTA Survey	
Exhibit F – Illustrative Photos	
Exhibit G – Existing Site Soils	
Exhibit H – Concept Site Plan	
Exhibit I – West Boundary Screening & Buffer	
Exhibit J – Proposed Signs	

**I. Narrative**

The property which is subject to this PUD consists of three (3) lots located at the northwest corner of 118<sup>th</sup> St. South and Memorial Drive. The property includes Lots 11, 12, and 13, of Block 7, The Amended Plat of Block 7, North Heights Addition to the City of Bixby, Oklahoma herein referred to as the “Property” or as the “Site”. The Property has approximately 200 lineal feet of frontage along the West Side of Memorial Drive. All Zoning Regulations refer to Title 11 Zoning Regulations for the City of Bixby, Oklahoma and are referred to herein as the “Zoning Regulations” or “Zoning”.

The Property is currently Zoned RS-1 (lot 11) and CS (lots 12 & 13). It is the request of this PUD to support request for Comprehensive Plan Amendment BCPA-13, which requests the removal of Lot 11 from the Comprehensive Plan designation Residential, and support of rezoning application BZ-383 which proposes to change RS-1 (lot 11) to OL as designated in the Zoning Regulations. The request for OL zoning mirrors the existing zoning of the property immediately south of Lot 11.

The objective of the prospective owner of the Property is to develop an enclosed automated conveyor tunnel express carwash. The enclosed building of approximately 4600 square feet would be located on the site of approximately 1.33 acres. This style of carwash provides customers express service by selecting from numerous automated wash options while remaining in their vehicle during the wash and dry cycle. The building would be similar to other facilities developed by the prospective owner in Tulsa (69<sup>th</sup> & Lewis), Broken Arrow (81<sup>st</sup> & Garnett), and Sapulpa (Hwy 66 & E Jackson, Ave.).

**II. Legal Description**

Amended Plat of Block 7, North Heights Addition to the City of Bixby, Oklahoma, Lot 11, Lot 12, and Lot 13. Refer Exhibit E - Legal Description- Preliminary ALTA Survey

**III. Surrounding Zoning and Land Use**

- North: Abutting property to the north is zoned RS-1 and is currently occupied by the North Heights Church of Christ.
- South: Property to the south (across E 118<sup>th</sup> Street South) is zoned PUD 54 with underlying CG and OL zoning.
- East: Property to the east (across S Memorial Drive) is zoned CG and is currently occupied by Urgent Care, KFC restaurant, and Western Sun Credit Union.
- West: Abutting property to the west is zoned RS-1 and contains a currently occupied residence.

**IV. Permitted and Prohibited Uses**

A) Permitted Uses:

The Property can be used as permitted by right in CS and OL zoning and Use Unit 17 – auto wash as listed in the City of Bixby’s Zoning Code.

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. Access and Circulation**

Vehicular access to and from the PUD will be provided by one entrance only access from Memorial Drive and one entrance and exit point onto 118<sup>th</sup> street. The Memorial access will be configured to prevent exit onto memorial and the 118<sup>th</sup> street access will be positioned to generally align with the western most drive to Jiffy Lube across 118<sup>th</sup> to the south. Limits of No Access (LNA) will be imposed by the future plat along Memorial and 118<sup>th</sup> frontage except at these points of ingress and egress.

Sidewalks shall be constructed by the developer along the entire Memorial Drive and 118<sup>th</sup> street frontage of the Property. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer.

The proposed access from Memorial Drive requires ODOT driveway permit and City Engineer and Fire Marshal curb cut approval.

**VI. Drainage and Utilities**

The property generally slopes down from north to south an average of 4.5 percent. The site lies within the Fry Creek drainage basin. On-site detention is not required but the site is subject to fee-in-lieu storm water assessment. Storm water would be directed into the Memorial storm drainage system. The Property has no area in the FEMA 100 year flood designation.

A sanitary sewer line crosses the property from North to South between lots 11 and 12. This sewer is proposed to be relocated running west to the west property line of lot 11, south, and returning along the south property line of lot 11. The sewer has adequate fall for this reconfiguration. The existing Utility Easement along the shared property line of lots 11 and 12 will be vacated as part of this development.

The utility requirements for the project include:

Gas Service	670 CFH
Electric Service	600A 120/208V
Water Service	3” meter – 200GPM @ 50 psi/+/-5%
Sewer Service	6”

All other utilities are available to the property at property boundaries.

**VII. Building Exterior Materials and Appearance**

Building exterior wall finish surfaces shall be Stucco, EFIS, or Split Face Masonry Units, Sloped roofing materials shall be standing seam metal. Flat roof areas shall be EPDM or similar material. Exhibit F depicts an existing carwash facility in Tulsa developed by the prospective purchaser of the Property which is illustrative of the exterior materials and general concept planned for the subject Property

**VIII. Required Minimum Area of Landscaping and Drives**

The area of landscaping and drives (lot area not covered by buildings or parking) shall be not less than 0.463 acres the area OL zoned property (lot 11).

**IX. Soil Classification**

The soil on the site is listed as (key 41) Okay loam, 1 to 3 percent by the NRCS Web Soil Survey. This soil type is suitable for standard building construction techniques. Prior to design and construction a geotechnical report will be performed to determine foundation and paving design criteria.

**X. Concept Site Plan**

The concept site plan depicts the proposed location of buildings, drives, pay stations, vacuums and accessory items. General locations and numbers of proposed trees are indicated.

**XI. Landscaping and Screening**

Landscaping shall be provided in accordance with the requirements of the City of Bixby Zoning Code. An 8' masonry screening fence and sound buffer shall be erected along the west property line. The fence shall be of masonry material and similar to the fence located immediately south across 118<sup>th</sup> street (west of Jiffy Lube) The trash area shall be screened by a 6' split face concrete masonry unit (CMU) screening enclosure with gates.

Conceptual plans for landscaping are represented on Exhibit H & I

**XII. Standard City Requirements**

Developed Property and structures shall meet Standard requirements of the City of Bixby Fire Marshall, City Engineer and City Attorney.

**XIII. Platting Requirement**

Building Permits for the carwash shall not be issued until a plat has been approved by the City of Bixby as being in compliance with the planned unit development concept and development standards.

**XIV. Site Plan Review**

A Detailed Site Plan shall be submitted in accordance with Bixby Zoning Code and this PUD for review and approval by the Bixby Planning Commission.

**XV. Schedule of Development** (Development Area "A")

Development is expected to proceed within six (6) months of PUD, Detailed Site Plan, and Plat approval. Construction is anticipated to take approximately eight (8) months.

**XVI. Development Standards**

<b><u>Land Area:</u></b>	Lot 11 .463 acres
	Lot 12 .461 acres
	<u>Lot 13 .408 acres</u>
	Total 1.332 acres    Areas are net

**Off Street Parking:**

Provided a reasonable rationale is offered, minimum and maximum parking and loading berth requirements may be modified upon site plan approval.

**Maximum Building Height:**

1 story / 38 ft.

**Maximum Building Floor Area Ratio:**

0.5 is the maximum building floor area ratio

**Minimum Building Setback Requirements (from Property Line)\*:**

North	10'
South	25'
East	50'
West	30'

\*Setbacks may be greater pursuant to the height-dependent setbacks provided in the asterisk text of Zoning Code Section 11-7D-4 Table 2

**Signage:**

Signs shall be permitted as depicted by Exhibit H & J. Additional signage shall be permitted meeting all requirements of Bixby Zoning Code Use Unit 21.

**Landscape Standards:**

Landscaping shall meet all requirements of The Bixby Zoning Code and this PUD.

**Lighting Standards:**

Exterior lighting shall be arranged to direct light away from property within the R District to the west and provide 0.0 foot candle light level at the west property line. Lights shall be placed at a maximum height of 10'.

A photometric plan demonstrating conformance with these requirements shall be required with the PUD Detailed Site Plan.

**Perimeter Requirements**

An 8' masonry screening fence shall be erected along the west property line which shall comply with specific standards outlined in this PUD.

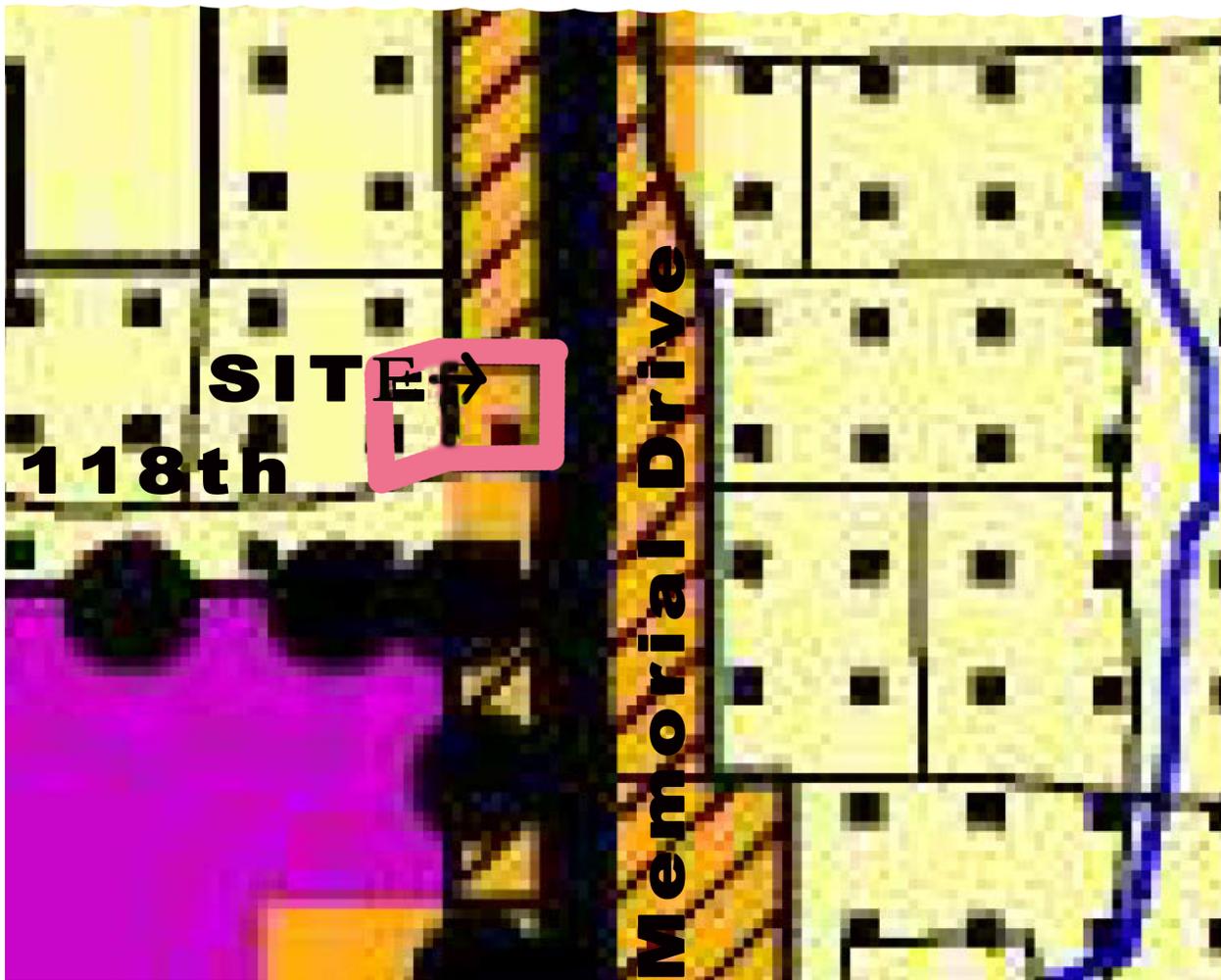
A 6' masonry CMU trash enclosure shall be provided at the trash enclosure noted on Exhibit H. The CMU shall match the CMU provided on the Building.



This PUD contains one Development Area

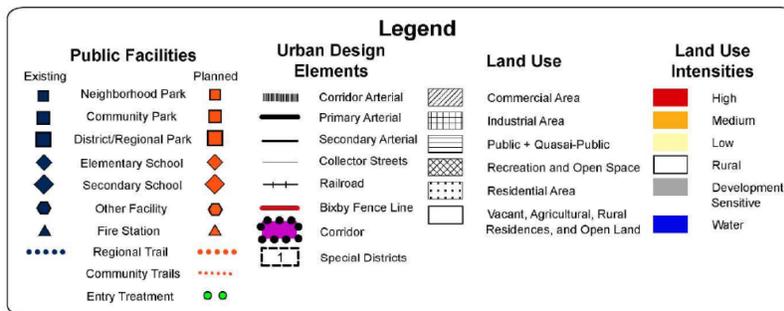


# *Proximity Aerial Exhibit A*

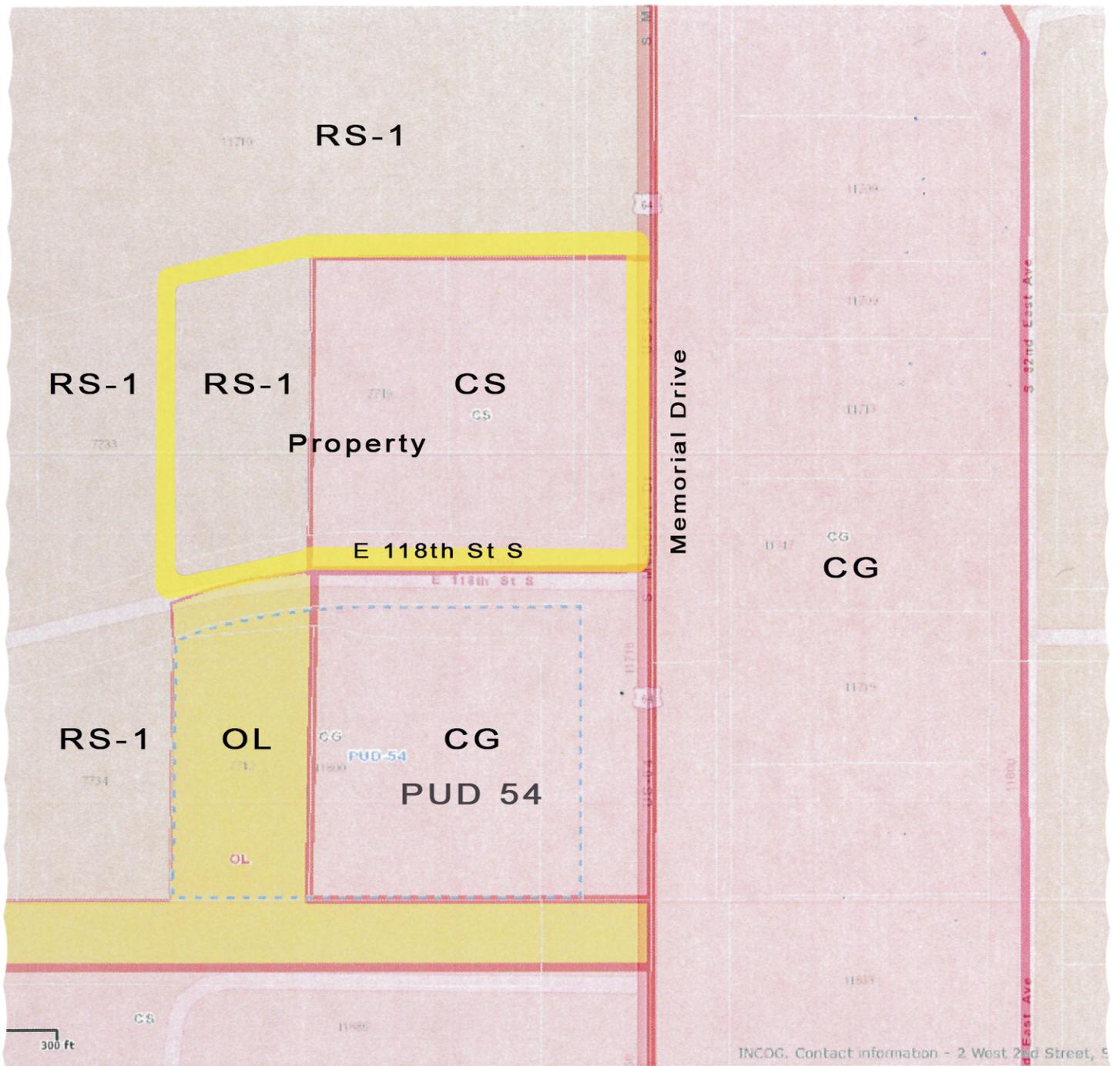


City of Bixby Comprehensive Plan

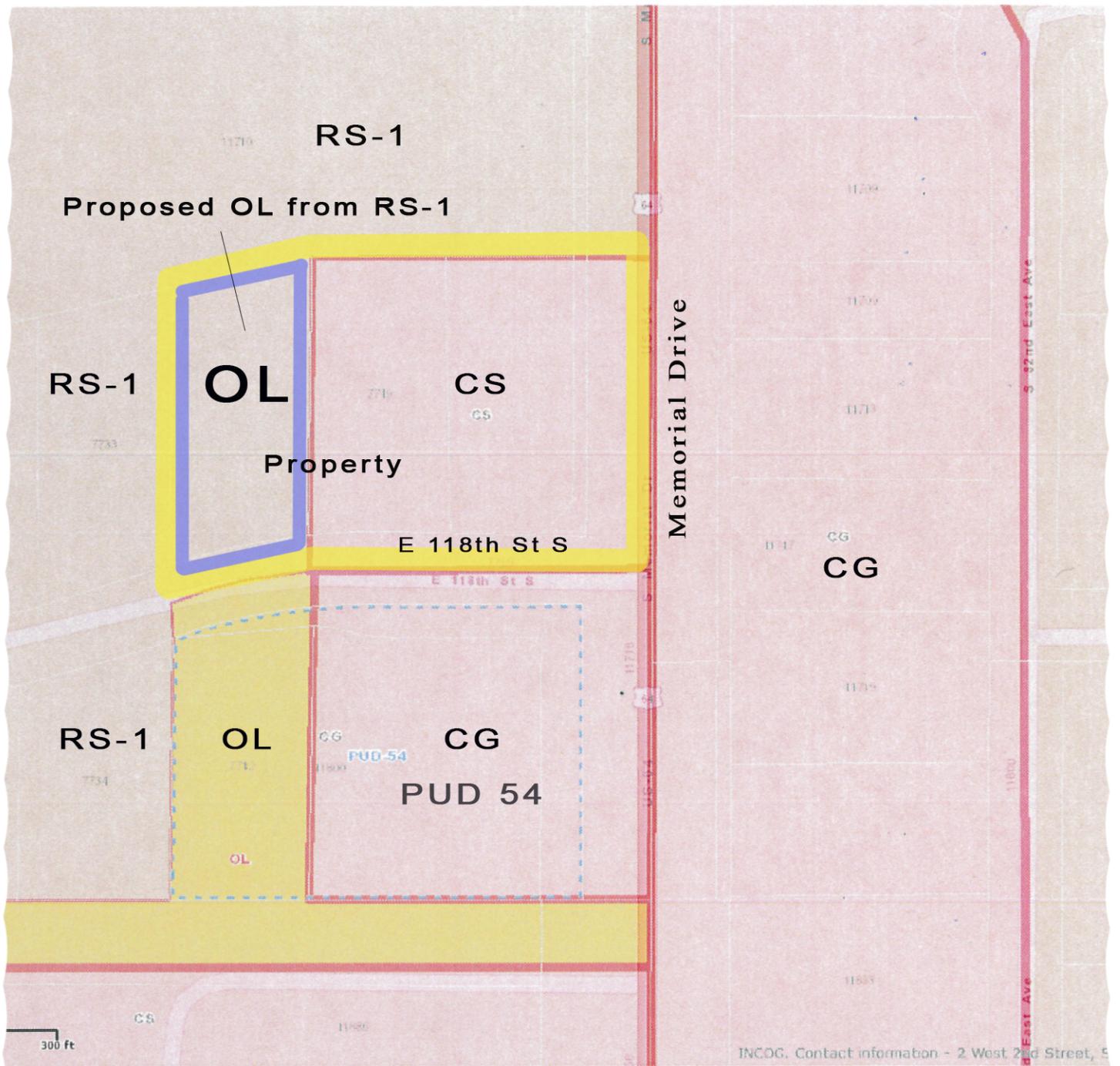
# COMPREHENSIVE LAND USE PLAN 2001-2020



## Comprehensive Plan Exhibit B



# Existing Zoning Exhibit C



# *Proposed Zoning Exhibit D*





*Photos depict an existing carwash facility by the applicant which is illustrative of the exterior materials and general concept planned for the subject Property*

## ***Illustrative Photos***

### ***Exhibit F***



[Contact Us](#)
[Subscribe](#)
[Archived Soil Surveys](#)
[Soil Survey Status](#)
[Glossary](#)
[Preferences](#)
[Link](#)
[Logout](#)
[Help](#)

A A A

[Area of Interest \(AOI\)](#)
[Soil Map](#)
[Soil Data Explorer](#)
[Download Soils Data](#)
[Shopping Cart \(Free\)](#)

[Printable Version](#)
[Add to Shopping Cart](#)

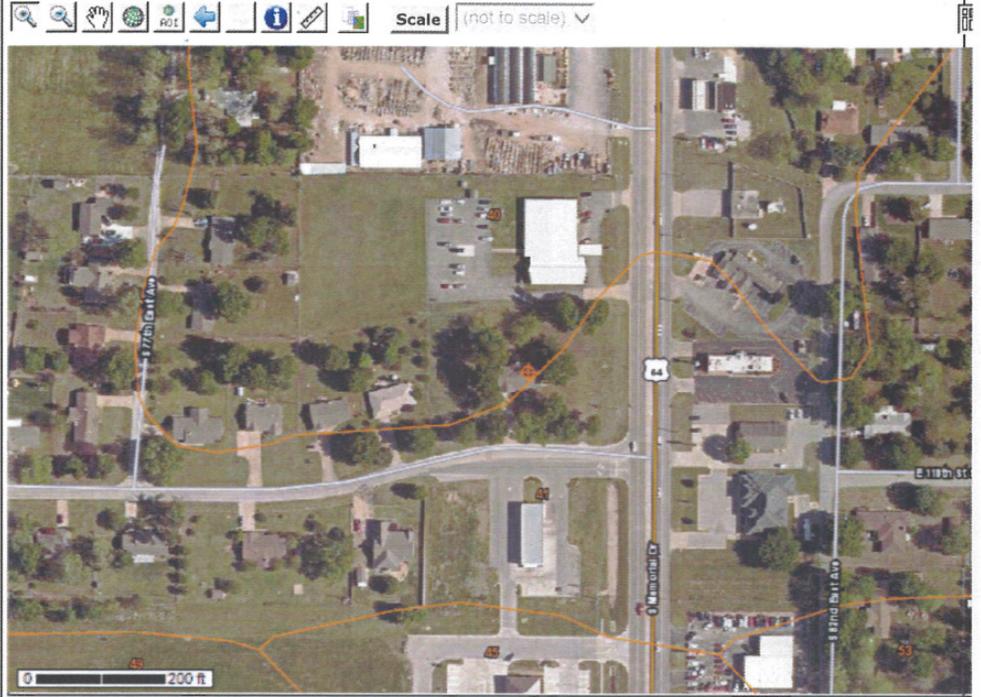
Search

Map Unit Legend

Tulsa County, Oklahoma (OK143)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Apperson silty clay loam, 1 to 3 percent slopes	4,164.2	1.1%
2	Apperson silty clay loam, 3 to 5 percent slopes	611.0	0.2%
3	Bates loam, 1 to 3 percent slopes	1,980.8	0.5%
4	Bates-Coweta complex, 3 to 5 percent slopes	4,578.7	1.2%
5	Catoosa silt loam, 1 to 3 percent slopes	2,004.1	0.5%
6	Catoosa-Shidler-Rock outcrop complex, 1 to 8 percent slopes	4,577.2	1.2%
7	Choska very fine sandy loam, 0 to 1 percent slopes, rarely flooded	8,318.0	2.2%
8	Choska-Severn-Urban land complex, 0 to 1 percent slopes, rarely flooded	10,593.1	2.8%
9	Cleora fine sandy loam, 0 to 1 percent slopes, occasionally flooded	568.6	0.2%

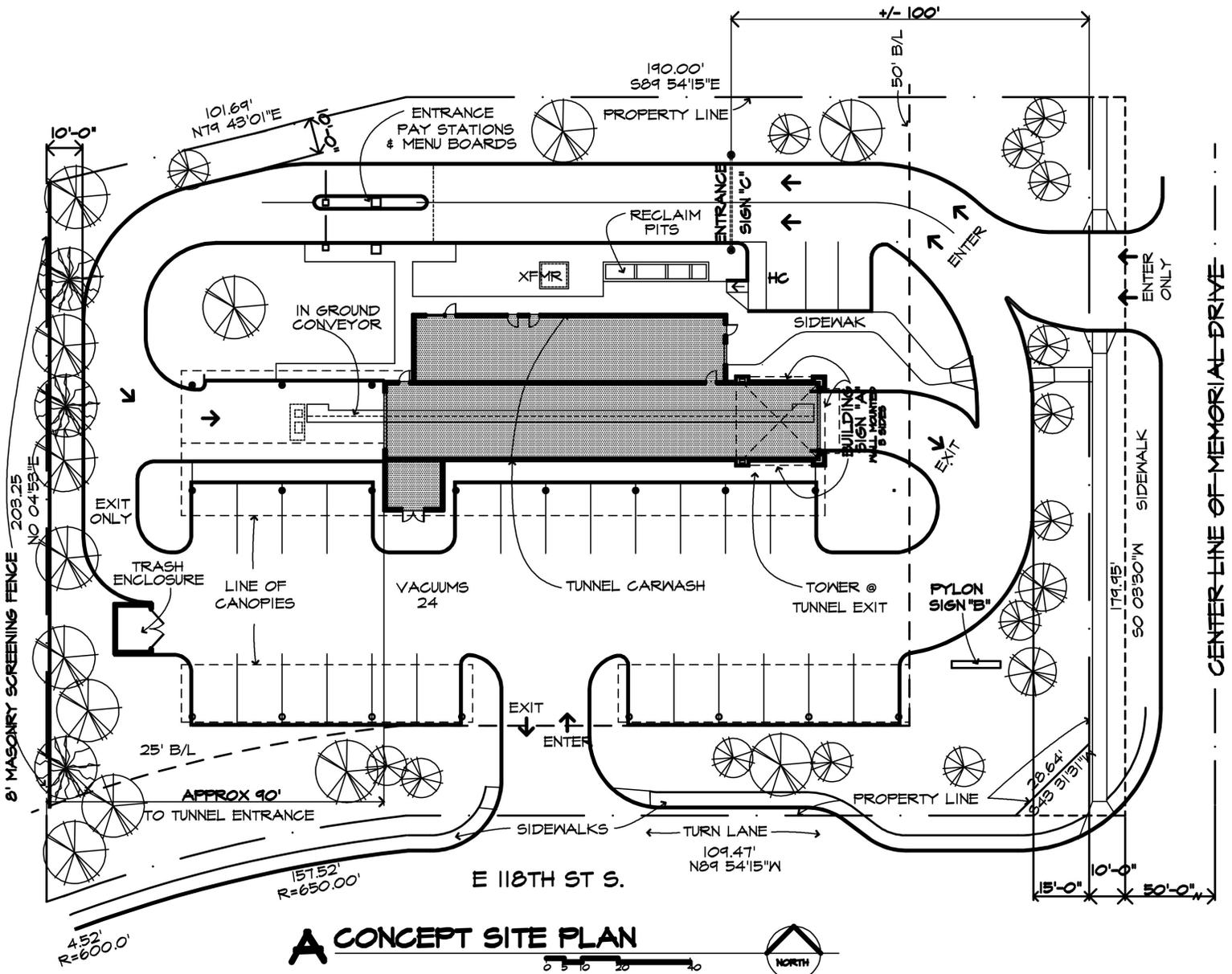
Soil Map



Key 41 okay loam

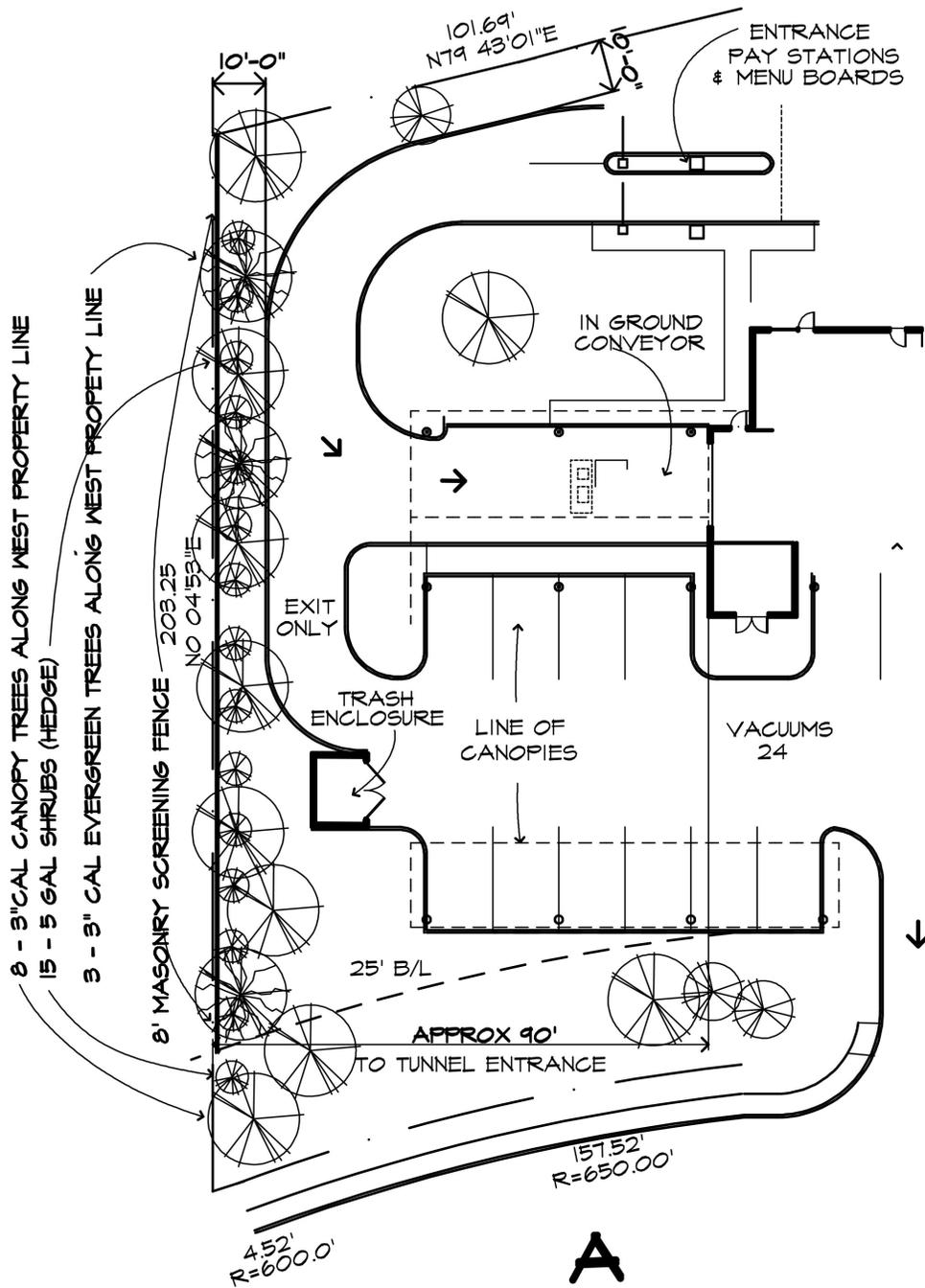
[FOIA](#) | 
 [Accessibility Statement](#) | 
 [Privacy Policy](#) | 
 [Non-Discrimination Statement](#) | 
 [Information Quality](#) | 
 [USA.gov](#) | 
 [White House](#)

# Existing Site Soils Exhibit G



# Concept Site Plan

## Exhibit H



**A** WEST PROPERTY LINE  
**A** LANDSCAPE & 8' FENCE BUFFER

# West Boundary Screening & Buffer Exhibit I



Sign "A"



Sign "B"



Sign "C"



*Proposed Signs*  
*Exhibit J*

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

MEMBERS PRESENT

Lonny Hicks, *AEP-PSO*

STAFF PRESENT

Erik Enyart, AICP, City Planner, City of Bixby

OTHERS PRESENT

Justin Morgan, PE, *Tanner Consulting, LLC*

Mark Thomas, AIA, *Architects Collective*

Dennis Laxson, *L & L Industries, LLC*

Steve Baker, real estate broker

1. Erik Enyart called the meeting to order at 10:08 AM.

Erik Enyart apologized for arriving late and explained that he had to help ‘put out a couple fires’ before he could get to the meeting.

2. **BCPA-13 – Mark Thomas of Architects Collective.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan of the City of Bixby, Oklahoma, specifically to remove the “Residential Area” specific land use designation for Lot 11, Block 7, *Amended Plat of Block 7 North Heights Addition.*  
Property Located: 7700:8000-block of E. 118<sup>th</sup> St. S.
3. **PUD 89 – “Auto Oasis PUD” – Mark Thomas of Architects Collective.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 1 1/3 acres consisting of Lots 11, 12, and 13 (less right-of-way of record), Block 7, *Amended Plat of Block 7 North Heights Addition.*  
Property Located: 7749 E. 118<sup>th</sup> St. S. / 7700:8000-block of E. 118<sup>th</sup> St. S.

---

Erik Enyart introduced the two (2) related items and summarized the location and the situation. Mr. Enyart stated that the case included (1) an amendment to the Comprehensive Plan, (2) a PUD, and (3) a rezoning. Mr. Enyart stated that the City had met with the Applicant and his clients about this project previously. Mr. Enyart stated that the Applicant had provided an early draft of the PUD, which allowed the City to provide some early review comments, most of which he observed had

been incorporated into the PUD, but that there remained a few. Mr. Enyart asked Applicant Mark Thomas if he cared to summarize the project further.

Mark Thomas noted that, as the City had recommended, [he and his clients] had a meeting with the neighborhood and Mayor the previous Thursday [June 25, 2015]. Mr. Thomas stated that the biggest concern expressed was for traffic, and that he had discussed plans for access to the neighbors. Mr. Thomas noted that the Fire Marshal was not present but stated that he had located the fire hydrant, which was across the street at *Jiffy Lube*.

Erik Enyart asked Lonny Hicks of *AEP-PSO* if he had any questions or comments. Mr. Hicks stated that he did not observe any [Utility] Easements on the plans. Mark Thomas and Erik Enyart noted that there would be perimeter U/Es on the plats. Mr. Thomas noted that a sanitary sewerline passed through a central part of the development site and would be relocated along the back per his understanding with the City Engineer. Mr. Hicks stated that the building would be served from an existing [overhead] electric line along Memorial Dr., and that [*AEP-PSO*] would put a transformer next to the building. Mr. Hicks stated that he would need a U/E from the existing line to the transformer. Mr. Enyart noted that plats typically contain language that provides the electric company an easement corresponding to wherever the electric line gets installed, such as a 5'-wide [Electrical] Easement, 2.5' on either side of the line. Mr. Hicks expressed favor for a separate instrument. Mr. Enyart suggested that the separate instrument [Electrical] Easement be shown on the plat. Mr. Hicks and Mr. Thomas indicated favor for executing the separate instrument after the plat was recorded, so as not to delay the plat or development. Mr. Enyart stated that, if the site plans were prepared in time and the location of the transformer was known, it would appear better to execute the separate instrument prior to recording the plat, and so allow it to be reflected on the plat. Discussion ensued regarding the relative difficulty of a plat amendment versus a separate instrument easement between the landowner and the utility company. Mr. Enyart stated that he did not think a plat amendment would be required since [the Electrical Easement] was not being dedicated by the plat, but rather the plat was merely representing a preexisting easement by separate instrument. Discussion ensued. Mr. Enyart stated that it was up to [the developer and *AEP-PSO*], but expressed concern that, if a separate instrument is recorded after the plat is filed, he would not be able to see it on the plat, and [the Public at large] may not know there is an easement or electrical line there.

Discussion ensued pertaining to the relocation of the sanitary sewerline. Erik Enyart confirmed Mark Thomas's statement that the City Engineer had indicated this was acceptable, and that there was plenty of fall to allow the relocation.

Erik Enyart stated that he would be working on the Staff Report and would provide it to the Applicant as soon as he could finish it. Mr. Enyart stated that his review would generally follow the preliminary review comments he had provided on the draft submittal, as there still remained a few items to correct. Mark Thomas asked for clarification, and Mr. Enyart stated that there were a few items he had observed, such as the sidewalk was not represented along 118<sup>th</sup> St. S. Mr. Thomas stated that he would address this.

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 Mark Thomas, Dennis Laxson, and Steve Baker for their attendance and offered that they could stay for the rest of the meeting at their option.

Mark Thomas, Dennis Laxson, and Steve Baker left at this time.

4. **PUD 90 – “Chisholm Ranch Villas II” – Tanner Consulting, LLC.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 4.665 acres in part of the E/2 of the NW/4 of Section 06, T17N, R14E.  
Property Located: 10200-block of E. 121<sup>st</sup> St. S.
  5. **BL-400 – Tanner Consulting, LLC.** Discussion and possible action to approve a Lot-Split for Lot 22, Block 1, *Chisholm Ranch Villas*.  
Property located: 12154 S. 103<sup>rd</sup> E. Ave. (address to be reassigned within the 10200-block of E. 121<sup>st</sup> Pl. S.)
- 

Erik Enyart introduced the two (2) related items and summarized the location and the situation. Mr. Enyart stated that this would be an extension of the *Chisholm Ranch Villas* subdivision to the west, and the PUD was required because private streets were planned, and to afford some additional design flexibility. Justin Morgan indicated agreement. Mr. Enyart stated that the Lot-Split was being done to allow the extension of the street from *Chisholm Ranch Villas* to provide a secondary means of ingress/egress. Mr. Enyart stated that the biggest issues he had observed pertained to access. Mr. Enyart noted that the site plan indicated constructing the subdivision over the existing north-south drive that served the Dr. Wells residence, his daughter’s residence, and what remained of the former business on the parcels abutting the subject property to the south. Mr. Morgan stated that the new street to the west of the subdivision would be extended farther south into the next phase of Chisholm Ranch, which would be developed concurrently with “Chisholm Ranch Villas II.” Mr. Morgan and Mr. Enyart clarified that the existing uses would be able to tie their driveway into this new north-south street. Mr. Enyart confirmed with Mr. Morgan that the larger development was going by the name “Chisholm Ranch II” and asked when the plat for same would be submitted. Mr. Morgan stated that the plats for “Chisholm Ranch II” and “Chisholm Ranch Villas II” would be submitted at the same time in the next couple months, and that this PUD was submitted first as it needed to be taken care of prior to the plats. Mr. Enyart indicated agreement. Mr. Enyart stated that the PUD Text should explain this sequence issue. Mr. Enyart noted that this drive also served as the secondary, emergency ingress/egress for *Chisholm Ranch* to the south, and that there were Mutual Access Easements corresponding to the existing drive, which would need to be vacated, and the PUD Text should explain this situation as well. Mr. Morgan indicated agreement.

Erik Enyart stated that he had also discussed with the Fire Marshal the design of the new gate. Mr. Enyart stated that, in the past couple years, the City of Bixby had a subdivision gate design issue that stemmed from the Building Code. Mr. Enyart stated that the City amended the Building Code to allow for an alternative design method that was deemed parallel and equivalent to the standard design outlined in the Building Code, which provided some flexibility but also introduced very specific design standards. Mr. Enyart stated that, per his discussion with the Fire Marshal, one of

those design standards required that the gate be set back approximately 75' [to allow for turning movements], which would cut off the northwestern-most lot, absent a redesign. Mr. Enyart confirmed with Justin Morgan that Mr. Morgan could discuss this matter with the Fire Marshal.

Erik Enyart stated that there was language in the PUD stating that internal sidewalks would not be constructed. Mr. Enyart stated that Staff would not be supportive of Waiving this standard, and discussed the history of sidewalk construction policy in Bixby, including one of the last sidewalk Waivers granted in Bixby, for the Arterial Street frontages of the *Chisholm Ranch* and *Chisholm Ranch Villas* subdivisions. Mr. Enyart and Justin Morgan discussed alternative compliance methods. Mr. Morgan suggested that, in lieu of internal sidewalks, the developer could complete the sidewalks along the Arterial Street frontages of the *Chisholm Ranch* and *Chisholm Ranch Villas* subdivisions. Mr. Enyart stated that this would require a Waiver, but that he believed he could support such a Waiver. Mr. Enyart noted that, if it is approached this way, this intent should be described in the PUD Text.

Justin Morgan discussed complications designing the subdivision around existing developed parcels and with modifying previous engineering designs.

Erik Enyart asked Lonny Hicks if he had any questions or concerns. Mr. Hicks had none at this time.

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

6. **BL-398 – Karen Cercy**. Discussion and possible action to approve a Lot-Split for Lot 6 and a part of Lot 7, Block 1, *The Reserve at Harvard Ponds*.  
Property located: 14472 S. Gary Ct.
- 

Erik Enyart introduced the item and noted that this was a Lot-Split and recombination. Mr. Enyart confirmed with Lonny Hicks that this was served by *OG+E*.

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

7. Old Business – None.
8. New Business – None.
9. Meeting was adjourned at 10:44 AM.

74

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

NAME	COMPANY	PHONE
1. <u>MARK THOMAS</u>	<u>Architects</u> <u>COLLECTIVE</u>	<u>918 492 2987</u>
2. <u>DENNIS LARSON</u>	<u>L &amp; L INDUSTRIES</u>	<u>918 264 1662</u>
3. <u>LONNY HICKS</u>	<u>PSO</u>	<u>918-250-6211</u>
4. <u>JUSTIN MOROAN</u>	<u>Tanner Cons.</u>	<u>918-745-9929</u>
5. <u>Steve Becker</u>	<u>R/E Broker</u>	<u>918-232-2360</u>
6. <u>Erik Enyart</u>	<u>city of Bixby</u>	<u>918 366 4430</u>
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____
19. _____	_____	_____
20. _____	_____	_____

This Page  
Intentionally  
Left Blank



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, July 16, 2015  
**RE:** Report and Recommendations for:  
PUD 90 – “Chisholm Ranch Villas II” – Tanner Consulting, LLC

LOCATION:

- 10158 E. 121<sup>st</sup> St. S.
- 10200-block of E. 121<sup>st</sup> St. S.
- Part of the E/2 of the NW/4 of Section 06, T17N, R14E

SIZE:

- 31 acres, more or less (parent tract)
- 4.665 acres, more or less (PUD area)

EXISTING ZONING:

- RS-3 Residential Single-Family District & AG Agricultural District (parent tract)
- RS-3 Residential Single-Family District (PUD area)

EXISTING USE: Vacant

REQUESTED ZONING: PUD 90

SUPPLEMENTAL ZONING: None

SURROUNDING ZONING AND LAND USE (from the perspective of PUD area):

North: (Across 121<sup>st</sup> St. S.) AG; A 40-acre agricultural tract and the *The Sand Plum* assisted living center and two (2) vacant frontage tracts to the northwest zoned RM-2.

South: AG & RS-3; An unplatted 1-acre AG-zoned tract containing a single-family dwelling addressed 10240 E. 121<sup>st</sup> St. S. and another unplatted 1 2/3-acre AG-zoned

tract containing a single-family dwelling, a Use Unit 15 *Juniper Hill Farm* nursery-related business, and a single-wide manufactured home, addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S. Farther south is vacant land zoned RS-3 for part of a future "Chisholm Ranch" single-family residential subdivision.

East: RS-3/PUD 58 & AG; Single-family dwellings and vacant lots in the *Chisholm Ranch Villas* residential subdivision zoned RS-3/PUD 58. To the southeast is an unplatted 10-acre AG-zoned tract containing a house addressed 10500 E. 121<sup>st</sup> St. S.

West: RS-3; Vacant land zoned RS-3 for part of a future "Chisholm Ranch" single-family residential subdivision and single family residential in *Heritage Park Estates* beyond that to the west.

COMPREHENSIVE PLAN (from the perspective of PUD area): Low Intensity + Vacant, Agricultural, Rural Residences, and Open Land

PREVIOUS/RELATED CASES:

BBOA-274 – Dr. Cecil Wells Jr. – Request for Variance from the minimum area standard in the AG district to allow for a Lot-Split (BL-176) of an approximately 2.6-acre tract into two (2) tracts of approximately 0.9 acre and 1.7 acres, part of the latter of which became part of the subject property parent tract per BL-360 – BOA Approved 02/07/1994.

BBOA-275 – Dr. Cecil Wells Jr. – Request for Variance from the minimum frontage standard in the AG district to allow for a Lot-Split (BL-176) of an approximately 2.6-acre tract into two (2) tracts of approximately 0.9 acre and 1.7 acres, part of the latter of which became part of the subject property parent tract per BL-360 – Approved by BOA 02/07/1994.

BL-176 – Dr. Cecil Wells Jr. – Request for Lot-Split of an approximately 2.6-acre tract into two (2) tracts of approximately 0.9 acre and 1.7 acres, part of the latter of which became part of the subject property parent tract per BL-360 – Approved by PC 03/02/1994.

BZ-323 – Haikey Creek Partners, LLC for David Markle – Request for rezoning from AG to RS-3 for 55 acres for the *Chisholm Ranch*, *Chisholm Ranch Villas*, and part of a future phase "Chisholm Ranch" single-family residential subdivisions (included part of subject property parent tract) – PC Recommended Approval 12/11/2006 by 2 to 1 vote and City Council Approved 05/11/2009 (Ord. # 958 on 12/11/2006 corrected by Ord. # 968 on 01/22/2007, which was later corrected again by Ord. # 2014 on 05/11/2009).

PUD 58 – Juniper Hills Villas – Haikey Creek Partners, LLC for David Markle – Request for PUD approval for 8.12 acres abutting subject property PUD area to the east for the *Chisholm Ranch Villas* subdivision (then tentatively known as "Juniper Hills Villas") (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) – PC Recommended Approval 05/21/2007 by 2 to 1 vote and City Council Approved 06/11/2007 (Ord. # 971).

Preliminary Plat of Juniper Hills Villas – Request for Preliminary Plat for 8.12 acres abutting subject property PUD area to the east for the *Chisholm Ranch Villas* subdivision (then tentatively known as "Juniper Hills Villas") (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) – PC recommended Conditional Approval 06/18/2007 and City Council Conditionally Approved 06/25/2007.

Preliminary Plat of Juniper Hills – Request for Preliminary Plat was ultimately platted as the *Chisholm Ranch* subdivision to the southeast of subject property PUD area (same

subdivision as previously known as “Juniper Hills”) (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) (Plat application apparently logged/filed as “PUD 59” in error; as a consequence, PUD 59 was skipped) – PC recommended Conditional Approval 06/18/2007 and City Council Conditionally Approved 06/25/2007.

Preliminary Plat of Chisholm Ranch I – Request for Final Plat for what was ultimately platted as the *Chisholm Ranch* subdivision to the southeast of subject property PUD area (same subdivision as previously known as “Juniper Hills”) (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) – PC Recommended Conditional Approval 09/15/2008 and City Council Conditionally Approved 09/22/2008.

Preliminary Plat of Chisholm Ranch Villas – Request for Preliminary Plat for 8.12 acres abutting subject property PUD area to the east for the *Chisholm Ranch Villas* subdivision (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) – PC Recommended Conditional Approval 09/15/2008 and City Council Conditionally Approved 09/22/2008.

BZ-339 – Chisholm Ranch, LLC for Juniper Hill Farm, Inc. – Request for rezoning from AG to RS-3 for a 22-acre tract for part of a future “Chisholm Ranch” residential subdivision, which 22 acres composes the greater part of what is now the subject property parent tract – Approved in July 2008.

BL-357 – Chisholm Ranch, LLC for the Juniper Hill Farm, Inc. – Request for Lot-Split approval for the “Westerly Northern Tract” to be taken from the Chisholm Ranch, LLC subject property parent tract acreage to deed to the abutting 1-acre tract property at 10240 E. 121<sup>st</sup> St. S. – PC Approved 07/21/2008.

BL-358 – Chisholm Ranch, LLC for the Patricia Wells Trust – Request for Lot-Split approval for the “Westerly Southern Tract” to be taken from the abutting 1-acre tract property at 10240 E. 121<sup>st</sup> St. S. to deed to Chisholm Ranch, LLC subject property parent tract – Withdrawn by Applicant 07/15/2008.

BL-360 – Chisholm Ranch, LLC for Patricia Wells Trust – Request for Lot-Split approval for a 17’-wide “Easterly Southern Tract” to be taken from the south end of a 1.7-acre tract and added to the Chisholm Ranch, LLC acreage (subject property) – PC Conditionally Approved 09/15/2008.

BL-361 – Chisholm Ranch, LLC for the Juniper Hill Farm, Inc. – Request for Lot-Split approval for a 18’-wide “Easterly Northern Tract” to be taken from the Chisholm Ranch, LLC subject property parent tract acreage and added to the north end of the abutting 1.7-acre tract addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S. – PC Conditionally Approved 09/15/2008.

Final Plat of Chisholm Ranch Villas – Request for Final Plat for 8.12 acres abutting subject property PUD area to the east for the *Chisholm Ranch Villas* subdivision (same subdivision as previously known as “Juniper Hills Villas”) (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract) – PC Recommended Conditional Approval 12/21/2009 and City Council Conditionally Approved 01/11/2010 (Plat # 6324 recorded 02/09/2010).

Final Plat of Chisholm Ranch – Request for Final Plat for the *Chisholm Ranch Villas* subdivision to the southeast of subject property PUD area (application filed on a part of an acreage parcel, a part of which acreage parcel is now a part of subject property parent tract)

– PC Recommended Conditional Approval 12/21/2009 and City Council Conditionally Approved 01/11/2010 (Plat # 6325 recorded 02/09/2010).

BL-400 – Tanner Consulting, LLC – Request for Lot-Split approval for Lot 22, Block 1, *Chisholm Ranch Villas*, abutting subject property to the east at 12154 S. 103<sup>rd</sup> E. Ave. (address to be reassigned within the 10200-block of E. 121<sup>st</sup> Pl. S.) to separate the southerly 32’ thereof for an extension of 121<sup>st</sup> Pl. S. into the subject property – Pending PC consideration 07/20/2015.

RELEVANT AREA CASE HISTORY (From the perspective of PUD area): (not a complete list – selected from cases most recent, most relevant to this application, and concerning properties closest in proximity to the subject property)

BZ-98 – Harmony Homes/Charles Smith – Request for rezoning from AG to RS-3 & CS for the NW/4 NW/4 to the west of subject property (includes what was later platted as *Heritage Park Estates*) – PC Recommended Approval 02/23/1981 and City Council Approved 03/02/1981 (Ord. # 420).

BZ-151 – James R. Crocker for Earl Burton – Request for rezoning from AG to RS-2 for approximately 40 acres to the northwest of subject property approximately corresponding to Government Lot 4 (SW/4 SW/4) of Section 31, T18N, R14E, now containing the platted and unplatted portions of the *Cypress Pointe* housing addition and the *The Sand Plum* assisted living center and two (2) vacant parcels in front of same – PC Recommended Approval 01/30/1984 and City Council Approved 02/06/1984 (Ord. # 503).

PUD 7 – James R. Crocker for Earl Burton – Request for approval of PUD 7 for approximately 40 acres to the northwest of subject property approximately corresponding to Government Lot 4 (SW/4 SW/4) of Section 31, T18N, R14E, now containing the platted and unplatted portions of the *Cypress Pointe* housing addition and the *The Sand Plum* assisted living center and two (2) vacant parcels in front of same – PC Recommended Denial 01/30/1984 and City Council Denied 02/06/1984.

PUD 8 – Ed Black & Jim Diamond – Request for rezoning for PUD approval for a “Sylvan Springs” small-lot patio home residential subdivision in the NW/4 NW/4 to the west of subject property (includes what was later platted as *Heritage Park Estates*, but not by this application) – PC Recommended Denial 01/30/1984, amended by Applicant and Appealed to the City Council, remanded back to the PC, PC Recommended Denial 03/26/1984, and Withdrawn by Applicant.

PUD 9 – Ed Black & Jim Diamond – Request for rezoning for PUD approval for a “Spring Creek” small-lot patio home residential subdivision in the NW/4 NW/4 to the west of subject property (includes what was later platted as *Heritage Park Estates*, but not by this application) – PC Recommended Denial 05/29/1984, Appealed to the City Council, and (per notes) City Council Denied 06/12/1984.

BZ-233 – Joe Donelson for First Equity Corporation – Request for rezoning from CS to RS-3 for the northwest 5 acres of the NW/4 NW/4 to the west of subject property (part of what was later platted as *Heritage Park Estates*) – PC Recommended Approval 09/24/1997 and City Council Approved 11/10/1997 (no Ordinance found but shows as RS-3 on Zoning Map).

BZ-240 – David R. Merritt of Properties, Inc. for Southern Trading, LLC – Request for rezoning from RS-3 to RM-2 for approximately 10 acres to the northwest of subject property approximately corresponding to the SE/4 of Government Lot 4 (SW/4 SW/4) of Section 31, T18N, R14E, now containing the *The Sand Plum* assisted living center and two

(2) vacant parcels in front of same – PC Recommended Approval 06/22/1998 and City Council Approved 08/10/1998 (Ord. # 780).

BZ-258 – Pittman Poe & Associates, Inc. for Greenville Development, LLC – Request for rezoning from RS-2 to CS for approximately 1.5 acres to the northwest of subject property at the northeast corner of the intersection of 121<sup>st</sup> St. S. and Mingo Rd., now a part of the unplatted parcel containing the stormwater detention/retention pond serving the *Cypress Pointe* housing addition – PC Recommended Approval 07/19/1999 and City Council Approved 08/23/1999 (Ord. # 797).

PUD 26 – Mingo Park – Pittman Poe & Associates, Inc. for Greenville Development, LLC – Request for approval of PUD 26 for approximately 40 acres to the northwest of subject property approximately corresponding to Government Lot 4 (SW/4 SW/4) of Section 31, T18N, R14E, now containing the platted and unplatted portions of the *Cypress Pointe* housing addition and the *The Sand Plum* assisted living center and two (2) vacant parcels in front of same – PC Recommended Approval 07/19/1999 and City Council Approved 08/23/1999 (Ord. # 798).

BBOA-351 – Border R. Merritt for Sand Plum Limited Partnership – Request for “Variance to Section 5-33 of the Bixby City Code to allow a building to exceed 26 feet” for approximately 10 acres to the northwest of subject property approximately corresponding to the SE/4 of Government Lot 4 (SW/4 SW/4) of Section 31, T18N, R14E, now containing the *The Sand Plum* assisted living center and two (2) vacant parcels in front of same – BOA Approved 10/04/1999.

BZ-292 – Merritt Properties, Inc. / Sand Plum Limited Partnership – Request for rezoning from RM-2 to CS for two 1.5-acre tracts to the northwest of subject property in front of the *The Sand Plum* assisted living center – PC Recommended Denial 05/19/2003 and evidently not appealed to the City Council.

PUD 58 – [Chisholm Ranch] Villas – Minor Amendment # 1 – Request for approval of Minor Amendment # 1 to PUD 58 to change a screening wall to a wood screening fence with masonry columns for 8.12 acres abutting subject property PUD area to the east – PC Approved 02/26/2010.

BBOA-560 – Dr. C. G. Wells Jr. for Marcia D. Wells – Request for Variance from (1) Zoning Code Section 11-8-5 to be permitted to maintain two (2) dwellings on a singular tract of land, (2) the 40’ rear yard setback and 2.2 acre minimum land area per dwelling unit standards of Zoning Code Section 11-7A-4 Table 3, and, (3) any other Zoning Code requirement preventing the placement and maintenance of a Use Unit 9 single-wide manufactured home on a lot containing a Use Unit 6 single family dwelling and the Juniper Hill Farm a Use Unit 15 nursery business in the AG Agricultural District for the abutting 1 2/3-acre tract addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S. – BOA Conditionally Approved 06/04/2012.

BBOA-561 – Dr. C. G. Wells Jr. for Marcia D. Wells – Request for Special Exception per Zoning Code Section 11-7A-2 Table 1 to allow an existing Use Unit 9 single-wide manufactured home in the AG Agricultural District for the abutting 1 2/3-acre tract addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S. – BOA Conditionally Approved 07/02/2012.

#### BACKGROUND INFORMATION:

81

ANALYSIS:

Subject Property Conditions. The vacant subject property parent tract contains 31 acres, more or less, and is addressed 10158 E. 121<sup>st</sup> St. S. It is zoned RS-3 with the exception of a sliver of land lying south of the 1 2/3-acre AG-zoned tract containing a single-family dwelling, a Use Unit 15 *Juniper Hill Farm* nursery-related business, and a single-wide manufactured home, addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S., which sliver resulted from the sequence of rezoning to RS-3 per BZ-399 and property trade Lot-Split applications BL-357, BL-358, BL-360, and BL-361, all in mid-2008.

The subject property PUD area, the primary focus of this analysis, contains 4.665 acres, more or less, and is zoned RS-3.

The subject property appears to slope slightly downward to the northwest toward a drainageway which enters the *Heritage Park Estates* housing addition at the northwest corner of the subject property parent tract. This drainageway flows southwesterly to Mingo Rd. and appears to be within the Haikey Creek drainage basin.

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

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 district is *In Accordance* with both the Low Intensity 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 Matrix does not indicate whether or not the RS-3 zoning 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.

Per the Matrix, PUDs (as a zoning district) *May Be Found In Accordance* with the Low Intensity 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 90 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 existing RS-3 zoning and proposed single-family residential development proposed per PUD 90 should be found *In Accordance* with the Comprehensive Plan, provided it is approved with the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

General. The PUD proposes to prepare the subject property PUD area for a gated, single-family residential development to be known as “Chisholm Ranch Villas II,” which resembles a second, westerly phase of the existing *Chisholm Ranch Villas*.

The PUD is being requested for two (2) reasons: (1) Subdivision Regulations Section 12-3-2.J requires a PUD when developing subdivisions with private streets, and (2) for subdivision design flexibility. Similar to *Chisholm Ranch Villas*, the lots are proposed to have a 50’ minimum lot width and 4,800 square-foot minimum lot area, compared to the RS-3 district’s 65’ minimum lot width and 6,900 square foot minimum lot area standards. However, the PUD Exhibits reflect an actual minimum lot width of 60’ and the smallest lot appears to be roughly (60’ X 124’ =) 7,440. Staff recommends the Applicant consider changing the 50’ minimum lot width → 60’ and the minimum lot area from 4,800 → 7,440, or otherwise 6,900 square feet.

Development Standards for “Chisholm Ranch Villas II” different than *Chisholm Ranch Villas*, the PUD proposes, respectively, a 40’ vs. 35’ maximum building height, and a minimum 2-car garage standard vs. no PUD standard. See also the analysis below pertaining to minimum development standards for individual houses.

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 90 at its regular meeting held July 01, 2015. Minutes of that meeting are attached to this report.

Access and Internal Circulation. The subject property PUD area has approximately 440' of frontage on 121<sup>st</sup> St. S.

The subject property is presently accessed from a private, paved driveway connecting to E. 121<sup>st</sup> St. S. at approximately the 10200-block thereof. This driveway serves as the primary access to the abutting 1-acre and 1 2/3-acre tracts, and as the secondary, emergency access for *Chisholm Ranch*. As a part of the development of *Chisholm Ranch*, this driveway was surveyed and dedicated as a Mutual Access Easement (Tulsa County Clerk's Office Document # 2009053005). Other access easements are reflected on the recorded plat of *Chisholm Ranch* (Book 4731 Page 36, Book 5615 Page 887, and Book 5615 Page 890).

PUD Text Section V describes plans for access as follows:

“Access for Chisholm Ranch Villas Phase II will be from East 121st Place South and via a public street constructed on the west side of the development providing access to the larger lots. Additionally, a connection to 121st Place South through Chisholm Ranch Villas will be provided for a secondary point of ingress and egress. There shall be no direct access to 121st Street South. Residential lots shall not be permitted direct vehicular access to 121st Street South. Due to the development being gated and containing smaller sized lots and restricted right-of-way width, no interior sidewalks will be constructed or required.”

Plans for access can also be inferred from the PUD Exhibits.

The PUD Text and Exhibits indicate the streets, as in *Chisholm Ranch Villas*, will be private and gated, with 26'-wide roadways located within 32'-wide private street rights-of-way (or Reserve area[s]) otherwise designed and constructed to meet City of Bixby minimum standards for Minor Residential Public Streets. The PUD Text should acknowledge that the 32'-wide rights-of-way will require a Modification/Waiver during the platting process.

Per the PUD Exhibits, it appears that the existing improved drive serving the adjacent parcels and as the secondary, emergency ingress/egress for *Chisholm Ranch* would be removed and replaced with the housing addition development. The Exhibits reflect the construction of a new Public street along the west side of the new housing addition, stopping about 2/3 of the way down. The plans do not indicate how the existing adjacent parcels or *Chisholm Ranch* access will be connected. However, in the TAC meeting held July 01, 2015, the Applicant noted that this “Chisholm Ranch Villas II” will be developed simultaneously with “Chisholm Ranch II,” and the represented Public street will be extended farther south, and the existing adjacent parcels will have their driveways extended to connect to this new Public street. This design should be reflected on the PUD Exhibits and described in PUD Text Section V. Further, the PUD Exhibits and Text should note that the existing access easements (if/as may be located within the residential development area) will be released or vacated prior to Final Plat recording.

As described more fully in the attached TAC Minutes, per the Fire Marshal, the gate setback and/or other gate design requirements may cause need for a reconfiguration of the subdivision

84

at the northwest corner. Any necessary modifications should be reflected in the PUD Text and Exhibits as appropriate.

The proposed construction of a secondary ingress/egress via the extension of the private 121<sup>st</sup> Pl. S. from *Chisholm Ranch Villas* will be secured by Lot-Split application BL-400, also on this agenda for consideration. PUD Text Section V should acknowledge the pending Lot-Split application.

Staff will not support Waiving the sidewalk construction requirement. It appears that the proposed rights-of-way, at 32' in width, will not be adequate to contain a sidewalk (a 26' roadway leaves only ~2.5' on either side of both ~½' curbs), and so it appears it will be necessary to add a "Sidewalk Easement" along the streets. Alternatively, additional width could be added to the 32' current right-of-way width to accommodate the sidewalks.

PUD Text Section V pertaining to sidewalks should be replaced with new text such as: "Sidewalks shall be constructed by the developer or individual lot owners along all perimeter and internal streets in accordance with the Bixby Subdivision Regulations. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer." The text should also explain plans for use of Sidewalk Easements or wider rights-of-way.

At the TAC meeting, the Applicant suggested constructing the sidewalks along the frontages of *Chisholm Ranch Villas* and *Chisholm Ranch*, in lieu of internal sidewalks. Provided the linear distances equal, or any shortages are compensated by internal sidewalks on one side of the street(s), because the internal street network is so small and this is a gated subdivision with private streets, Staff would support this as a future Modification/Waiver of the Subdivision Regulations during the platting stage. The PUD Text should describe this intent, if this plan is intended.

Surrounding Zoning and Land Use Compatibility. Surrounding zoning is primarily AG, RS-3, and RS-3/PUD 58. See the case map for illustration of existing zoning patterns, which are described in the following paragraphs.

Across 121<sup>st</sup> St. S. is a 40-acre agricultural tract zoned AG and the *The Sand Plum* assisted living center and two (2) vacant frontage tracts to the northwest zoned RM-2.

South of the subject property PUD area is an unplatted 1-acre AG-zoned tract containing a single-family dwelling addressed 10240 E. 121<sup>st</sup> St. S. and another unplatted 1 2/3-acre AG-zoned tract containing a single-family dwelling, a Use Unit 15 *Juniper Hill Farm* nursery-related business, and a single-wide manufactured home, addressed 10250, 10280, and 10288 E. 121<sup>st</sup> St. S. Farther south is vacant land zoned RS-3 for part of a future "Chisholm Ranch" single-family residential subdivision.

Abutting the subject property PUD area to the east are single-family dwellings and vacant lots in the *Chisholm Ranch Villas* residential subdivision zoned RS-3/PUD 58. To the southeast is an unplatted 10-acre AG-zoned tract containing a house addressed 10500 E. 121<sup>st</sup> St. S.

West of the subject property PUD area is vacant land for part of a future "Chisholm Ranch" single-family residential subdivision and single family residential in *Heritage Park Estates* beyond that to the west, all zoned RS-3.

The existing RS-3 zoning and proposed single-family residential housing addition development contemplated by this PUD would be consistent with the surrounding Residential zoning and single-family land use patterns and would be consistent with the smaller-lot, "villa/s"-style housing addition pattern abutting in *Chisholm Ranch Villas* to the east, and represents a logical extension thereof.

For the past few years, the City Council has discussed with developers the minimum standards for houses to be constructed within in new housing additions in Bixby, and how proposals for such would compare to the same in other developments in context and in Bixby as a whole. Specifically, the City Council has previously considered (1) minimum house size and (2) minimum masonry content. These matters are always considered when granting a PUD entitlement to reduce lot widths or other bulk and area standards, as is the case in this application.

In 2012/2013, the City Council approved PUD 72, permitting the reduction of certain minimum bulk and area standards for what was later replatted as *Southridge at Lantern Hill* at 146<sup>th</sup> St. S. and Sheridan Rd. The City Council and the then-owner agreed to impose minimum standards as to house sizes and masonry as follows:

- 1,800 square foot minimum house size
- 100% minimum masonry to the top plate line.

In 2013, the City Council approved PUD 78, permitting the reduction of certain minimum bulk and area standards for "Willow Creek" at 131<sup>st</sup> St. S. and Mingo Rd. The City observed that, in exchange for the special benefits afforded by the PUD, the Applicant in that case proposed:

- 1,500 square foot minimum house size
- 50% minimum masonry.

In 2014, the City Council approved PUD 82, permitting the reduction of certain minimum bulk and area standards for "Somerset" at 119<sup>th</sup> St. S. and Sheridan Rd. The City observed that, in exchange for the special benefits afforded by the PUD, the Applicant in that case proposed:

- 75% minimum masonry
- Mature tree preservation

The Preliminary Plat of "Somerset," as approved by the City Council, included:

- 2,200 square foot minimum dwelling size for one-story houses, and 2,600 square foot minimum for two-story houses.

After a three (3) month long review process, on November 10, 2014, the City Council Conditionally Approved the "Conrad Farms" housing addition development for Comprehensive

Plan amendment per BCPA-12, rezoning to RS-3 per BZ-377, and specific development plans per PUD 85 for approximately 136.48 acres between 151<sup>st</sup> St. S. and 161<sup>st</sup> St. S., Sheridan Rd. and Memorial Dr. The City observed that, in exchange for the special benefits afforded by amending the Comprehensive Plan and the PUD, the Applicant in that case proposed:

- 1,500 square foot minimum house size
- 100% minimum “masonry, or approved masonry alternatives” up to the first floor top plate, including:
  - 35% minimum brick
  - Approved masonry alternatives included “stucco, EIFS, and James Hardie fiber cement”
- Specific plans for neighborhood amenities, including the neighborhood clubhouse and entry features.

In November, 2014, the City Council approved a Preliminary Plat of “Pine Valley Addition.” In accordance with its purview of land use restrictions required to attend a plat according to the Bixby Subdivision Regulations, the City observed that the Restrictive Covenants in that case proposed:

- 1,700 square foot minimum dwelling size for one-story houses, and 2,400 square foot minimum for two-story houses.
- 100% / “full masonry.”<sup>1</sup>

In November, 2014, the City Council approved the Final Plats of “Seven Lakes V” and “Seven Lakes VI.” In accordance with its purview of land use restrictions required to attend a plat according to the Bixby Subdivision Regulations, the City observed that the Restrictive Covenants in that case proposed:

- 2,200 square foot minimum dwelling size for one-story houses, and 2,400 square foot minimum for two-story houses.
- 100% masonry including brick, stone, or stucco.<sup>2</sup>

In January, 2015, the City Council approved straight RS-3 zoning per BZ-378 for the “Bridle Creek Ranch” housing addition of 50.76 acres at 9040 E. 161<sup>st</sup> St. S. The Council accepted the suggestion by City Staff that the minimum standards could be established by the Restrictive Covenants of the plat, in lieu of a PUD as City Staff originally suggested. At the December 15, 2014 Planning Commission meeting, the Applicant stated that the houses would be:

---

<sup>1</sup> As recommended/required, one of the Conditions of Approval included that any changes to the DoD/RCs pertaining to the concerned restrictions cannot be amended unless such amendment is also approved by the City Council.

<sup>2</sup> At the time, Staff expressed concern about DoD/RCs allowing the minimum masonry standards to be waived by the subdivision’s Architectural Committee (typically = developer) and recommended that the DoD/RCs provisions pertaining to minimum house size and masonry content cannot be amended without the approval of the City Council. These changes were included as the Council’s modifications and/or Conditions of Approval. As recommended/required, the Applicant made the appropriate adjustments, including removing the waiver provision and relocating the concerned provisions to another section of the DoD/RCs requiring City Council approval for amendments, before the Final Plat was submitted and approved by CC January 26, 2015.

87

- 1,600 square foot minimum dwelling size for one-story houses, and 2,000 square foot minimum for two-story houses.
- 100% masonry to the top plate.

In January, 2015, the City Council approved the Final Plat of “Quail Creek of Bixby.” In accordance with its purview of land use restrictions required to attend a plat according to the Bixby Subdivision Regulations, the City observed that the Restrictive Covenants in that case proposed:

- 2,200 square foot minimum dwelling size for one-story houses, and 2,600 square foot minimum for two-story houses.
- 75% masonry including brick, natural rock, or stucco.<sup>3</sup>

As the above listing indicates, minimum standards vary by application and consider contextual factors specific to each development site.

The plat of *Chisholm Ranch*, recorded 02/09/2010, includes the following Restrictive Covenants pertaining to minimum standards for individual home construction:

- 2,400 square foot minimum house size.
- 100% masonry excluding back patios/porches, with the exception that second stories may have cement fiberboard or other materials as approved by the “Architectural Committee.”
- Minimum 7.5/12 roof pitch with exceptions for porches.

The plat of *Chisholm Ranch Villas*, recorded 02/09/2010, includes the following Restrictive Covenants pertaining to minimum standards for individual home construction:

- 1,700 square foot minimum house size.
- 66% masonry excluding windows and doors, with 100% on fronts and certain sides.
- Minimum 7/12 roof pitch over 75% of roof area, and a prohibition of less than 4/12 roof pitch, with provisions for “Architectural Committee” waiver.

As it pertains to minimum standards for individual home construction, this PUD 90 proposes:

- 2,000 square foot minimum dwelling size for one-story houses, and 2,400 square foot minimum for two-story houses.
- 100% masonry excluding windows and beneath covered porches.
- Minimum 10/12 roof pitch, with provisions for “Architectural Committee” waiver.

Staff believes that the proposed minimum standards for home construction are substantially consistent with the adjacent *Chisholm Ranch* subdivision, and especially the comparable

<sup>3</sup> Staff expressed concern about DoD/RCs Section IV.E allowing the minimum masonry standards to be waived by the subdivision’s Architectural Committee (typically = developer). The City Council required that the City Council also approve any waivers of the masonry requirement and that the DoD/RCs provisions pertaining to minimum house size and masonry content cannot be amended without the approval of the City Council.

88

*Chisholm Ranch Villas* subdivision, and with recent precedents for such standards as approved in Bixby for the past few years.

For all the reasons outlined above, Staff believes that PUD 90 would be consistent with the surrounding zoning, land use, and development patterns and is 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 application generally. Therefore, Staff recommends Approval, subject to the following corrections, modifications, and Conditions of Approval:

1. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item may be addressed by adding a section to the PUD Text with a provision such as “Development pursuant to this PUD shall comply

with all recommendations of the Bixby Fire Marshal, City Engineer, and City Attorney.”

2. Title Page: Please correct location in Tulsa County location map.
3. Please update all PUD number blanks with number 90.
4. PUD Text Section I: Please clarify that the PUD contains one (1) Development Area (DA), as shown on Exhibit \_\_\_\_, label the one (1) DA on Exhibit \_\_\_\_, and list in the Development Standards (e.g. “Development Area A”).
5. PUD Text Section II: Development Standards: Permitted Uses: Please remove “attached and” or explain. Balance of Development Standards have side yard setbacks requiring 10’ minimum separation between houses.
6. PUD Text Section II: Development Standards: Permitted Uses: Does not appear to provide for Use Unit 5 passive recreational uses (such as private park) in Reserve Area A, as is suggested by PUD Text Section III.
7. PUD Text Section II: Development Standards: Gross/Net Land Area: Staff is not able to confirm accuracy of Gross and Net Land Area figures provided. As used in the Bixby Zoning Code (Section 11-2-1), Land Area refers to the lot area plus ½ or thirty feet (30’), whichever is less, of the right of way of any abutting street to which the lot has access. Per the Tulsa County Assessor’s parcel records, the City of Bixby owns the 24.75’ Statutory Sectionline Right-of-way along the frontage of the subject property PUD area. If this is accurate, the “Gross Land Area” would appear to = “Land Area” and “Net Land Area” should be removed or replaced with “Net Lot Area” = “Land Area” – 24.75’. Also, the provided figure for “Net Land Area” does not quite appear to equal the Land Area – the 440’ of street frontage X 60’ of required future R/W. Please revise or discuss.
8. PUD Text Section II: Development Standards: Minimum Lot Width: The PUD Exhibits reflect an actual minimum lot width of 60’ and minimum lot area of 4,800 square feet. However, the PUD Exhibits reflect an actual minimum lot width of 60’ and the smallest lot appears to be roughly (60’ X 124’ =) 7,440. Consider changing the 50’ minimum lot width → 60’ and the minimum lot width from 4,800 → 7,440, or otherwise 6,900 square feet.
9. PUD Text Section II: Development Standards: Consider adding a Minimum Land Area standard to address the fact that most of the lots will only have benefit of 16’ of R/W, and so would need this RS-3 standard relaxed. However, if the minimum lot size is to be 7,440 per other recommendations herein, this recommendation may be disregarded.
10. PUD Text Section II: Development Standards: Minimum Yard Setbacks: Consider changing the alternative side yard setback to 0’ & 10’ or any combination thereof, (1) provided all dwellings maintain a 10’ separation between each other dwelling, (2) provided that the City of Bixby may require a survey to determine the interdependent setback applicable to any lot prior to Building Permit issuance, and (3) provided that no roof may overhang a propertyline.
11. PUD Text Section II: Development Standards: Minimum Yard Setbacks: Rear: The subdivision will be subject to a standard 17.5’-wide Perimeter U/E per the Subdivision Regulations. Per the Exhibits, it appears that all lots will have rear yards along the subdivision’s perimeter. To prevent conflict and potential damage due to reliance on the PUD, please increase to 17.5’ and consider a 20’ U/E to provide at least a 2.5’ buffer area, or the amount necessary to protect the integrity of the foundation and supporting wall, in the event of excavation of the U/E up to its interior edge.

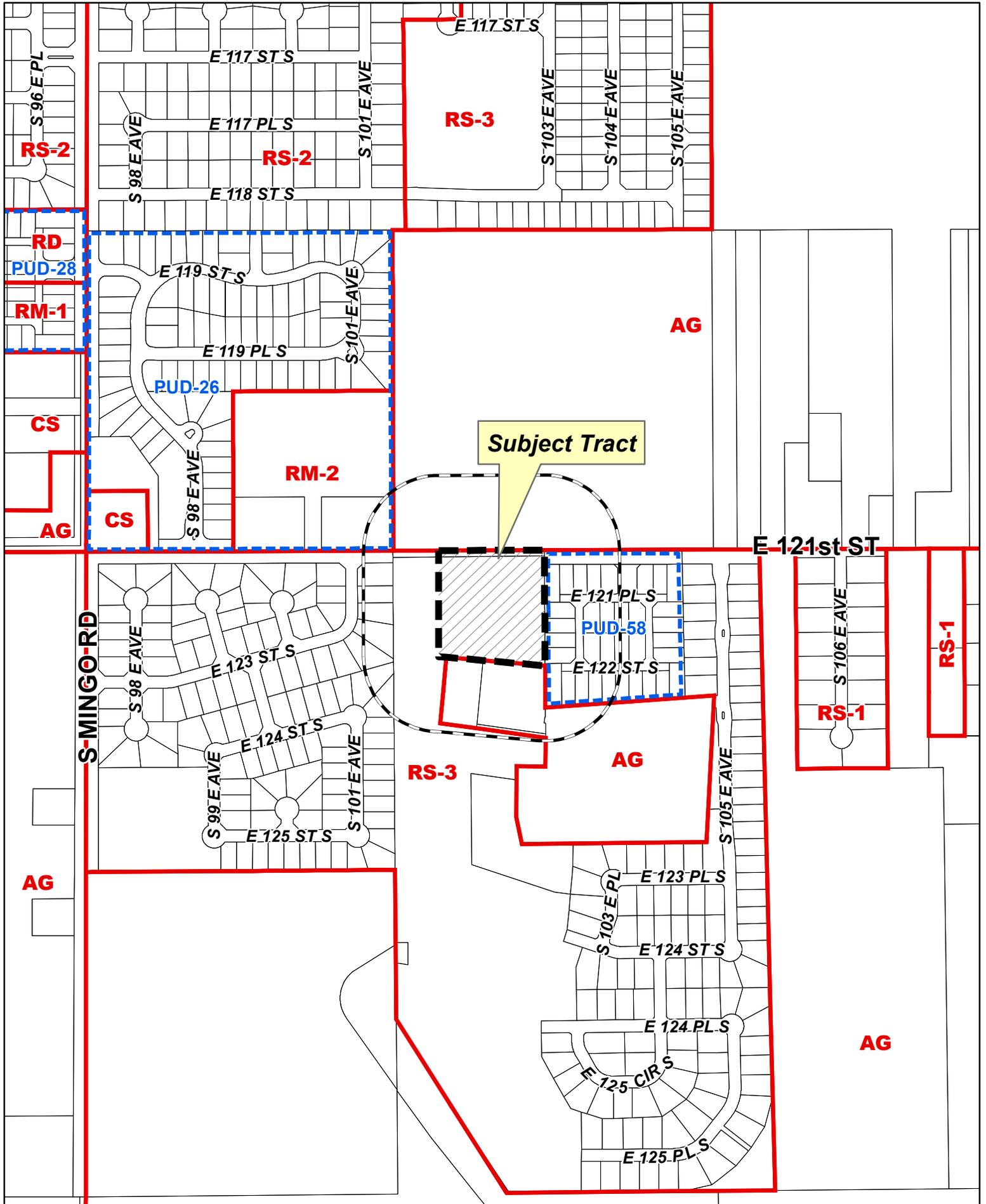
90

12. PUD Text Section II: Development Standards: Minimum Yard Setbacks: Please correct typo in term "eaves" in triple-asterisk text.
13. PUD Text Section III: Reserve Area A is restricted to "use for customary accessory uses permitted in Use Unit 6 and off-street parking." "Customary accessory uses" must be located on the same lot as the principal use (dwelling). Consider replacing with Use Unit 5 passive recreational uses (such as private park) or otherwise as appropriate.
14. PUD Text Section III: Please discuss whether *Chisholm Ranch Villas* and "Chisholm Ranch Villas II" will share a Homeowners Association (HOA) and add appropriate verbiage here or elsewhere as appropriate if/as needed.
15. PUD Text Section IV: Should acknowledge that the 32'-wide rights-of-way will require a Modification/Waiver during the platting process.
16. PUD Text Section V / Exhibits: The Exhibits reflect the construction of a new Public street along the west side of the new housing addition, stopping about 2/3 of the way down. The plans do not indicate how the existing adjacent parcels or *Chisholm Ranch* access will be connected. However, in the TAC meeting held July 01, 2015, the Applicant noted that this "Chisholm Ranch Villas II" will be developed simultaneously with "Chisholm Ranch II," and the represented Public street will be extended farther south, and the existing adjacent parcels will have their driveways extended to connect to this new Public street. This design should be reflected on the PUD Exhibits and described in PUD Text Section V.
17. PUD Text Section V / Exhibits: Should note that the existing access easements (if/as may be located within the residential development area) will be released or vacated prior to Final Plat recording.
18. PUD Text Section V / Exhibits: As described more fully in the attached TAC Minutes, per the Fire Marshal, the gate setback and/or other gate design requirements may cause need for a reconfiguration of the subdivision at the northwest corner. Any necessary modifications should be reflected in the PUD Text and Exhibits as appropriate.
19. PUD Text Section V: The proposed construction of a secondary ingress/egress via the extension of the private 121<sup>st</sup> Pl. S. from *Chisholm Ranch Villas* will be secured by Lot-Split application BL-400, also on this agenda for consideration. PUD Text Section V should acknowledge the pending Lot-Split application.
20. PUD Text Section V: Staff will not support Waiving the sidewalk construction requirement. It appears that the proposed rights-of-way, at 32' in width, will not be adequate to contain a sidewalk (a 26' roadway leaves only ~2.5' on either side of both ~½' curbs), and so it appears it will be necessary to add a "Sidewalk Easement" along the streets. Alternatively, additional width could be added to the 32' current right-of-way width to accommodate the sidewalks.
21. PUD Text Section V: Text pertaining to sidewalks should be replaced with new text such as: "Sidewalks shall be constructed by the developer or individual lot owners along all perimeter and internal streets in accordance with the Bixby Subdivision Regulations. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer." The text should also explain plans for use of Sidewalk Easements or wider rights-of-way.
22. PUD Text Section V: At the TAC meeting, the Applicant suggested constructing the sidewalks along the frontages of *Chisholm Ranch Villas* and *Chisholm Ranch*, in lieu of internal sidewalks. Provided the linear distances equal, or any shortages are compensated by internal sidewalks on one side of the street(s), because the internal

street network is so small and this is a gated subdivision with private streets, Staff would support this as a future Modification/Waiver of the Subdivision Regulations during the platting stage. The PUD Text should describe this intent, if this plan is intended.

23. PUD Exhibits: Should be amended to represent sidewalks and label their widths.
24. PUD Text Section V: Please consolidate to remove redundancy in the following two (2) sentences: "There shall be no direct access to 121st Street South. Residential lots shall not be permitted direct vehicular access to 121st Street South."
25. PUD Text Section V: Please consider whether the private streets will be platted as a Reserve Area, as was done with *Chisholm Ranch Villas*, and describe intent if this is now known.
26. PUD Text Section XI: Please reconcile all Exhibit numbers and titles cited here.

92



**Subject Tract**

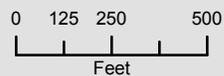


300' Radius



Subject Tract

**PUD-90**



06 17-14



# 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:** 07/06/15  
**Re:** Chisholm Ranch Villas II  
PUD 90 Review

---

### General Comments:

1. The PUD should provide minimum building standards (square footage, exterior finish, etc.) for Council review and comment. They will likely wish to discuss location, context, and lot size relative to the surrounding development areas.
2. The proposed site Plan must be coordinated with previously submitted master development plans for Paving, Grading, Drainage, or Utilities.
3. At minimum, a Drainage Design Memorandum supporting project conformance to the original drainage plan is required. If major modifications are proposed, a new Drainage Report comparing the original conditions to the proposed conditions will be required.
4. Of particular interest in the Drainage Design will be the area on the west side of the project that is labeled as "Future Detention Area". This project impacts on both the Heritage Park development and the property on the north side of 121<sup>st</sup> Street require detailed analysis and discussion.
5. The water main along E. 122<sup>nd</sup> Street must connect to the existing water main in the Phase 1 project.
6. Emergency access and circulation must be approved by the Fire Marshall. Access to the adjacent property on the south side of the proposed development must be addressed in the project design.

94

# Memo

To: Erik Enyart, AICP, City Planner

From: Joey Wiedel

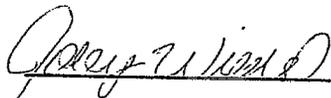
Date: 06-29-2015

Re: Pud 90 "Chisholm Ranch Villas II"

---

"Chisholm Ranch Villas II" is approved by this office with the following conditions:

1. All roads second means of access shall be capable of supporting an imposed load of 75,000 pounds. All roadways shall be in place prior to vertical construction of homes. (IFC 2009 Appendix D)
2. Water line and fire hydrant plans shall be submitted to this office before approval of the Final Plat.
  - Fire Hydrant Brand- AVK or Mueller, Color- Chrome Yellow
  - 600 feet spacing maximum
  - All hydrants shall be operational prior to vertical construction of homes.
3. Gate Entrances shall meet City of Bixby Ordinance 9-7-2 requirements. Plans of the gates shall be submitted to this office for approval.
  - Knox switch will be required.



Joey Wiedel

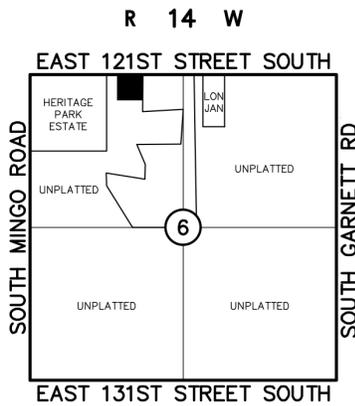
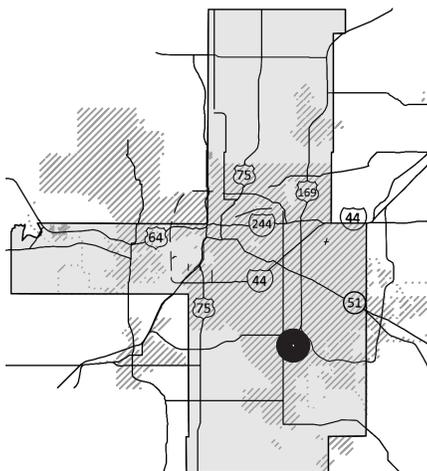
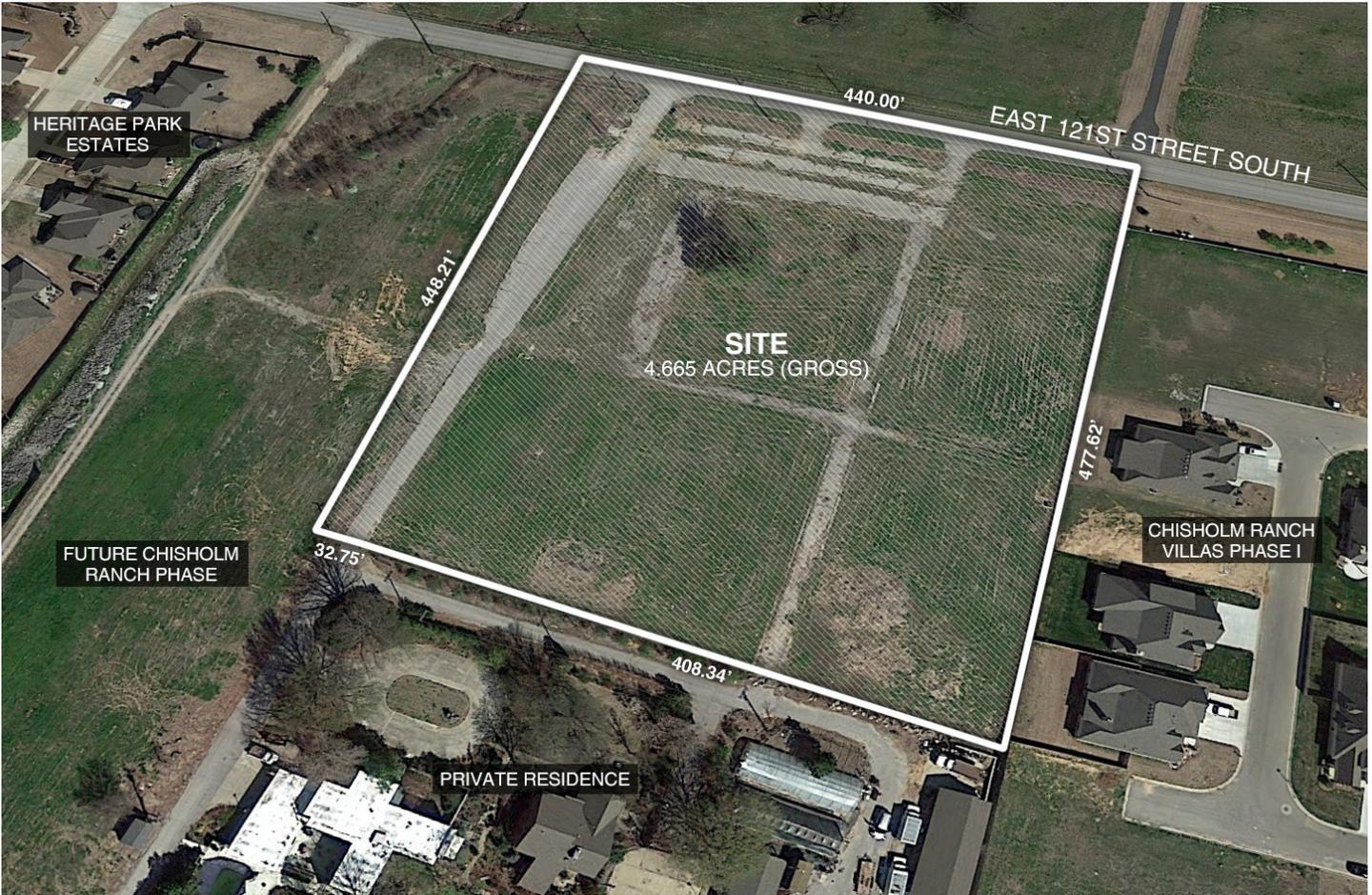
6/29/2015

Date

PUD # \_\_\_\_

# Chisholm Ranch Villas PHASE II

4.665 ACRES (GROSS)  
EAST OF THE SOUTHEAST CORNER OF  
121ST STREET & SOUTH MINGO ROAD  
BIXBY, OKLAHOMA



**Location Map**

Scale: 1" = 2000'



**DRAFT - JUNE 17, 2015**

**APPLICANT / OWNER:**

CHISHOLM RANCH, LLC  
c/o SCOTT SHERRILL  
10026-A SOUTH MINGO RD #444  
TULSA, OK 74133  
BCTULSA@OLP.NET

**CONSULTANT:**

TANNER CONSULTING LLC  
c/o RICKY JONES  
5323 S LEWIS AVE  
TULSA, OK 74105  
RICKY@TANNERBAITSHOP.COM

**TABLE OF CONTENTS**

**I.** Development Concept..... 2  
**II.** Development Standards..... 3  
**III.** Reserve Area “A”..... 4  
**IV.** Private Streets..... 4  
**V.** Access and Circulation..... 4  
**VI.** Fire Protection..... 4  
**VII.** Screening Walls & Fences..... 5  
**VIII.** Roof Pitch & Masonry..... 5  
**IX.** Minimum Square Footage..... 5  
**X.** Drainage & Utilities..... 5  
**XI.** Environmental Analysis..... 6  
**XII.** Existing Zoning & Land Use..... 6  
**XIII.** Site Plan Review..... 6  
**XIV.** Expected Schedule of Development..... 6

**EXHIBIT LIST**

**Exhibit A** Aerial Photography.....7  
**Exhibit B** Conceptual Site Plan.....8  
**Exhibit C** Conceptual Utility Plan..... 9  
**Exhibit D** Environmental Analysis..... 10  
**Exhibit E** Current Zoning Map..... 11  
**Exhibit F** Current Comprehensive Plan Map..... 12  
**Exhibit G** Gross PUD Boundary Description..... 13

## I. DEVELOPMENT CONCEPT

**Chisholm Ranch Villas Phase II** is next phase of the highly successful Chisholm Ranch Villas and Chisolm Ranch subdivisions developed by Chisholm Ranch, LLC in the City of Bixby, Oklahoma. This “Phase II” development is approximately 4.67 acres in size and has an underlying zoning of RS-3. The tract is more particularly described within the attached Legal Exhibit “G” and hereinafter referred to as the “Site” or as the “Subject Tract”.

The ‘villa’ sized lots will contain gated streets and controlled access in order to create an ‘exclusive’ feel for residents. A maximum of 18 lots are proposed and the development will occur concurrently with Chisholm Ranch Phase II (larger lot) development. As with the original Chisholm Ranch Villas project, this site will utilize the flexibility offered in the Planned Unit Development provisions of the Bixby Zoning Code. The PUD will allow most efficient use of the land which is harmonious with the surrounding neighborhoods.

**II. DEVELOPMENT STANDARDS**

**GROSS LAND AREA:** 203,205 SF 4.665 AC

**NET LAND AREA:** 177,093 SF 4.066 AC

**PERMITTED USES:**

Uses permitted as a matter of right in Use Unit 6 Single family attached and detached residential and uses customarily accessory to permitted principal uses.

**MAXIMUM NUMBER OF LOTS:** 18

**MINIMUM LOT WIDTH:** 50 FT \*

*\* Dead end lots may have a minimum lot frontage of 32 FT but shall meet the minimum lot size requirement.*

**MINIMUM LOT SIZE:** 4,800 SF

**MAXIMUM BUILDING HEIGHT:** 40 FT \*\*

*\*\* Architectural features may extend a maximum of 10 FT above the maximum allowable building height.*

**OFF STREET PARKING:**

Minimum two (2) enclosed off-street parking spaces per dwelling unit.

**MINIMUM YARD SETBACKS:**

<b>FRONT:</b>	From the property line of abutting street	20 FT
<b>SIDE:</b>	Not abutting a street ***	5 FT & 5 FT
	Abutting a street	<u>or</u> 0 FT & 10FT 10 FT
<b>REAR:</b>	From rear lot line	15 FT

*\*\*\* A minimum of 10 feet separation must be maintained between all buildings excluding eaves and overhangs.*

### **III. RESERVE AREA 'A'**

Reserve Area "A" is established by the owner for the subsequent conveyance to the Homeowner's Association and shall be restricted in use for customary accessory uses permitted in Use Unit 6 and off-street parking. Reserve Area 'A' shall be for the common benefit and enjoyment of the property owners of Chisholm Ranch Villas Phase II and their guests and invitees. Livability space within Reserve Area 'A' may be allotted to any or all lots within Chisholm Ranch Villas II.

### **IV. PRIVATE STREETS \*\*\*\***

All streets within the PUD shall contain a minimum right-of-way width of 32-feet with minimum 26-feet of paving. Streets may be private and gated and if so, maintenance and upkeep of the street shall be the responsibility of the Home Owner's Association.

*\*\*\*\* Shall be constructed to meet the standards of The City of Bixby for minor residential public streets*

### **V. ACCESS AND CIRCULATION**

Access for Chisholm Ranch Villas Phase II will be from East 121st Place South and via a public street constructed on the west side of the development providing access to the larger lots. Additionally, a connection to 121st Place South through Chisholm Ranch Villas will be provided for a secondary point of ingress and egress. There shall be no direct access to 121st Street South. Residential lots shall not be permitted direct vehicular access to 121st Street South. Due to the development being gated and containing smaller sized lots and restricted right-of-way width, no interior sidewalks will be constructed or required.

### **VI. FIRE PROTECTION**

Chisholm Ranch Villas II will have two points of ingress and egress in order to provide adequate emergency vehicle access. Fire hydrants will be located both within the development and outside in order to provide fire protection.

## **VII. SCREENING WALLS AND FENCES**

Interior fencing or walls shall not extend beyond that point nearest the street at each end corner of the residence. Fences shall be a wood privacy, ornamental iron or stockade with black chain link. No barbed wire, meshed or other metal fencing is allowed. No fence over six feet (6') tall is permitted unless approved by the architectural committee. Fences located on exterior sides of corner lots shall not extend beyond half way between the building line and property lines. Fencing along 121<sup>st</sup> Street shall be 6' feet in height and consist of wood, masonry or wrought iron material or a combination thereof.

## **VIII. ROOF PITCH AND MASONRY**

No building shall have a roof pitch of less than 10/12. Provided however, upon the approval of the Architectural committee, the committee may in the particular instance and upon written request, approve a waiver of this restriction to permit a building having a portion of the roof, (not to exceed 20% of the total roof) to be at a pitch of less the 10/12. This waiver is primarily intended for dormers and back covered patios.

The first floor of each dwelling shall be a minimum of 100% masonry excluding windows and beneath covered porches.

## **IX. MINIMUM SQUARE FOOTAGE**

All single family dwelling units shall have a minimum of 2,000 square feet of finished heated living area for single story and a minimum of 2,400 square feet for two story dwelling.

## **X. DRAINAGE AND UTILITIES**

An existing 12" waterline is located along the north side of East 121<sup>th</sup> Street. An internal waterline loop will be constructed to provide water service and fire protection. An existing sanitary sewer line abuts the property on the east which was constructed as part of Chisholm Ranch Villas. New sanitary sewer lines will be constructed within the development in order to serve all lots with service.

An internal storm water collection system will be designed and constructed for Chisholm Ranch Villas Phase II and will be part of the overall drainage system designed for Chisholm Ranch II (large lots). A detention pond will be constructed for Chisholm Ranch Phase II which will also serve Chisholm Ranch Villas Phase II. A hydrology report will be submitted to the City of Bixby for review in conjunction with the engineering plans.

## **XI. ENVIRONMENTAL ANALYSIS**

The property generally slopes from the southeast to the northwest. The Soil Survey of Tulsa County, Oklahoma was used to help identify soils types and possible constraints to development. Existing soils on the subject property primarily consist of Newtonia silt loam, 3 to 5 percent slopes and Tullahassee fine sandy loam 0 to 1 percent slopes. Development constraints associated with these soils will be addressed in the engineering design phase of the project. Prior to design and construction, a geotechnical report will be performed to recommend paving sections and sub grade design. The soil types are shown in Exhibit "E". Existing zoning and land use are shown in Exhibit "F", Existing Zoning and Land Use.

## **XII. EXISTING ZONING AND LAND USE**

The property is mostly vacant and is currently zoned RS-3. Chisholm Ranch Villas development abuts the subject tract to the east and vacant land (to be part of Chisholm Ranch II) to the west. A large lot rural type single-family development is located south of the subject tract. Property on the north side of East 121<sup>st</sup> Street South is a single-family residence on a large acreage.

The Bixby Comprehensive Plan 2001 - 2020 designates the subject tract as Low Intensity.

## **XIII. SITE PLAN REVIEW**

No building permit for a residence within Chisholm Ranch Villas Phase II shall be issued until a subdivision plat has been approved by the Bixby Planning Commission as being in compliance with the planned unit development concept and development standards. The Plat will also serve as the site plan and must be filed of record with the Tulsa Country Clerk.

## **XIV. SCHEDULE OF DEVELOPMENT**

Initial construction is anticipated to commence as market conditions warrant and once the PUD and subdivision plat have been completed and approved by the City of Bixby.

PUD # \_\_\_\_

# Chisholm Ranch Villas

## PHASE II

### EXHIBIT A

AERIAL PHOTOGRAPHY  
WITH TRACT BOUNDARY & SURROUNDING USES IDENTIFIED

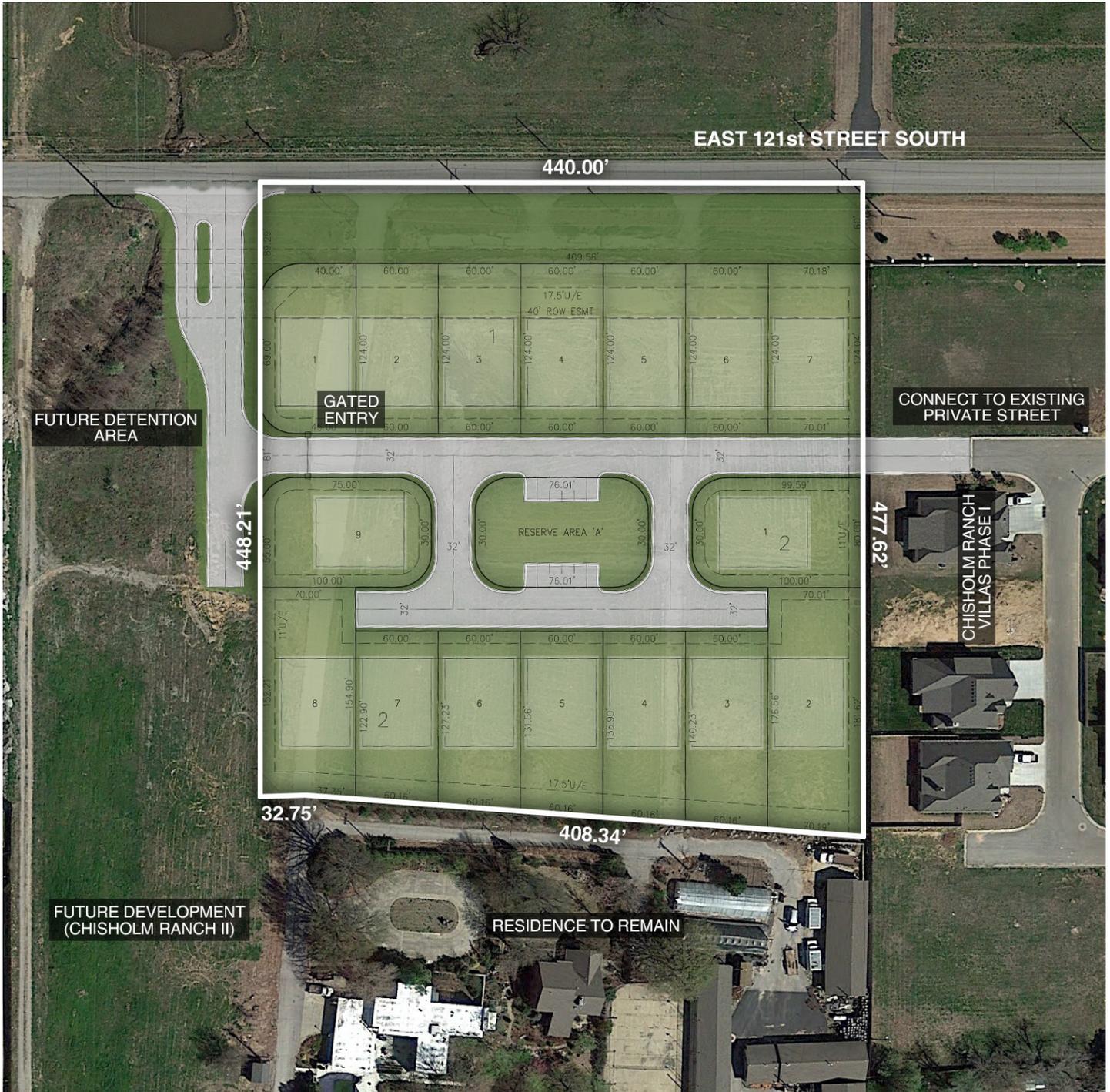


# Chisholm Ranch Villas

## PHASE II

### EXHIBIT B

CONCEPTUAL SITE PLAN  
LAYOUT SHOWN AS OF JUNE 11, 2015

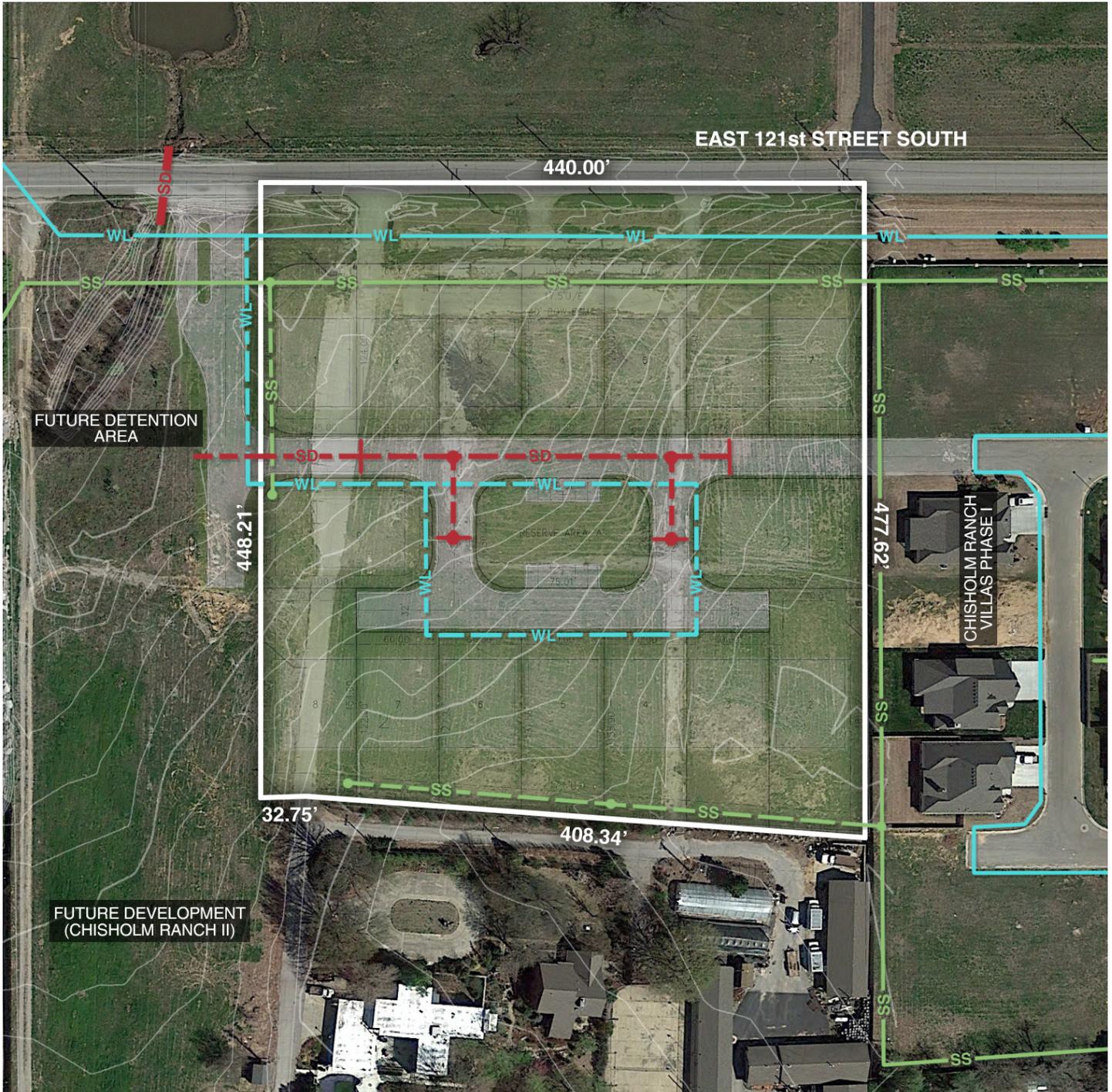


# Chisholm Ranch Villas

## PHASE II

### EXHIBIT C

CONCEPTUAL UTILITY PLAN  
EXISTING UTILITIES LOCATED BY FIELD SURVEY JUNE 2015



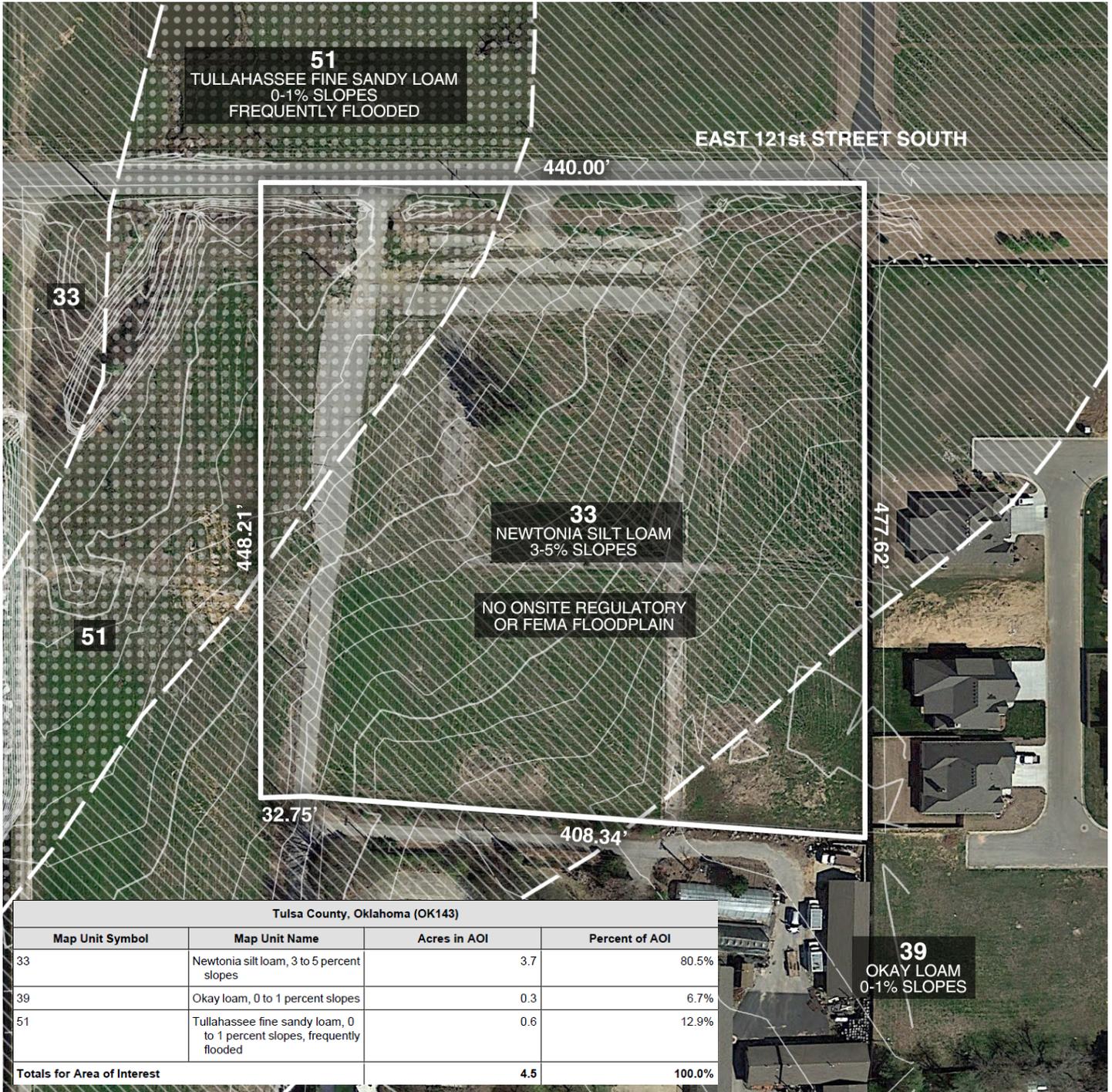
# Chisholm Ranch Villas

## PHASE II

### EXHIBIT D

#### ENVIRONMENTAL ANALYSIS

SOILS DATA TAKEN FROM USDA WEB SOILS SURVEY / TOPO DATA FROM FIELD SURVEY JUNE 2015



Tulsa County, Oklahoma (OK143)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
33	Newtonia silt loam, 3 to 5 percent slopes	3.7	80.5%
39	Okay loam, 0 to 1 percent slopes	0.3	6.7%
51	Tullahassee fine sandy loam, 0 to 1 percent slopes, frequently flooded	0.6	12.9%
<b>Totals for Area of Interest</b>		<b>4.5</b>	<b>100.0%</b>

PUD # \_\_\_\_\_

# Chisholm Ranch Villas

## PHASE II

### EXHIBIT E

CURRENT ZONING MAP

MAP DATA TAKEN FROM THE INCOG ZONING GIS MAP, ACCESSED JUNE 08, 2015



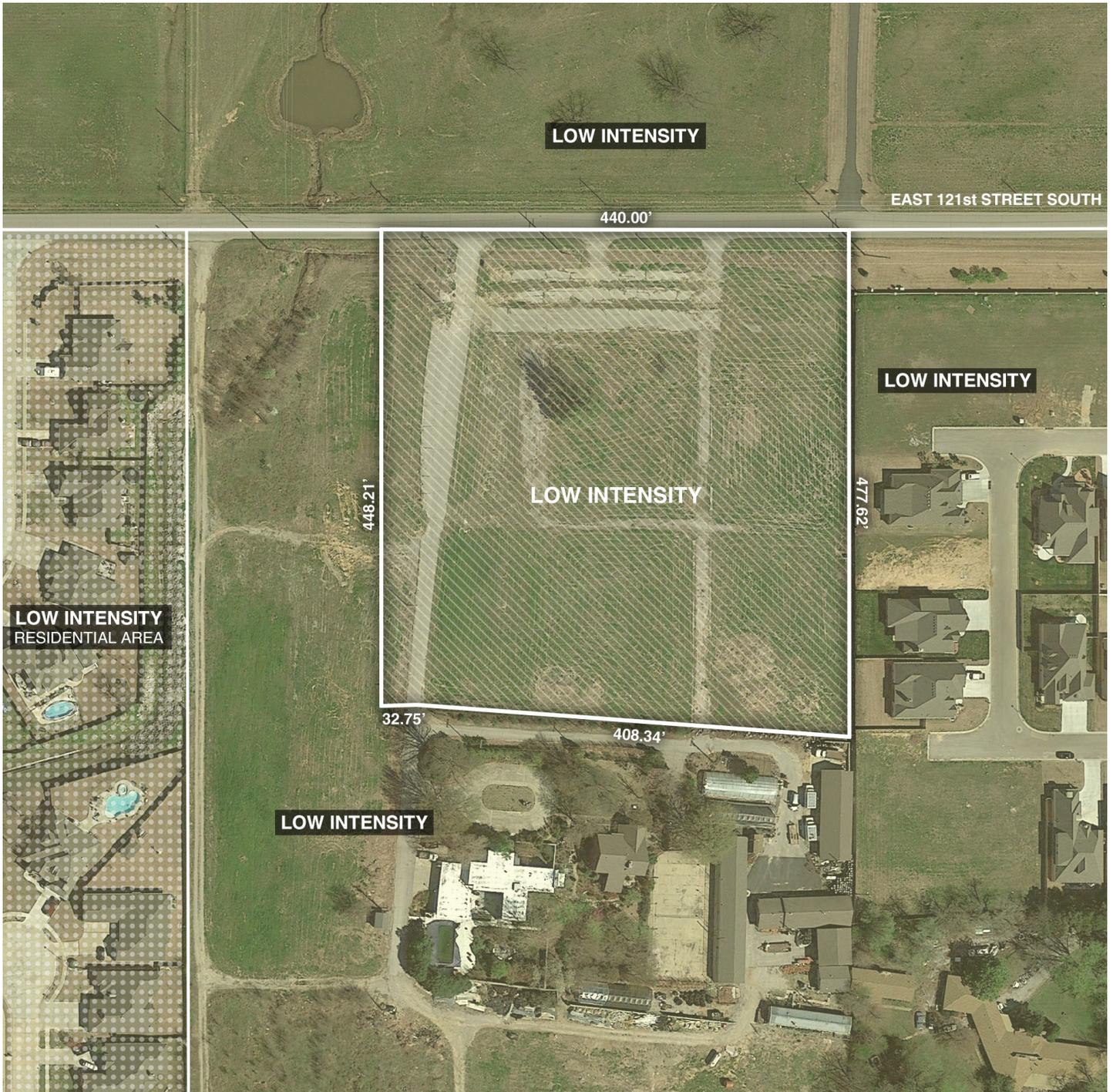
PUD # \_\_\_\_\_

# Chisholm Ranch Villas

## PHASE II

### EXHIBIT F

CURRENT COMPREHENSIVE PLAN MAP  
MAP DATA TAKEN FROM BIXBY COMPREHENSIVE PLAN, 2001-2020



# Chisholm Ranch Villas

## PHASE II

### EXHIBIT G

#### GROSS PUD BOUNDARY DESCRIPTION

#### DESCRIPTION

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E/2 NW/4) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6, THENCE NORTH 88°37'54" EAST ALONG THE NORTH LINE OF SAID SECTION 6 FOR A DISTANCE OF 1446.54 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88°37'54" EAST, CONTINUING ALONG THE NORTH LINE OF SAID SECTION 6, FOR A DISTANCE OF 440.00 FEET TO A POINT; THENCE, SOUTH 1°22'17" EAST, DEPARTING SAID NORTH LINE AND ALONG THE WEST LINE OF THE CHISHOLM RANCH VILLAS FOR A DISTANCE OF 477.62 FEET TO A POINT; THENCE NORTH 87°14'16" WEST, DEPARTING SAID WEST LINE, FOR A DISTANCE OF 408.34 FEET TO A POINT; THENCE SOUTH 88°37'54" WEST FOR A DISTANCE OF 32.75 FEET TO A POINT; THENCE NORTH 1°22'06" WEST FOR A DISTANCE OF 448.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 203,207 SQUARE FEET OR 4.665 ACRES, MORE OR LESS.

#### BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE GRID AND HAVE BEEN ESTABLISHED BY STATE PLANE COORDINATES, NAD 83, OKLAHOMA NORTH ZONE.



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

---

## STAFF REPORT

---

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner *EE*  
**Date:** Friday, July 17, 2015  
**RE:** Report and Recommendations for:  
BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54)

---

LOCATION:

- 8000-block of E. 118<sup>th</sup> St. S.
- 7740 E. 118<sup>th</sup> St. S. (previously associated address)
- 7712 E. 118<sup>th</sup> St. S. (current address assigned per plat; reassignment recommended)
- Lot 2, Block 1, *Bixby Jiffy Lube*

---

ANALYSIS:

As requested by the Applicant, the Planning Commission Continued this application from the May 18, 2015 agenda.

By email on June 24, 2015, the Applicant requested that the application be Continued to the July 20, 2015 Planning Commission meeting. As there were no other applications to consider, as recommended by Staff, Chair Thomas Holland Cancelled the June Regular Meeting.

By phone on July 17, 2015, the Applicant requested this application be Continued to the August 17, 2015 Planning Commission meeting. Staff recommends this application be Continued to August 17, 2015 as requested. In the interim, Staff will meet with the Applicant to discuss Staff's recommendation for a PUD Major Amendment to address the apparent Use Unit 23 storage / warehousing use of a majority or significant part of the “office” building, and to address other design issues which may require an amendment to the PUD, and/or to provide a new proposal as to the design to address the issues outlined by Staff.

*110*  
BSP 2015-05 – “Jiffy Lube Office Building” – W Design, LLC (PUD 54)  
July 20, 2015



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

---

## STAFF REPORT

---

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner   
**Date:** Friday, July 17, 2015  
**RE:** Report and Recommendations for:  
BL-398 – Karen Cercy

---

**LOCATION:** – 14472 S. Gary Ct.  
– Lot 7 and Part of 6, Block 1, *The Reserve at Harvard Ponds*

**LOT SIZE:** 0.31 acres, more or less

**ZONING:** RS-3 Residential Single-Family District

**SUPPLEMENTAL ZONING:** None

**EXISTING USE:** Single-family dwelling

**REQUEST:** Lot-Split approval

**COMPREHENSIVE PLAN:** Low Intensity + Residential Area/Vacant, Agricultural, Rural Residences, and Open Land

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

BZ-134 – Clinton Miller for Roger P. Metcalf – Request for rezoning from AG to RS-2 for approximately 74 acres (including a northerly part of subject property), the easterly approximately 42/43 acres of which was eventually platted as part of *The Reserve at Harvard Ponds* subdivision. PC Recommended Approval 02/28/1983 and City Council Approved 03/07/1983 (Ord. # 477).

BZ-226 – George Suppes – Request for rezoning from RS-2 to RS-3 for approximately 42/43 acres (including a northerly part of subject property) which was eventually platted as

part of *The Reserve at Harvard Ponds* subdivision. PC Recommended Approval 10/21/1996 and City Council Approved 11/25/1996 (Ord. # 748).

BZ-299 – Tanner Consulting, LLC – Request for rezoning for “Pierce Tract Description” of 6.230 acres and the “Sexton Tract Description” of 3.251 acres (including a southerly part of subject property) for the *The Reserve at Harvard Ponds* subdivision. PC Recommended Approval 12/15/2003 and City Council Approved the “Pierce Tract Description” of 6.230 acres 02/02/2004 (Ord. # 884). “Sexton Tract Description” added to Ord. # 2085 correcting Ord. # 884 approved 06/25/2012.

Preliminary Plat of The Reserve at Harvard Ponds – Request for Preliminary Plat approval for *The Reserve at Harvard Ponds* (including subject property) – PC Recommended Approval 12/15/2003 and City Council Approved 02/02/2004.

BL-293 – Tanner Consulting, LLC – Request for Lot-Split to separate a 1-acre tract from the surrounding 2.251 acres (balance of “Sexton Tract Description,” including a southerly part of subject property), the latter of which was subsequently platted as part of *The Reserve at Harvard Ponds* – Prior Approval granted 03/10/2004.

Final Plat of The Reserve at Harvard Ponds – Request for Final Plat approval for *The Reserve at Harvard Ponds* (including subject property) – PC Recommended Approval 09/23/2004 and City Council Approved 09/27/2004 (Plat # 5822 recorded 10/13/2004).

BL-390 – Steve Owens – Request for Lot-Split to separate Lot 6, Block 1, *The Reserve at Harvard Ponds*, into westerly and easterly parts, the former of which became part of subject property – PC Conditionally Approved 03/17/2014.

#### BACKGROUND INFORMATION:

#### ANALYSIS:

Subject Property Conditions. The subject property consists of Lot 7 and a westerly portion of Lot 6, Block 1, *The Reserve at Harvard Ponds*. It belongs to the Applicant, whose house is located on the Lot 7 portion. The westerly portion of Lot 6 part is vacant.

General. On March 17, 2014, the Planning Commission approved a Lot-Split Request for Lot-Split per BL-390 – Steve Owens to separate Lot 6, Block 1, *The Reserve at Harvard Ponds*, into westerly and easterly parts, the former of which became part of subject property and the latter of which Steve Owens retained. The owner of the residence at 14472 S. Gary Ct. now desires to re-divide the combined lot and sell the westerly half back to Steve Owens.

As the westerly portion of Lot 6 resulting tract would otherwise be too small, it must be re-attached to the balance of Lot 6 to the east. Provided this is done, the combined, restored Lot 6 would comply with the minimum bulk and area and other requirements of the RS-3 district.

The Technical Advisory Committee (TAC) reviewed this Lot-Split application on July 01, 2015. The Minutes of the meeting are attached to this report.

Staff Recommendation. Staff recommends Approval, subject to both resultant tracts being attached to the adopting lots on both sides by deed restriction language such as:

112

[INSERT THE LEGAL DESCRIPTION OF THE WESTERLY PORTION OF LOT 6 TRACT] .

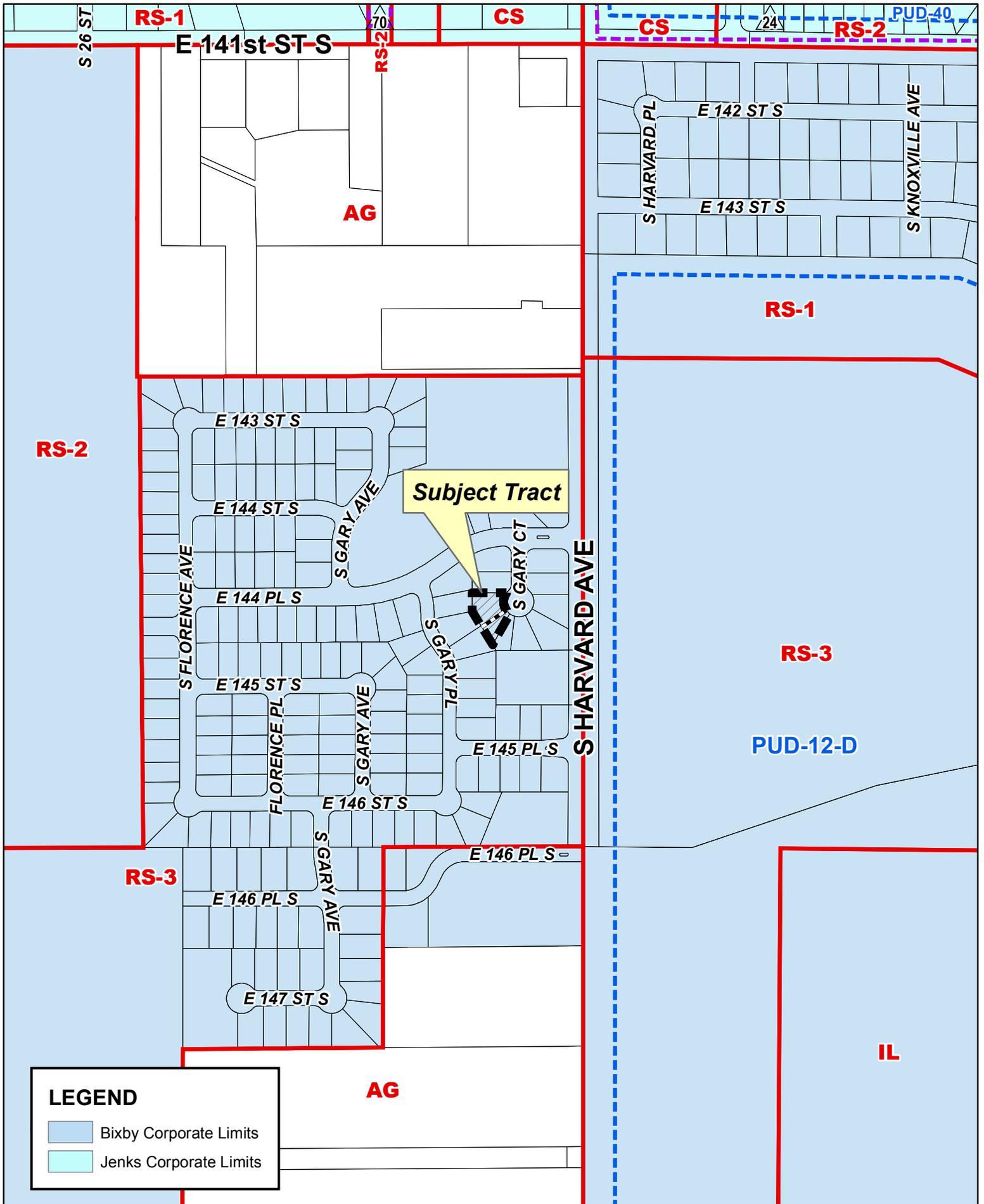
The foregoing is restricted from being transferred or conveyed as described above without including:

[INSERT THE LEGAL DESCRIPTION OF THE EASTERLY PORTION OF LOT 6 TRACT]

unless otherwise approved by the Bixby Planning Commission, or its successors, and/or the Bixby City Council as provided by applicable State Law,

Or other language provided by the Applicant for this purpose subject to City Attorney approval.

113

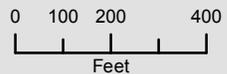


**LEGEND**

- Bixby Corporate Limits
- Jenks Corporate Limits

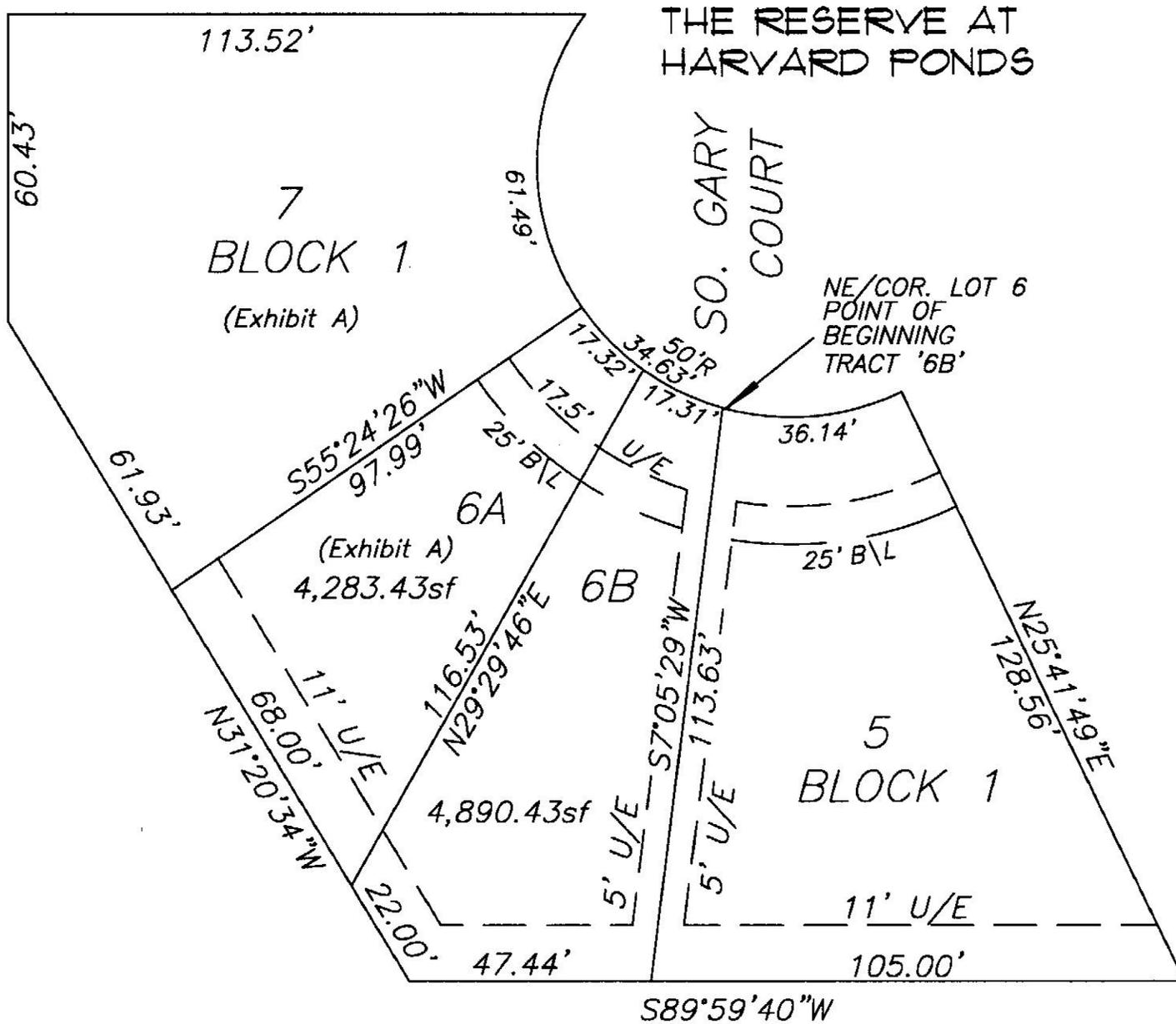


**BL-398**



17 17-13





THE RESERVE AT HARVARD PONDS

SO. GARY COURT

LOT SPLIT PURP  
SPLIT 6A FROM LOT 7 PL

This plat of survey for Lot S  
meets the Minimum Technical  
adopted by the Board of Reg  
Professional Engineers and L  
for the State of Oklahoma.

6/29/15  
*Charles K. Howard*

CHARLES K. HOWARD, OKLAHOMA L.S.  
REGISTERED PROFESSIONAL LAND SUR  
JR DONELSON, INC.  
12820 SO. MEMORIAL DR., #100  
BIXBY, OKLAHOMA 74008  
918-394-3030  
C.A. NO. 5611, EXP. DATE: 6/30/17

LEGAL DESCRIPTION  
TRACT '6B', BLOCK 1

LEGAL DESCRIPTION  
TRACT '6A', BLOCK 1



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

---

## STAFF REPORT

---

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner *EE*  
**Date:** Friday, July 17, 2015  
**RE:** Report and Recommendations for:  
BL-399 – Ahmad Moradi

---

**LOCATION:** – 13200-block of S. 78<sup>th</sup> E. Ave.  
– Part of the NE/4 of Section 11, T17N, R13E

**LOT SIZE:** 5.65 acres, more or less

**ZONING:** RS-1 Residential Single-Family District

---

**SUPPLEMENTAL ZONING:** None

**EXISTING USE:** Agricultural/vacant

**REQUEST:** Lot-Split approval

**ANALYSIS:**

By email on June 24, 2015, Applicant's agent JR Donelson requested that the application be Continued to the August 17, 2015 Planning Commission meeting. Staff recommends this application be Continued to August 17, 2015 as requested. In the interim, Staff will place the application on the August 05, 2015 TAC agenda.

116



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

---

# STAFF REPORT

---

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner  
**Date:** Friday, July 17, 2015  
**RE:** Report and Recommendations for:  
BL-400 – Tanner Consulting, LLC

---

**LOCATION:** – 12154 S. 103<sup>rd</sup> E. Ave. (address to be reassigned within the 10200-block of E. 121<sup>st</sup> Pl. S.)  
– Lot 22, Block 1, *Chisholm Ranch Villas*

**LOT SIZE:** 0.23 acres, more or less

**ZONING:** RS-3 Residential Single-Family District & PUD 58

**SUPPLEMENTAL ZONING:** PUD 58 “Juniper Hills Villas”

**EXISTING USE:** Vacant

**REQUEST:** Lot-Split approval

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

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

BZ-323 – Haikey Creek Partners, LLC for David Markle – Request for rezoning from AG to RS-3 for 55 acres for the *Chisholm Ranch, Chisholm Ranch Villas*, and part of a future phase “Chisholm Ranch” single-family residential subdivisions (includes subject property) – PC Recommended Approval 12/11/2006 by 2 to 1 vote and City Council Approved 05/11/2009 (Ord. # 958 on 12/11/2006 corrected by Ord. # 968 on 01/22/2007, which was later corrected again by Ord. # 2014 on 05/11/2009).

PUD 58 – Juniper Hills Villas – Haikey Creek Partners, LLC for David Markle – Request for PUD approval the *Chisholm Ranch Villas* subdivision (then tentatively known as “Juniper Hills Villas”) (includes subject property) – PC Recommended Approval 05/21/2007 by 2 to 1 vote and City Council Approved 06/11/2007 (Ord. # 971).

Preliminary Plat of Juniper Hills Villas – Request for Preliminary Plat for *Chisholm Ranch Villas* (then tentatively known as “Juniper Hills Villas”) (includes subject property) – PC recommended Conditional Approval 06/18/2007 and City Council Conditionally Approved 06/25/2007.

Preliminary Plat of Chisholm Ranch Villas – Request for Preliminary Plat *Chisholm Ranch Villas* (same subdivision as previously known as “Juniper Hills Villas”) (includes subject property) – PC Recommended Conditional Approval 09/15/2008 and City Council Conditionally Approved 09/22/2008.

Final Plat of Chisholm Ranch Villas – Request for Final Plat for *Chisholm Ranch Villas* (includes subject property) – PC Recommended Conditional Approval 12/21/2009 and City Council Conditionally Approved 01/11/2010 (Plat # 6324 recorded 02/09/2010).

PUD 58 – [Chisholm Ranch] Villas – Minor Amendment # 1 – Request for approval of Minor Amendment # 1 to PUD 58 to change a screening wall to a wood screening fence with masonry columns (includes subject property) – PC Approved 02/26/2010.

#### BACKGROUND INFORMATION:

#### ANALYSIS:

Subject Property Conditions. The subject property consists of vacant Lot 22, Block 1, *Chisholm Ranch Villas*. It contains 0.23 acres, more or less, and is zoned RS-3 Residential Single-Family District with PUD 58 “Juniper Hills Villas.”

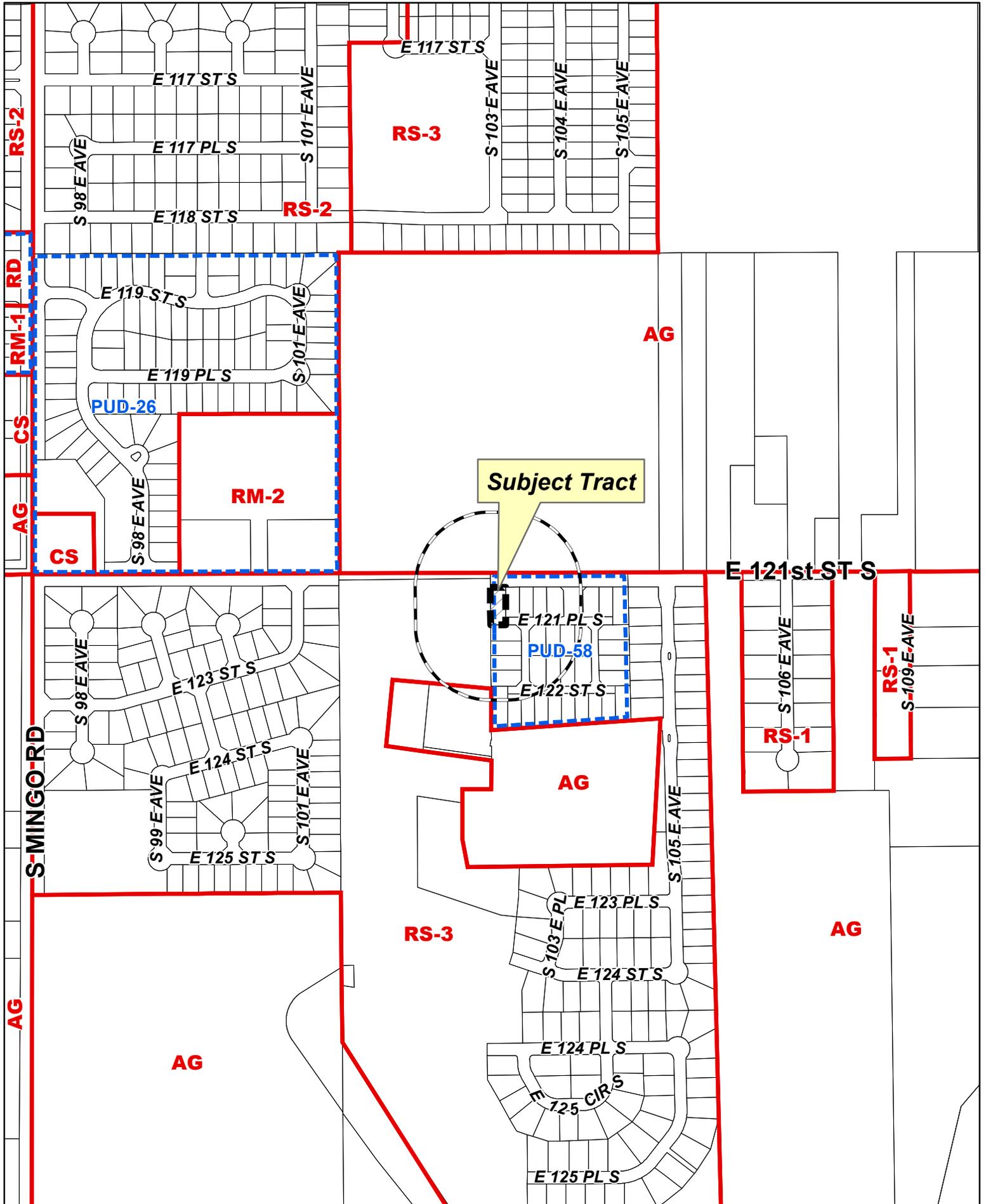
General. This Lot-Split application proposes to separate the southerly 32’ of the subject property for an extension of 121<sup>st</sup> Pl. S. into the proposed “Chisholm Ranch Villas II” subdivision abutting to the west. Application for PUD 90 has been filed in support of this new housing addition development, and is also on this July 20, 2015 Planning Commission meeting for consideration.

The smaller tract will not meet RS-3 with PUD 58 bulk and area standards. Thus, this future private street right-of-way tract should be platted (likely as a Reserve Area) along with “Chisholm Ranch Villas II” to ensure its proper dedication and inclusion as part of the common areas for future Homeowners Association ownership, control, and maintenance. The remainder tract will meet the bulk and area standards of PUD 58, but should be re-addressed within the 10200-block of E. 121<sup>st</sup> St. S. prior to Building Permit issuance.

The Technical Advisory Committee (TAC) reviewed this Lot-Split application on July 01, 2015. The Minutes of the meeting are attached to this report.

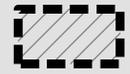
Staff Recommendation. Staff recommends Approval, subject to the future private street right-of-way tract being platted (likely as a Reserve Area) along with “Chisholm Ranch Villas II” to ensure its proper dedication and inclusion as part of the common areas for future Homeowners Association ownership, control, and maintenance.

118



**Subject Tract**

 300' Radius

 Subject Tract

**BL-400**

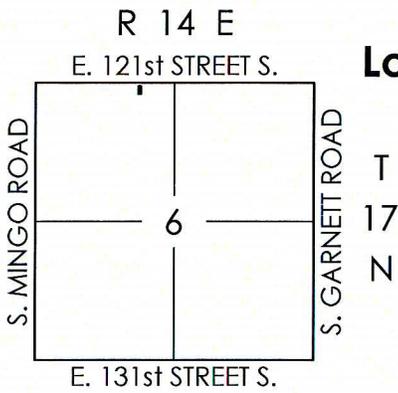
0 125 250 500  
Feet

06 17-14



# Exhibit "A"

## Lot 22, Block 1 - Chisholm Ranch Villas Original Lot



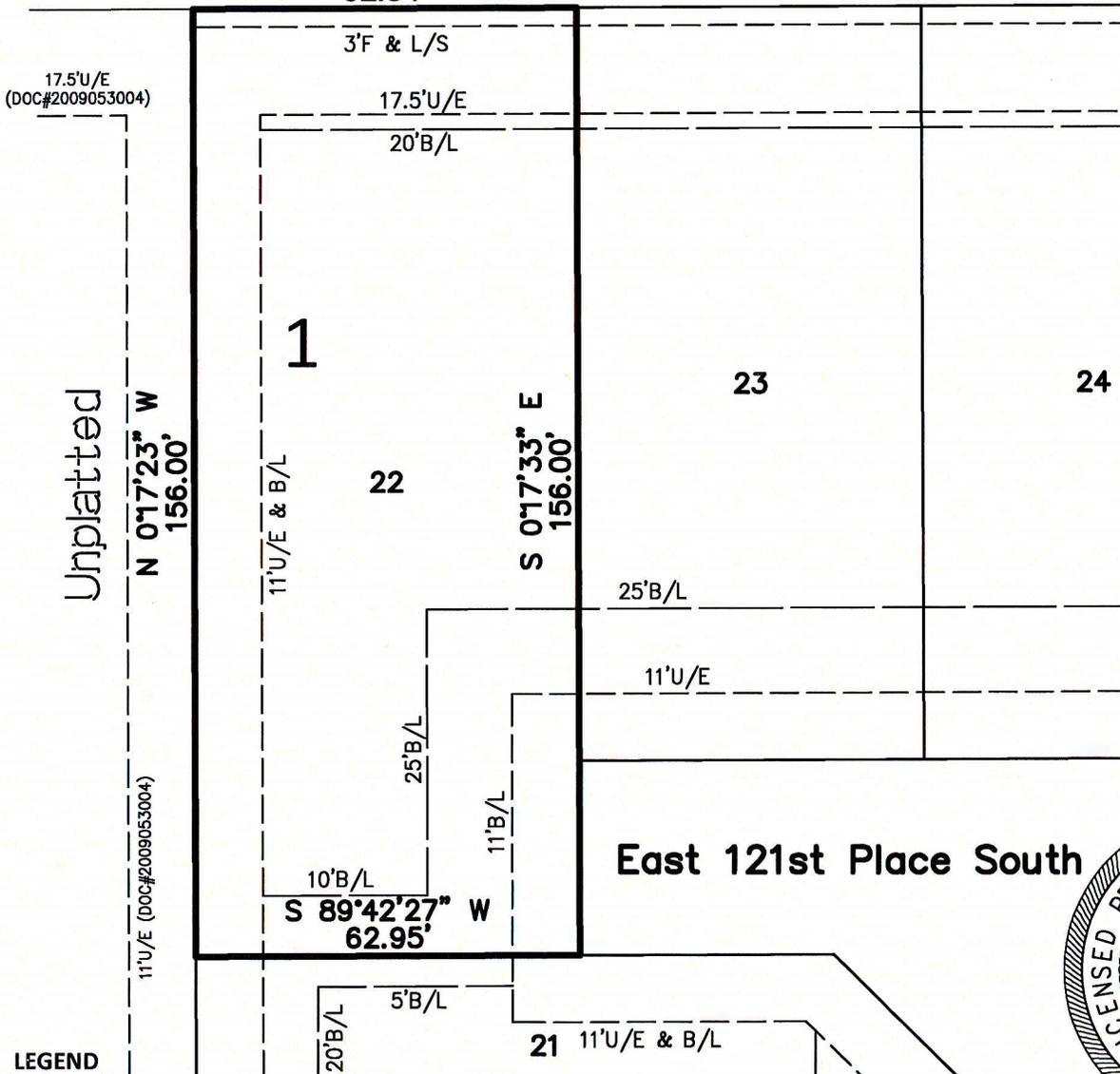
### Description

LOT TWENTY-TWO (22), BLOCK ONE (1), "CHISHOLM RANCH VILLAS", AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6324).

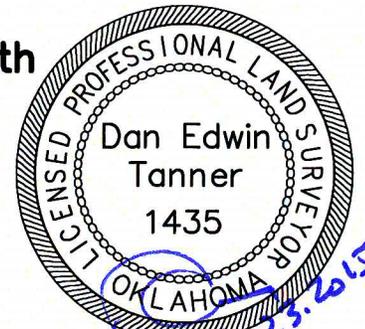
### Location Map

### East 121st Street South

N 89°42'27" E  
62.94'



### East 121st Place South



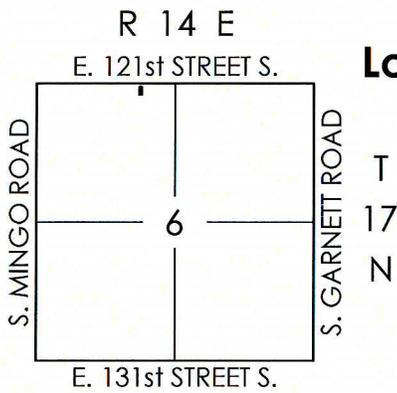
### LEGEND

- B/L BUILDING LINE
- F & L/S FENCE & LANDSCAPE EASEMENT
- U/E UTILITY EASEMENT

6/23/2015 14129EX\_LOT SPLIT

# Exhibit "B"

## Lot 22, Block 1 - Chisholm Ranch Villas Split Tract 1



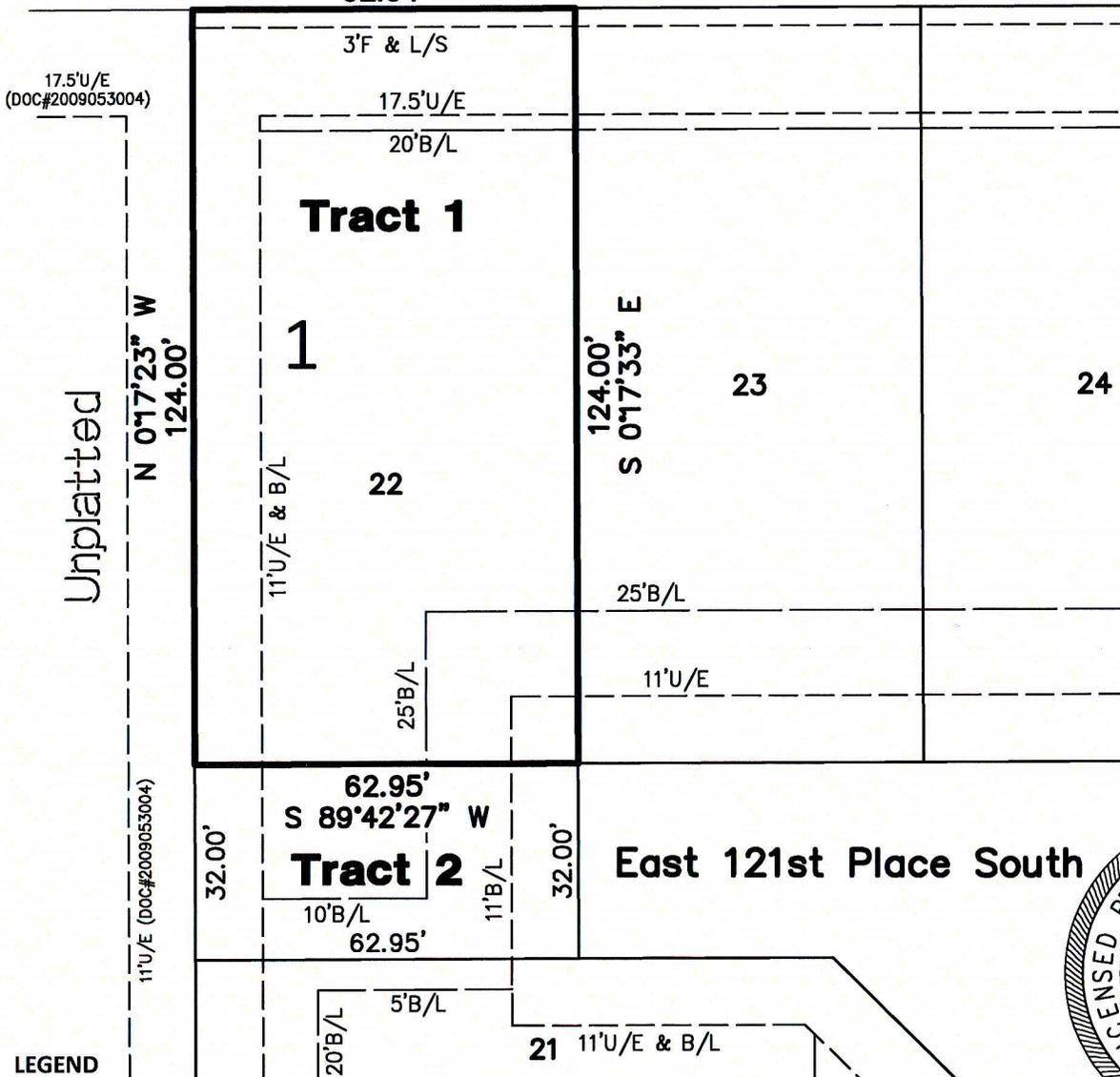
Location Map

### Description

THE NORTH 124.00 FEET OF LOT TWENTY-TWO (22), BLOCK ONE (1), "CHISHOLM RANCH VILLAS", AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6324).

### East 121st Street South

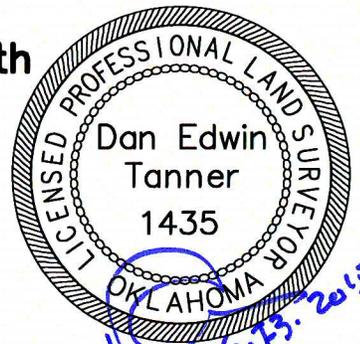
N 89°42'27" E  
62.94'



### LEGEND

- B/L BUILDING LINE
- F & L/S FENCE & LANDSCAPE EASEMENT
- U/E UTILITY EASEMENT

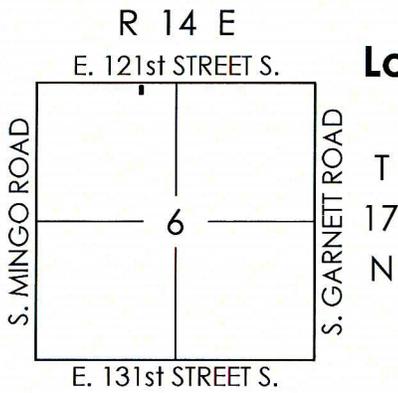
6/23/2015 14129EX\_LOT SPLIT



**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

# Exhibit "C"

## Lot 22, Block 1 - Chisholm Ranch Villas Split Tract 2

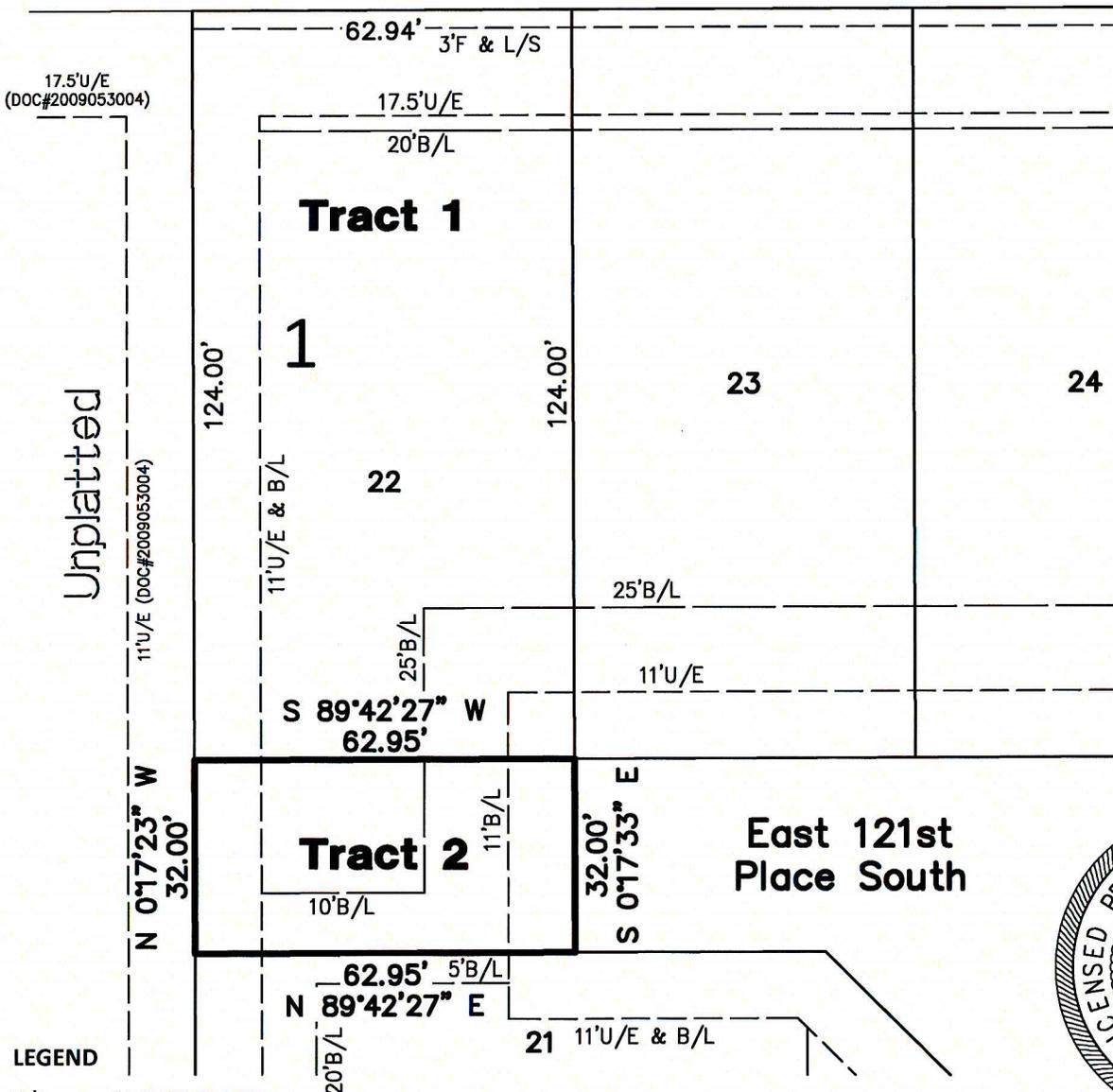


### Description

THE SOUTH 32.00 FEET OF LOT TWENTY-TWO (22), BLOCK ONE (1), "CHISHOLM RANCH VILLAS", AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6324).

### Location Map

### East 121st Street South

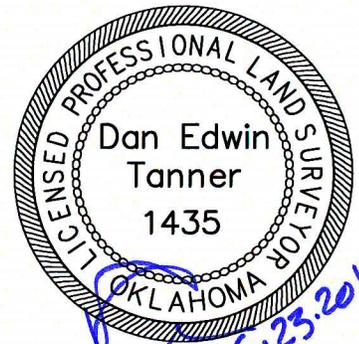


### LEGEND

- B/L BUILDING LINE
- F & L/S FENCE & LANDSCAPE EASEMENT
- U/E UTILITY EASEMENT

6/23/2015 14129EX\_LOT SPLIT

East 121st  
Place South



**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929