AGENDA
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
August 17, 2015 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

3

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

PUBLIC HEARINGS

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2. **BZ-384 – Tanner Consulting, LLC.** Public Hearing, discussion, and consideration of a rezoning request from RS-2 Residential Single-Family District, RS-3 Residential Single-Family District, and AG Agricultural District to RS-3 Residential Single-Family District for approximately 42.488 acres in the E/2 of Section 17, T17N, R13E.
Property Located: 2800-block of E. 141st St. S.

PLATS

OTHER BUSINESS

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3. (Continued from 05/18/2015 & 07/20/2015)
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. 118th St. S.

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4. (Continued from 07/20/2015)
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. 78th E. Ave.

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 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.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Enyart

Date: 08/05/2015

Time: 1:35 PM

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 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.

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

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

STAFF PRESENT:
Erik Enyart, AICP, City Planner
Patrick Boulden, Esq., City Attorney

OTHERS ATTENDING:
See attached Sign-In Sheet

CALL TO ORDER:

Chair Thomas Holland called the meeting to order at 6:01 PM.

ROLL CALL:

Members Present: Larry Whiteley, Lance Whisman, Jerod Hicks, Steve Sutton, and Thomas Holland.
Members Absent: None.

Chair Thomas Holland stated that those wanting to speak would have to sign the Sign-In Sheet, and asked those in attendance to reduce redundancy, by not repeating what a previous speaker had stated, and to limit statements to a maximum of three (3) to five (5) minutes per person.

Chair Thomas Holland gave the floor to Steve Sutton. Mr. Sutton stated that, earlier that day, "We laid to rest [Bixby Police Sergeant] James Kite." Mr. Sutton recited a poem in his honor.

CONSENT AGENDA:

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

Chair Thomas Holland introduced the item and nominated Lance Whisman as Chair. Larry Whiteley nominated Steve Sutton as Vice-Chair. Erik Enyart was nominated as Secretary by acclamation. All nominees agreed to accept the nominated positions if elected.

Larry Whiteley made a MOTION to ELECT the nominees as follows: Lance Whisman as Chair, Steve Sutton as Vice-Chair, and Erik Enyart as Secretary. Thomas Holland SECONDED the Motion. Roll was called:

ROLL CALL:

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

Thomas Holland turned the meeting over to new Chair Lance Whisman. The Planning Commissioners and Erik Enyart expressed gratitude to Thomas Holland for his chairmanship [since July 21, 2008].

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

Chair Lance Whisman introduced the Consent Agenda item and asked to entertain a Motion. Thomas Holland made a MOTION to APPROVE the Minutes of the May 18, 2015 Regular Meeting as presented by Staff. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whiteley, Sutton, and Hicks.
NAY:	None.
ABSTAIN:	Whisman.
MOTION PASSED:	4:0:1

PUBLIC HEARINGS

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. 118th 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. 118th St. S. / 7700:8000-block of E. 118th 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. 118th St. S.

Chair Lance Whisman introduced the three (3) 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:	*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. 118th St. S.*
- *7700:8000-block of E. 118th 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. 118th 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 ½ 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. 118th 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. 118th 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 118th 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.*

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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 118th 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. 117th St. S.; now South Tulsa 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. 117th 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. 82nd 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. 82nd 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. 76th 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

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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.

<u>BZ-103 – Raymond L. McKibben</u> – 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).

<u>BZ-122 – Raymond L. McKibben for Betty Tate</u> – 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).

<u>BBOA-134 – Ronald G. Kelley</u> – 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.

<u>BZ-156 – Ronald G. Kelly for Ray McKibben</u> – 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).

<u>BBOA-207 – Raymond L. McKibben</u> – 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. 77th E. Ave. – BOA Conditionally Approved 08/29/1988 per case notes.

<u>BBOA-251 – Raymond McKibben</u> – 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. 77th E. Ave.) on a 2-acre tract to the northwest of subject property at 11625/11641 S. 77th E. Ave. – BOA Conditionally Approved 05/04/1992 per case notes.

<u>BZ-206 – G. Dwight Claxton for 116th & Memorial, Ltd.</u> – 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.

<u>BBOA-286 – J. Lynn Schmook for Raymond L. McKibben</u> – 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. 76th E. Ave. (then possibly known as 11690 S. 76th E. Ave.) – BOA Approved 11/07/1994.

<u>BBOA-290 – Jody Porter/Brad Porter</u> – 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.

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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 76th E. Ave. and 77th 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 115th 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 118th 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 118th 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 118th 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 118th 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 118th 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 118th 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 118th 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 118th 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

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as Bixby Jiffy Lube) across 118th 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 proposed "Jiffy Lube Office Building" for Lot 2, Block 1, Bixby Jiffy Lube, across 118th 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.

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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. 118th 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 121st St. S. and to drain west to the Fry Creek Ditch # 2, which may be accessed upon payment of applicable excess capacity fees and fees-in-lieu of continued onsite stormwater detention. The borrow ditch along Memorial Dr. may be in either or both of the Fry Creek Ditch # 1 or Fry Creek Ditch # 2 drainage basins. The 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.

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.

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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 (81st 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 118th street. The Memorial access will be configured to prevent exit onto memorial and the 118th street access will be positioned to generally align with the western most drive to Jiffy Lube across 118th to the south. Limits of No Access (LNA) will be imposed by the future plat along Memorial and 118th frontage except at these points of ingress and egress.

Sidewalks shall be constructed by the developer along the entire Memorial Drive and 118th 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 118th 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 118th 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 118th 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:

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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.*
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*

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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 118th 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 (≥ 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.*
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).*

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Erik Enyart noted that the Applicant had met with residents of the North Heights neighborhood, and that the Applicant had incorporated input from the neighbors, such as adding a turning lane onto 118th St. S.

Thomas Holland expressed concern for operating hours, vacuums along the entire length of the property, and noise abatement. Erik Enyart discussed these matters briefly and noted that the PUD would restrict outdoor lighting so that there would be no measurable light exceeding the propertyline. Chair Lance Whisman confirmed with Mr. Enyart that the vacuums would be permitted in the OL-zoned area per the PUD.

Discussion ensued regarding traffic. Erik Enyart stated that the Applicant would be in a better position to estimate inbound and outbound traffic volumes.

Chair Lance Whisman recognized Applicant Mark Thomas, AIA, of 3508 E. 75th St. S. from the Sign-In Sheet. Mr. Thomas stated that the stacking lane would extend 200' to Memorial Dr., and there would be another queue coming in from 118th St. S. Mr. Thomas stated that the City Engineer did not want an exit onto Memorial Dr., which recommendation he and his client had accepted. Mr. Thomas stated that the turning lane was added per the City Engineer and the Homeowners Association. Mr. Thomas stated that the business only operated until dark, and the only lighting to be used would be security lighting attached to the building. Mr. Thomas stated that the only noise would come from the vacuums and the sound that comes from the blowers [that dry cars] at the far, Memorial Dr. end of the property.

Dennis Laxson of Tulsa stated that the vacuum machines are 30 horsepower and are enclosed within brick walls, so the sound is mitigated as much as possible.

Mark Thomas stated that there would be some sound at the ends of the hoses. Mr. Thomas stated that the entrance to the tunnel conveyor would be 90' from the residential property to the west.

Jerod Hicks asked how many cars the stacking lane could hold, and Dennis Laxson responded approximately 30. Mr. Laxson stated that the waiting times were approximately 45 seconds, 30 seconds, and then [the tunnel conveyor system took] two (2) minutes. Mr. Laxson stated that he did not think any cars would be backed up into the street.

Mark Thomas stated that one could accelerate the carwash speed conveyor up, but that it wore the equipment more and [had less washing power].

Thomas Holland asked about the hours of operation. Dennis Laxson stated that the business operated during daylight hours and, as winter comes on, the hours recede.

Chair Lance Whisman recognized Harley Lundy of 11647 S. 73rd E. Ave. from the Sign-In Sheet. Mr. Lundy stated that he was the president of the North Heights Homeowners Association and opposed the zoning change for the carwash development. Mr. Lundy stated that he was initially for it, but after hearing it would have 250 cars a day, he became opposed. Mr. Lundy stated that the development had no regard for the North Heights Church of Christ or the homeowners to the west or southwest. Mr. Lundy stated that [118th St. S.] was platted as a residential street, and had

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"enough traffic as it is." Mr. Lundy stated that he had talked to the City Engineer at length about this. Mr. Lundy stated that the homeowners don't like the carwash at all. Mr. Lundy stated that a resident had been rear-ended in traffic [at or near this intersection]. Mr. Lundy stated that [he and his neighbors] were not opposed to the development of the property, but only this development.

Chair Lance Whisman recognized Sammie Kendall of 11632 S. 75th E. Ave. from the Sign-In Sheet. Ms. Kendall stated that she had lived at this residence for 38 years, and that [118th St. S.] was "seldom widened, rarely asphalted." Ms. Kendall expressed concern for "massive stackups" caused by this development. Ms. Kendall stated that Mayor John Easton was at the neighborhood meeting and discussed the nature of the driveway connection between 118th St. S. and the drives within *Bixby Centennial Plaza*. Ms. Kendall expressed concern for the safety of children playing [in the streets].

Chair Lance Whisman recognized Noel Malan of 11655 S. 75th E. Ave. from the Sign-In Sheet. Mr. Malan stated that traffic lights had not been discussed, and with the DOT not allowing [an exit onto Memorial Dr.], it made the development impractical. Mr. Malan stated that there was open land behind the banks. Mr. Malan asserted that the Target [project] was "killed because of traffic concerns." Mr. Malan stated that 250 to 400 cars on the weekend would be a "nightmare," and that Memorial Dr. had "too much traffic already." Mr. Malan stated that this was a residential area, and if the property were not developed as a carwash, it could be something else, such as a bank, doctor or dentist's office, or restaurant. Mr. Malan expressed concern for the effect on property values.

Erik Enyart addressed Chair Lance Whisman and noted his intent to respond to a comment made. Mr. Enyart stated that, in regard to the comment made on the Super Target previously planned, "if traffic was a concern, it would have been, at the time, not [having] enough traffic, not [for having] too much."

Chair Lance Whisman recognized Steve Baker of 2652 E. 34th [Street South], Tulsa, from the Sign-In Sheet. Mr. Baker stated that [he and his associates] would like to have a [stop]light, but this was not within their control. Mr. Baker stated that commercial development would occur whether there was a [stop]light there or not. Mr. Baker stated that a fast-food business developed there could be open for 24 hours.

Chair Lance Whisman recognized Jason Holley of 11609 S. 73rd E. Ave. from the Sign-In Sheet. Mr. Holley expressed concern for traffic and stated that this was "not the right place for [this carwash] business." Mr. Holley discussed how the *Jiffy Lube* had gone through [a similar] process before it was built, discussed the screening wall along the *Jiffy Lube* property, and expressed concern for how the [business or businesses at the entrance] reflect on the neighborhood.

Chair Lance Whisman recognized Pat Moore of 11465 S. Harvard Ave. from the Sign-In Sheet. Mr. Moore stated that he was the owner of the *Jiffy Lube* and wanted to provide a couple points of correction. Mr. Moore stated that the cross-easement between [118th St. S. and the east-west drive in *Bixby Centennial Plaza*] was for the people in the neighborhood to use, and it crossed [his and his associate(s)'] property. Mr. Moore stated that [*Bixby Centennial Plaza*] customers could also use it. Mr. Moore stated that it was not a City-maintained street, and that [he and his associate(s)] had to maintain it. Mr. Moore confirmed this statement with Erik Enyart. Mr. Moore stated that [he and

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his associate(s)] were required to build it. Mr. Moore stated that, as for the [screening wall], the owner of the house to the west had asked him to have it "step down" as it is.

Thomas Holland stated that the traffic counts have been growing.

Pat Moore stated that he had about 40 customers a day and had eight (8) to 10 employees. Mr. Moore stated that 118th St. S. was widened at [his and his associate(s)'] expense when the *Jiffy Lube* was put in.

Chair Lance Whisman recognized Charles Baker of 7733 E. 118th St. S. from the Sign-In Sheet. Charles Baker stated that he lived right next door to the subject property, and expressed concern for the noise and lighting and stated that the traffic was a problem already. Charles Baker asked if the vacuums would be accessible 24-hours a day.

Dennis Laxson stated that the only lights would be security lights on the building.

The Applicant, at this time or another, stated that they had in fact met with the [church leader] of the North Heights Church of Christ and were asked to make a small design accommodation, which they made.

Chair Lance Whisman recognized Jay Mauldin of 7341 E. 119th Pl. S. from the Sign-In Sheet. Mr. Mauldin stated that he was a resident of the Fox Hollow neighborhood and stated that he shared the concerns of the first three (3) speakers. Mr. Mauldin stated that the turning lane into the property had to stay or he would be vehemently opposed. Mr. Mauldin stated that the site plan had been enhanced since the TAC meeting, but expressed doubt that [the driveway design] would prevent people from exiting onto Memorial Dr. Mr. Mauldin expressed concern for traffic backing up on Memorial Dr. Mr. Mauldin expressed concerns for certain traffic movements and turning movements and offered recommendations for driveway and circulation design. Mr. Mauldin stated that he was not opposed to carwashes and compared that use to others which could be developed on the subject property, including retail or a jewelry store. Mr. Mauldin expressed concern about volatility and traffic. Mr. Mauldin thanked Thomas Holland for serving as Chair and thanked and expressed appreciation to all of the Planning Commissioners.

Chair Lance Whisman stated that he lived in the Fox Hollow neighborhood and could speak to the traffic situation. Mr. Whisman noted that he had spent eight (8) minutes on 118th St. S. trying to get onto Memorial Dr. Mr. Whisman stated that he has seen cars turn around and go back through the neighborhood [in order to access Memorial Dr. via 121st St. S.]. Mr. Whisman stated that the neighborhood had a speeding issue [recently] but the Police Department had helped with that. Mr. Whisman stated that he had to turn on his turning signal at *Hardscape Materials* or otherwise he would get honked at. Mr. Whisman stated that it was hard enough to turn now.

Jerod Hicks stated that he did not know how the City could keep businesses from coming into the City. Mr. Hicks noted that the carwash would use a lot of water. Mr. Hicks stated that traffic would still be an issue with any business that would develop here. Mr. Hicks recommended thinking outside the box and determining a better way to funnel traffic in and out of the facility. Mr. Hicks stated that there would be more traffic as areas to the south continue to develop. Mr.

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Hicks stated that traffic was an issue that concerned him as well, but that it would be an issue for any development here. Mr. Hicks stated that the property was already zoned commercial, and at some point in time would develop, and could be a *McDonald's* or a doctor's office.

Chair Lance Whisman stated that, before the Fox Hollow neighborhood was developed, the North Heights neighborhood only had one way in and out, and Harley Lundy indicated agreement.

Larry Whiteley inquired about the north-south driveway behind the *Jiffy Lube*. Pat Moore stated that it was a cross-easement that [he and his associate(s)] had granted to give people access to the south from 118th St. S., and because [he and his associate(s)] wanted access from the big shopping area [to the south]. Mr. Moore stated that it was not a publicly-maintained street.

Someone asked whether a drive became public any time it was tied into a public street. Patrick Boulden stated that this was not generally true, and that the drive sounded like a mutual access easement.

Pat Moore reiterated that the [mutual access drive] was a requirement and described the nature of the relationship with the developer of [*Bixby Centennial Plaza*] at the time the *Jiffy Lube* was built. Mr. Moore stated that [he and his associate(s)] were developing on the west side of the *Jiffy Lube* to "put our offices there."

Mark Thomas stated that he would offer a little rebuttal to some previous statements made. Mr. Thomas stated that [he and his clients] had worked hard with Erik Enyart and the City Engineer. Mr. Thomas sated that[, pursuant to these discussions,] the ingress/egress on 118th St. S. was to align with the *Jiffy Lube* drive to the south, and described other driveway and traffic design matters. Mr. Thomas stated estimated 250 cars a day between 7:00 AM and 8:00 PM, and stated that this would be fewer cars than a fast food restaurant. Mr. Thomas stated that the stacking design would accommodate 50 cars on the property at one time. Mr. Thomas stated that [he and his clients] had developed a lot [of these types of carwash businesses] and "they're not backing up on the street." Mr. Thomas stated that there was already a traffic problem but indicated that this should not be held against the carwash. Mr. Thomas stated that the property was already zoned commercial and could be a "fast food tomorrow." Mr. Thomas stated that the design was based on the recommendations of the professionals at the City who worked with [him and his client] to put it together. Mr. Thomas continued to discuss traffic circulation design matters.

Chair Lance Whisman recognized Ron Poland of 11774 S. 77th E. Ave. from the Sign-In Sheet. Mr. Poland estimated 20 to 30 cars an hour and expressed concern for the traffic at the Memorial Dr. intersections with 111th St. S. and 121st St. S. Mr. Poland stated that rush hour was already "a mess, and on Saturdays in particular." Mr. Poland stated that the "carwash doesn't help us in the neighborhood," and estimated there were "already three (3) between 111th [St. S.] and 91st [St. S.]" Mr. Poland stated that this would "inconvenience the people in the neighborhood."

Chair Lance Whisman, Thomas Holland, Erik Enyart, Jay Mauldin, Pat Moore, and others discussed traffic generally, including from the perspective of the proposed business and from *Jiffy Lube*, peak carwash traffic periods likely corresponding with rush hour traffic, and traffic being an issue for whatever may develop on the subject property. Mr. Moore asked if there would be a

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traffic light at 118th St. S. Mr. Enyart stated that there was a Memorial Corridor master plan being developed which would address where traffic lights should be located, and where existing ones should not. Mr. Enyart stated that he did not know if a traffic light would be planned for this intersection. Mr. Enyart stated that, if this development is to be approved, it should be included in the master plan.

There being no further discussion, Larry Whiteley made a MOTION to Recommend Approval of BCPA-13, PUD 89, and BZ-383 as recommended by Staff.

Discussion ensued regarding the open-ended Staff recommendations. Mr. Enyart stated that a number of recommendations were intended to enhance the westerly boundary which abutted a single-family residence and the single-family neighborhood to the west generally. Mr. Enyart stated that such recommendations included the possibility of tree clustering, tree size, height, and caliper enhancements, and moving the driveway to the east, if the traffic would still be able to flow as designed. Mark Thomas indicated that certain of the tree-related recommendations could be accommodated but expressed concern for other open-ended recommendations. It was noted that the plat and PUD Detailed Site Plan would address some of these things.

There being no further discussion, Larry Whiteley amended and reissued his MOTION to Recommend Approval of BCPA-13, PUD 89, and BZ-383 as recommended by Staff, and to add an exit onto Memorial Dr. if there was any possible chance to do so. Jerod Hicks SECONDED the Motion.

Thomas Holland noted that it seemed to always be the case where developments were put in before the roads were in place, but that, this time, the roads were in place but were not adequate.

Roll was called:

ROLL CALL:

AYE:	Whiteley, Sutton, and Hicks.
NAY:	Holland and Whisman.
ABSTAIN:	None.
MOTION PASSED:	3:2:0

Chair Lance Whisman and Erik Enyart noted that the City Council would hear the applications at its meeting in this same meeting room that upcoming Monday, [July 27, 2015], at 6:00 PM.

A short delay was observed while most of those in attendance left the meeting room, and the meeting resumed at 7:27 PM.

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. 121st St. S.

Chair Lance Whisman 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, July 16, 2015*
RE: *Report and Recommendations for:*
PUD 90 – "Chisholm Ranch Villas II" – Tanner Consulting, LLC

LOCATION:
- *10158 E. 121st St. S.*
- *10200-block of E. 121st 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 121st 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. 121st 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. 121st 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. 121st 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. #

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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).

<u>PUD 58 – Juniper Hills Villas – Haikey Creek Partners, LLC for David Markle</u> – 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).

<u>Preliminary Plat of Juniper Hills Villas</u> – 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.

<u>Preliminary Plat of Juniper Hills</u> – 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.

<u>Preliminary Plat of Chisholm Ranch I</u> – 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.

<u>Preliminary Plat of Chisholm Ranch Villas</u> – 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.

<u>BZ-339 – Chisholm Ranch, LLC for Juniper Hill Farm, Inc.</u> – 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.

<u>BL-357 – Chisholm Ranch, LLC for the Juniper Hill Farm, Inc.</u> – 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. 121st St. S. – PC Approved 07/21/2008.

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

<u>BL-360 – Chisholm Ranch, LLC for Patricia Wells Trust</u> – 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.

<u>BL-361 – Chisholm Ranch, LLC for the Juniper Hill Farm, Inc.</u> – 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. 121st St. S. – PC Conditionally Approved 09/15/2008.

<u>Final Plat of Chisholm Ranch Villas</u> – 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).

<u>Final Plat of Chisholm Ranch</u> – 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

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

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

<u>RELEVANT AREA CASE HISTORY</u> (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)

<u>BZ-98 – Harmony Homes/Charles Smith</u> – 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).

<u>BZ-151 – James R. Crocker for Earl Burton</u> – 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).

<u>PUD 7 – James R. Crocker for Earl Burton</u> – 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.

<u>PUD 8 – Ed Black & Jim Diamond</u> – 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.

<u>PUD 9 – Ed Black & Jim Diamond</u> – 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.

<u>BZ-233 – Joe Donelson for First Equity Corporation</u> – 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).

<u>BZ-240 – David R. Merritt of Properties, Inc. for Southern Trading, LLC</u> – 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).

<u>BZ-258 – Pittman Poe & Associates, Inc. for Greenville Development, LLC</u> – 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 121st 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).

<u>PUD 26 – Mingo Park – Pittman Poe & Associates, Inc. for Greenville Development, LLC</u> – 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).

<u>BBOA-351 – Border R. Merritt for Sand Plum Limited Partnership</u> – 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

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(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. 121st 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. 121st St. S. – BOA Conditionally Approved 07/02/2012.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The vacant subject property parent tract contains 31 acres, more or less, and is addressed 10158 E. 121st 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. 121st 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 esignation 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.

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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 and 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 width 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 121st St. S.

The subject property is presently accessed from a private, paved driveway connecting to E. 121st 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])

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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 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 121st 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.

<u>Surrounding Zoning and Land Use Compatibility</u>. 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 121st 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. 121st 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. 121st 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. 121st 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.

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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 146th 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 131st 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 119th 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 151st St. S. and 161st 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."*[1]

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.*[2]

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[1] *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.*

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. 161st 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:

- *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.*[3]

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 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:

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[2] *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.*

[3] *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.*

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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*

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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.*
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 121st 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*

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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.*

Chair Lance Whisman recognized Applicant Ricky Jones of 5323 S. Lewis Ave., Tulsa. Mr. Jones stated that the PUD included minimum houses sizes of 2,000 square feet, 100% masonry, and a 10/12 minimum roof pitch. Mr. Jones approached the dais and presented a map. Mr. Jones stated that developer Scott Sherrill was present and agreed with most of the Staff recommendations. Mr. Jones stated that this would be the next phase in the highly successful [Chisholm Ranch] residential single-family subdivision. Mr. Jones noted that the second phase of Chisholm Ranch would have large lots. Mr. Jones stated that all of this was master planned in 2007, but because of the economy, only the eastern portion was developed.

Scott Sherrill stated that he was in agreement with the Staff's recommendations except for the ones on sidewalks. Mr. Sherrill stated that there were no interior sidewalks in *Chisholm Ranch Villas*, and that he would like there to not be for the second phase. Mr. Sherrill expressed objection to building sidewalks along 121st St. S. Jerod Hicks asked Mr. Sherrill if there was a reason for opposing a sidewalk here. Mr. Sherrill stated that the sidewalks would not connect to anything. Discussion ensued. It was noted that, ultimately, sidewalks have to start somewhere. Erik Enyart stated that the recommendation to build them along the 121st St. S. frontage of the first two (2) Chisholm Ranch phases was based on precedent where the "Somerset" housing addition developer asked and was granted a Modification/Waiver to not have to build the sidewalk along Sheridan Rd. and instead build the sidewalk offsite through the *LifeChurch* and [Bixby Public] School properties. Mr. Sherrill described similarities to the Spicewood development(s). Mr. Sherrill stated that these homes would not have a lot of kids, and rather would have people wanting to downsize, and that there would not be much traffic since [the streets] would be gated. Mr. Enyart stated that the sidewalk requirement waived from the 121st St. S. frontage of first two (2) Chisholm Ranch subdivisions occurred during Bixby's "transition phase" between when it was not enforcing the sidewalk requirement at all and when it experienced some "growing pains" as it began enforcing the requirement. Mr. Enyart stated that the City has not waived the sidewalk requirement for housing additions since that transition phase. Mr. Hicks asked for an estimate of how many linear feet would be concerned. Mr. Sherrill stated that he did not want the sidewalks along the frontage of the first two (2) Chisholm Ranch subdivisions because those were represented by a different developer and because he did not want "to tear up the vegetation." Mr. Sherrill suggested that the streets could be widened to accommodate internal sidewalks. Mr. Enyart stated that he would modify his recommendation # 22 to allow an additional option to allow, upon Modification/Waiver, payment of a fee-in-lieu of sidewalk construction which would be placed into an escrow account that the City would use to construct sidewalks elsewhere. Mr. Enyart stated that this option was extended previously to a different developer, but that most developers would not select it as their money would be going to improve another part of the city, rather than their development.

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Regarding the gate design, Erik Enyart stated that he had talked to the Fire Marshal and believed that the Fire Marshal would discuss the matter with the Applicant the following day.

There being no further discussion, Steve Sutton made a MOTION to Recommend Approval of with all the recommendations of City Staff, including an modified recommendation# 22. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

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

PLATS

OTHER BUSINESS

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. 118th St. S.

Chair Lance Whisman introduced the item. Owner Pat Moore requested a Continuance.

There being no further discussion, Thomas Holland made a Motion to CONTINUE BSP 2015-05 to the August 17, 2015 Regular Meeting. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

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

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.

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

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

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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:

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

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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.

There being no further discussion, Larry Whiteley made a MOTION to APPROVE BL-398 as recommended by Staff. Steve Sutton SECONDED the Motion. Roll was called:

ROLL CALL:

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

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. 78th E. Ave.

Chair Lance Whisman introduced the item and confirmed with Erik Enyart that it was to be Continued to the August Regular Meeting as requested by the Applicant.

There being no further discussion, Steve Sutton made a Motion to CONTINUE BL-399 to the August 17, 2015 Regular Meeting. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

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

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. 103rd E. Ave. (address to be reassigned within the 10200-block of E. 121st Pl. S.)

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

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

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LOCATION: – *12154 S. 103rd E. Ave. (address to be reassigned within the 10200-block of E. 121st 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 121st 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. 121st 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.

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Erik Enyart observed that the private street Reserve Area / right-of-way parcel may be widened if required to accommodate sidewalks as previously noted in the meeting.

There being no further discussion, Larry Whiteley made a MOTION to APPROVE BL-400 as recommended by Staff. Steve Sutton SECONDED the Motion. Roll was called:

ROLL CALL:

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

OLD BUSINESS:

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

NEW BUSINESS:

Chair Lance Whisman asked if there was further New Business to consider. Erik Enyart stated that he had none. No action taken.

ADJOURNMENT:

There being no further business, Chair Lance Whisman declared the meeting Adjourned at 8:03 PM.

APPROVED BY:

_____ _____

Chair Date

_____

City Planner/Recording Secretary

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

NAME	ADDRESS	ITEM
1. Harley Lundy	11647 S. 73 E. AVE	3-3-5 + 3-4-5
2. Sammie Kendall	11632 S. 75 E Ave.	3-3-5 3-4-5
3. NOEL MAHAN	11655 S. 75TH E AVE	3-3-5 3-4-5
4. Steve Baker	2652 E 34 Tulsa	3-3
5. Jason Holley	11609 South 73rd East Ave	3-3-5 + 3-4-5
6. Pat Moore	11467 S. Harvard	2-3
7. Charles Baker	7733 E 118TH S	Carwash 3
8. JAY MAULDIN	7341 E 119 PL	CARWASH 3-4-5
9. Ron Poland	11724 S 77th	Carwash
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11.		
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CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

STAFF REPORT

To: Bixby Planning Commission

From: Erik Enyart, AICP, City Planner EE

Date: Thursday, August 13, 2015

RE: Report and Recommendations for:
BZ-384 – Tanner Consulting, LLC

LOCATION:
- 2800-block of E. 141st St. S.
- Part of the E/2 of Section 17, T17N, R13E

LOT SIZE: 42.488 acres, more or less

EXISTING ZONING: RS-2 Residential Single-Family District, RS-3 Residential Single-Family District, and AG Agricultural District

EXISTING USE: Agricultural

REQUESTED ZONING: RS-3 Residential Single-Family District

SUPPLEMENTAL ZONING: None

SURROUNDING ZONING AND LAND USE:

North: (Across 141st St. S.) RS-1; Single-family homes in *Country Meadows* and *Snow Tree Addition* and rural residential and vacant/wooded land, all zoned RS-1 in the City of Jenks.

South: RS-3; Agricultural land zoned RS-3 in the City of Bixby.

East: AG & RS-3; Approximately 33 acres containing 15 parcels consisting of rural/residential, vacant/wooded, and agricultural land along 141st St. S. and Harvard Ave., all zoned AG in unincorporated Tulsa County and agricultural land; also abutting to the east are single-family residential homes and vacant lots in *The Reserve at Harvard Ponds* and *The Enclave at Harvard Ponds* zoned RS-3 in the

City of Bixby. To the southeast of the *Enclave at Harvard Ponds* is agricultural and rural/residential land zoned AG in the City of Bixby and unincorporated Tulsa County.

West: AG; A 40-acre tract (recently conveyed from Sutherland Trust to Flying Cow, LLC) containing agricultural land and a single-family house in unincorporated Tulsa County, the agricultural NW/4 of this Section (160 acres) in unincorporated Tulsa County, an agricultural 25-acre tract in the City of Bixby, and rural/estate residential, agricultural, and vacant/wooded land in an unplatted subdivision along the Columbia Ave. private street in unincorporated Tulsa County, all zoned AG.

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

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 the 32-acre subject property tract; 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-223 – George Suppes – Request for rezoning from AG to RS-3 for approximately 52.1 acres, the N. 333.58' (6.7 acres) of which has been deeded to Jenks Land, LLC and is part of the subject property – PC Recommended Approval 09/16/1996 and City Council Approved 10/28/1996 (Ord. # 746).

Annexation Jenks Land, LLC – Petition for annexation of the 4-acre subject property tract – pending Public Hearing and City Council consideration 08/24/2015.

RELEVANT AREA CASE HISTORY: (not necessarily a complete list; does not include cases in the City of Jenks or unincorporated Tulsa County)

BZ-11 – Louis Levy for Tom Sitrin – Request for I-1, C-1, and R-1 zoning for approximately 660 acres (all of *Sitrin Center Addition*) to the east of subject property – believed to have been rezoned with modifications, per case notes and correspondence found in case file (Ordinance not found) by City Council on 02/06/1973.

BZ-57 – Joe Donelson/J-B Engineering Co. for Frank & Maria Sweetin/Jody Sweetin – Request for rezoning from AG to RS-1 for approximately 142 acres (all of the NW/4 of Section 16, T17N, R13E, Less & Except the E. 300' thereof) to the east of subject property – PC Recommended Approval 07/25/1977 and City Council Approved 09/12/1977 (Ord. # 337).

BZ-58 – Joe Donelson/J-B Engineering Co. for Frank & Maria Sweetin/Jody Sweetin – Request for rezoning from AG to RS-2 for approximately 142 acres (all of the NW/4 of Section 16, T17N, R13E, Less & Except the E. 300' thereof) to the east of subject property – Withdrawn 10/03/1977.

Final Plat of Springtree – Jody L. Sweetin – City Council approved the Final Plat of *Springtree* 04/03/1978 and Plat # 3794 recorded 04/28/1978 to the east of subject property.

BZ-66 – Jody L. Sweetin – Request for rezoning from RS-1 to RS-2 for approximately 100.53 acres (all of the NW/4 of Section 16, T17N, R13E, lying south of *Springtree*, Less & Except the E. 300' thereof) to the east of subject property – PC Recommended Approval 07/31/1978 and City Council Approved 10/16/1978 (Ord. # 364).

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Final Plat of "Springtree South" – Jody Sweetin – Request for Final Plat approval for "Springtree South," including 189 lots, for approximately 101 acres (all of the NW/4 of Section 16, T17N, R13E, lying south of *Springtree*, Less & Except the E. 300' thereof) to the east of subject property – PC Recommended Conditional Approval 07/30/1979 (not ever platted).

BZ-86 – Louis Levy – Request for RS-3, RD, RM-2, OL, OM, and CS zoning for approximately 602 acres (*Sitrin Center Addition* Less & Except Lot 1, Block 1, and Less & Except the E. 300' of Lot 6, Block 1) to the east of subject property – PC Recommended Modified Approval 04/28/1980 and City Council Approved 06/16/1980 (Ord. # 402).

PUD 1 – Royal Park Estates – Louis Levy – Request for PUD approval for approximately 602 acres (*Sitrin Center Addition* Less & Except Lot 1, Block 1, and Less & Except the E. 300' of Lot 6, Block 1) to the east of subject property – PC Recommended Approval 04/28/1980 and City Council Approved 06/16/1980 (Ord. # 403).

PUD 3 – Celebrity Country – Replaced PUD 1 but retained underlying zoning – PC Recommended Approval 09/27/1982 and City Council Approved 10/04/1982 (Ord. # 465).

BZ-186 – Gary L. Sulander for Preferred Investments Corp. – Request for CS, OL, RM-1, and RD zoning for approximately 30 acres (S/2 SW/4 SW/4 and NE/4 SW/4 SW/4 of Section 16, T17N, R13E) to the east of subject property – PC Recommended Approval 05/02/1988 and City Council Approved 05/24/1988 (Ord. # 586).

BZ-197 – Stephen D. Carr / George Suppes – Request for rezoning to RS-3, RM-2, CS, and IL for approximately 399.49 acres (Lots 2, 3, and 5, Block 1, *Sitrin Center Addition*, Less & Except that part lying E. of the Centerline of Kimberly-Clark Pl., and Lot 6, Block 1, *Sitrin Center Addition*, Less & Except the E. 300' thereof, and the NW/4 of Section 16, T17N, R13E, lying south of *Springtree*, Less & Except the E. 300' thereof) to the east of subject property – PC Recommended Modified Approval 03/21/1991 and City Council Approved with modifications, including IL, CS, RM-2, RS-3, and RS-1, on 04/13/1991 (Ord. # 652).

BPUD (PUD) 12 – George Suppes / Stephen D. Carr & Associates – Request for PUD approval for approximately 399.49 acres (Lots 2, 3, and 5, Block 1, *Sitrin Center Addition*, Less & Except that part lying E. of the Centerline of Kimberly-Clark Pl., and Lot 6, Block 1, *Sitrin Center Addition*, Less & Except the E. 300' thereof, and the NW/4 of Section 16, T17N, R13E, lying south of *Springtree*, Less & Except the E. 300' thereof) to the east of subject property – replaced PUD 3 for the concerned part thereof – PC Recommended Approval 03/21/1991 and City Council Approved 04/13/1991 (Ord. # 653; ordinance appears to have excluded the W/2 of the SW/4 of Section 16, T17N, R13E).

PUD 12 Major Amendment – "Amendment A" – Stephen D. Carr & Associates – Request for Major Amendment to PUD 12 to the east of subject property – redesignated BPUD 12 as "PUD 12-A" – PC recommended Conditional Approval 11/21/1994 and City Council Approved 01/09/1995 (Ord. # 713; ordinance appears to have used a legal description that does not properly close. The part with the deficient legal description corresponded to the subject property acreage lying outside *Sitrin Center Addition*. Because of the legal description error, INCOG did not change the official Zoning Map to reflect "PUD 12-A." Since superseded by PUD 12-D).

BZ-226 – George Suppes – Request for rezoning from RS-2 to RS-3 for approximately 42/43 acres, part of which was eventually platted as part of *The Reserve at Harvard Ponds* subdivision to the east of subject property. PC Recommended Approval 10/21/1996 and City Council Approved 11/25/1996 (Ord. # 748).

PUD 12-A Major Amendment – "Amendment B" – Stephen D. Carr & Associates – Request for Major Amendment to PUD 12 to the east of subject property – PC recommended Conditional Approval 03/16/1998 and City Council Approved 03/23/1998. However, it was not approved by ordinance, as required (reference Zoning Code Sections 11-7I-8.G, 11-7I-8.D, and 11-5-4.E.3). Rather, it was approved by majority vote of the City Council per the approved Minutes of the March 23, 1998 City Council meeting.

BZ-299 – Tanner Consulting, LLC – Request for rezoning from AG to RS-3 for "Pierce Tract Description" of 6.230 acres and the "Sexton Tract Description" of 3.251 acres for the *The Reserve at Harvard Ponds* subdivision to the east of subject property. 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* to the east of subject property – PC Recommended Approval 12/15/2003 and City Council Approved 02/02/2004.

BBOA-426 – Kenneth Laster – Request for Special Exception to allow a Use Unit 5 church and similar uses on the 25-acre tract abutting subject property to the west at the 2600-block of E. 151st St. S. and the adjacent 2-acre tract addressed 2909 E. 151st St. S. – BOA Approved 08/02/2004.

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).

BZ-310 – Tanner Consulting, LLC – Request for rezoning from AG to RS-3 for 10.087 acres which was later platted as part of the *The Enclave at Harvard Ponds* subdivision to the east of subject property – PC Recommended Approval with an amendment to the legal description as requested by Applicant 04/18/2005 and City Council Approved 05/09/2005 (Ord. # 905).

BBOA-438 – Tanner Consulting, LLC – Request for Special Exception to allow a Use Unit 5 [neighborhood] community pool and playground in the RS-3 Residential Single Family District to the southeast of subject property for Lot 8, Block 8, *The Reserve at Harvard Ponds* – BOA Approved 06/06/2005.

PUD 12-A Major Amendment – "Amendment C" – "Amendment C" to PUD 12 was received from attorney George Suppes on 10/17/2007. It was not formally submitted for consideration, was not approved, and so has no effect. It is listed here for accounting purposes. The 2012/2013 Major Amendment was designated Amendment # D "Geiler Park" to account for all versions known to have existed.

Sketch Plat of "Three Lakes Estates" – Tanner Consulting, LLC – Request for Sketch Plat approval for "Three Lakes Estates" for the NW/4 of this Section 17, T17N, R13E, approximately 160 acres, to the west of subject property in unincorporated Tulsa County – PC Tabled Indefinitely 08/18/2008 as requested by the surveyor.

BBOA-552 – Robert Campbell III & Karen M. Campbell – Request for Variance from the accessory building maximum floor area per Zoning Code Section 11-8-8.B.5 to allow a new 5,000 square foot addition to an existing 900 square foot accessory building in the rear yard for property in the RS-3 Residential Single Family District to the southeast of subject property at 14426 S. Harvard Ave. – Withdrawn in December, 2011 due to error in Zoning Map per BZ-299.

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BBOA-565 – Robert Campbell III & Karen M. Campbell – Request for Variance from the accessory building maximum floor area per Zoning Code Section 11-8-8.B.5 to allow a new 5,000 square foot addition to an existing 900 square foot accessory building in the rear yard for property in the RS-3 Residential Single Family District to the southeast of subject property at 14426 S. Harvard Ave. – BOA Denied 08/06/2012.

PUD 12-A – Major Amendment # D "Geiler Park" – Request for approval of Major Amendment # D to PUD 12-A, to be known as "PUD 12-D" for Geiler Park, which amendment proposed the extension of the business/industrial park areas, the inclusion of additional permitted uses within the business/industrial park areas, and the modification of bulk and area limitations – PC Recommended Conditional Approval 07/16/2012 and City Council Conditionally Approved the application only, and not the ordinance effecting the zoning change, 08/13/2012 (Ord. # 2088 executed in error). City Council repealed the spurious Ord. # 2088 and approved a revised Major Amendment # D by new ordinance 02/11/2013 (Ord. # 2114).

Preliminary Plat of "Pine Valley Addition" – Tanner Consulting, LLC (PUD 12-D) – Request for Preliminary Plat approval for "Pine Valley Addition" for approximately 51.577 acres in part of the NW/4 of Section 16, T17N, R13E to the east of subject property – PC Recommended Conditional Approval 10/20/2014 and City Council Conditionally Approved 11/10/2014.

BACKGROUND INFORMATION:

Per pre-application coordination meetings with the Applicant and developer, Mike Wallace of Jenks Land, LLC, and per the "Presley Heights" "Conceptual Site Plan 4" drawing included with the BZ-384 application and/or annexation petition, this rezoning is intended to entitle the entire 42.488-acre development area for a single-family housing addition by name of "Presley Heights." Lots are represented as typically 70' in width, but a few 65'-wide lots are represented and have been discussed in pre-application meetings. The development is presently designed to have two (2) phases, with the northerly phase occurring first. The same developer developed *The Reserve at Harvard Ponds* under the entity name Spartan Development, LLC, beginning approximately 10 years ago.

ANALYSIS:

Subject Property Conditions. The subject property of approximately 42.488 acres is zoned RS-2 Residential Single-Family District, RS-3 Residential Single-Family District, and AG Agricultural District, and is agricultural in use. It has approximately 597.28' of frontage on 141st St. S. and has 60' of frontage on the west dead-end of the 144th Pl. S. Collector Street in *The Reserve at Harvard Ponds* and 50' of frontage on the west dead-end of the 146th Pl. S. residential local minor street in *The Enclave at Harvard Ponds*.

The subject property parent tracts consist of three (3) existing or former parcels:

(1) An approximately 32-acre tract in part of the W/2 of the NE/4 of this Section, Assessor's Parcel Account # 97317731700750, acquired from Sutherland Trust per Tulsa County Clerk's Document # 2015067107 (singular deed using a combined legal description may have resulted in a singular parcel combined with the

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following); this parcel was part of that area annexed 12/06/1982 per Ord. # 468, and is zoned RS-2 per BZ-134 in 1983,

(2) An approximately 4-acre, "flag-lot" tract in part of the NE/4 of this Section, Assessor's Parcel Account # 97317731710240, acquired from Sutherland Trust per Tulsa County Clerk's Document # 2015067107 (singular deed using a combined legal description may have resulted in a singular parcel combined with the preceding); this parcel is presently zoned AG in unincorporated Tulsa County and has been petitioned for annexation; and

(3) An approximately 6.7-acre tract, the N. 333.58' of the former Bara Acres, LLC parcel of 54 acres, more or less, in the W/2 of the SE/4 of this Section, Assessor's Parcel Account # 97317731755050; this former 54-acre tract was annexed 03/25/1996 per Ord. # 733 and the 6.7-acre tract was rezoned to RS-3 along with the balance of the former 54-acre tract per BZ-223 per Ord. # 746 dated 10/28/1996.

The subject property appears to be presently served by the critical utilities (water, sewer, electric, etc.), or otherwise will be served by line extensions as required. Parts or all of the subject property may lie within the service district of Creek County Rural Water District # 2 (research is pending).

The subject property is moderately sloped. The highest point of the northerly portions of the subject property appears to be the northwest corner, and the land appears to drain southerly/southeasterly toward approximately three (3) existing "farm ponds" along an upstream tributary of Posey Creek, which flows easterly along the north side of *The Reserve at Harvard Ponds*. The highest point of the southerly portions of the subject property appears to be an easterly side / toward the top of a small hill, located just west of the 32-acre tract subject property tract, and the land appears to drain southerly/southeasterly, easterly, and northeasterly from this point, ultimately toward two (2) upstream tributaries of Posey Creek.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Low Intensity/Development Sensitive (2) Residential Area/Vacant, Agricultural, Rural Residences, and (3) Corridor.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the requested RS-3 district is *In Accordance* with the Low Intensity and *May Be Found In Accordance* with the Development Sensitive 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.

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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 requested RS-3 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.

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

Across 141st St. S. to the north are single-family homes in *Country Meadows* and *Snow Tree Addition* and rural residential and vacant/wooded land, all zoned RS-1 in the City of Jenks.

South of the subject property is the balance of the former Bara Acres, LLC parcel of 54 acres, more or less, in the W/2 of the SE/4 of this Section, zoned RS-3 in the City of Bixby. The 6.7-acre subject property tract was acquired from this former 54-acre tract.

Lying to the east is an area of approximately 33 acres containing 15 parcels consisting of 10 rural/residential homes, vacant/wooded, and agricultural land along 141st St. S. and Harvard Ave., all zoned AG in unincorporated Tulsa County and agricultural land. A Posey Creek tributary bisects this area diagonally northwest to southeast. Also abutting to the east are single-family residential homes and vacant lots in *The Reserve at Harvard Ponds* and *The Enclave at Harvard Ponds* zoned RS-3 in the City of Bixby. To the southeast of the *Enclave at Harvard Ponds* is agricultural and rural/residential land zoned AG in the City of Bixby and unincorporated Tulsa County.

Abutting to the west is a 40-acre tract (recently conveyed from Sutherland Trust to Flying Cow, LLC) containing agricultural land and a single-family house in unincorporated Tulsa County, the agricultural NW/4 of this Section (160 acres) in unincorporated Tulsa County, an agricultural 25-acre tract in the City of Bixby, and rural/estate residential, agricultural, and vacant/wooded land in an unplatted subdivision along the Columbia Ave. private street in unincorporated Tulsa County, all zoned AG.

RS-2 zoning (existing on the 32-acre tract subject property) would represent a better zoning pattern for the subject property, as it would serve as a buffer/transition zone between the lower-density single-family development patterns zoned RS-1 to the north in Jenks and the RS-3 zoning to the south/east in *The Reserve at Harvard Ponds* and *The Enclave at Harvard Ponds*.

It would also serve as an appropriate buffer/transition zone between these existing RS-3-zoned areas and the rural/estate residential development areas zoned AG to the east along 141st St. S. and Harvard Ave. and along the Columbia Ave. private street to the southwest. Further, it would mirror the RS-2/PUD 12-D buffer/transition zone between RS-3/PUD 12-D zoning and RS-1 zoning and lower-density single-family development patterns in *Springtree* to the east. However, the preponderance of the surrounding zoning is RS-3, and the requested RS-3 zoning would be a logical extension of the large, established RS-3 district abutting to the east and south. Thus, the surrounding zoning and land use patterns appear to support the requested rezoning to RS-3, but care should be taken to ensure compatibility, consistency, and overall development quality.

Whether residential or nonresidential, the City of Bixby has observed that better development outcomes result when properties develop by either PUD or through the use of minimum building standards. These methodologies typically secure better planning and site design and afford the community the ability to provide more input into the design, minimum construction standards, and development amenities.

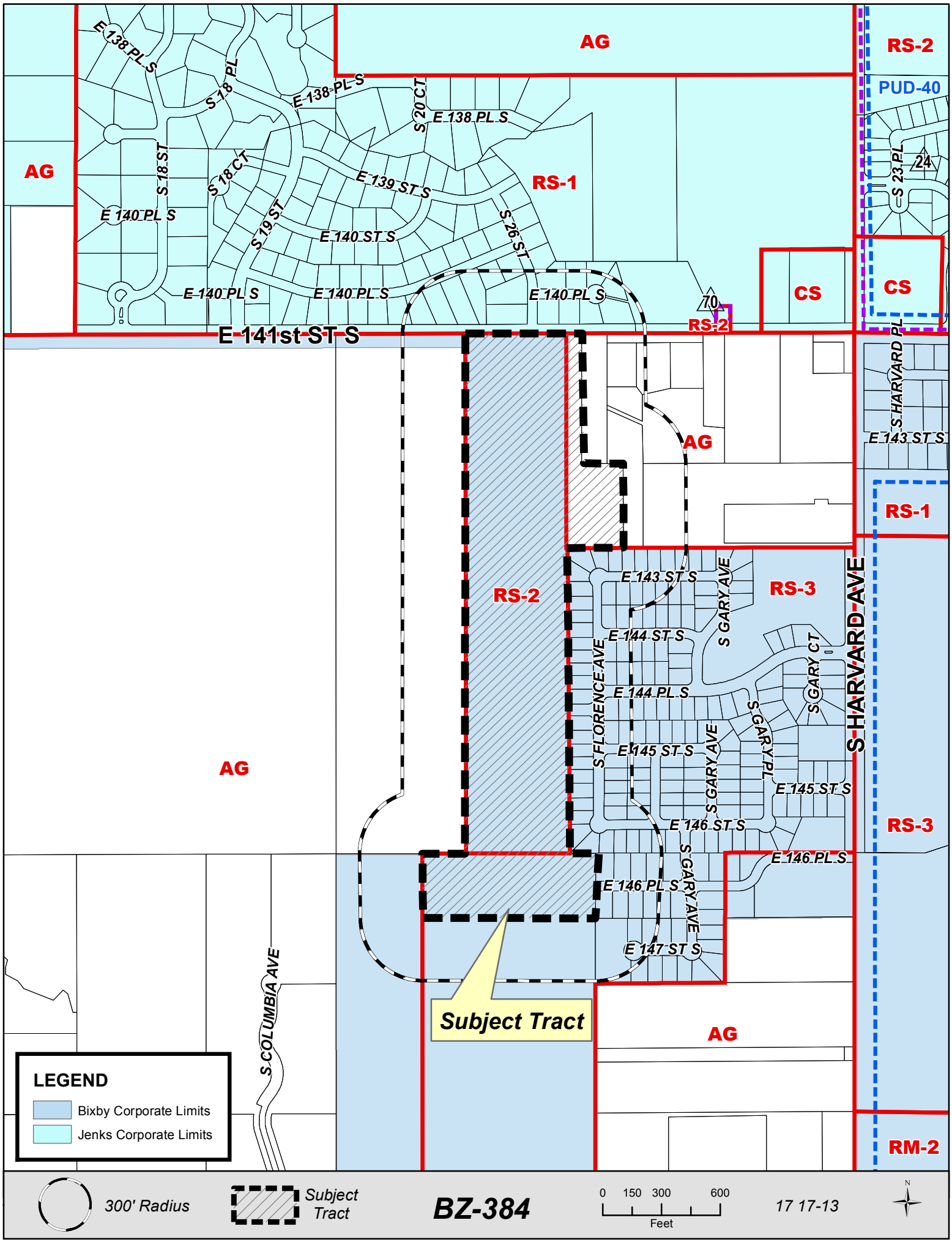
The application does not specify what minimum construction standards may be proposed for houses, or whether any neighborhood amenities are planned (Reserve Areas for passive or active private recreation such as pools, clubhouses, playgrounds, water features, walking trails, etc., or Reserve Areas or easements along 141st St. S. to contain enhanced subdivision walls/fences, common landscaping, entrance features, etc.). A PUD or strict minimum construction standards would provide what is planned in this regard, and would give the City a better understanding of what it is being asked to approve.

Minimum construction standards for individual homes have been discussed in pre-application coordination meetings, and the "Presley Heights" "Conceptual Site Plan 4" drawing included with the BZ-384 application and/or annexation petition represents greenspace areas for stormwater drainage and detention, which areas may be neighborhood amenities. However, "Contract/conditional rezoning" is not allowed by law, and so offers and promises made by the Applicant are not enforceable and can only be made part of the Zoning entitlement if included in a PUD.

It should be noted that this is the same recommendation City Staff provided for BZ-378 – Bridle Creek Ranch, LLC, care of AAB Engineering, LLC, which was granted "straight" RS-3 zoning in January, 2015 for 50.76 acres at 161st St. S. and Riverview Rd. As of the date of this report, the prospective buyer/developer has only acquired one (1) of the three (3) parcels entitled with straight RS-3 zoning, and owned that singular parcel at the time of application. It remains to be seen if/when that particular developer will acquire the balance of the 50.76 acres and develop according to the assurances offered at the time of application.

<u>Staff Recommendation</u>. For the reasons outlined above, Staff is supportive of RS-3 zoning, but with a PUD or through the adoption of strict minimum construction standards if determined necessary by the City Council upon Planning Commission recommendation.

4.4


AG
RS-2
PUD-40
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70
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S FLORENCE AVE
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AG
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RS-3
E 146 PL S
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E 147 ST S
S COLUMBIA AVE
Subject Tract
AG
RM-2
LEGEND
Bixby Corporate Limits
Jenks Corporate Limits
300' Radius
Subject Tract
BZ-384
0 150 300 600
Feet
17 17-13
N

City of Bixby
Application for Rezoning

Applicant: TANNER CONSULTING, LLC
Address: 5323 S LEWIS AVENUE, TULSA, OK 74105
Telephone: (918) 745-9929 *Cell Phone:* (918) 695-7215 *Email:* JSHELTON@TANNERBAITSHOP.COM

Property Owner: JENKS LAND, LLC If different from Applicant, does owner consent? YES
Property Address: NA - TRACT IS WEST OF THE SOUTHWEST CORNER OF EAST 141ST & SOUTH HARVARD AVE
Existing Zoning: RS-2 / AG *Requested Zoning:* RS-3 *Existing Use:* VACANT
Proposed Use: SINGLE-FAMILY RESIDENTIAL *Use Unit #:* USE UNIT 6

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

SEE ATTACHED LEGAL DESCRIPTION

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

If Applicant is other than Owner, indicate interest: CONSULTANT

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

BILL ADVERTISING CHARGES TO: JENKS LAND, LLC C/O MIKE WALLACE (NAME)

114 S 3RD STREET (ADDRESS) JENKS, OK 74037 (CITY) (918) 298-6100 (PHONE)

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

Signature: J Shelton Date: 07/09/2015

APPLICANT – DO NOT WRITE BELOW THIS LINE

BZ-384 Date Received 07/20/2015 Received By Enyart Receipt # 01268356
Planning Commission Date _____ City Council Date _____
1 Sign(s) at $ 50.00 each = $ 75 ; Postage $ 558 ; Total Sign + postage $ 633.00

FEES: TYPE	ZONING	ACREAGE	BASE FEE	ADD.	TOTAL
L M H MP	RS-3	—	$235.00	$633.00	$868.00

PC Action _____ City Council Action _____
DATE / VOTE _____ DATE / VOTE _____
STAFF REC. _____ ORD. NO. _____
Building Permit # _____ Case Reference # _____

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Exhibit "A.1"

Section 17 T17N R13E

Overall Tract Description.

Description

A TRACT OF LAND LOCATED WITHIN THE NORTHEAST QUARTER (NE/4) AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW/4 SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 17; THENCE, NORTH 88°40'33" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, FOR A DISTANCE OF 662.34 FEET TO A POINT AT THE NORTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF SAID NORTHEAST QUARTER AND THE POINT OF BEGINNING; THENCE NORTH 88°40'33" EAST, CONTINUING ALONG SAID NORTH LINE, FOR A DISTANCE OF 597.28 FEET; THENCE SOUTH 1°07'20" EAST, DEPARTING SAID NORTH LINE, FOR A DISTANCE OF 663.24 FEET; THENCE NORTH 88°58'13" EAST FOR A DISTANCE OF 213.30 FEET; THENCE SOUTH 1°17'37" EAST FOR A DISTANCE OF 429.03 FEET TO A POINT ON THE NORTH LINE OF *THE RESERVE AT HARVARD PONDS, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA,* PLAT NO. 5822; THENCE SOUTH 88°37'43" WEST, ALONG SAID NORTH LINE FOR A DISTANCE OF 289.71 FEET TO A PONT AT THE NORTHWEST CORNER OF SAID *RESERVE AT HARVARD PONDS*; THENCE SOUTH 1°10'54" EAST, ALONG THE WEST LINE OF SAID *RESERVE AT HARVARD PONDS*; FOR A DISTANCE OF 233.39 FEET; THENCE SOUTH 1°11'22" EAST, CONTINUING ALONG SAID WEST LINE, FOR A DISTANCE OF 1327.22 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 3, SAID *RESERVE AT HARVARD PONDS*; THENCE NORTH 88°40'38" EAST, ALONG THE SOUTH LINE OF SAID LOT 7, FOR A DISTANCE OF 141.22 FEET TO A POINT AT THE NORTHWEST CORNER OF *THE ENCLAVE AT HARVARD PONDS, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA,* PLAT NO. 5995; THENCE SOUTH 1°11'04" EAST, ALONG THE WEST LINE OF SAID *ENCLAVE AT HARVARD PONDS* FOR A DISTANCE OF 333.58 FEET; THENCE SOUTH 88°40'38" WEST, DEPARTING SAID WEST, FOR A DISTANCE OF 880.00 FEET; THENCE NORTH 1°11'04" WEST FOR A DISTANCE OF 333.58 FEET; THENCE NORTH 88°40'38" EAST FOR A DISTANCE OF 217.95 FEET TO A POINT AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 1°11'23" WEST, ALONG THE EAST LINE OF SAID WEST HALF OF THE WEST HALF, FOR A DISTANCE OF 2654.20 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,850,775 SQUARE FEET OR 42.488 ACRES.

Basis of Bearing

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83).

Real Property Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

LICENSED PROFESSIONAL LAND SURVEYOR
Dan Edwin Tanner
1435
OKLAHOMA

7.20.2015

DAN E. TANNER, P.L.S.
OKLAHOMA P.L.S. #1435
OKLAHOMA CA #2661
EXPIRATION DATE: 6/30/17

DATE

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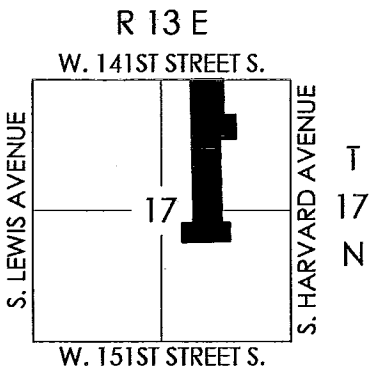
Tanner Consulting LLC
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

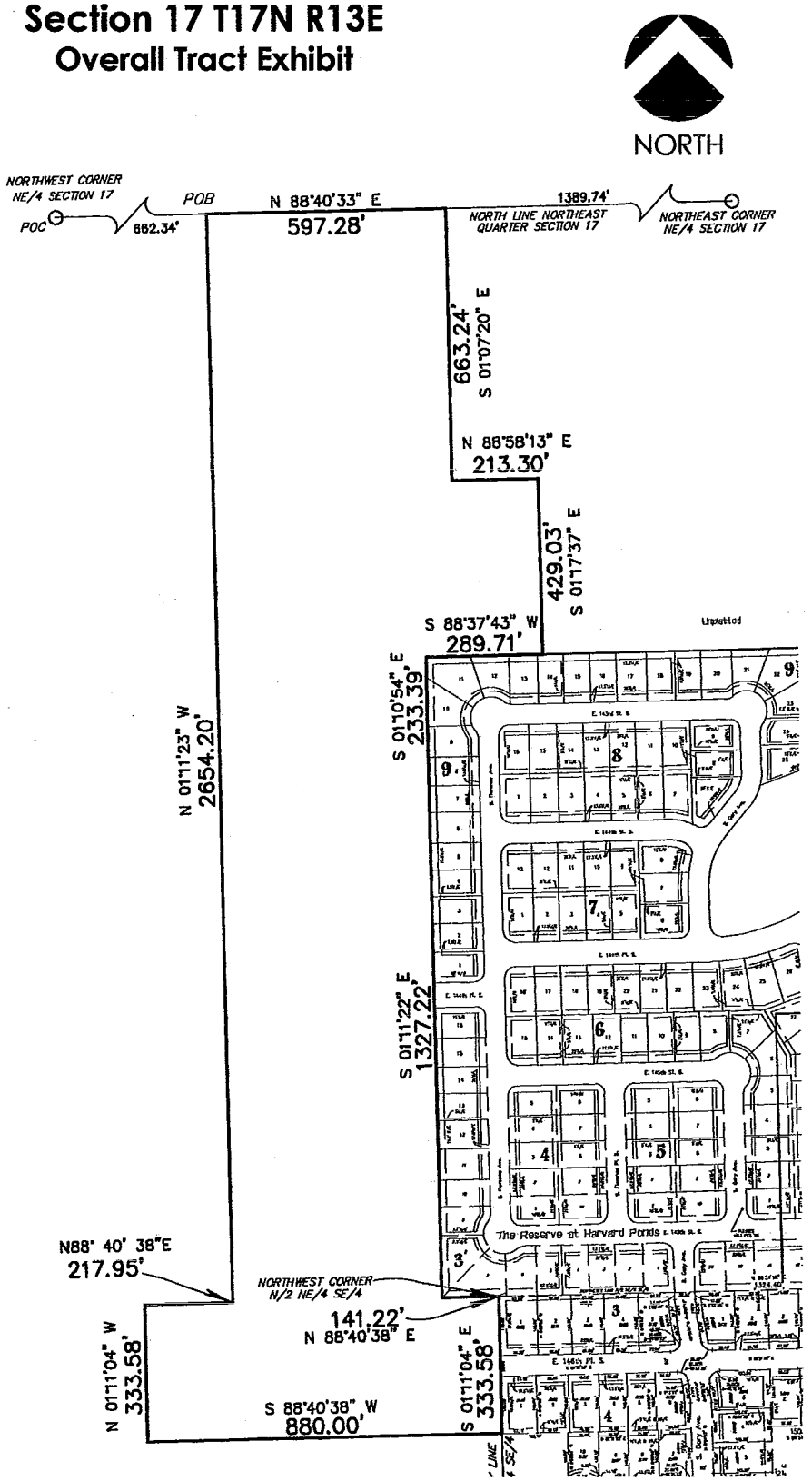
Exhibit "A.2"

Section 17 T17N R13E

Overall Tract Exhibit



Location Map



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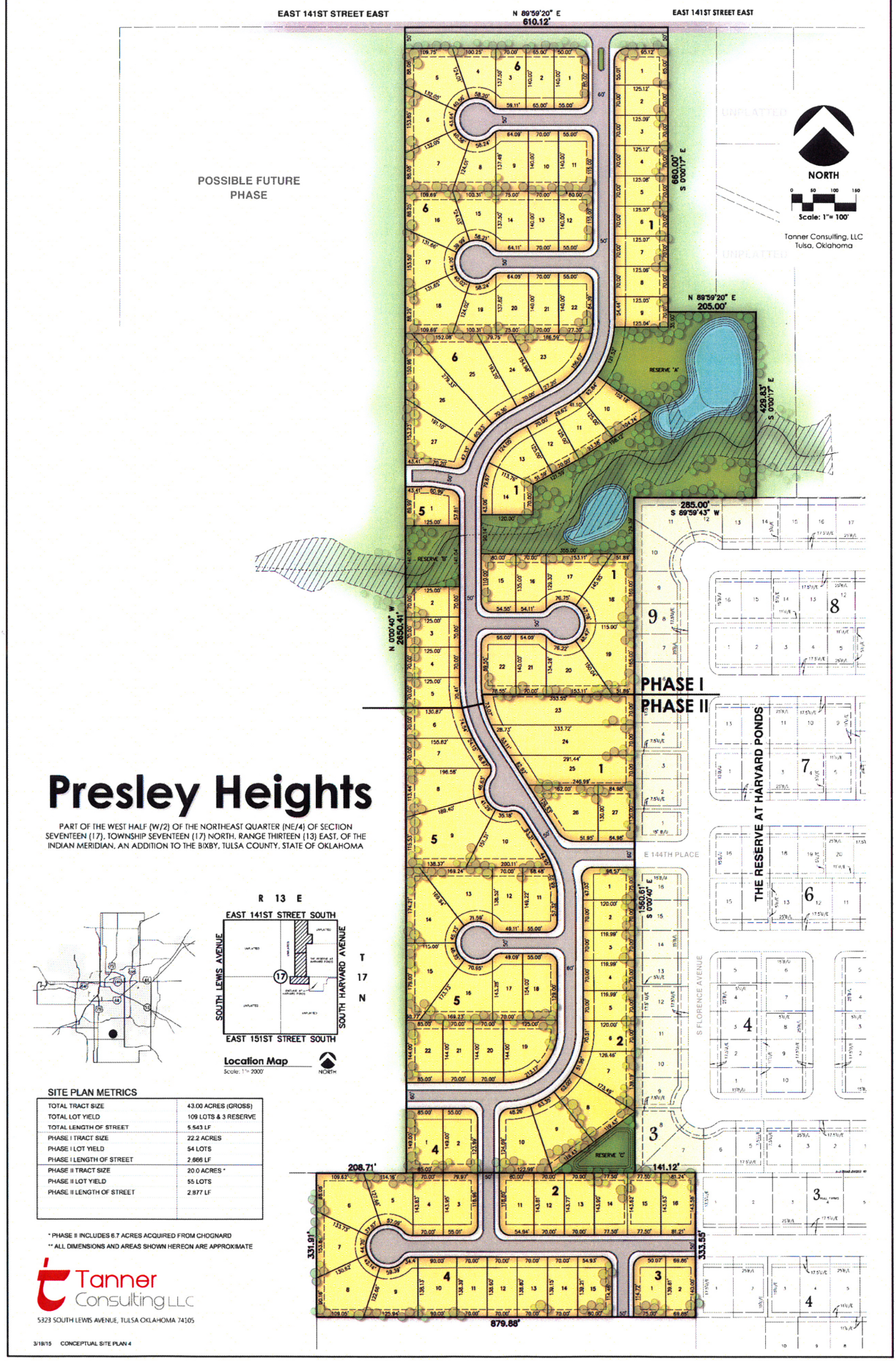
LEGEND

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
7/20/2015 14058EX_OVERALL TRACT

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



Presley Heights

PART OF THE WEST HALF (W/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, AN ADDITION TO THE BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

Location Map
Scale: 1"= 2000'
NORTH

SITE PLAN METRICS

TOTAL TRACT SIZE	43.00 ACRES (GROSS)
TOTAL LOT YIELD	109 LOTS & 3 RESERVE
TOTAL LENGTH OF STREET	5.543 LF
PHASE I TRACT SIZE	22.2 ACRES
PHASE I LOT YIELD	54 LOTS
PHASE I LENGTH OF STREET	2.666 LF
PHASE II TRACT SIZE	20.0 ACRES *
PHASE II LOT YIELD	55 LOTS
PHASE II LENGTH OF STREET	2.877 LF

* PHASE II INCLUDES 6.7 ACRES ACQUIRED FROM CHOGNARD

** ALL DIMENSIONS AND AREAS SHOWN HEREON ARE APPROXIMATE

Tanner Consulting LLC
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105

3/19/15 CONCEPTUAL SITE PLAN 4

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, August 14, 2015

RE: Report and Recommendations for:
BSP 2015-05 – "Jiffy Lube Office Building" – W Design, LLC (PUD 54)

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

SIZE: ½ acre, more or less

EXISTING ZONING: OL Office Low Intensity District & PUD 54

SUPPLEMENTAL ZONING: PUD 54 for "Jiffy Lube"

EXISTING USE: Vacant lot

DEVELOPMENT TYPE: Approval of Detailed Site Plan including as elements: (1) Detailed Site Plan, (2) Detailed Landscape Plan, and (3) Detailed Lighting Plan, (4) Detailed Sign Plan, and (5) building plans and profile view / elevations pursuant to PUD 54 for "Jiffy Lube Office Building," an office/storage building development

COMPREHENSIVE PLAN: Medium/Low Intensity + Residential Area

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

BZ-182 – Eugene Green – Request for rezoning from RS-1 to CG for Lots 1 and 2 of Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) at 11800 S. Memorial Dr. for a car lot (abutting subject property to the east) – City Council Approved 08/11/1987 (Ord. # 569).

BBOA-449 – Patrick Moore for SBM Corporation – Request for Special Exception to authorize a Use Unit 17 Automotive and Allied Activities for a *Jiffy Lube* auto service facility for Lots 1 and 2 of Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) at 11800 S. Memorial Dr. (abutting subject property to the east) – BOA Denied 10/02/2006.

BZ-318 – SBM Corporation for Eugene & Norma Green – Request for rezoning from RS-1 to OL for subject property Lot 3 Block 5, *North Heights Addition* (later replatted as Lot 2, Block 1, *Bixby Jiffy Lube*) – PC Recommended Approval 10/16/2006 and City Council Approved 11/13/2006 (Ord. # 953).

PUD # 54 – Jiffy Lube – Request for PUD overlay zoning for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – PC Recommended Approval 03/19/2007 and City Council Approved 04/09/2007 (Ord. # 963).

AC-07-04-01 – Request for Architectural Committee approval of site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – Approved in April, 2007 per contemporary sources (Minutes of 04/16/2007 meeting not found).

AC-07-10-07 – Request for Architectural Committee approval of site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – Tabled/No Action on 10/15/2007 due to realization that the site plans and buildings were already approved as per AC-07-04-01.

PUD # 54 Minor Amendment # 1 – Request for PUD Minor Amendment for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) to revise building setback lines to reflect the newly-dedicated additional right-of-way as proposed by the plat – PC Approved 01/21/2008.

Preliminary Plat of Bixby Jiffy Lube – Request for Preliminary Plat approval for "Bixby Jiffy Lube," a replat of Lots 1, 2, and 3 of Block 5, *North Heights Addition* (includes subject property) – PC Recommended Conditional Approval 12/17/2007 and City Council Conditionally Approved 01/14/2008.

Final Plat of Bixby Jiffy Lube – Request for Final Plat approval for "Bixby Jiffy Lube," a replat of Lots 1, 2, and 3 of Block 5, *North Heights Addition* (includes subject property) – PC Recommended Conditional Approval 01/21/2008 and City Council Conditionally Approved 01/28/2008 (Plat # 6276 recorded 03/02/2009).

AC-08-01-02 – Request for Architectural Committee approval of revised site plans and the proposed *Jiffy Lube* and office buildings for Lots 1, 2, and 3 of Block 5, *North Heights Addition* (later replatted as *Bixby Jiffy Lube*; includes subject property) – AC Conditionally Approved 02/18/2008.

AC-08-08-01 & AC-08-08-02 – Request for Architectural Committee approval of ground and wall signs for *Jiffy Lube* for Lots 1 and 2, Block 5, *North Heights Addition* (later replatted as Lot 1, Block 1, *Bixby Jiffy Lube*) abutting subject property to the east – AC Approved 08/18/2008.

BACKGROUND INFORMATION:

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

By email on June 12, 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.

As requested by the Applicant by phone on July 17, 2015, the Planning Commission Continued this application from the July 20, 2015 Planning Commission meeting to the August 17, 2015 meeting.

Staff met with the Applicant August 03, 2015 to discuss Staff's previous recommendation for a PUD Major Amendment to address the initial plans' 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. At the meeting, the owner stated that the building was no longer planned for use for storage of automotive-related supplies, and a statement to that effect was received Friday, August 07, 2015. New site plans and information was received August 13, 2015, and this report has been updated to reflect this new information.

Previous Recommendations Pertaining to Land Use. Per pre-application discussions with the Applicant and per the initial Site Plan submittal, the proposed building was originally intended to contain "incidental storage." Staff had advised the Applicant that, in order for the building to be deemed a Use Unit 11 office building with incidental storage, greater than 50% of the floor area should be actually devoted to general business office use. It was not clear, based on the floor plan provided with the application, whether or how the "future office" areas[1] would be restricted from being actually used for storage until completed. The previous "storage" area was roughly 40% of the building floor area, and the "future office" areas were roughly 36% of the building floor area. If roughly 76% (or any part at or greater than 50%) of the building were to be used for storage, that would appear to cause the building's principal use to be recognized as a Use Unit 23 warehousing and/or storage use, which is not permitted per PUD 54. PUD 54 restricts Development Area A (*Jiffy Lube* site) to CS uses plus Use Unit 17 automotive oil changing/repair/[lubrication], and Development Area B (subject property) to uses allowed [by right] within the OL district. If Use Unit 23 was actually being proposed, and if the City was amenable to allowing same, this should have required a PUD Major Amendment to "unlock" Use Unit 23 from the available CG zoning in Development Area A, allow its allocation to Development Area B, and specify a maximum building floor area corresponding to the percentage of the building actually to be devoted to Use Unit 23 use. Staff advised the Applicant that such a Major Amendment would allow the City of Bixby to further inform the design and development standards, such as building and/or other building and/or site enhancements as a part of the prerequisites for PUDs pursuant to Zoning Code Section 11-7I-8.C, especially:

[1] The revised AS201, received August 13, 2015, has the "Storage" and "Future Office" area designations removed, and the entire open area is now designated "General Business Office....Owner Plans to Construct Additional Office as Necessary for its Future Growth."

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1. Harmonizing with the existing and expected development of surrounding areas,
2. Presenting a unified treatment of the development possibilities of the project site, and
3. Maintaining consistency with the stated purposes and standards the Zoning Code provisions for PUDs, which, per Zoning Code Section 11-7I-2, include purposes pertinent to this PUD such as:
   (A) Permitting innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, and
   (B) Achieving a continuity of function and design within the development.

If a PUD Major Amendment is ultimately proposed at some future point, such building and/or site design enhancements, to be proposed by the Applicant and to be considered and approved by the Planning Commission and City Council in exchange for the special benefit of more intensive land use approval, could include:

- Upgrading the EIFS siding to traditional masonry,
- Increasing the overall percentage of minimum masonry and/or approved masonry alternatives,
- Restoring the EIFS that "wrapped around" the south end of the building as per the initial submittal,
- Adding minimum masonry and/or approved masonry alternatives to all sides of the building,
- Changing the pitch and/or material of the white metal roof to be more compatible and consistent with the residential neighborhood abutting to the west,
- Bringing the *Jiffy Lube* development area up to code for minimum landscaping,
- Completing the required sidewalk along the *Jiffy Lube* development area, and/or
- Enhancing the proposed landscaping back to the initial submittal quality, if not further.

Purpose of the Application. Language in the landscaping section of PUD 54 provides that the final landscaping and screening standards are to be determined as a part of the "PUD site plan." Although the text does not specify, this language indicates subjectivity, and suggests to Staff that a board or body would review and approve the "PUD site plan." The City of Bixby took the initial site plan (AC-07-04-01), and subsequent revised site plan (AC-08-01-02) through the Bixby Architectural Committee in April, 2007 and January/February, 2008. It is believed these site plan approvals were presented to the Architectural Committee (AC) because the property is located in the Corridor Appearance District, which required AC site plan approval at that time. It may have served a secondary purpose, approving the PUD-required "PUD site plan."

Upon Staff review of the documents pertaining the site plan per AC-08-01-02, PUD 54 Minor Amendment # 1, the Preliminary Plat, and the Final Plat, Staff discovered that certain language in the PUD section of the Deed of Dedication and Restrictive Covenants of the recorded plat differed from that of the PUD Text. Staff Reports and contemporary review emails do not reflect that the City of Bixby requested this change; the origination of the change is not known. The Deed of Dedication and Restrictive Covenants (DoD/RCs) Section 2 "Development Standards for All Lots" provides that (1) there shall be a "detailed landscape and screening plan," and (2) the "detail landscape plan...shall be approved by the Bixby Planning

Commission." Read together, the PUD Text and the DoD/RCs text should be construed to require that the Bixby Planning Commission review and approve the required "PUD site plan," which "PUD site plan" should include the required "detailed landscape and screening plan." This BSP 2015-05 application requests approval as determined required by Staff.

The subject property shares a development history with the *Jiffy Lube* on the lot abutting to the east. The Zoning and development entitlements granted between 2006 and 2008 for the *Jiffy Lube* included the office building on the subject property, entitled and previously shown to be (60' X 100' =) 6,000 square feet in floor area. However, the office building was not built at the same time, and more detailed plans for same have just now been received. According to Tulsa County Assessor's parcel records, both lots are presently owned by the same entity, Auto Oil Change, LC.

ANALYSIS:

Subject Property Conditions. The subject property consists of vacant Lot 2, Block 1, *Bixby Jiffy Lube*, and is zoned OL with PUD 54 "Jiffy Lube." The subject property slopes moderately downward to the south. It appears to partially drain southeasterly along the borrow ditch attending Memorial Dr., and partially to the south through the stormwater drainage system in *Bixby Centennial Plaza*, which presently utilizes a temporary stormwater detention pond to the west of the *Bank of Oklahoma*. This pond is ultimately planned to be replaced in favor of a stormsewer system installed along 121st St. S. and to drain west to the Fry Creek Ditch # 2, which may be accessed upon payment of applicable excess capacity fees and fees-in-lieu of continued onsite stormwater detention. The borrow ditch along Memorial Dr. may be in either or both of the Fry Creek Ditch # 1 or Fry Creek Ditch # 2 drainage basins.

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

General. The Detailed Site Plan represents a suburban-style design and indicates the proposed internal automobile traffic and pedestrian flow and circulation and parking. The subject property lots conforms to PUD 54 and, per the plans generally, the office building development would conform to the applicable bulk and area standards for PUD 54 and the underlying OL district, except as otherwise outlined herein.

Compared to the site plan last approved in 2008 per AC-08-01-02, a few changes have been made, including, but not necessarily limited to:

- Building is (109' X 55' =) 5,995 square feet, compared to (100 X 60' =) 6,000 square feet per the original site plan.
- The west setback has been increased from 25' to 30'.
- The north setback has been increased from ~28' to ~31'.
- The parking lots along the north and south sides of the building have been removed, and more parking relocated to the east side of the building.
- The required sidewalk will be added along the frontage of 118th St. S.
- The building's interior and exterior designs have changed.

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The site plan proposes approval of a building to be known as the "Jiffy Lube Office Building," which Staff understands is intended to be considered a Use Unit 11 "general business office" for the entity owning all of the *Jiffy Lube* franchise locations in "Tulsa County." Per the Applicant's letter received August 07, 2015, the building is no longer planned to contain "incidental storage."

The Detailed Site Plan was prepared by W Design, LLC of Tulsa. The submitted plan-view Site Plan drawing consists of "Architectural Site Plan" drawing AS100 and "Floor Plan First Floor" drawing A201 (hereinafter, individually or together, sometimes "Site Plan" or "site plan"). The landscape plan consists of a "Landscape Plan" drawing AS101. Appearance and height information is provided on the "Exterior Elevations" drawing A301. Fence/screening information is provided by the representation of such information on AS100. The Lighting Plan consists of "Photometric Site Plan" drawing AS102. The application form indicates that the Sign Plan is "N/A." Per a site inspection, there are no signs on site, and no signs are indicated as proposed on any of the drawings; however, see Screening/Fencing and Signage analyses sections of this report.

The building is proposed to be a one (1) story metal building with EIFS and a synthetic stone wainscot along the north and east elevations, and a metal gable roof with a 1:12 pitch. The revised site plans provided August 13, 2015 have reduced the number of loading bay / overhead doors from three (3) to two (2). The former stairwell leading to an area of unspecified size represented on the plans as "unoccupied mechanical platform," and described as a "mezzanine or second floor" in the pre-application coordination meeting held March 12, 2015, has been removed.

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

The Technical Advisory Committee (TAC) reviewed this application on May 06, 2015. The Minutes of the meeting are attached to this report.

<u>Access & Circulation</u>. Per the plat of *Bixby Jiffy Lube* and the site plan, the subject property has 105.64' of frontage on 118th St. S., and one (1) driveway connections is planned thereto. The driveway connection would correspond to a 25'-wide Mutual Access Easement (MAE) as represented on the plat of *Bixby Jiffy Lube*, half of which MAE is located on the subject property, and the easterly half on the *Jiffy Lube* property. Primarily to the east of this MAE, there is an existing north-south drive connecting 118th St. S. to an existing east-west private drive along the north side of the *Bixby Centennial Plaza* development to the south.

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

Staff could not find language in the recorded plat of *Bixby Jiffy Lube* pertaining to the dedication, purpose, beneficiaries, intended use, or maintenance responsibility for the MAE.

The MAE may have been intended to provide mutual access between Lots 1 and 2 of *Bixby Jiffy Lube*. Although the Applicant's response received August 13, 2015 notes that the original

language pertaining to the MAE was not found, it also claims that the purpose was exclusively to provide mutual access between the owners of Lots 1 and 2. As per the actual site construction and as per the first *Jiffy Lube* site plans (AC-08-01-02), the 25'-wide MAE does not correspond to the north-south driveway connecting 118th St. S. to the east-west private drive along the north side of the *Bixby Centennial Plaza* development to the south. However, per contemporary development review narratives, rather than or in addition to this purpose, it is possible that the MAE may have been intended to secure an additional access through *Bixby Centennial Plaza*, by agreement with the developer of that commercial subdivision, "as the Applicant has stated has been reached." A copy of such agreement was provided, and the legal description used appears to correspond to where the drive lanes were actually constructed. Regardless of whether the MAE was or was not (at least also) intended to secure mutual access with the *Bixby Centennial Plaza* development to the south, the Applicant should consider and advise how the MAE may be modified, and potentially expanded, to reconcile actual use areas (e.g. parking, garbage bin enclosure, and landscaping versus drive lanes) according to current site designs.

Most of the pavement for the existing north-south drive is located on the *Jiffy Lube* property, but there is some measure located on the subject property as well. Per the site plan, most of the MAE on the subject property will be occupied by the parking lot strip along the east side of the building. Per the site plan, the 18'-deep parking lot stalls will be located 15' on the subject property and three (3) feet on the *Jiffy Lube* property. There will also be a curb-protected landscaped area defining the new curb return that will modify the existing north-south drive at the northeast corner of the subject property lot. The landscaped area will occupy all of the subject property's MAE here, and extend approximately three (3) feet into the abutting Lot 1, Block 1, *Bixby Jiffy Lube*, which area is part of the existing drive lane.

Since the site design calls for three (3) feet of the 18'-deep parking lot stalls to be located on the *Jiffy Lube* Lot 1, Block 1, *Bixby Jiffy Lube*, the Applicant should research, determine positively, and advise whether ADA standards will allow the handicap-accessible space and access aisle to be divided by a common property line which will separate different lots, which may be independently owned, now or in the future. The Applicant should advise what accommodations will be used to ensure continued maintenance and shared expenses of all of the shared areas (formal dedication or rededication and modification of existing MAE, new easement agreement, etc.). The Applicant's response received August 13, 2015 does not appear to address the misaligned nature of the MAE and drive locations or the additional mutual use purposes (parking, garbage bin enclosure, etc.) discussed in this report. If ADA standards do not allow this even with accommodations, the Applicant will need to amend the site plan such that the areas are wholly on the subject property.

The proposed new and any modifications to existing driveway/street intersections require City Engineer curb cut approval, and the Fire Marshal's approval in terms of locations, spacing, widths, and curb return radii. Internal drives also require Fire Marshal's approval in terms of locations, widths, and curb return radii.

The required sidewalk along 118th St. S. is indicated. Sidewalks are part of complete streets, providing a safe and convenient passageway for pedestrians, separate from driving lanes for automobile traffic.

Internal pedestrian accessibility will be afforded via internal sidewalks, connecting pedestrians between parking areas and building entrances within the development (reference Zoning Code Section 11-10-4.C). With the revised site plan drawings received August 13, 2015, a connection has been added to connect the building's public entrance to the public sidewalk along 118th St. S.

Parking & Loading Standards. For a Use Unit 11 office building, Zoning Code Section 11-9-11.D would require 1 space / 300 square feet of floor area. At 5,995 square feet, 20 parking spaces would be required. With the revised site plan drawings received August 13, 2015, the parking lot along 118th St. S. has been removed, and the parking lot strip along the east side of the building has been slightly reconfigured. The site plan now reports, and Staff counted 11 off-street parking spaces to serve the subject property.

PUD 54 requires compliance with the parking requirements of the Zoning Code, but also provides the following mutual parking privileges provision:

"...parking spaces required in one development area may be satisfied by spaces in another area, as long as "the total spaces provided shall not be less than the sum of the individual requirements and the spaces required for each use, and shall be under the ownership or permanent control of the owners of the use for which the spaces are required." Mutual use shall be authorized by a duly recorded mutual access or reciprocal access agreement."

For a Use Unit 11 office building, as the number of spaces has been reduced from 20 to 11, the subject property would require credit or use of parking spaces located within Development Area A / Lot 1, Block 1, *Bixby Jiffy Lube*. Per the 1976 Zoning Code, parking and loading requirements did not apply to oil lubrication and service business uses previously classified under Use Unit 16. Per the 2008 Zoning Code Text Amendment pertaining to Use Unit 16 ministorage developments, oil lubrication and service businesses uses were reclassified under Use Unit 17, and no parking or loading standards were added to the Zoning Code upon the reclassification. Thus, the *Jiffy Lube* does not have parking or loading requirements. Per the revised site plan drawings received August 13, 2015, the nine (9) spaces located in Development Area A / Lot 1, Block 1, *Bixby Jiffy Lube* will be used as credit toward the 20 required. An amendment to the Mutual Access Easement or some other legal instrument should be used to adequately transfer the legal right to use parking spaces on Lot 1 to the owner of Lot 2, which lots may be sold independently at any point in the future.

Zoning Code Section 11-10-2.H provides a "minimum plus 15%" maximum parking number cap, to prevent excessive parking that results in pressure to reduce greenspaces on the development site. At 11 parking spaces proposed, the number of parking spaces proposed would not conflict with this standard if the building were deemed a Use Unit 11 office use.

With 11 parking spaces on site, the one (1) handicapped-accessible parking space appears to comply with the minimum number required by ADA standards (Table 208.2 Parking Spaces / IBC Table 1106.1 Accessible Parking Spaces) and Zoning Code Section 11-10-4.D Table 2.

ADA guidelines require one (1) van-accessible design for the handicapped-accessible space, for up to seven (7) accessible spaces (reference New ADAAG Section 208.2.4, DOJ Section 4.1.2(5)b, and IBC/ANSI Section 1106.5). The Site Plan provides that the one (1) accessible space will be of van-accessible design, and the dimensions provided on the space appear to comply with ADA dimensional standards. The dimensional design standards of per Zoning Code Section 11-10-4.C Figure 3 do not apply to van-accessible spaces. Per the revised site plans received August 13, 2015, the van-accessible space is now to the left of the accessible aisle, allowing for passenger-side convenience, as appropriate.

During the design of the ADA parking features, the designer should consult with the Building Inspector to confirm the plans will comply with ADA standards (locations, proximity to primary entrance, maximum slopes, transition areas, level landing areas, pavement coloring, etc.).

The individual parking space dimensions have been provided and demonstrate compliance with standards for the same Zoning Code Section 11-10-4.

The parking lot is subject to a 10' minimum setback from 118th St. S., a Collector Street, per Zoning Code Section 11-10-3.B Table 1. The former northwestern parking lot has been removed. Based on its relative representation compared to the 11'-wide U/E, this standard appears to be met.

The parking lot is subject to a 10' minimum setback from an R district per Zoning Code Section 11-10-3.B Table 1. The subject property abuts an R district to the west, and meets this parking lot setback standard.

The Site Plan shows parking area and driveway paving would encroach on the 20'-wide U/E along the north side (Tulsa County Assessor's Document # 2007138858) and the 7.5'-wide U/E along the east side of the subject property. Paving and site improvements on public Utility Easements is subject to City Engineer and Public Works Director approval.

For Use Unit 11 office buildings, Zoning Code Section 11-9-11.D requires one (1) loading berth per 10,000 to 100,000 square feet, plus 1 per each additional 100,000 square feet of floor area, and thus the building does not meet the threshold for requiring any. The east side of the building will have two (2) loading bay areas, which the Applicant has stated are not intended as loading bays but as garage doors for the current owner's private vehicles.

Screening/Fencing. PUD 54 requires for screening "[a]n eight (8) feet high screening fence...along the west boundary of Development Area B consisting of a block wall or other acceptable material." The site plan represents the location of the existing 8'-high masonry wall, and depicts it in a photograph (or Google Street View image capture) as Diagram # 2. The City required the masonry wall be erected when the *Jiffy Lube* was built as there was a delay in the construction of the office building. However, the image and previous correspondence with the owner indicate that the northerly end of the fence is not at the 8' height, but is rather "stepped down" at its approach to the street. Staff has previously advised the owner that this would require a PUD Amendment. In the response received August 13, 2015, the Applicant has stated, "During some previous discussions with the Neighborhood, the residents had wanted a

lower fence height at the corner for safer visibility. The owner is currently coordinating with the neighborhood to determine if they want the height of the fence increased, or left as is. Depending on the outcome of the Neighborhoods desires, we will take the proper steps in the minor amendments to the PUD."

Previous discussions and correspondence with the owner indicate that the owner may have, at one point, intended to install signage in the screening wall identifying the North Heights Addition, as a part of the owner's discussions with the neighborhood to secure zoning entitlements for the *Jiffy Lube* and office building development on the subject property. It does not appear, however, that such a design element was included as a development standard in the PUD or as a condition of approval for any other development entitlement. Staff discussed this matter with the owner during a pre-application coordination meeting held March 12, 2015 and again during the meeting held August 03, 2015. See signage analysis section of this report for further information on this matter.

PUD 54 requires the following for garbage dumpster screening:

"There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. An opaque fence of at least 8 feet in height shall be placed around all dumpsters. All dumpsters shall be located behind the front building lines."

The site plan identifies one (1) trash can enclosure area, which has been relocated with the latest site plans to the southeast corner of the building, which new location also complies with the locational restriction of the PUD. The revised plans call for it to be an 8'-high cedar wood dumpster enclosure, and the profile view/elevation is indicated as diagram #s 4 and 5 on drawings AS101, and appears to demonstrate compliance with the opacity requirement. As recommended, the screening height and composition details have been submitted, for the Planning Commission's review and approval as a part of this Detailed Site Plan.

In a meeting with the Applicant and owners August 03, 2015, the owners stated that they would consolidate the existing, unscreened commercial dumpster serving *Jiffy Lube* with the new dumpster enclosure, and that they will amend the Mutual Access Easement (or use another method) to allow for the shared use of the singular enclosure.

<u>Landscape Plan</u>. PUD 54 requires compliance with the landscaping standards of the Zoning Code and provides the following special standards for landscaping:

"Provided open space and landscape areas shall be calculated to comprise no less that ten percent (10%) of the gross development area of the PUD. The actual [quantity] and quality of open space and landscape areas within a particular development area shall be approved and determined through the PUD site plan. The plan shall include, but not be limited to, a 25 feet wide landscaped open space area along the west boundary of Lot 3, Block 5, North Heights, which is Development Area B..."

Notwithstanding the subjectivity of the second sentence, which is subject to the Planning Commission's approval of this PUD site plan, all specific and special PUD-imposed

landscaping requirements outlined in the above paragraph have been met with this landscape plan.

The initial landscape plans submitted have been changed upon the issuance of the initial Staff Report. Some landscaping trees have been removed (new calculations removed duplication of tree requirements at overlapping Street Yard and setback area strips, and all trees not required have been removed), and plans for an underground irrigation system have been removed in favor of hose bibs.

The proposed landscaping is compared to the Zoning Code and PUD 54 as follows:

1. 15% Street Yard Minimum Landscaped Area Standards (Section 11-12-3.A.1): Standard is not less than 15% of the Street Yard area shall be landscaped. The Street Yard is the required Zoning setback, which is 25' along 118th St. S., on which the subject property has 105.64' of frontage. PUD 54 does not increase the 25' setback required by the OL district. The Street Yard thus contains (105.64' X 25' =) 2,641 square feet, 15% of which would be 396.15 square feet. Based on the calculations provided, and per dimensions indicated on the site plan, **this standard is met.**
2. Minimum Width Landscaped Area Strip Standards (Section 11-12-3.A.2 and 11-12-3.A.7): Standard is minimum Landscaped Area strip width shall be 7.5', 10', or 15' along abutting street rights-of-way. A 10' minimum width strip is required along 118th St. S., a Collector Street. The former northwestern parking lot has been removed. The proposed parking lot setback / landscaped strip does not appear to be provided, but the 11'-wide U/E is. Based on its relative representation, **this standard is met.**
3. 10' Buffer Strip Standard (Section 11-12-3.A.3): Standard requires a minimum 10' landscaped strip between a parking area and an R Residential Zoning District. There is an RS-1 district abutting to the west. Based on dimensions on the site plan and the relative representation of site features, **this standard is met.**
4. Building Line Setback Tree Requirements (Section 11-12-3.A.4): Standard is one (1) tree per 1,000 square feet of building line setback area. Excluding the building line setback along 118th St. S. (which is a Street Yard), the PUD provides setbacks along the east, south, and west boundaries of Development Area B / Lot 2, Block 1, *Bixby Jiffy Lube*. The PUD-imposed setbacks are greater than the underlying OL district in all cases, so are the ones which apply to this standard. The revised landscape plan received August 13, 2015 identifies how the various setback and Street Yard tree requirements can be calculated, which Staff recognizes as consistent with the Zoning Code and its interpretation as follows:

   197.63' Easterly Boundary Setback Tree Requirements: East line @ (197.63' – 25' Street Yard =) 172.63' • 10' = 1,726.3 square feet / 1,000 = 2 trees. Excluding Boundary Setback Trees elsewhere accounted for, two (2) trees are proposed in the landscaped area containing the setback along this line (at southeast lot corner). **This standard is met.**

105' South Boundary Setback Tree Requirements: South line @ (105' – 10' East Setback =) 95' • 20' = 1,900 square feet / 1,000 = 2 trees. Excluding Boundary Setback Trees elsewhere accounted for, two (2) trees are proposed in the landscaped area containing the setback along this line (centermost 2 along south line). **This standard is met.**

185.99' West Boundary Setback Tree Requirements: West line @ (185.99' – 25' Street Yard – 20' South Setback =) 140.99' • 25' = 3,524.75 square feet / 1,000 = 3.525 = 4 trees. Excluding trees elsewhere accounted for, four (4) trees are proposed in the landscaped area containing the setback along this line (southernmost 4 trees along the west line). **This standard is met.**

5. Maximum Distance Parking Space to Landscaped Area Standard (Sections 11-12-3.B.1 and 11-12-3.B.2): Standard is no parking space shall be located more than 50' or 75' from a Landscaped Area, which Landscaped Area must contain at least 30, 100, or 200 square feet and one (1) or two (2) trees. For the subject property, the standard calls for a maximum of 50' of spacing, with one (1) tree required within the Landscaped Area. With the initial submittal, it was not clear, based on the dimensions provided, whether the centermost parking spaces along the east side of the building would have met this standard from available landscaped areas. However, the revised site plans received August 13, 2015 have removed this parking space. **This standard appears to be met.**
6. Street Yard Tree Requirements (Section 11-12-3.C.1.a): Standard is one (1) tree per 1,000 square feet of Street Yard. The Street Yard is the Zoning setback along an abutting street. The subject property has 105.64' of frontage on 118th St. S. which requires (105.64' X 25' =) 2,641 square feet / 1,000 = 2.6 = 3 trees. Excluding trees elsewhere accounted for, three (3) trees are proposed in the Street Yard. **This standard is met.**
7. Tree to Parking Space Ratio Standard (Section 11-12-3.C.2): Standard is one (1) tree per 10 parking spaces. 11 parking spaces now proposed / 10 = 1.1 = 2 trees required (1/10 of a tree is not possible, and minimum numbers of required trees are not rounded-down). Excluding the Street Yard and Building Setback trees reported above, two (2) trees proposed. **This standard is met.**
8. Parking Areas within 25' of Right-of-Way (Section 11-12-3.C.5.a): Standard would be met upon and as a part of compliance with the tree standard per Section 11-12-3.C.1.a.
9. Irrigation Standards (Section 11-12-3.D.2): Zoning Code Section 11-12-4.A.7 requires the submission of plans for irrigation. Note # 6 (and perhaps others) on the landscape plan indicates compliance is now proposed by hose bibs on the building. 100' radii are indicated from each hose bib and demonstrate compliance minimum requirements of the Zoning Code. **This standard is met.**
10. Miscellaneous Standards (Sections 11-12-4.A.5, 11-12-3.C.7, 11-12-3.D, etc.): The reported heights and calipers of the proposed trees, tree planting diagram(s), the notes on the drawings, other information indicate compliance with other miscellaneous standards. With the changes made to the plan drawing received August 13, 2015, **this standard appears to be met.**
11. Lot Percentage Landscape Standard (Section 11-7I-5.F; PUDs only): Standard is 15% of an office lot within a PUD must be landscaped open space. Although PUD

54 preempts the 15% standard with a 10% standard, per the Site Plan, 48% of the lot area will be pervious surface (sod). **This standard is not applicable.**

Exterior Materials and Colors. Appearance and height information is provided on the "Exterior Elevations" drawing A301. The PUD has a 35' maximum building height in Development Area B / Lot 2, Block 1, *Bixby Jiffy Lube*. The previous shed-roof design has changed, and the plans now call for a white gable roof design with a 22' 3.5" ridge height and a 1:12 pitch.

PUD 54 provides for "Building Facades": "All construction shall comply with City of Bixby ordinances."

The subject property is within the Corridor Appearance District, which, as of 2013, has a masonry and/or approved masonry alternatives requirement for all building elevations facing a Public street. Per the elevations drawing, the building is to be a white metal building with white EIFS veneer and a 3'-tall "tan blend" manufactured stone veneer (sometimes a/k/a "wainscot") along the north/118th St. S.-facing elevation and east/Memorial Dr.-facing elevation. The synthetic stone veneer was added with the revised plans received August 13, 2015. The originally-submitted plans "wrapped" the EIFS around the easterly end of the south-facing elevation for an unspecified distance, but the plans received August 13, 2015 have removed this.

Although the office building was represented on the AC-07-10-07 and AC-08-01-02 site plans along with the *Jiffy Lube* to the east, elevations for the office building were not included with either application. However, Staff found building elevations and floor plans drawings for the original office building as proposed, and as the Architectural Committee apparently approved per AC-07-04-01 in April, 2007. The plans only included the front building elevation, and showed it to be a stucco building with a high-pitched shingle roof with four (4) dormers, a projecting portico and/or recessed vestibule with temple-front design, including a pediment and two (2) columns or pilasters, and what appears to resemble a brick "wainscot" roughly 2'-high. The floor plan reflected no loading docks or storage areas.

As Staff advised the owner and Applicant in the pre-application coordination meeting held March 12, 2015, and by subsequent email to the Applicant, if there are any particular design elements that would be superior to what is now proposed, those will be included as a review comment for comparison and discussion. In Staff's estimation, this metal building with large loading bay doors, which resembles a storage building even if not currently proposed for storage, at least as compared to the previous "pure" office building, would represent a diminished quality design.

The OL zoning and office building on the subject property were originally intended or otherwise should be recognized as serving as a buffer and transitional zoning district and land use between the heavy commercial *Jiffy Lube* to the east and the single-family residential neighborhood to the west.

Staff notes that a large metal building primarily composed of open areas served by two (2) large loading bay doors, with parking now reduced below what is considered adequate for office occupancy under the Zoning Code, if not now by this building owner, may at some point

become attractive for use for storage/warehousing. Thus, construction of this building at this time may ultimately result in an intermittent or chronic code enforcement situation throughout the life of the building.

For all the reasons outlined above, as provided for plans exhibiting "exceptional character" within the Corridor Appearance District per Zoning Code Section 11-7G-5.C, if and upon Planning Commission approval, Staff will refer the site and building plans to the City Council for its consideration as well.

Outdoor Lighting. The Lighting Plan consists of "Photometric Site Plan" drawing AS102, which includes a photometric plan and a legend describing the different light fixtures proposed and certain other particulars. There do not appear to be any pole-mounted lights; all are building-mounted and appear typical for an office building application.

PUD 54 provides for lighting:

"Exterior light poles shall meet the requirements of the Bixby Zoning Ordinance. Lighting used to illuminate the development area shall shield and direct the light away from properties with[in] an R District that are residentially developed. Shielding of such light shall be designed so as to prevent the light producing element of the light fixture from being visible to a person standing in an R District that is residentially developed. Exterior lighting mounted on building walls shall be permitted."

Per the photometric plan, it appears that the footcandle effects of the proposed lighting will be reduced to 0.0 at the westerly propertyline shared with an existing single-family dwelling. This appears to demonstrate compliance with the PUD requirements and Zoning Code restrictions on lighting used to illuminate off-street parking areas.

Signage. PUD 54 requires compliance with the signage standards of the Zoning Code and provides no special standards for signage other than the representation of any proposed ground signs on the site plan.

The application form indicates that the Sign Plan is "N/A." Per a site inspection, there are no signs on site, and no signs are indicated as proposed on any of the drawings.

As noted in the Screening section of this report, Staff has recommended the Applicant advise if there is still intent to install signage in the screening wall identifying the North Heights Addition, and if so, amend the plans accordingly. The Applicant has responded to this recommendation by stating "The owner is currently coordinating with the neighborhood to determine if they want the identification signage, or left as is. Depending on the outcome of the Neighborhoods desires, this placard will be installed onto the existing screening fence. If the signage is to be installed it will be submitted to the City of Bixby for a signage permit and follow all requirements set forth by the City of Bixby." Unless PUD 54 is amended to provide specific allowance and development standards for such a sign, it should otherwise be permitted pursuant to Zoning Code Section 11-9-21.C.3.f: "Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes."

Building-wall-mounted signs are expected, but are not indicated on any of the plans. The Applicant has responded by stating, "There are no building-wall-mounted signs proposed at this time. Any future signage will go through the City of Bixby's sign permit application process."

Directional signs, although not indicated, are limited to a maximum of three (3) square feet in display surface area per Zoning Code Section 11-9-21.C.3.k.

Signs reserving the ADA accessible parking spaces and directional signage painted to the pavement of the driveways (not visible from adjoining public streets) should conform to applicable standards or are otherwise exempt per Federal standards.

Staff Recommendation. The Detailed Site Plan adequately demonstrates compliance with the Zoning Code and is in order for approval, subject to the following corrections, modifications, and Conditions of Approval:

1. For all the reasons outlined above, as provided for plans exhibiting "exceptional character" within the Corridor Appearance District per Zoning Code Section 11-7G-5.C, if and upon Planning Commission approval, Staff will refer the site and building plans to the City Council for its consideration as well.
2. Subject to compliance with all Fire Marshal and City Engineer recommendations and requirements.
3. Staff could not find language in the recorded plat of *Bixby Jiffy Lube* pertaining to the dedication, purpose, beneficiaries, intended use, or maintenance responsibility for the MAE. Regardless of whether the MAE was (at least also) intended to secure mutual access with the *Bixby Centennial Plaza* development to the south, the Applicant should consider and advise how the MAE may be modified, and potentially expanded, to reconcile actual use areas (e.g. parking and landscaping versus drive lanes) according to current site designs. The Applicant's response received August 13, 2015 does not appear to address the misaligned nature of the MAE and drive locations or the additional mutual use purposes (parking, garbage bin enclosure, etc.) discussed in this report. See Access & Circulation section of this report for further details.
4. Since the site design calls for three (3) feet of the 18'-deep parking lot stalls to be located on the *Jiffy Lube* Lot 1, Block 1, *Bixby Jiffy Lube*, the Applicant should research, determine positively, and advise whether ADA standards will allow the handicap-accessible space and access aisle to be divided by a common property line which will separate different lots, which may be independently owned, now or in the future. The Applicant should advise what accommodations will be used to ensure continued maintenance and shared expenses of all of the shared areas (formal dedication or rededication and modification of existing MAE, new easement agreement, etc.). The Applicant's response received August 13, 2015 does not appear to address the misaligned nature of the MAE and drive locations or the additional mutual use purposes (parking, garbage bin enclosure, etc.) discussed in this report. If ADA standards do not allow this even with accommodations, the Applicant will need to amend the site plan such that the areas are wholly on the subject property.
5. The proposed new and any modifications to existing driveway/street intersections require City Engineer curb cut approval, and the Fire Marshal's approval in terms of locations, spacing, widths, and curb return radii.

6. Internal drives require Fire Marshal's approval in terms of locations, widths, and curb return radii.
7. Per the revised site plan drawings received August 13, 2015, the nine (9) spaces located in Development Area A / Lot 1, Block 1, *Bixby Jiffy Lube* will be used as credit toward the 20 required. An amendment to the Mutual Access Easement or some other legal instrument should be used to adequately transfer the legal right to use parking spaces on Lot 1 to the owner of Lot 2, which lots may be sold independently at any point in the future.
8. During the design of the ADA parking features, the designer should consult with the Building Inspector to confirm the plans will comply with ADA standards (locations, proximity to primary entrance, maximum slopes, transition areas, level landing areas, pavement coloring, etc.).
9. The Site Plan shows parking area and driveway paving would encroach on the 20'-wide U/E along the north side (Tulsa County Assessor's Document # 2007138858) and the 7.5'-wide U/E along the east side of the subject property. Paving and site improvements on public Utility Easements is subject to City Engineer and Public Works Director approval.
10. PUD 54 requires for screening an 8'-high screening fence along the west boundary of the subject property, consisting of a block wall or other acceptable material. It appears that the northerly end of the existing fence is not at the 8' height, but is rather "stepped down" at its approach to the street. As Staff has previously advised the owner, this would require a PUD Amendment.
11. The owner should advise if the owner still intends to install signage in the screening wall identifying the North Heights Addition. If there is still intent to do this, the plans should be amended accordingly. See Screening/Fencing and Signage analyses sections of this report for further information on this matter.
12. Please submit complete, corrected copies of the Detailed Site Plan incorporating all of the corrections, modifications, and conditions of approval as follows: Two (2) full-size hard copies, one (1) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).
13. Minor changes in the placement / locating individual trees or parking spaces, or other such minor site details, are approved as a part of this Detailed Site Plan, subject to administrative review and approval by the City Planner. The City Planner shall determine that the same are minor in scope and that such changes are an alternative means for compliance and do not compromise the original intent, purposes, and standards underlying the original placement as approved on this Detailed Site Plan, as amended. An appeal from the City Planner's determination that a change is not sufficiently minor in scope shall be made to the Board of Adjustment in accordance with Zoning Code Section 11-4-2.

MINUTES
TECHNICAL ADVISORY COMMITTEE
DAWES BUILDING CITY OFFICES
113 W. DAWES AVE.
BIXBY, OK 74008
May 06, 2015 – 10:00 AM

MEMBERS PRESENT

STAFF PRESENT
Erik Enyart, AICP, City Planner, City of Bixby
Joey Wiedel, Fire Marshal, City of Bixby

OTHERS PRESENT
Brooks Pittman, *Pittman Poe & Associates, Inc.*
Weldon Bowman, AIA, NCARB, *W Design, LLC*
Brian Letzig, Associate AIA, *W Design, LLC*
Ryan Coulter, *Coulter REALTORS / Coulter Partners, LLC*

1. Erik Enyart called the meeting to order at 10:03 AM.

Erik Enyart observed that no utility companies were present, and speculated that part of the reason could be that one case is essentially a rezoning to commercial, and another was the construction of an office building on a site surrounded by existing development, and another part of the reason may be the continued decline in attendance at these meetings. Brooks Pittman compared this meeting format to that in Broken Arrow. Mr. Enyart noted that the Bixby TAC meetings were not as well attended as those in Broken Arrow or Tulsa.

2. **PUD 88 – "Yale 31 Corporation PUD" – Pittman Poe & Associates, Inc., Brooks Pittman.** Discussion and comment on a rezoning request for approval of Planned Unit Development (PUD) # 88 for approximately 1.25 acres consisting of the S/2 of the SE/4 of the NE/4 of the NE/4 of the NE/4 of Section 11, T17N, R13E, with proposed underlying zoning CG General Commercial District.
   Property Located: 13164 S. Memorial Dr.

Erik Enyart introduced the item and summarized the location and the situation. Mr. Enyart stated that, if one looks at a zoning map for this 131st St. S. and Memorial Dr. area, they would notice an odd feature, that being a Residential district surrounded by commercial zoning. Mr. Enyart stated that this property contained an existing daycare facility that the owners were wanting to rezone to commercial. Mr. Enyart asked Brooks Pittman if the use was to include veterinary services of any sort. Mr. Pittman stated that there was one possible tenant that would include a kennel, but that no contract had been signed. Mr. Enyart indicated agreement and stated that the property would need commercial zoning if to be used for any commercial use. Mr. Enyart noted that the PUD also contained language providing development standards for when the property was ultimately

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redeveloped, and indicated favor for what he had seen. Mr. Enyart and Mr. Pittman discussed features of development standards. Mr. Pittman noted that he had included language specifying the requirement to comply with Fire Marshal requirements. Joey Wiedel indicated agreement and discussed with Mr. Pittman certain Fire Code standards.

Erik Enyart asked Brooks Pittman, for the sake of the Staff Report, if the land, although mostly flat, did not slope slightly to the north. Mr. Pittman indicated that the land was flat and that he was not sure. Mr. Enyart stated that he believed it sloped slightly to the north, based on contour data and a site inspection. Mr. Enyart stated that it appeared to him that the land sloped to the north, but he could not be sure as he was expecting that to be the case when he visited the site.

Erik Enyart noted that he had provided Brooks Pittman a printout of the draft Staff Report. Mr. Enyart stated that he was recommending approval but that there were certain corrections to be made. Mr. Pittman confirmed with Mr. Enyart that it would be appropriate to make the recommended changes at this time. Mr. Enyart stated that he would be able to report to the Commissioners that he and the Applicant had worked together on the Staff recommendations and made all changes as recommended, and the final version they received was the version as recommended by Staff. Mr. Enyart stated that he anticipated producing the Agenda Packet by Friday, and so he would be able to update the Staff Report to reflect that the corrections had been made. Mr. Pittman stated that he would make the changes per the draft Staff Report and return a revised PUD to Mr. Enyart shortly. Mr. Enyart stated that he would email an electronic version of the Staff Report as soon as he could finish it, which should be shortly.

Erik Enyart noted that the PUD had language suggesting veterinarian services may occur onsite, and asked Brooks Pittman if this was the case. Mr. Pittman stated that, at one point, this was mentioned as a possibility, so he included in the PUD.

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

Erik Enyart stated that, hearing none, the meeting would proceed to the next item on the agenda. Mr. Enyart thanked Brooks Pittman for his attendance.

Brooks Pittman left at this time around 10:10 AM.

3. **<u>BSP 2015-05 – "Jiffy Lube Office Building" – W Design, LLC (PUD 54)</u>.** Discussion and comment on a PUD Detailed Site Plan and building plans for "Jiffy Lube Office Building," a Use Unit 11 office with incidental storage building development for approximately ½ acre consisting of Lot 2, Block 1, *Bixby Jiffy Lube*.
   <u>Property Located</u>: 8000-block of E. 118th St. S.

Erik Enyart introduced the item and noted that this project needed no explanation as the Applicant was the only one in attendance and knew about the project.

Weldon Bowman confirmed with Erik Enyart that he had not yet issued his staff report. Mr. Enyart noted that he was just finishing the review for the PUD item that came before this one, but would get the report to Mr. Bowman as soon as he could complete it. Mr. Enyart stated that he expected to

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be able to start on that review that day. Mr. Bowman confirmed with Mr. Enyart that the City Engineer's review correspondence had not yet been issued.

Weldon Bowman stated that Ryan Coulter would be the general contractor on the project.

Erik Enyart noted that the Applicant had met with Staff previously about the site plan, and the City had discussed the new development standards that apply today, including the masonry requirement in the Corridor [Appearance District]. Mr. Enyart stated that he had observed the new parking lot on the north side of the site and liked the design, which included the required sidewalk. Mr. Enyart stated that he had not yet had a chance to review the site plan in detail, but would do so as soon as he could get to it and would provide the Applicant with a copy.

Erik Enyart thanked the Applicants for attending and stated that he felt he needed to apologize that no utility company representatives had shown. Mr. Enyart stated that the site plans were included in the agenda packet, and the link to its posting online was included in the email sent to all the utility companies, so hopefully any utility company with questions would communicate directly with the Applicant.

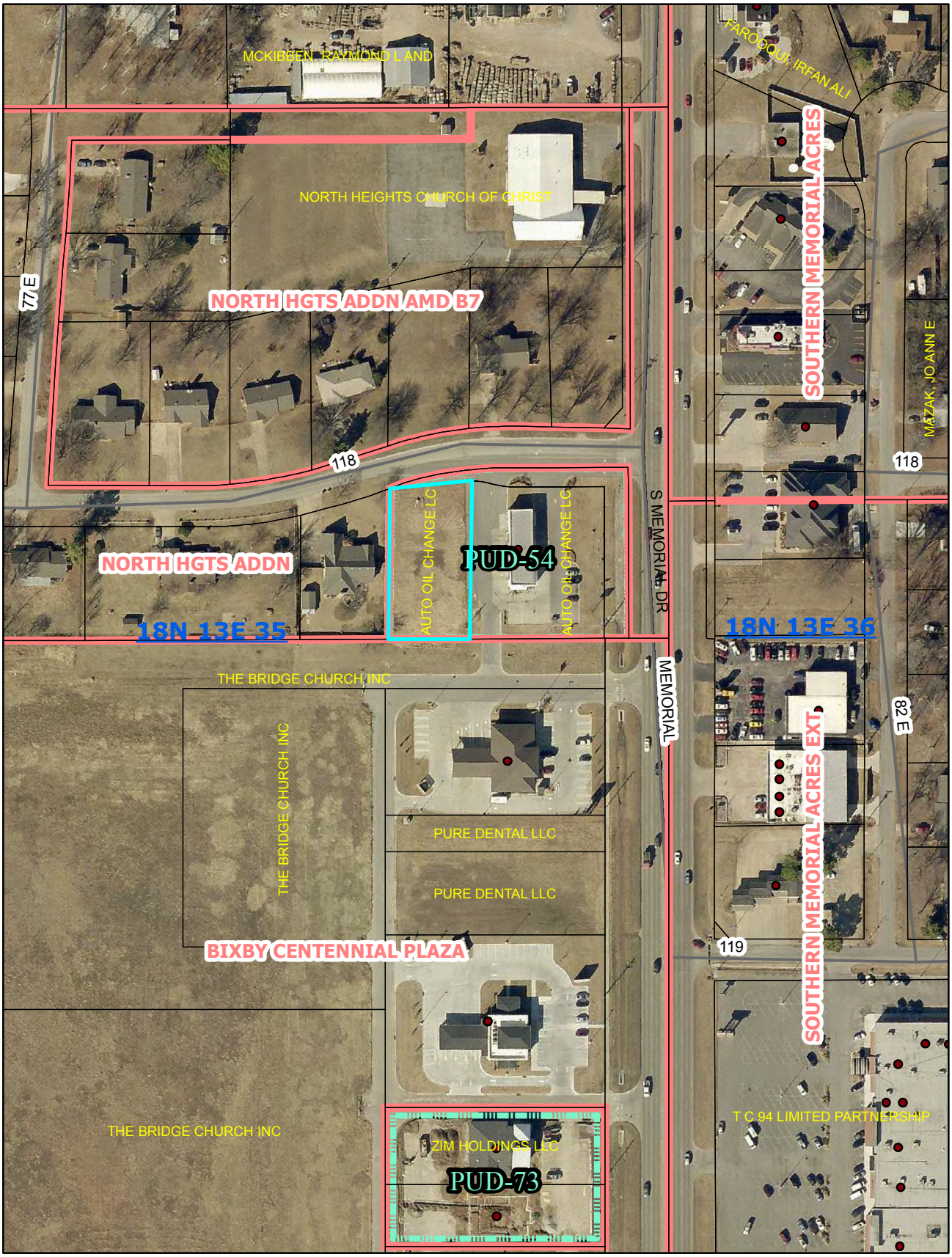
Erik Enyart asked if there were any further questions or comments. There were none.

4. Old Business – None.

5. New Business – None.

6. Meeting was adjourned around 10:20 AM.

BSP 2015-05 – "Jiffy Lube Office Building" – W Design, LLC (PUD 54)



City of Bixby ~ Planning
Printed 04/23/2015

City of Bixby
Site Plan Application

Applicant: W DESIGN (BRIAN LETZIG)
Address: 1513 E 15TH STREET, SUITE A
Telephone: 918.794.6616 *Cell Phone:* 405.269.6063 *Email:* brian.letzig@wdesignsite.com

Property Owner: SBM CORP. PAT + GREG MOORE If different from Applicant, does owner consent? YES
Property Address:
Existing Zoning: OL *Existing Use:* — *Proposed Use:* OFFICE *Use Unit #:* 11

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

DEVELOPMENT AREA B
LOT 3, BLOCK 5, NORTH HEIGHTS ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA ACCORDINGTO THEI RECORDED PLAT THEREOF.

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

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

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

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City of Bixby
Site Plan Application

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

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

Included		***Submittal Items***	***Comments***
Yes	***N/A***		
●	○	Site plan showing the information listed above	
●	○	A landscape plan representing all existing and/or proposed landscaping.	
○	●	A sign plan representing all existing and/or proposed signs.	
●	○	Building elevations or building height information.	
●	○	A screening and fence plan or representation on another drawing of all existing and/or proposed fences, walls, gates, and trash receptacle screening enclosures.	EXISTING FENCE SHOWN ON THE SHEET 2/AS100
●	○	A lighting plan and lighting information.	

Is the subject property located in a Planned Unit Development (PUD)? YES PUD #: 54

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

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

Signature: [signature] Date: 04/17/2015

APPLICANT – DO NOT WRITE BELOW THIS LINE

Date Received 04/20/2015 Received By Enyart Date Approved _____
Building Permit # _____ Case Reference # BSP 2015-05

JR DONELSON
17440 So.89th E. Ave.
Bixby, Okla. 74008-6407
1-918-366 3413
Fax 1-918-366 3908

LETTER OF TRANSMITTAL

DATE: April 10, 2007

TO: Jim Coffee
City Planner
City of Bixby

07-04-01

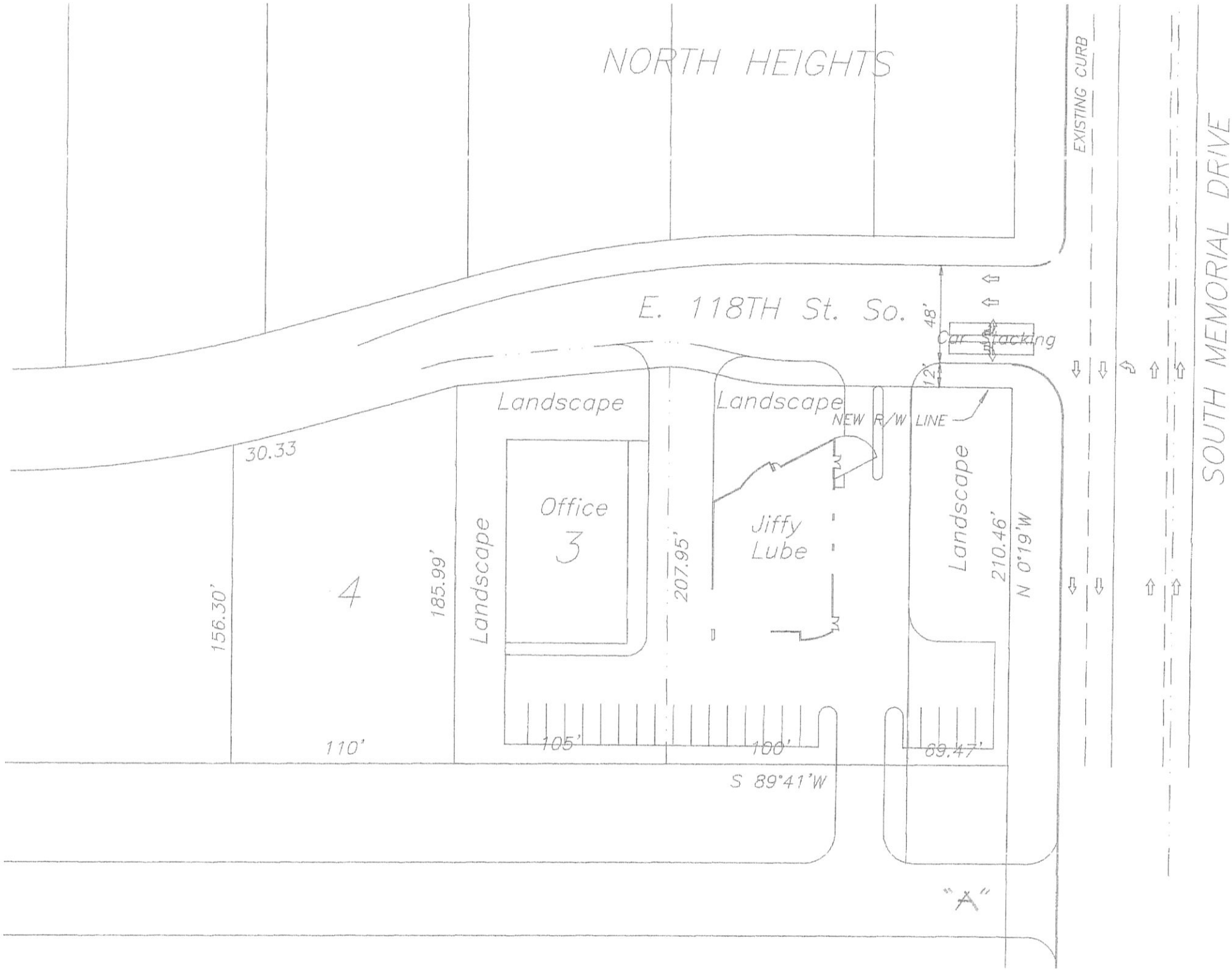
GENTLEMEN:

ACCOMPANYING DOCUMENTS FOR

Architectural review committee, Jiffy Lube
(1) office elevation
(1) office plan
(1) site plan
(1) Jiffy Lube elevation

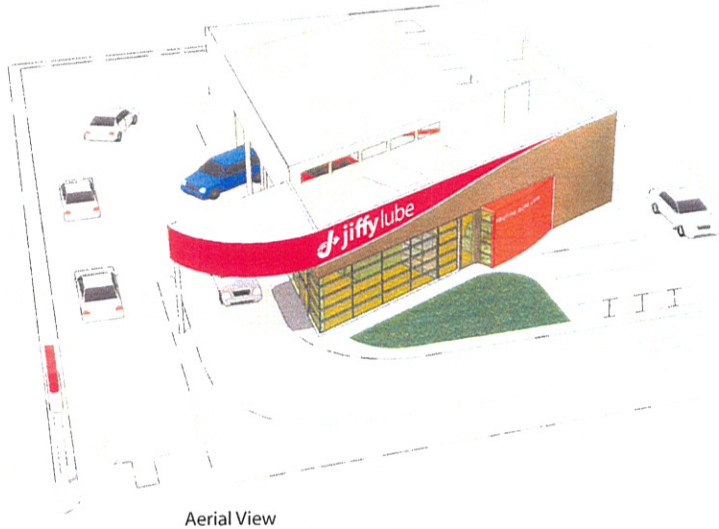
JR Donelson

Received by: _____ Date: _____


NORTH HEIGHTS
EXISTING CURB
SOUTH MEMORIAL DRIVE
E. 118TH St. So.
48'
Car Stacking
12'
Landscape
Landscape
NEW R/W LINE
30.33
Office
3
Jiffy
Lube
Landscape
Landscape
4
156.30'
185.99'
207.95'
210.46'
N 0°19'W
110'
105'
100'
89.47'
S 89°41'W
"A"

Building Facade – New-Build Architecture Direction 1 – Refinements

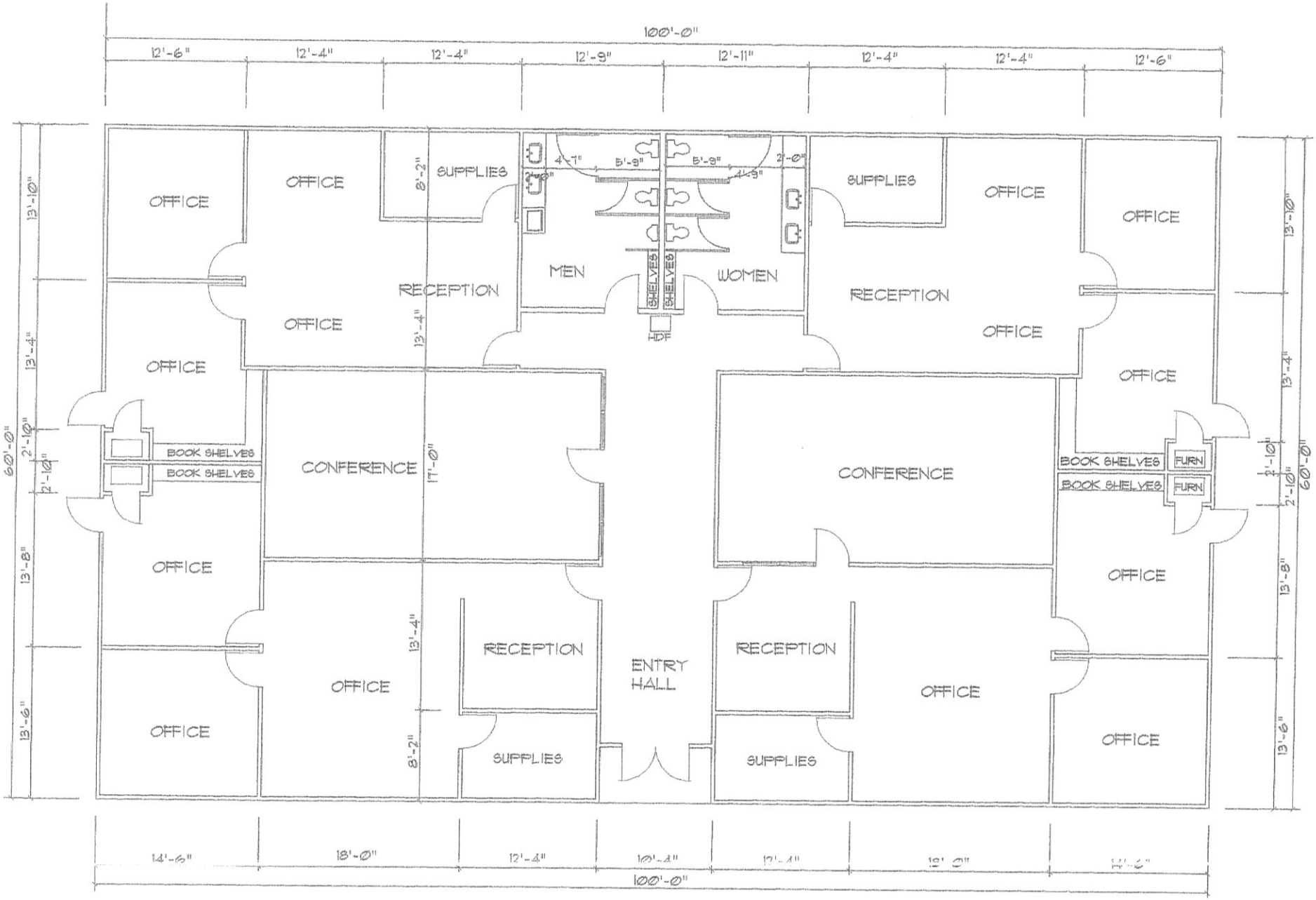
Left View



Aerial View

Right View

DORMER
W/ F.G.
(PAINTED)
FLASHING
(PAINTED)
SHINGLES
STUCCO
1'-0"
O.H.



FLOOR PLAN

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

CITY OF BIXBY

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

Engineering Department Memo

To: Erik Enyart, City Planner

From: Jared Cottle, City Engineer

CC: Bea Aamodt, Public Works Director
File

Date: 05/13/15

Re: Jiffy Lube Office Building
Site Plan Review

General Comments:

1. Plans submitted do not provide any Utility, Paving, or Grading information. Additional review and comments will be provided with Building Permit Application.
2. If modification to City utility mains are anticipated, complete utility plans will be required.
3. Building Permit issuance will require an Earth Change Permit.
4. Special consideration should be given to the finishes used to clad the building. Council input on the final appearance may be required if the new building will differ significantly from the requirements placed on recent commercial building projects within the Memorial Corridor.

Bixby
Fire Marshal's Site Plan Review Worksheet

Date of Review: 4-28-2015 Permit Number: _____
Business/Bldg Name: Jiffy Lube Office Building Address of Project: _____
Designer Name: W. Design Designer's Phone: (918) 794-6616

The numbers that follow worksheet statements represent a IFC code section unless otherwise stated. Appendix D and the references noted below are not mandatory unless the AHJ has incorporated the Appendix as a regulatory requirement.

Worksheet Legend: X or OK = no problem, **N** = need to provide, **NA** = not applicable

Access:

1. X Drawings are provided.
2. X The required fire department access roads is a minimum unobstructed 20 ft. in width and 13 ft. 6 in. clear height, IFC 503.2.1. Check with local or state requirements that may have street planning regulations that supercede the IFC requirements.
3. N "No Parking Fire Lane" signs are provided at AHJ prescribed locations, IFC 503.3.
4. X Required fire department access roads are designed to support an apparatus with a gross axle weight of 75,000 lb, engineering specifications are provided, IFC App D102.1.
5. X Required fire department access roads are an all weather driving surface such as asphalt, concrete, chip seal (oil matting), or similar materials, IFC 503.2.3.
6. X The proposed building does have an emergency vehicle access road within 150 ft. of any exterior portion of the structure, if not, a fire department access road must be provided, IFC 503.1.1.
7. N The grade for required fire department access road does not exceed 10 percent unless approved by the Chief, Appendix D103.2.
8. N A local jurisdiction alternative to the 10 percent grade restriction could be the following: If the grade exceeds 10 percent, the first portion of the grade shall be limited to 15 percent for a length of 200 ft. and then 15 percent to 20 percent for a maximum of 200 ft., repeat the cycle as necessary unless the building is sprinklered.
9. N No access drive grades are greater than 10 percent if Appendix D is applicable at the local level, Appendix D 103.
10. N The access road design for a maximum grade conforms to specifications established by the fire code official, IFC 503.2.7.
11. NA The dead-end fire department access roads (s) in excess of 150 ft. is provided with a turn-around, IFC 503.2.5.
12. NA The turn-around cul-de-sac has an an approved inside and a outside radius, e.g. 30 ft. 50 ft. respectively, a hammerhead design is a minimum 70 ft. L x 20 ft. W, or another approved design may be used, IFC 503.2.4.
13. NA The turning radius for emergency apparatus roads is 30 ft. inside and 50 ft. outside radius or as approved by the code official.
14. X Fire department access roads shall be constructed and maintained for all construction sites, IFC 1410.1.
15. NA Dead-end streets in excess of 150 ft. resulting from a phased project are provided an approved temporary turnaround, IFC 503.2.5.

Water Flow and Hydrants: An in-depth plan review for private hydrants and private water mains will occur during the project plan review phase.

16. X A fire flow test and report is provided to verify that the fire flow requirement is available. Also, refer to the note at the bottom of the page.
17. X Water mains and pipe sizes are detailed on the site plan, IFC 508.1.
18. X All water mains and hydrants shall be installed and operate as soon as combustible materials arrive on a construction site, IFC 1412.1.

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19. N The nearest hydrant(s) to the project structure and/or property road frontage are shown on the plan.

20. NA Prior to the installation of private water main systems, plans shall be submitted for a permit, review and approval.

Note: When a hydrant water flow report is required, the test should be performed by the local water purveyor or a company approved by the water purveyor. The report shall provide the water pressures measured and provide the available GPM at 20 PSI residual pressure. Existing reports may be used if not dated more than 3 years ago or as approved by the code official.

Additional Comments:

PLANS APPROVED CONTIGENT UPON THE FOLLOWING ITEMS BEING ADDRESSED.

Item 7-10 - Ensure no more than 10 percent grade on emergency access roads.

Item 19- Ensure there is a fire hydrant within 300 feet of said property.

Review Date: 4-28-2015	Approved or Disapproved	FD Reviewer: Joey Wood
Review Date:	Approved or Disapproved	FD Reviewer:
Review Date:	Approved or Disapproved	FD Reviewer:

79

August 6, 2015

Erik Enyart

Planning Department

City of Bixby

CITY OF BIXBY

AUG 07 2015

RECEIVED

By Enyart cf. BSP2015-05

Dear Mr. Enyart:

Per your request, S.B.M. Corporation (doing business as Jiffy Lube) asserts that the proposed office building site located at the southwest corner of 118th street and Memorial Drive will be used as a "General office and office required storage" by S.B.M. Corporation. It will not be used for "automotive product warehousing."

If any additional information or clarification is required prior to "Planning Staffs'" final report to the "Planning Commissions", please advise.

Sincerely,

Patrick C. Moore

Patrick C. Moore

Secretary, S.B.M. Corporation

cc: Patrick Boulden, esq., City Attorney, City of Bixby

EO

KEYNOTES

SITE PLAN

NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.

1. NEW 1.5 STORY METAL BUILDING
2. 4" WIDE PARKING STRIPING
3. 6" CONCRETE CURB
4. SIDEWALK RAMP, 1:12 MAX SLOPE
5. 4'-0"W SIDEWALK WITH CURBS, PER CITY OF BIXBY STANDARDS
6. 5'-0"W SIDEWALK
7. ACCESS AISLE WITH DIAGONALS AT 36" O.C.; DIAGONALS AND PERIMETER STRIPES TO BE 4" WIDE
8. ACCESSIBLE PARKING, VAN STALL
9. EXISTING 8'H MASONRY FENCE, RE: 2/AS100
10. EXISTING LANE STRIPING
11. 8'H CEDAR WOOD DUMPSTER ENCLOSURE, RE: 4/AS101 AND 5/AS101.
12. EXISTING POWER POLE
13. EXISTING FIRE HYDRANT
14. EXISTING CONCRETE CULVERT
15. EXISTING CONCRETE STORM RUNOFF DRAIN
16. RIGHT OF WAY LINE

LEGEND

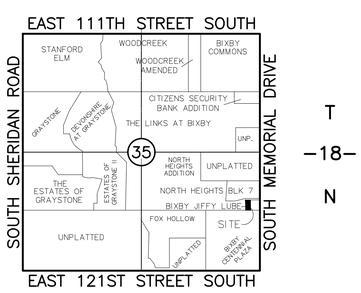
SITE PLAN

- LANDSCAPED AREA
- CONCRETE PAVING
- ASPHALTIC CONCRETE PAVING
- EXISTING METAL BUILDING
- EXISTING SITE (NOT IN CONTRACT)
- OE — EXISTING OVERHEAD ELECTRIC

PARKING SPACES REQUIRED	COUNT
USE UNIT 11: 5,995 SF / 300	20
VAN ACCESSIBLE SPACES REQUIRED	1
STANDARD SPACES PROVIDED	10
SHARED JIFFY LUBE PARKING	9
TOTAL PARKING COUNT	20
LAND USE	
LIGHT OFFICE	OL (PUD-54)
BUILDING SETBACK	MIN.
FROM 118TH STREET SOUTH	25'
FROM THE EAST BOUNDARY	10'
FROM THE WEST BOUNDARY	25'
FROM THE SOUTH BOUNDARY	20'

SITE AREA	S.F.	ACRES	%
BUILDING AREA	5,995	.14	30
PAVING AREAS	3,109	.07	15
TOTAL IMPERVIOUS SURFACE	9,104	.21	45
TOTAL PERVIOUS SURFACE (SOD)	11,035	.25	55
TOTAL SITE AREA	20,139	.46	100
PROPOSED BUILDING HEIGHT	22'-3 1/2" RIDGE HEIGHT		

R –13– E



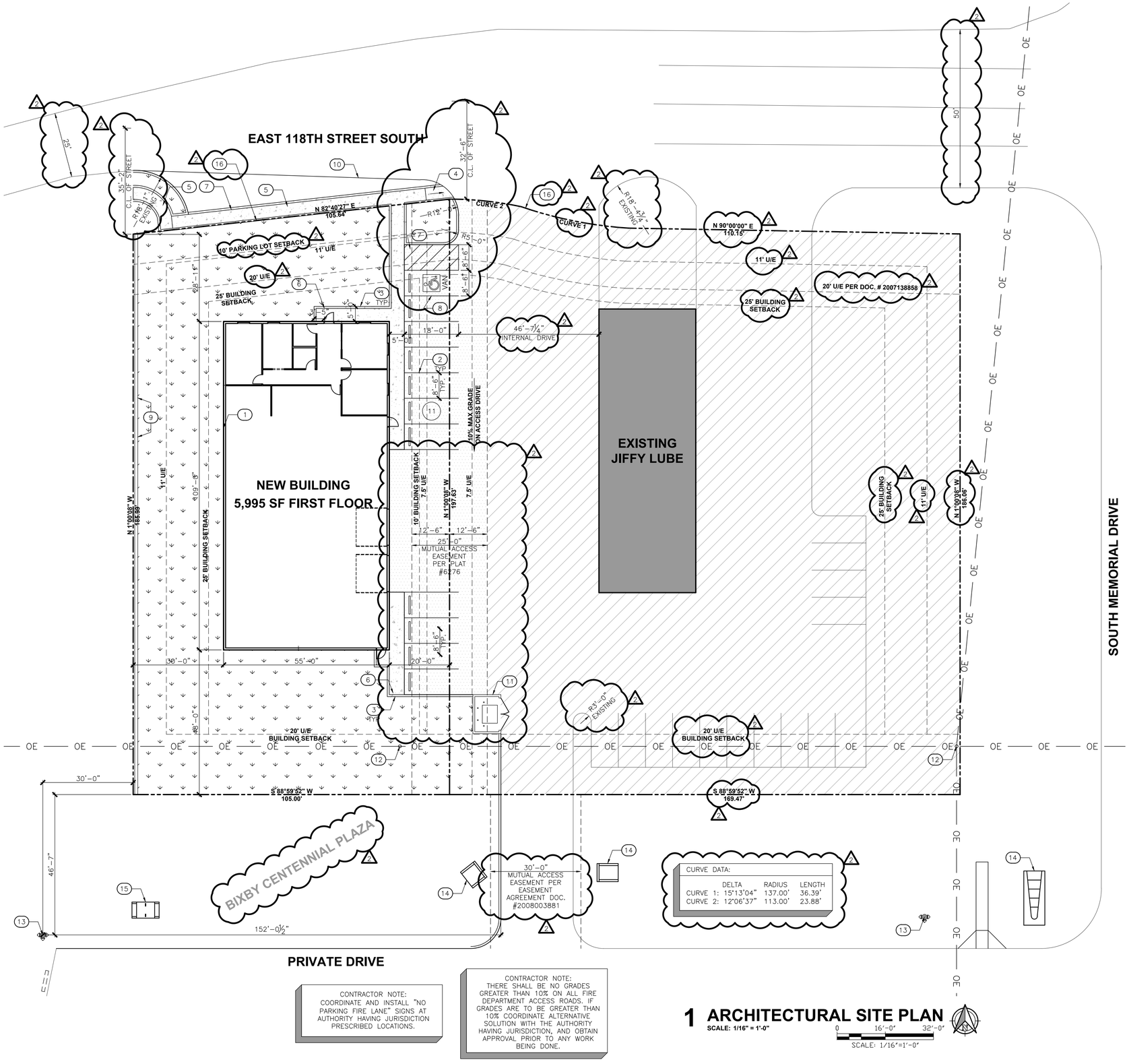
T –18– N

Location Map

SCALE: N.T.S.

2 EXISTING MASONRY FENCE

SCALE: NONE



CONTRACTOR NOTE: COORDINATE AND INSTALL "NO PARKING FIRE LANE" SIGNS AT AUTHORITY HAVING JURISDICTION PRESCRIBED LOCATIONS.

CONTRACTOR NOTE: THERE SHALL BE NO GRADES GREATER THAN 10% ON ALL FIRE DEPARTMENT ACCESS ROADS. IF GRADES ARE TO BE GREATER THAN 10% COORDINATE ALTERNATIVE SOLUTION WITH THE AUTHORITY HAVING JURISDICTION, AND OBTAIN APPROVAL PRIOR TO ANY WORK BEING DONE.

1 ARCHITECTURAL SITE PLAN

SCALE: 1/16" = 1'-0"

0 16'-0" 32'-0"

SCALE: 1/16"=1'-0"

wdesign
ARCHITECTURE & INTERIORS
1513 E. 15th Street, Suite A
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:

WELDON BOWMAN, AIA
OK LICENSE NO. 6042
C/A# 02461 EXPIRES 06/30/2015

PROJECT:

JIFFY LUBE OFFICE BUILDING

PUD 54A

PROJECT # 15038

BIXBY, OK 74008

CONSULTANT:

REVISIONS:

1	REV #1	05/05/2015
2	REV #2	08/13/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

ARCHITECTURAL SITE PLAN

SHEET #:

AS100

Preliminary Not For Construction

DRAWN BY: BJL

\\wdesignserver\W Design\Projects\15038_Moore_Bixby_Jiffy Lube Office Building\5. CONSTRUCTION DOCS\DRAWINGS\15038-AS101.dwg, 8/13/2015 5:51:57 PM, brian.letsig

LEGEND

TURF / GRASS (AREA TO BE IRRIGATED) .....

PROPERTY LINE / R.O.W. .....

ASPHALTIC CONCRETE (IMPERVIOUS MATERIAL) .....

CONCRETE (IMPERVIOUS MATERIAL) .....

PROPOSED STRUCTURE ROOFTOP (IMPERVIOUS MATERIAL) .....

COMMERCIAL HOSE BIB ..... HB

PLANTING NOTES

1. LANDSCAPE PLANS ARE FOR PLANT MATERIAL AND IRRIGATION ONLY.
2. FORTY-EIGHT HOURS PRIOR TO EXCAVATION, CONTRACTOR SHALL VERIFY UTILITY LOCATIONS AS GIVEN BY THE ELECTRIC, GAS, TELEPHONE, WATER, SEWER, AND CABLE TELEVISION COMPANIES, UTILITIES, OR ENTITIES. REVIEW WITH OWNER SITE ELECTRICAL, SITE GRADING AND DRAINAGE, SITE IRRIGATION AND ALL OTHER DRAWINGS PERTAINING TO UNDERGROUND UTILITY LOCATIONS AND RECORD SETS OF SAME IN POSSESSION OF OWNER. MARK ALL SUCH UTILITIES ON SITE PRIOR TO COMMENCING. COORDIANTE WITH OWNER BEFORE AND DURING CONSTRUCTION. REPAIR DAMAGE TO ANY SYSTEM AT NO COST TO OWNER.
3. UTILITIES SHOWN FOR INFORMATION PURPOSES ONLY. LANDSCAPE AND IRRIGATION CONTRACTOR SHALL MOVE PLANTS AND IRRIGATION AS MAY BE NECESSARY TO AVOID CONFLICT WITH UTILITIES.
4. ALL DEMOLITION FOR EXISTING BLDGS,UTILITIES, FENCE, PAVEMENT, TREES, ETC. SHALL BE PERFORMED BY GENERAL CONTRACTOR PRIOR TO LANDSCAPE OR IRRIGATION INSTALLATION.
5. PROTECT PUBLIC FROM CONSTRUCTION WITH BARRIERS AND BARRICADES AS OUTLINED IN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
6. ALL LANDSCAPED AREAS SHALL BE IRRIGATED BY HOSE BIBS. ALL LANDSCAPED AREAS MUST BE WITHIN A 100' RADIUS OF EACH HOSE BIB.
7. ALL PLANT MATERIAL SHALL BE HEALTHY AND DISEASE FREE AT THE TIME OF PLANTING.
8. THE CONTRACTOR SHALL LAY OUT ON THE GROUND THE LOCATIONS FOR THE PLANTS AND OUTLINES OF AREAS TO BE PLANTED. THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE ENGINEER BEFORE EXCAVATION BEGINS. THE ENGINEER MAY ADJUST THE LOCATION OF ANY SPECIFIED PLANT MATERIALS PRIOR TO PLANTING.
9. REMOVE ALL WEEDS AND GRASSES FROM PLANTING BEDS. IF BERMUDA IS PRESENT, IT SHALL BE ERADICATED BY APPROVED MEANS.
10. ALL TRAFFIC ISLANDS TO BE OVER-EXCAVATED THREE FEET BELOW BASE OF CURB AND BACKFILLED WITH TOPSOIL. ISLANDS WILL BE CROWNED A MINIMUM OF ONE FOOT ABOVE TOP OF CURB.
11. FINISHED GRADES FOR SHRUB AND GROUNDCOVER AREAS SHALL BE HELD 1" BELOW TOP OF ADJACENT PAVEMENT AND CURBS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
12. ALL LAWN AND PLANTING AREAS SHALL SLOPE TO DRAIN A MINIMUM OF 2% UNLESS OTHERWISE NOTED AND REVIEWED WITH THE ENGINEER FOR FINAL APPROVAL.
13. WITHIN APPROVED BED AREAS, PREPARE SOIL BY ROTO-TILING TWO INCHES (2") OF COMPOST "BACK TO NATURE" SOIL CONDITIONER) OVER THE ENTIRE BED AREA TO A DEPTH OF SIX INCHES (6").
14. LANDSCAPE CONTRACTOR SHALL ADJUST TREE LOCATIONS IN THE FIELD TO INSURE THAT THE TREE TRUNK IS A MINIMUM OF 10' FEET FROM ANY UTILITY.
15. ON ALL TREES THE TOP SIX INCHES (6") OF BACK FILL SHALL CONSIST OF A 1:1 MIXTURE OF COMPOST TO SOIL.
16. AROUND ALL TREES FORM A CIRCULAR RING FREE OF VEGETATION. CIRCLE SHALL BE TRUE IN FORM AND CENTERED ON THE TREE.
17. ALL TREES SHALL BE STAKED WITH TWO (2) BLACK METAL SPLIT TEE FENCE POST AND TIED WITH WIRE THROUGH THE HOSE.
18. ALL AREAS THAT WERE DISTURBED DURING CONSTRUCTION AND ARE NOT COVERED WITH PAVEMENT, BUILDING, PLANTING BEDS, OR TREE PITS TO BE TOPSOILED 6" DEEP AND SHALL BE SODDED.
19. FOR OTHER PLANTING REQUIREMENTS, SEE DETAILS.
20. CONTRACTOR IS RESPONSIBLE FOR FURNISHING ALL MATERIALS, TOOLS, EQUIPMENT, LABOR, AND PLANTS NECESSARY FOR THE PROPER PLANTING OF ALL TREES, SHRUBS, GROUNDCOVERS, AND GRASS.
21. QUANTITIES ON PLANT MATERIALS LIST ARE FOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLANS AND COVERAGE OF ALL AREAS DELINEATED. WHEN DISCREPANCIES OCCUR BETWEEN PLANT LIST AND PLANTING PLANS, THE PLANS ARE TO SUPERSEDE THE PLANT LIST IN ALL CASES.
22. NO SUBSTITUTIONS WILL BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL BY THE ARCHITECT.
23. DEVIATIONS FROM THESE PLANS SHALL BE NOTED ON THE RECORD DRAWING BY THE CONTRACTOR AND ONLY WITH THE APPROVAL OF THE ENGINEER.
24. NO PROPOSED TREE LOCATION IS CLOSER THAN 5' FROM ANY UNDERGROUND UTILITY, NOR IS ANY TREE CLOSER THAN 10' FROM ANY OVERHEAD UTILITY LINE.

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

AT&T COMPANY
COX COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
AMERICAN ELECTRIC POWER (PSO)
BTC BROADBAND
CITY OF BIXBY

LANDSCAPE ORDINANCE SUMMARY

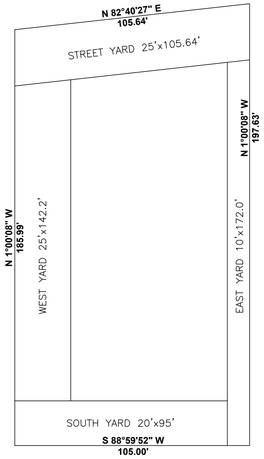
STREET YARD REQUIREMENT	
FRONTAGE STREET	**EAST 118th ST. SOUTH**
STREET YARD AREA	**2,641 sf**
LANDSCAPE AREA REQUIRED	**NO LESS THAN 15%(396 sf)**
LANDSCAPE AREA PROVIDED	**2,138 sf or 81%**
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	**3**
EAST BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	**1,720 sf**
LANDSCAPE AREA REQUIRED	**NO LESS THAN 15%(258 sf)**
LANDSCAPE AREA PROVIDED	**288 sf or 17%**
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	**2**
WEST BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	**3,555 sf**
LANDSCAPE AREA REQUIRED	**NO LESS THAN 15%(533 sf)**
LANDSCAPE AREA PROVIDED	**3,555 sf or 100%**
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	**4**
SOUTH BOUNDARY BUILDING SETBACK LANDSCAPE REQUIREMENT	
CALCULATED AREA	**1,900 sf**
LANDSCAPE AREA REQUIRED	**NO LESS THAN 15%(285 sf)**
LANDSCAPE AREA PROVIDED	**1,900 sf or 100%**
NUMBER OF TREES REQUIRED (1 PER 1000 SQ. FT)	**2**
PARKING TREE REQUIREMENT	
NUMBER OF TREES REQUIRED (1 PER 10 PARKING SPACES)	**2**
TOTAL TREE COUNT	
TOTAL TREES REQUIRED / TOTAL TREES PROVIDED	**13 / 13**

LANDSCAPE MATERIAL LIST

Key	Qty	Material Name	
LAG	13	LAGERSTROEMIA INDICA 'WHIT IV' - RED ROCKET CRAPE MYRTLE	10' (H) - 2" (CAL)
BW	TBD	BOXWOODS	TBD
CM	TBD	DWARF CREPE MYRTLES	TBD
SP	TBD	SPIREA	TBD

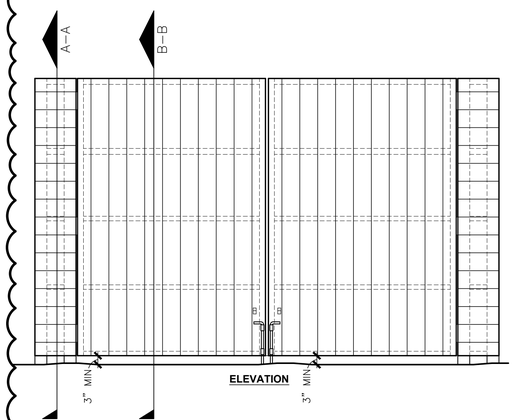
I CERTIFY THAT LAGERSTOEMIA INDICA 'WHIT IV' - RED ROCKET CRAPE MYRTLE OF 2" (CAL) AND 10' (H) SHALL BE RECOGNIZED AS TREES.

BY: _____ DATE: 08/07/2015



3 LANDSCAPE YARD KEYPLAN

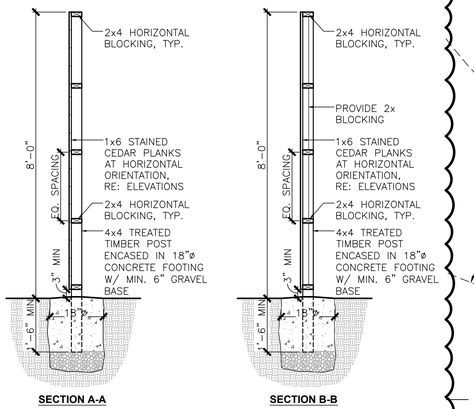
SCALE: 1/32" = 1'-0"



ELEVATION

5 TRASH ENCLOSURE ELEVATION

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

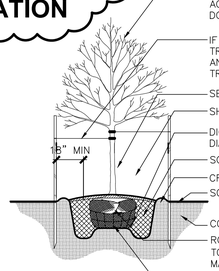


SECTION A-A

SECTION B-B

4 TRASH ENCLOSURE SECTION

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



REMOVE DEAD AND DAMAGED BRANCHES BY PRUNING ACCORDING TO RECOGNIZED HORTICULTURAL PRACTICES. DO NOT CUT CENTRAL LEADER.

IF REQUIRED, LOCATE ANCHOR STAKES 24" AWAY FROM TREE TRUNK ON THE SIDE OF PREVAILING WIND, T-RAIL IRON, ANCHOR FIRMLY. ALIGN ALL STAKES IN FIELD. FASTEN TRUNK TO STAKE WITH FABRIC TREE RING.

SET TREE CROWN AT OR SLIGHTLY ABOVE ORIGINAL GRADE.

SHREDDED WOOD MULCH AT 3" DEPTH.

DIG THE PLANTING HOLE THREE TIMES THE SIZE OF THE DIAMETER OF THE ROOT BALL.

SOIL MIX AS DEFINED IN PLANTING NOTES.

CREATE SOIL SAUCER USING A MIN. 6" OF GOOD TOPSOIL.

SOD AT FINISH GRADE.

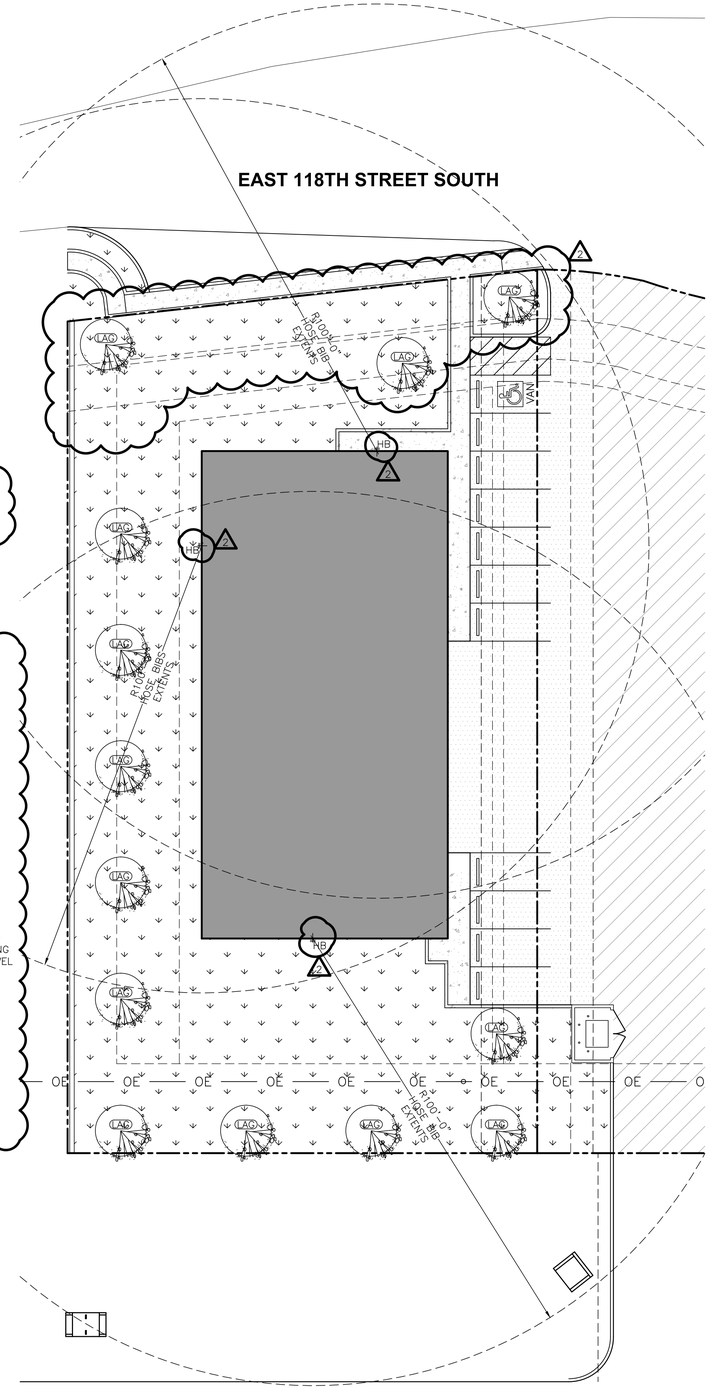
COMPACTED OR UNDISTURBED SUBGRADE.

ROPES AT TOP OF BALL SHALL BE CUT. FOLD DOWN TOP 1/3 OF BURLAP. ANY NON-BIODEGRADABLE WRAP MATERIAL SHALL BE TOTALLY REMOVED.

COMPACT SUBSOIL TO FORM PEDESTAL TO PREVENT SETTLING.

2 TREE PLANTING DETAIL

SCALE: NONE



1 LANDSCAPE / IRRIGATION PLAN

SCALE: 1/16" = 1'-0"

0 16'-0" 32'-0"

SCALE: 1/16"=1'-0"

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SEAL:

WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2015

PROJECT:

JIFFY LUBE OFFICE BUILDING

PUD 54A

PROJECT # 15038

BIXBY, OK 74008

CONSULTANT:

REVISIONS:

1	REV #1	05/05/2015
2	REV #2	08/13/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

LANDSCAPE PLAN

SHEET #:

AS101

Preliminary Not For Construction

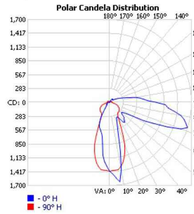
DRAWN BY: BJL

\\wdesignserver\W Design\Projects\15038_Moore_Bixby Jiffy Lube Office Building\5. CONSTRUCTION DOCS\DRAWINGS\15038-AS101.dwg, 8/13/2015 3:51:58 PM, brian.letsig

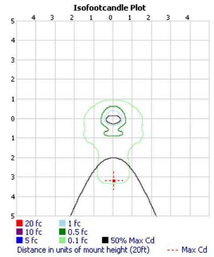
OUTDOOR PHOTOMETRIC REPORT
CATALOG: OWPC 70M 120 LP DDB

TEST #:	LTL20612B
TEST LAB:	ACUITY BRANDS LIGHTING CONYERS LAB
ISSUE DATE:	3/13/2013
CATALOG:	OWPC 70M 120 LP DDB
DESCRIPTION:	70W MH WALLPACK CUBE
Series:	OWPC
LAMP CAT #:	M70/MED
LAMP:	ONE 70-WATT CLEAR ED17 METAL HALIDE, HORIZONTAL POS.
LAMP OUTPUT:	1 LAMP, RATED LUMENS/LAMP: 5000
BALLAST / DRIVER:	M98
INPUT WATTAGE:	87.4
LUMINOUS OPENING:	RECTANGLE W/LUMINOUS SIDES (L: 7.56", W: 3", H: 7.56")
Max Cd:	1,695.0 AT HORIZONTAL: 0°, VERTICAL: 72.5°
Cutoff Class:	NONCUTOFF
Roadway Class:	VERY SHORT, TYPE IV
Efficiency:	51.3%

Polar Candela Distribution



Isofootcandle Plot



VISUAL PHOTOMETRIC TOOL 1.2.47 COPYRIGHT 2015, ACUITY BRANDS LIGHTING.
THIS PHOTOMETRIC REPORT HAS BEEN GENERATED USING METHODS RECOMMENDED BY THE IESNA. CALCULATIONS ARE BASED ON PHOTOMETRIC DATA PROVIDED BY THE MANUFACTURER, AND THE ACCURACY OF THIS PHOTOMETRIC REPORT IS DEPENDENT ON THE ACCURACY OF THE DATA PROVIDED. END-USER ENVIRONMENT AND APPLICATION (INCLUDING, BUT NOT LIMITED TO, VOLTAGE VARIATION AND DIRT ACCUMULATION) CAN CAUSE ACTUAL PHOTOMETRIC PERFORMANCE TO DIFFER FROM THE PERFORMANCE CALCULATED USING THE DATA PROVIDED BY THE MANUFACTURER. THIS REPORT IS PROVIDED WITHOUT WARRANTY AS TO ACCURACY, COMPLETENESS, RELIABILITY OR OTHERWISE. IN NO EVENT WILL ACUITY BRANDS LIGHTING BE RESPONSIBLE FOR ANY LOSS RESULTING FROM ANY USE OF THIS REPORT.

LTL20612B
VISUAL PHOTOMETRIC TOOL

OUTDOOR PHOTOMETRIC REPORT
CATALOG: OWPC 70M 120 LP DDB

ZONAL LUMEN SUMMARY

Zone	Lumens	% Lamp	% Luminaire
0-30	589.6	11.8%	23%
0-40	789.4	15.8%	30.8%
0-60	1,192.9	23.9%	46.5%
60-90	895.5	17.9%	34.9%
70-100	828.8	16.6%	32.3%
90-120	388.5	7.8%	15.2%
0-90	2,088.5	41.8%	81.4%
90-180	475.8	9.5%	18.6%
0-180	2,564.2	51.3%	100%

LUMENS PER ZONE

Zone	Lumens	% Total	Zone	Lumens	% Total
0-10	128.1	5.0%	90-100	199.0	7.8%
10-20	247.7	9.7%	100-110	122.1	4.8%
20-30	213.8	8.3%	110-120	67.3	2.6%
30-40	199.7	7.8%	120-130	38.8	1.5%
40-50	202.8	7.9%	130-140	27.7	1.1%
50-60	200.8	7.8%	140-150	15.2	0.6%
60-70	265.7	10.4%	150-160	4.6	0.2%
70-80	342.0	13.3%	160-170	0.8	0%
80-90	287.8	11.2%	170-180	0.2	0%

ROADWAY SUMMARY

Cutoff Classification:	NONCUTOFF
Distribution:	TYPE IV, VERY SHORT
Max Cd, 90 Deg Vert:	990.0
Max Cd, 80 to <90 Deg:	1,380.0
	Lumens / % Lamp
Downward Street Side:	1,491.0 / 29.8%
Downward House Side:	598.0 / 12%
Downward Total:	2,089.1 / 41.8%
Upward Street Side:	431.7 / 8.6%
Upward House Side:	43.9 / 0.9%
Upward Total:	475.6 / 9.5%
Total Lumens:	2,564.7 / 51.3%

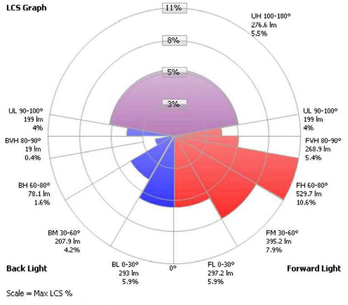
LCS TABLE

BUG RATING	B1 - U3 - G3
FORWARD LIGHT	LUMENS / LUMENS %
Low(0-30):	297.2 / 5.9%
Medium(30-60):	395.2 / 7.9%
High(60-80):	529.7 / 10.6%
Very High(80-90):	268.9 / 5.4%
BACK LIGHT	
Low(0-30):	293.0 / 5.9%
Medium(30-60):	207.9 / 4.2%
High(60-80):	78.1 / 1.6%
Very High(80-90):	19.0 / 0.4%
UPLIGHT	
Low(90-100):	199.0 / 4%
High(100-180):	276.6 / 5.5%
TRAPPED LIGHT:	2,435.3 / 48.7%

LTL20612B
VISUAL PHOTOMETRIC TOOL

OUTDOOR PHOTOMETRIC REPORT
CATALOG: OWPC 70M 120 LP DDB

LCS Graph



Scale = Max LCS %

Trapped Light: 2435.3lm, 48.7%

LTL20612B
VISUAL PHOTOMETRIC TOOL

OUTDOOR PHOTOMETRIC REPORT
CATALOG: OWPC 70M 120 LP DDB

CANDELA TABLE - TYPE C

	0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180
0	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408	1408
5	1551	1554	1553	1548	1541	1538	1532	1528	1522	1516	1507	1501	1494	1490	1483	1475	1468	1464	1456
10	1389	1291	1296	1302	1308	1318	1323	1331	1340	1351	1371	1384	1400	1413	1432	1450	1466	1473	1477
15	721	671	675	679	684	692	698	710	721	738	756	776	791	812	838	866	895	915	944
20	449	434	434	434	437	442	444	448	453	459	464	467	471	474	480	489	498	508	520
25	343	335	335	336	338	340	342	344	345	348	348	350	351	351	352	355	359	360	365
30	339	346	344	339	335	331	327	325	321	316	310	304	300	297	296	295	296	296	298
35	476	485	490	492	498	499	495	483	457	426	394	365	343	327	310	299	291	284	283
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60	534	563	539	522	503	482	455	422	392	366	347	333	325	326	321	308	296	298	320
65	997	1006	974	937	895	821	731	638	552	490	448	411	378	358	345	331	325	312	311
70	1577	1554	1531	1500	1440	1333	1187	1025	856	712	595	500	437	393	366	350	348	350	345
75	1642	1615	1639	1656	1656	1594	1485	1322	1121	915	718	561	456	396	364	341	322	318	317
80	1504	1483	1529	1566	1580	1540	1470	1327	1160	971	784	616	488	408	361	333	316	309	307
85	1222	1193	1229	1253	1255	1224	1164	1068	952	822	686	565	465	394	349	318	300	293	290
90	966	933	968	986	990	961	909	827	736	647	560	473	399	342	305	280	264	260	262
95	715	715	743	755	771	766	746	692	630	563	495	426	363	314	280	256	245	242	247
100	569	563	589	596	604	602	598	558	504	460	415	365	315	279	255	234	224	224	233
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130	84	87	87	87	87	87	85	83	82	81	82	84	84	86	87	89	88	88	84
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140	78	77	77	76	75	73	71	70	69	69	68	68	68	67	68	67	66	66	63
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155	34	31	31	30	29	29	29	26	25	24	23	21	20	19	18	18	16	16	15
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170	0	1	1	0	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2
175	0	1	1	0	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2
180	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2

LTL20612B
VISUAL PHOTOMETRIC TOOL

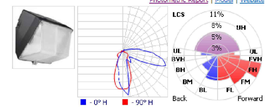
2 WALL PACK DATA SHEETS
SCALE: NONE

LUMINAIRE SCHEDULE

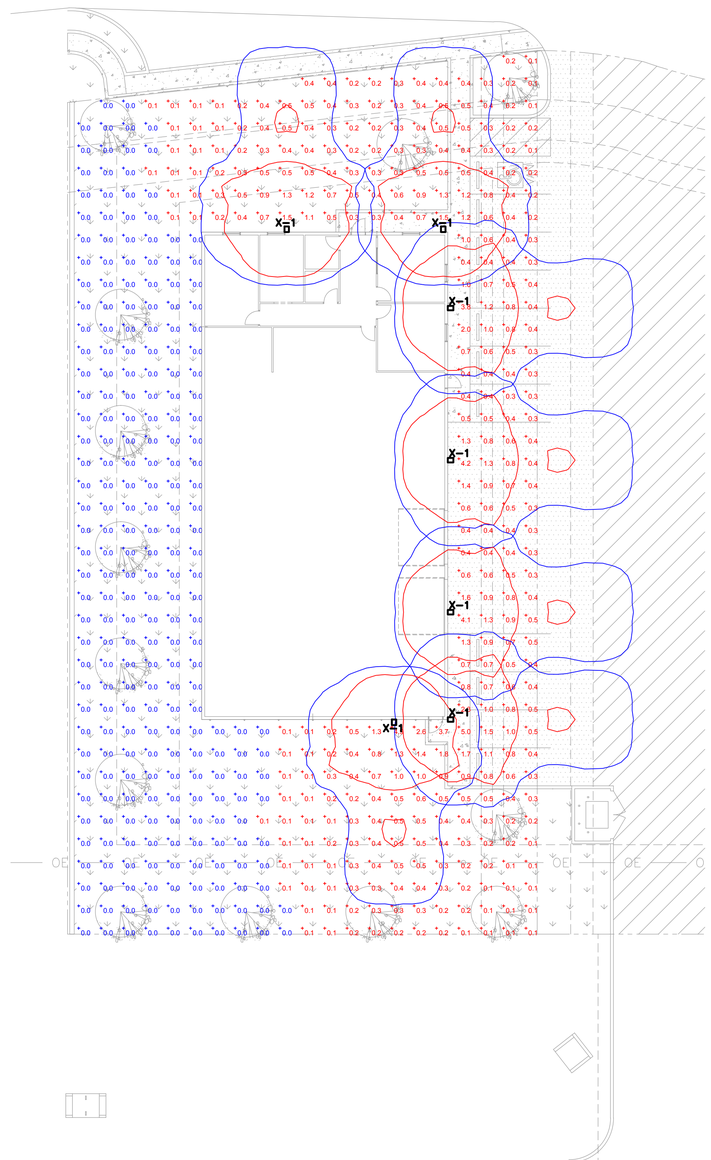
X-1

Photometric Report | Model | Website

MANUFACTURER:	LITHONIA LIGHTING
CATALOG:	OWPC 70M 120 LP DDB
DESCRIPTION:	70W MH WALLPACK CUBE
LAMP CAT:	M70/MED
LAMP:	ONE 70-WATT CLEAR ED17 METAL HALIDE, HORIZONTAL POS.
LAMP OUTPUT:	1 LAMP, RATED LUMENS/LAMP: 5000
BALLAST:	M98
INPUT WATTAGE:	87.4
EFFICIENCY:	51%
DISTRIBUTION:	TYPE IV, VERY SHORT, NONCUTOFF, BUG RATING: B1 - U3 - G3



EAST 118TH STREET SOUTH



PRIVATE DRIVE

1 PHOTOMETRIC SITE PLAN
SCALE: 1/16" = 1'-0"

0 16'-0" 32'-0"
SCALE: 1/16"=1'-0"

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SEAL:

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OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2015

PROJECT:

JIFFY LUBE OFFICE BUILDING

PUD 54A

PROJECT # 15038

BIXBY, OK 74008

CONSULTANT:

REVISIONS:

1	REV #1	05/05/2015
2	REV #2	08/13/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

PHOTOMETRIC SITE PLAN

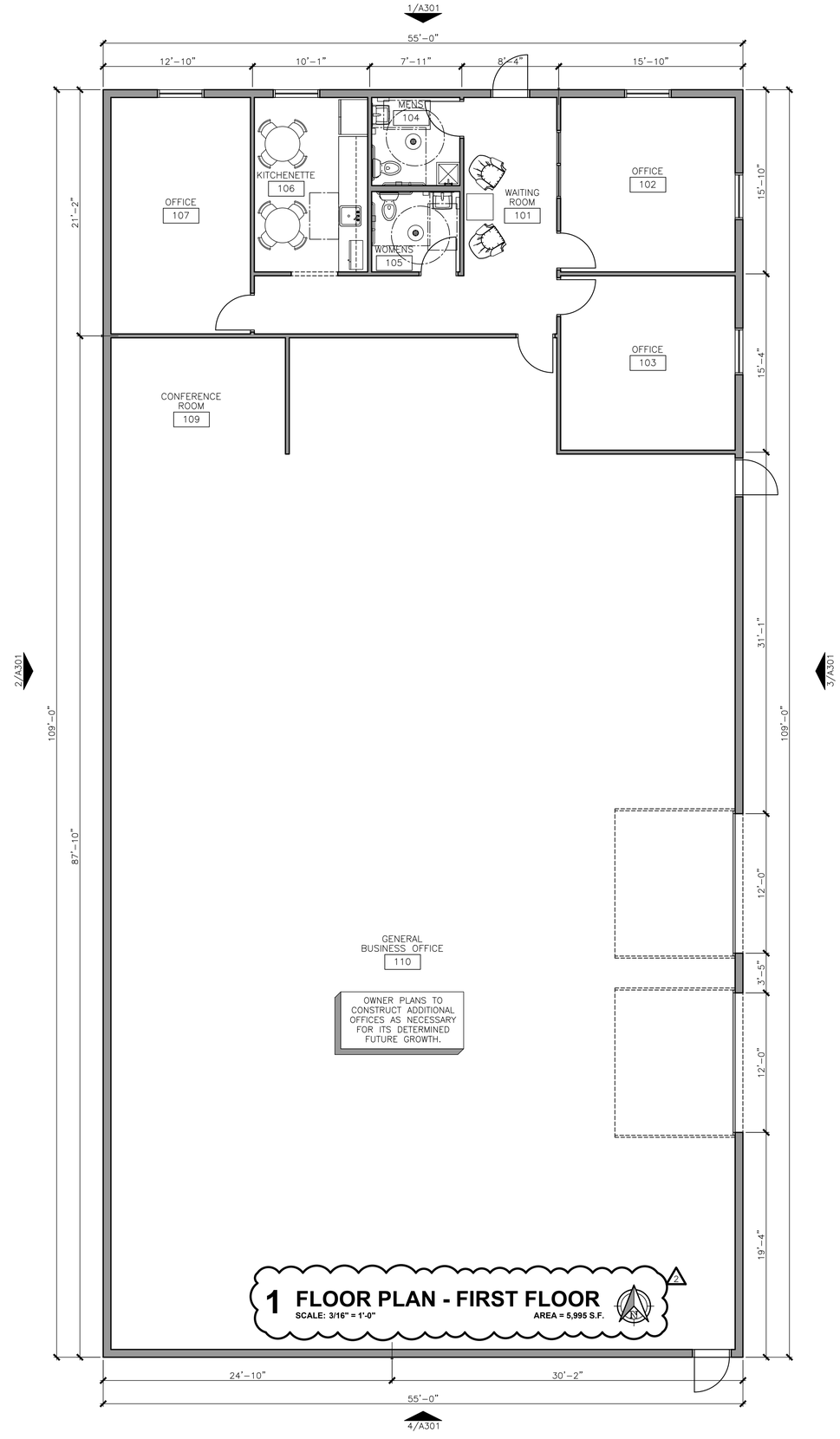
SHEET #:

AS102

Preliminary Not For Construction

DRAWN BY: BJL

\\wdesignserver\W Design\Projects\15038_Moore_Bixby Jiffy Lube Office Building\5. CONSTRUCTION DOCS\DRAWINGS\15038-AS101.dwg, 8/13/2015 3:32:20 PM, brian.letzig



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PUD 54A

PROJECT # 15038

BIXBY, OK 74008

CONSULTANT:

REVISIONS:

1	REV #1	05/05/2015
2	REV #2	08/13/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

FLOOR PLAN FIRST FLOOR

SHEET #:

A201

Preliminary Not For Construction

DRAWN BY: BJL

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GENERAL NOTES

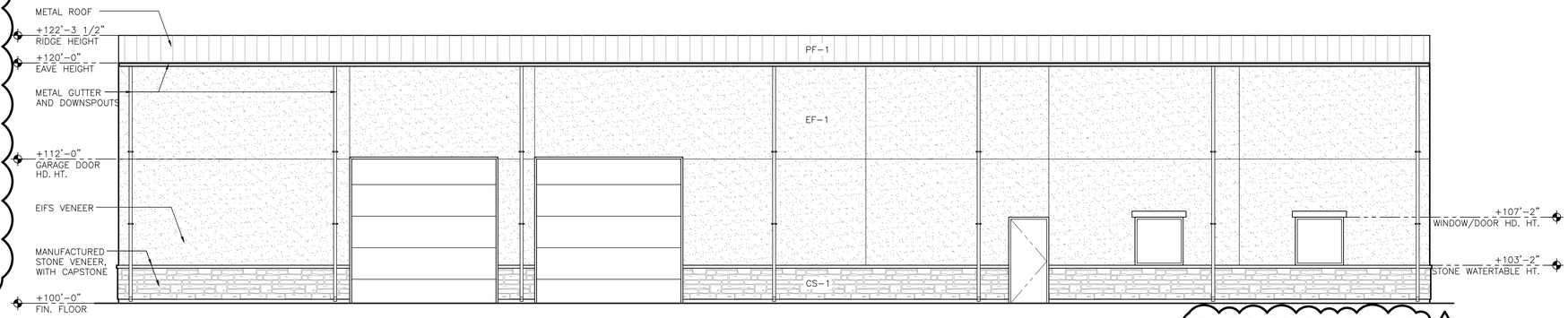
1. REFER TO SPECIFICATIONS FOR DETAILED PRODUCT INFORMATION SUCH AS SUBMITTAL REQUIREMENTS, SUBSTITUTION PROCEDURES, ACCEPTABLE MANUFACTURERS, SPECIFIC INSTALLATION REQUIREMENTS AND WARRANTY REQUIREMENTS.
2. ALL EXTERIOR PAINT COLORS TO BE APPROVED BY OWNER PRIOR TO COMMENCEMENT OF WORK.
3. ALL EXTERIOR BUILDING MATERIALS TO MATCH MANUFACTURER, MODEL AND COLOR AS SHOWN ON THE EXTERIOR FINISH SCHEDULE. A SAMPLE OF ALL SUBSTITUTIONS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO PROCUREMENT. RE: SPECIFICATIONS.
4. ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN. G.C. TO VERIFY WITH OWNER PRIOR TO PROCUREMENT.
5. OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
6. G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS. DOWNSPOUTS TO DAYLIGHT ONTO CONCRETE SPLASH BLOCKS. GUTTER AND DOWNSPOUT LOCATIONS TO BE APPROVED BY OWNER. FINISH TO MATCH ADJACENT MATERIAL.
7. ALL ROOF FLASHING TO MATCH ADJACENT ROOFING FINISH.

EXTERIOR FINISH LEGEND

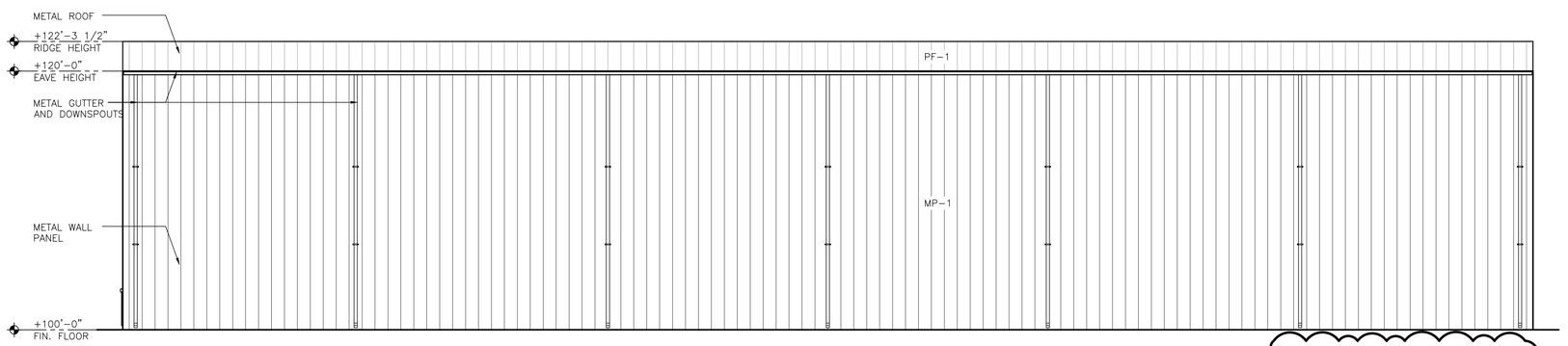
MARK	MATERIAL	COLOR	MANUF. / MODEL	REMARKS
PF-1	MTL. ROOF	WHITE	TBD / R-12 MTL. PANEL	VERIFY COLOR W/ OWNER
EF-1	EIFS	WHITE	TBD	VERIFY COLOR W/ OWNER
CS-1	CULTURED STONE	TAN BLEND	TBD	VERIFY COLOR W/ OWNER
MP-1	MTL. WALL PANEL	WHITE	TBD / R-12 MTL. PANEL	VERIFY COLOR W/ OWNER

NOTE: ALL EXTERIOR COLORS AND MATERIALS TO MATCH THE EXISTING FINISHES OF THE JIFFY LUBE

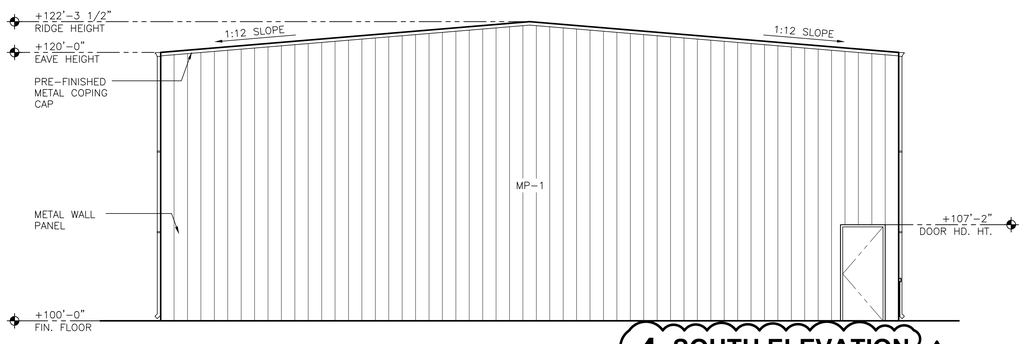
THERE ARE NO BUILDING-WALL-MOUNTED SIGNS PROPOSED AT THIS TIME. ANY FUTURE SIGNAGE WILL GO THROUGH THE CITY OF BIXBY'S SIGN PERMIT APPLICATION PROCESS.



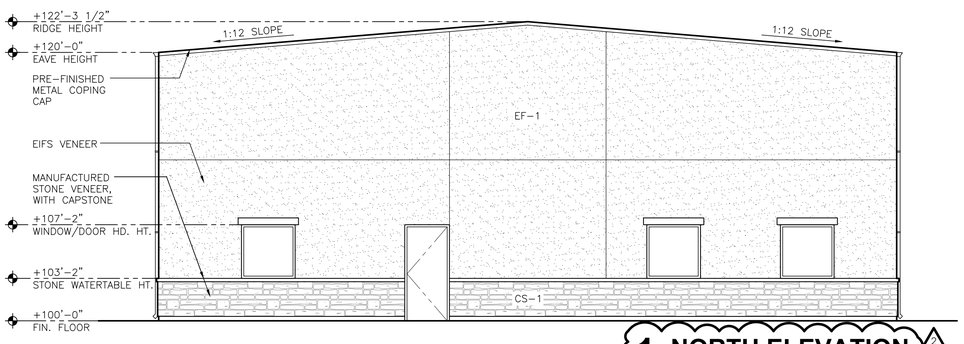
3 EAST ELEVATION
SCALE: 3/16" = 1'-0"



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



4 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



1 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

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PROJECT:

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PUD 54A

PROJECT # 15038

BIXBY, OK 74008

CONSULTANT:

REVISIONS:

1	REV #1	05/05/2015
2	REV #2	08/13/2015

ISSUE DATE:

04.17.2015

SHEET NAME:

EXTERIOR ELEVATIONS

SHEET #:

A301

Preliminary Not For Construction

DRAWN BY: BJL

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

STAFF REPORT

To: Bixby Planning Commission

From: Erik Enyart, AICP, City Planner

Date: Friday, August 14, 2015

RE: Report and Recommendations for:
BL-399 – Ahmad Moradi

LOCATION:
- 13200-block of S. 78th 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

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

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

BL-21 – Letticia Smith – Request for Lot-Split, evidently to separate the northerly portion with 131st St. S. street frontage from the subject property – right-of-way for (then or future) 78th E. Ave. may or may not have been involved per case notes – PC Approved 06/27/1976 and Board of Trustees Approved 07/20/1976 per case notes.

BZ-63 – Alfred A. Smith – Request for rezoning from AG to RS-1 for property of approximately 13.75 acres including subject property, the *Abbie Raelyn Estates* residential subdivision, three (3) unplatted residential tracts along 78th E. Ave., and the Bixby

Telephone Company / *BTC Broadband* communications building at 13119 S. 78th E. Ave. – PC Recommended Conditional Approval 02/27/1978 and City Council Approved 08/07/1978 (Ord. # 362).

BZ-88 – Letticia Smith for Alfred Smith – Request for rezoning from AG to RS-1 for approximately 6 acres of Applicant's property abutting to the west of subject property – PC Recommended Approval 03/31/1980 and City Council Approved 04/21/1980 (Ord. # 398) (AG zoning represented on Zoning Map evidently in error; correction request to INCOG pending).

BZ-235 – Ron Koepp for Tulsa Tie-Scaping, Inc. – Request for rezoning from RS-1 to CG for the subject property and approximately 6 acres of Applicant's property abutting to the west – PC Recommended Denial 10/20/1997 and evidently denied by or not appealed to City Council.

BZ-251 – Sitton Properties, LLC for Tulsa Tie-Scaping, Inc. – Request for rezoning from "AG" and RS-1 to RMH for a manufactured home park for the subject property and approximately 6 acres of Applicant's property abutting to the west – PC Recommended Denial 01/19/1999, appealed to City Council, and evidently Denied.

BZ-254 – Sitton Properties, LLC – Request for rezoning from "AG" and RS-1 to RS-3 for a single-family housing addition development for the subject property and approximately 6 acres of Applicant's property abutting to the west – PC Recommended Approval 04/19/1999 and City Council Denied 05/24/1999.

BACKGROUND INFORMATION:

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. The Planning Commission Continued this application to this August 17, 2015 agenda as requested.

ANALYSIS:

Subject Property Conditions. The subject property is unplatted agricultural land zoned RS-1 and contains 5.65 acres, more or less. Abutting to the west is another approximately six (6) acres which also belongs to the Applicant. Both properties contain significant portions of 100-year (1% Annual Chance) Regulatory Floodplain.

General. The subject property is the subject of a code enforcement case for deposition of construction debris fill materials without an Earth Change Permit. Although the location of the deposited materials appears to be out of the 100-year (1% Annual Chance) Regulatory Floodplain per the official FEMA Floodplain Maps, elevation/contour data indicates part of the area may be low enough in elevation to actually be subject to a 1% Annual Chance Flood. An Earth Change Permit application has been filed and review is ongoing. Per the City Engineer, the application's disposition will likely require the removal of the fill materials and submission of a grading plan reflecting disposition of fill material. The City Engineer has recommended land development (including this Lot-Split application) not proceed until after the property has achieved compliance with the Floodplain Development and Earth Change Permit regulations.

Further, the subject property was rezoned by owner application per BZ-63 – Alfred A. Smith in 1978. Per Zoning Code Section 11-8-13, no Building Permit for any future home or otherwise

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may be issued until the property has been platted. Staff does not recommend approval of a Lot-Split generating four (4) tracts of land, each of which must be independently platted. Staff recommends the Applicant apply for a subdivision plat to divide the property and provide appropriate development standards through the platting process, including appropriate stormwater drainage and detention design, right-of-way and Utility Easement dedication, sidewalk construction, the provision of access for the Applicant's 6-acre tract to the west which presently appears "landlocked," and the provision of appropriate development standards through Restrictive Covenants.

As this Lot-Split application was the only new application for this August agenda cycle, Staff provided it to the Technical Advisory Committee (TAC) for comments only; no meeting was held. Relevant comments received included (1) the necessity of resolving drainage issues and (2) Cox Communications does not serve the subject property.

Staff Recommendation. For the reasons outlined above, Staff recommends this application be Tabled indefinitely, and that the Applicant be directed to resolve the outstanding Floodplain Development and Earth Change Permit requirements, and submit a subdivision plat for the division and development of the subject property.

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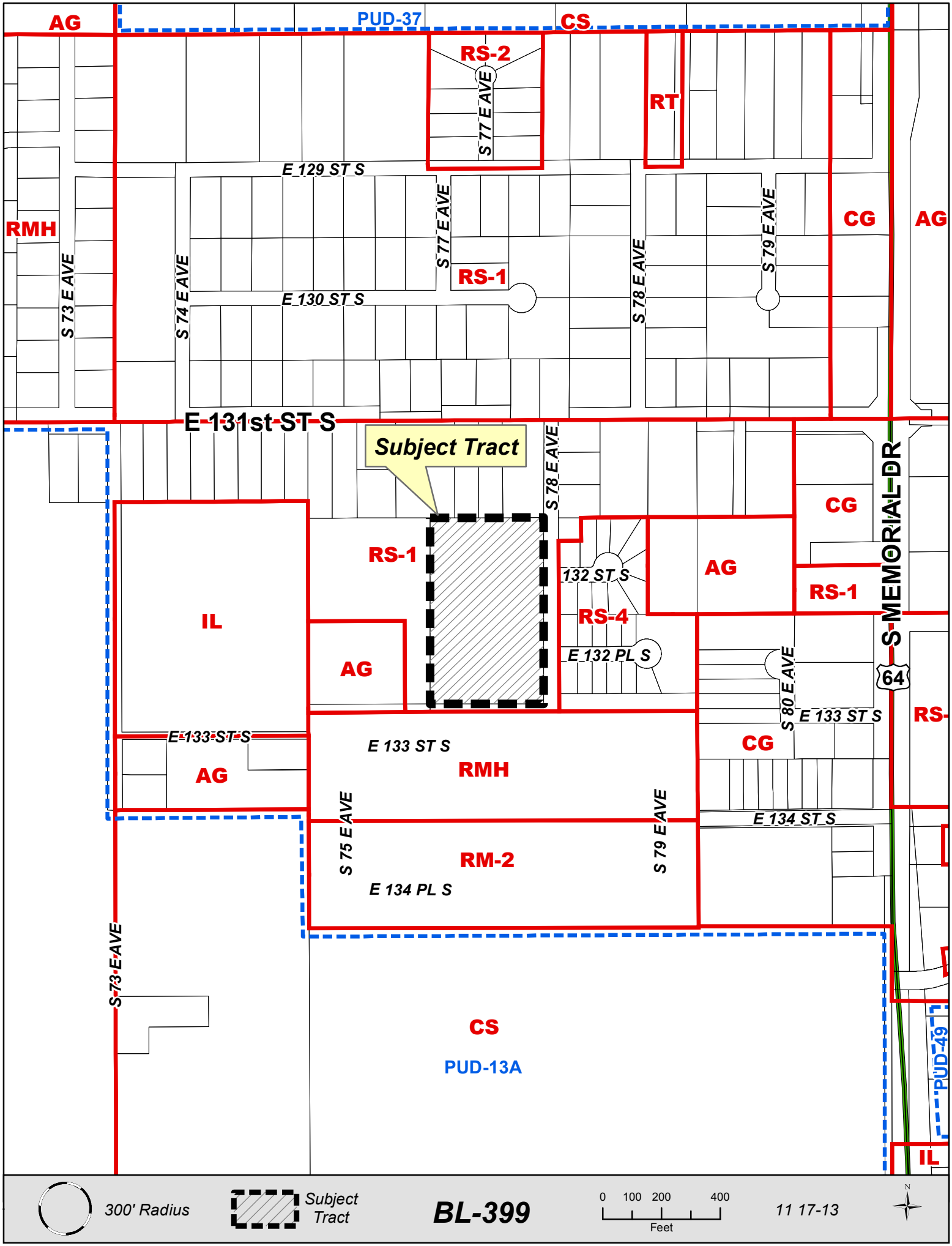
AG
PUD-37
CS
RS-2
S 77 E AVE
RT
E 129 ST S
RMH
S 73 E AVE
S 74 E AVE
S 77 E AVE
RS-1
E 130 ST S
S 78 E AVE
S 79 E AVE
CG
AG
E 131st ST S
Subject Tract
S 78 E AVE
CG
S MEMORIAL DR
RS-1
AG
132 ST S
RS-1
IL
RS-4
E 132 PL S
AG
S 80 E AVE
64
E 133 ST S
RS-
E 133 ST S
E 133 ST S
CG
AG
RMH
S 75 E AVE
S 79 E AVE
E 134 ST S
RM-2
E 134 PL S
S 73 E AVE
CS
PUD-13A
PUD-49
IL
300' Radius
Subject Tract
BL-399
0 100 200 400
Feet
11 17-13
N

City of Bixby
Application for Lot-Split

Applicant: AHMAD MORADI
Address: 8601 S. 68th E. AVE., TULSA, OK., 74133
Telephone: 918.661.9660 *Cell Phone:* _____ *Email:* MORADI1322@GMAIL.COM
Property Owner: AHMAD MORADI-ARAGHI TRUST *Property Address:* 13250 S. 78th E. AVE.
Existing Zoning: RS1 *Existing Use:* VACANT *Use Unit #:* 6

Attach four (4) copies of a survey drawing including existing and proposed lot lines, buildings and improvements dimensioned to existing and proposed lot lines, adjacent street and other rights-of-ways, street widths, easements of record, existing access limitations, north arrow, scale, and date.

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

SEE ATTACHED

	Legal Description of Proposed Tract	Source of Water supply for this Tract		
FIRST TRACT TO BE CREATED	TRACT A	☒ CITY ☐ WELL ☐ OTHER		
		Type of Sewage Disposal to be Available for this Tract: ☒ SEWER ☐ SEPTIC ☐ OTHER		
		Street or Streets Tract will face: S. 78th E. AVE		
		Proposed Use of this Tract: RESIDENTIAL	Average Lot Width: 152.5'	Street frontage: 152.5'
SECOND TRACT TO BE CREATED	TRACT B	Source of Water supply for this Tract: ☒ CITY ☐ WELL ☐ OTHER		
		Type of Sewage Disposal to be Available for this Tract: ☒ SEWER ☐ SEPTIC ☐ OTHER		
		Street or Streets Tract will face: S. 78th E. AVE.		
		Proposed Use of this Tract: RESIDENTIAL	Average Lot Width: 152.5'	Street frontage: 152.5'
THIRD TRACT TO BE CREATED	TRACT C	Source of Water supply for this Tract: ☒ CITY ☐ WELL ☐ OTHER		
		Type of Sewage Disposal to be Available for this Tract: ☒ SEWER ☐ SEPTIC ☐ OTHER		
		Street or Streets Tract will face: S. 78th E. AVE		
		Proposed Use of this Tract: RESIDENTIAL	Average Lot Width: 152.5'	Street frontage: 152.5'
FOURTH TRACT TO BE CREATED	TRACT D	Source of Water supply for this Tract: ☒ CITY ☐ WELL ☐ OTHER		
		Type of Sewage Disposal to be Available for this Tract: ☒ SEWER ☐ SEPTIC ☐ OTHER		
		Street or Streets Tract will face: S. 78th E. AVE		
		Proposed Use of this Tract: RESIDENTIAL	Average Lot Width: 177.50'	Street frontage: 177.50'

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City of Bixby
Application for Lot-Split

Does Record Owner consent to the filing of this application? ☒ YES ☐ NO
If Applicant is other than Owner, indicate interest: _____
Is subject tract located in the 100 year floodplain? ☐ YES ☒ NO
Has ~~$50.00~~ $175.00 application review fee been paid at City Hall? ☒ YES ☐ NO

BILL ADVERTISING CHARGES TO: AHMAD MORADI (NAME)

8601 S. 68th E. AVE. (ADDRESS) TULSA (CITY) 74133 918.661.9660 (PHONE)

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

Signature: [signature] Date: 05/28/15

APPLICANT – DO NOT WRITE BELOW THIS LINE

BL-399 Date Received 05/29/2015 Received By Enyart Receipt # 01253755

PC Action: _____ Conditions: _____

Date: _____ Roll Call: _____

Staff Rec. _____

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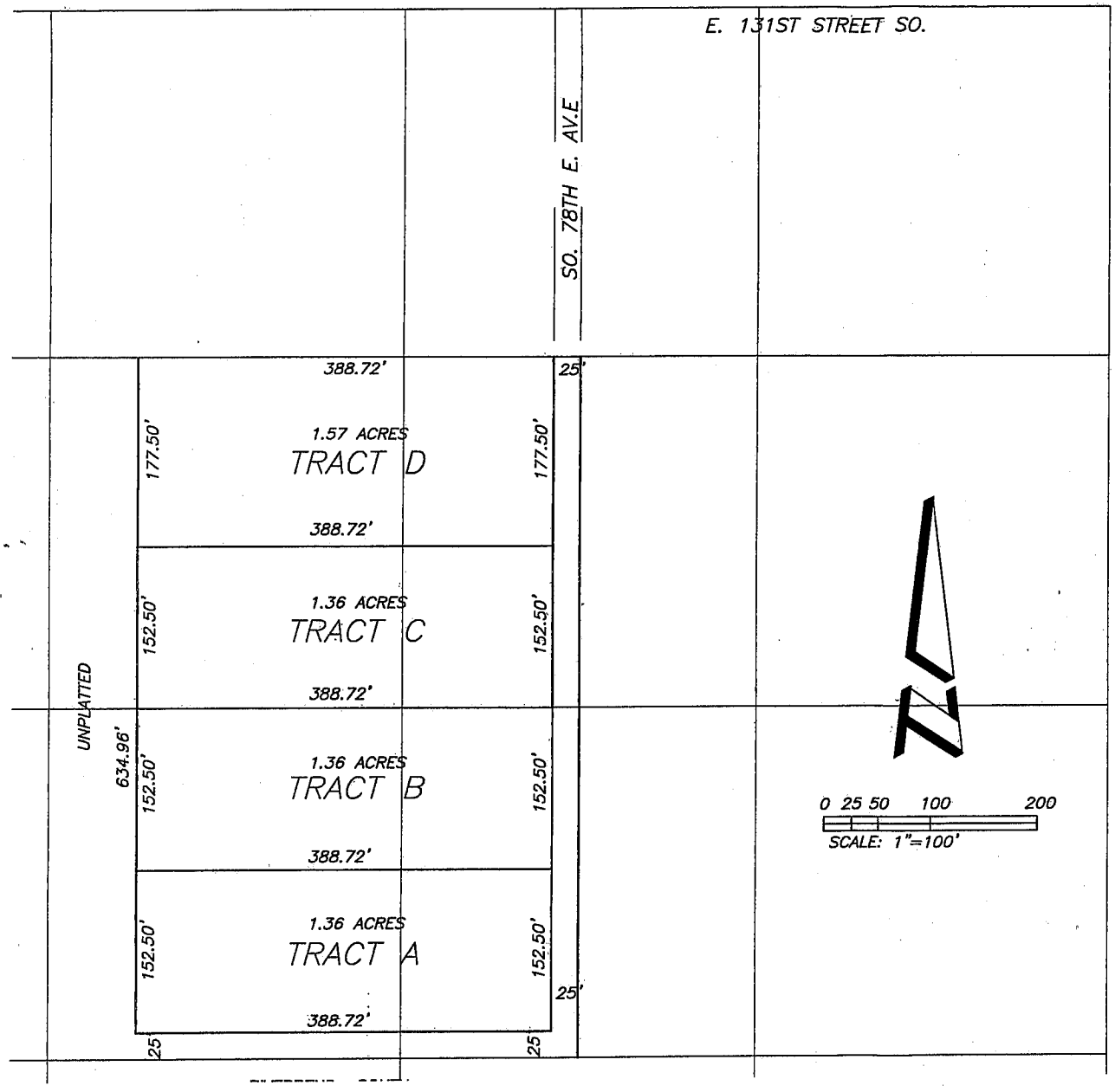
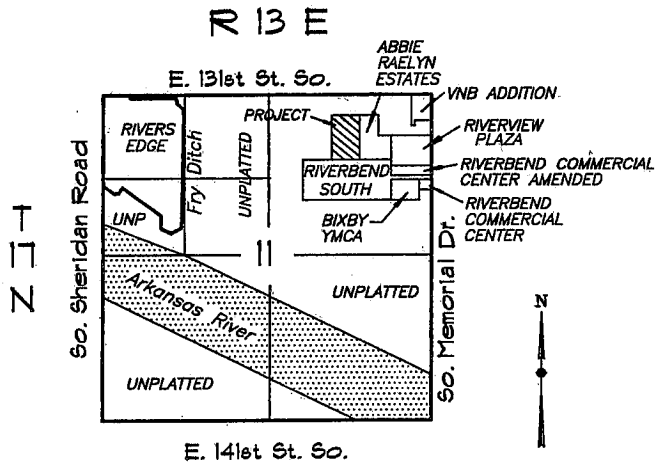




LOCATION MAP

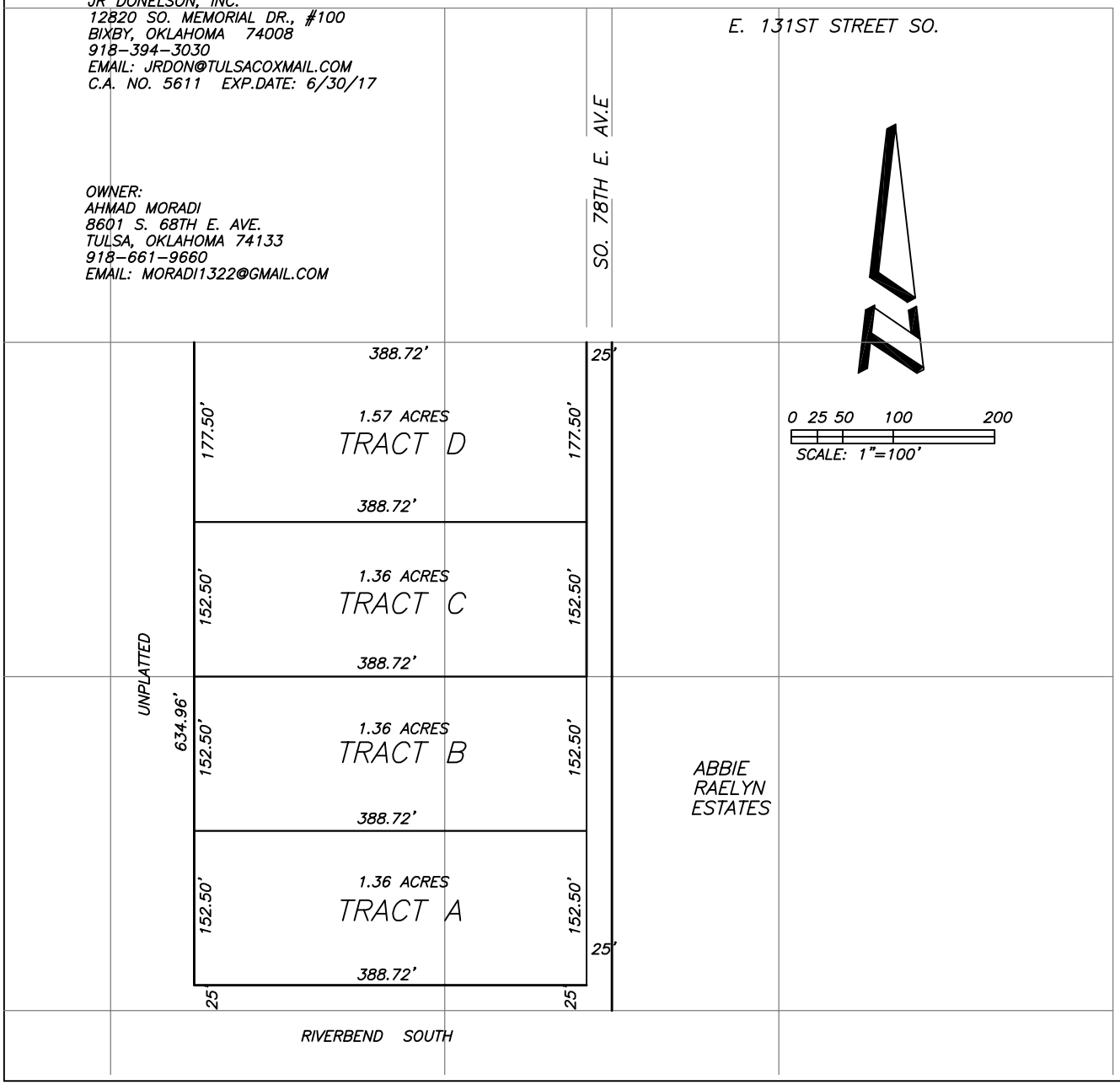
SCALE: 1"= 2000'
FILE: 2014\moradi2.dwg

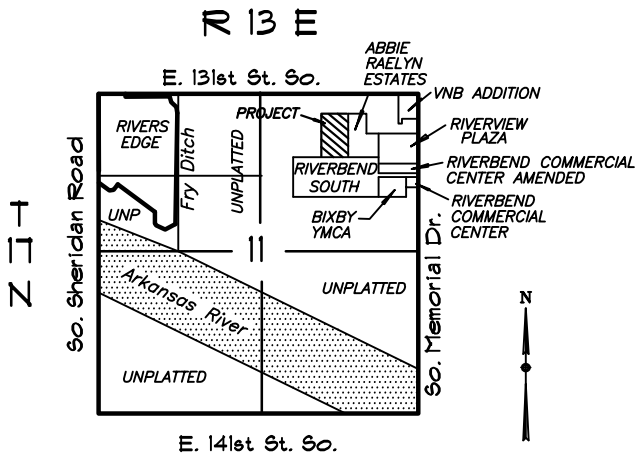
JR DONELSON, INC.
12820 SO. MEMORIAL DR., #100
BIXBY, OKLAHOMA 74008
918-394-3030
EMAIL: JRDON@TULSACOXMAIL.COM

OWNER:
AHMAD MORADI
8601 S. 68TH E. AVE.
TULSA, OKLAHOMA 74133
918-661-9660
EMAIL: MORADI1322@GMAIL.COM

JR DONELSON, INC.
12820 SO. MEMORIAL DR., #100
BIXBY, OKLAHOMA 74008
918-394-3030
EMAIL: JRDON@TULSACOXMAIL.COM
C.A. NO. 5611 EXP.DATE: 6/30/17

OWNER:
AHMAD MORADI
8601 S. 68TH E. AVE.
TULSA, OKLAHOMA 74133
918-661-9660
EMAIL: MORADI1322@GMAIL.COM





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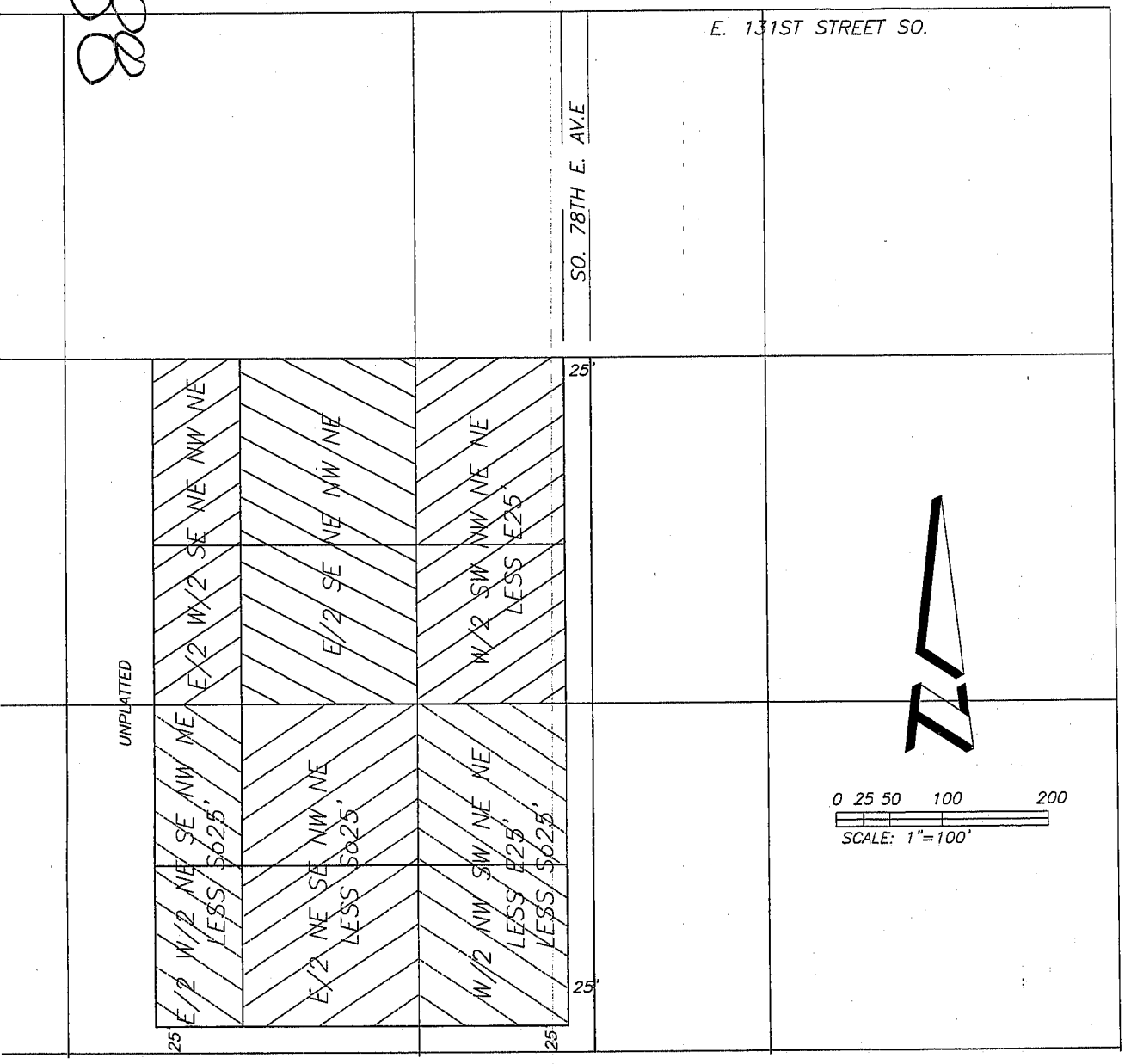

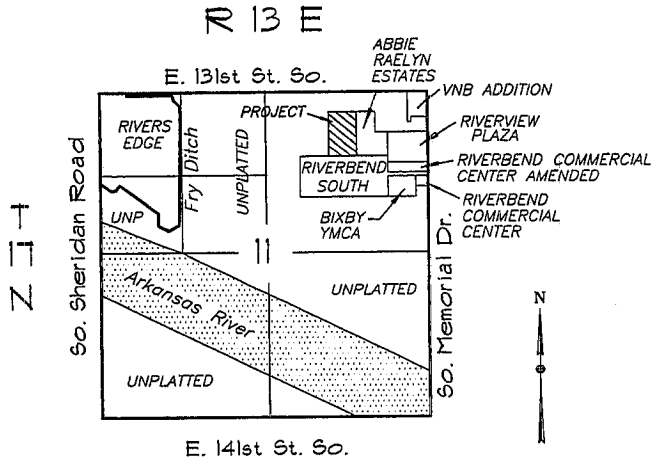

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TULSA, OKLAHOMA 74133
918-661-9660
EMAIL: MORADI1322@GMAIL.COM

LOT SPLIT

LEGAL DESCRIPTION OVERALL PROPERTY:

THE E/2 OF THE W/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE E/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE W/2 OF THE SW/4 OF THE NW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET THEREOF, AND THE E/2 OF THE W/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE E/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE W/2 OF THE NW/4 OF THE SW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET AND LESS THE SOUTH 25.00 THEREOF, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 5.65 ACRES, MORE OR LESS.

TRACT A: LEGAL DESCRITION:

THE SOUTH 177.50 FEET OF THE W/2 OF THE NW/4 OF THE SW/4 OF THE NE/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET AND LESS THE EAST 25.00 FEET THEREOF, AND THE SOUTH 177.50 FEET OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE W/2 OF THE W/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 1.36 ACRES, MORE OR LESS.

TRACT A

LOT SPLIT

LEGAL DESCRIPTION OVERALL PROPERTY:

THE E/2 OF THE W/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE E/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE W/2 OF THE SW/4 OF THE NW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET THEREOF, AND THE E/2 OF THE W/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE E/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE W/2 OF THE NW/4 OF THE SW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET AND LESS THE SOUTH 25.00 THEREOF, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 5.65 ACRES, MORE OR LESS.

TRACT B: LEGAL DESCRITION:

THE NORTH 152.50 FEET OF THE W/2 OF THE NW/4 OF THE SW/4 OF THE NE/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET AND LESS THE EAST 25.00 FEET THEREOF; AND THE NORTH 152.50 FEET OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE W/2 OF THE W/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 1.36 ACRES, MORE OR LESS.

TRACT B

LOT SPLIT

LEGAL DESCRIPTION OVERALL PROPERTY:

THE E/2 OF THE W/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE E/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4 AND THE W/2 OF THE SW/4 OF THE NW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET THEREOF, AND THE E/2 OF THE W/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE E/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF THE NE/4, LESS THE SOUTH 25.00 FEET THEREOF, AND THE W/2 OF THE NW/4 OF THE SW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET AND LESS THE SOUTH 25.00 THEREOF, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 5.65 ACRES, MORE OR LESS.

TRACT C: LEGAL DESCRITION:

THE SOUTH 152.50 FEET OF THE W/2 OF THE SW/4 OF THE NW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET AND THE SOUTH 152.50 FEET OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4, LESS THE W/2 OF THE W/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 1.36 ACRES, MORE OR LESS.

TRACT C

LOT SPLIT

LEGAL DESCRIPTION OVERALL PROPERTY:

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TRACT D: LEGAL DESCRITION:

THE NORTH 177.50 FEET OF THE W/2 OF THE SW/4 OF THE NW/4 OF THE NE/4 OF THE NE/4, LESS THE EAST 25.00 FEET THEREOF; AND THE NORTH 177.50 FEET OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4, LESS THE W/2 OF THE W/2 OF THE SE/4 OF THE NE/4 OF THE NW/4 OF THE NE/4, LYING IN SECTION 11, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, CONTAINING 1.57 ACRES, MORE OR LESS.

TRACT D