

AGENDA

PLANNING COMMISSION

116 WEST NEEDLES, BIXBY, OKLAHOMA
September 19, 2016 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes for the Planning Commission Meeting:
 - a. May 31, 2016
 - b. June 20, 2016
 - c. July 18, 2016
 - d. August 15, 2016

PUBLIC HEARINGS

2. **ZONING AND PUD REQUEST FOR CONRAD FARMS**, Applicant, Ricky Jones of Tanner Consulting

BXZO-16.06 CONRAD FARMS (DEVELOPMENT AREA A & B)

BXZO-16.07 CONRAD FARMS (DEVELOPMENT AREA C-1)

BXPUD-16.04 CONRAD FARMS (A MAJOR AMENDMENT TO PUD 75 & 85)

Discussion and Recommendation on the approval of two (2) ZONING requests *BXZO-16.06 & BXZO-16.07 CONRAD FARMS* and approval of the companion PUD request *BXPUD-16.04 CONRAD FARMS (A MAJOR AMENDMENT TO PUD 75 AND 85)*; the zoning requests propose to change DEVELOPMENT AREA A & B from AG (Agriculture) to CG (General Commercial District), and DEVELOPMENT AREA C-1 from AG (Agriculture) to RMH (Residential Mobile Home) or RS-3 (Residential Single-family) with the proposed companion PUD for the purpose of a Master Planned, Multiuse Development; 182.19 acres in part of Section 23, T17N, R13E; the property is generally located near the 7400 Block of 151st E. Ave-and spans in-part west to Sheridan and from 151st Street south to 161st Street

OTHER BUSINESS

3. Discussion and action to set a public hearing on a proposed text amendment to the Bixby Zoning Code, Section 11-4-10, Appeals to the District Court. (Authority: Bixby City Code Section 11 5-3)

4. Discussion and action to set a public hearing on a proposed text amendments to the Bixby Zoning Code, 11-3-1, Duty of Building Inspector and Other Officials; 11-3-2, Zoning Clearance Permit; 11-4-2, Powers of Board; 11-4-4, Notice of Public Hearing;

Persons who require a special accommodation to participate in this meeting should contact Development Services, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or via Email: jmohler@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.

11-4-5, Fees; 11-4-6, Appeals from Building Inspector; and 11-4-7, Interpretation.
(Authority: Bixby City Code Section 11 5-3)

NEW BUSINESS-NONE

ADJOURNMENT

Posted By: City Staff on behalf of Marcae' Hilton



Date: September 16, 2016

Time: 5:00PM

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AGENDA – Bixby Planning Commission, September 19, 2016

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BIXBY PLANNING COMMISSION
SIGN IN SHEET
DATE: March 21, 2016

| NAME | ADDRESS | ITEM |
|------------------|------------------------|--------|
| 1. STEPHEN LUNN | 9626 S. VANDALIA TULSA | BL-402 |
| 2. MIKE MAGUIFFE | 0698 E. 127ST. S. | |
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**MEETING MINUTES
PLANNING COMMISSION
116 WEST NEEDLES, BIXBY, OKLAHOMA
April 18, 2016 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.

CALL TO ORDER: Chair Lance Whisman called the meeting to order at 6:11 PM.

ROLL CALL

PLANNING COMMISSION (PC):

Members Present: Lance Whisman (Chairman)
Steve Sutton (Vice Chair)
Larry Whiteley
Members Absent: Tom Holland, Jerod Hicks

STAFF PRESENT:

Patrick Boulden, Esq., City Attorney
Marcae' Hilton, City Planner
Jason Mohler, Development Services Director & City Engineer
Jim Coffey, City (Consultant)

OTHERS ATTENDING:

See attached Sign-In Sheet
Tanner Consulting

CONSENT AGENDA

1. Approval of Minutes for the Regular Meeting's:
January 19, 2016
February 16, 2016
March 21, 2016

Approval of Minutes from the Specially Scheduled Work Session between Planning Commission and City Council on Monday, March 28, 2016

DISCUSSION: Chairman Lance Whisman

MOTION: Larry Whitley-move to approve the meeting minutes from the Jan 19, 2016 and Feb 16, 2016 Planning Commission meeting.

Motion to continue the March 21, 2016 meeting minutes to the May 16, 2016 Planning Commission for approval.

AGENDA – Bixby Planning Commission

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

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Marcae Hilton the City Planner brought to the attention of Chairman Whisman, the minutes of the Specially Scheduled work session between the Planning Commission and City Council Larry made a motion to continue the meeting minutes to next meeting.

(May 16, 2016)

SECOND: Steve Sutton

ROLL CALL:

AYE: Whitley, Sutton, Whisman

NAY: None

ABSTAIN: None

MOTION PASSED: 3:0:0

PUBLIC HEARINGS:

2. BZ-389: Applicant, Jerry Green for Norma ODA Green Revocable Trust

Public Hearing, discussion, and consideration of a rezoning request RS-1 (Residential Single-Family) & CS (Shopping Center District), to PUD (Planned Unit Development) OL (Office Low Intensity) CS (Commercial Shopping) for Lot 11, Lot 12, Lot 13 of Block 7, North Heights Amended, City of Bixby, Oklahoma, Section 35, Township 18, Range 13

Property generally located: west of Memorial, North of 121st St. South about one quarter mile.

Public Hearing: BZ 389, Chairman Lance Whisman recommend the item be moved to next meeting. Marcae commented, the items were pulled from the agenda, they did not meet the public hearing notice requirement, and they will be on next agenda. No action was required.

3. PUD-93: Applicant, JR Donelson, Inc. for Norma ODA Green Revocable Trust

Public Hearing discussion, and consideration of a request for approval of Planned Unit Development (PUD) (PUD-93), on Lot 11, Lot 12, Lot 13, Block 7, North Heights Amended, City of Bixby, Oklahoma, Section 35, Township 18, Range 13

Property generally located: west of Memorial, North of 121st St. South about one quarter mile.

Public Hearing: PUD 93, Chairman Lance Whisman recommend the item be moved to next meeting. Marcae commented, the items were pulled from the agenda, they did not meet the public hearing notice requirement, and they will be on next agenda. No action was required.

PLATS:

4. PLAT (PRELIMINARY)-ADDISON CREEK: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC

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Discussion and possible action to approve a Preliminary Plat for Addison Creek, **Property generally located:** East of Sheridan Road and one quarter to one-half mile north of East 131st Street.

***39 adults present (27 adults signed up to speak) see attached list of names
7 children present***

BACKGROUND INFORMATION:

REQUEST: Preliminary Plat Approval for Addison Creek
STR: S2, T17N, R13E
LOCATION: 12500-block of S. Sheridan Road
SIZE OF TRACT: 29.762 acres, gross subdivision area
LOT INFO: 61 Lots
4 Blocks
1 Reserve

EXISTING ZONING: RS-4 Residential Single-Family District, in the 100 Year Floodplain

SURROUNDING ZONING AND LAND USE:

North: RS-4 (Residential Single-Family); Seven Lakes I, II, III, IV, V
South: AG (Agricultural); large Agricultural Tracts
West: AG (Agricultural); across Sheridan, large undeveloped Agricultural Tracts with contiguous floodplain
East: AG (Agricultural); Fry Creek, Fry Ditch No. 1, 100 Year Floodplain, undeveloped Agricultural Tracts

COMPREHENSIVE PLAN:

Low Intensity Land Use, the area is currently shown in the 100-Year Floodplain, but not listed as development sensitive per the Comprehensive Plan.

The preliminary plat for Addison Creek is generally located East of Sheridan Road and one-quarter to one-half mile north of 131st Street South. The proposed plat consists of 61 lots on 29.762 acres. The property is currently zoned RS-4, per BZ-309 which was sent to City Council as a second reading for approval

amending Ordinance No. 272 and was filed in Tulsa County as Ordinance No. 901 on March 3, 2005.

The entire plat is located within a 100-year floodplain. The City Engineer has detailed comments requiring extensive documentation and finish floor elevations to be included in the Final Plat. Please see attached Engineering Memo.

This item was heard by Technical Advisory Committee (TAC) on Wednesday, April 6, 2016. There was a request for additional easements from the utility companies please see the TAC minutes and attached drawing from COX Communications. The Fire Marshal provided comments, please see the attached Fire Marshal Memo. Staff is working with Tanner Consulting to resolve these comments. Staff requests all comments be resolved before submittal of the Final Plat.

City Attorney, Patrick Boulden: Planning Commission (PC) reviews plats as a recommending body to City Council, looks at technical requirements and makes sure plat meets subdivision requirements. We understand there is litigation on this property, advised on injunction on this property, Bixby has not been served. I have advised the planning commission any comments should not be based on the litigation, but if the plat meets the subdivision regulations as provided in our ordinances. I have advised Staff to go ahead and act on the plat.

Vice Chair (PC), Steve Sutton: Wanted to make sure everyone understood what the City Attorney said, Planning Commission is the technical arm, approve the format of things presented to us. If the intent of most of the people here is to stop the action of the City, the correct/perfect venue is the City Council, they are elected officials. I am glad you are here; we want to hear what you have to say. You can still speak, but City Council meeting is the correct place to speak. Asked Patrick to state the format and explain what the Planning Commission and City Council are able to do. City council can say stop, we can just say “not this way”.

Chair (PC), Lance Whisman: 2 comments

If someone already said a point just say it has been covered.

We have children, so please be civil, a request on my part.

When you come up state our name and address.

Guest, Mike Maguffee: is Tanner going to make a presentation?

Applicant, TANNER CONSULTING: Present Ricky Jones, Justin Morgan, one of the developers

Applicant, Ricky Jones: 5323 S Lewis Ave, Tulsa, OK 74105

Cul-de-sac length and stub street to the south, will work with Fire Department and City Staff, and if inclined PC and CC can approve

We are exceeding what City requires, minimum square feet, 2000 per house

REQUEST TO MODIFY: 75% masonry, covenants say 100%, we got ahead of our developer

RS-4 not in a PUD, lots usually 50 foot wide lots, we are exceeding that, proposing 80 and 85 foot lots exceeding zoning.

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Chair (PC), Lance Whisman: looks like about 79.5 is the smallest width, asked if any questions about sidewalks

Applicant, Ricky Jones: exceeding regulations by masonry

City Planner Marcae': sidewalks come up during the site plan phase. Sidewalks will be built to city standards

Guest: Mike Maguffee: asked staff for picture of site on screen.

Chair (PC), Lance Whisman: reserve Area A-Drainage area- drain west side of Sheridan to Fry Creek

Guest: Mike Maguffee: thank you, 6698 E 127th street, Seven Lakes

Thank you to staff for transparency and access

Brevity, I will speak on behalf of most-provide brief history

Original Developers: made reference to the area south being designated as greenbelt and wetlands, each homeowner paid a premium of \$10,000 for access to the reserve.

Families have lived there for 8 years-swing sets, trees

Property was sold to a person who is developer to Seven Lakes 2, 3, 4, 5, 6

New owner developer is old owner/developer

Most people's back yard is sloped, built on fill dug out of reserve. A letter of map revision was submitted to FEMA. Map carried over in 2012. The original builders put in sprinkler systems, homeowners have landscaping, sprinklers systems.

New owner threatened a barb wire fence when purchased. New owner put up fence, the area has never been maintained by new owner, the City came out to brush hog.

The City cannot look at it as merely houses to sale. In terms of development, Bixby code and comprehensive plan-builders and developers maintain as much as green as possible.

80 acres across the street being developed by Tanner.

Much has happened that people do not know about unless you read the paper

School sold property to developer for more houses, the comp plan specifically talks about preserving land and or the wetlands. Submitted document designating Wetlands

Staff input should be more than putting dirt and raising finish floor elevation

Map is in error-school property has been rezoned. Number of issues: we look to you as people who represent the interest of the people and do the right thing

At minimum continue to next meeting when more things can be looked at

Guest: David Hodges: When was Aspen Creek area rezoned form wetlands to single family housing?

Guest: Mike Maguffee: 2005

FEMA approved, only relates to structure, your backyard is still in the floodplain,

What happens when we put this easement in and then increase drainage, all plats in Tulsa specify off site detention?

Developer said 2 reasons for fence and clearing the area

1. to get your attention
2. for drainage

There are 2 36 inch drainage pipes under Sheridan. This will increase the volume and rate of water being pushed through.

Fence was removed today.

The preliminary plat says the developer can build a wall

Please continue to next meeting we can sit down with Developer, Consultant, Planner and Engineer. There is much to consider

2 lots adjacent to Seven Lakes using seven Lakes streets, the developer said he would sale the lots to us for 20,000.00

1. these houses don't need to be there in the first place
2. floodplain issue all the way onto the property
3. 35 foot frontage on one lot

I think we are representative of the citizenry of Bixby, we understand houses provide a broader tax base to help do what we like to do, adverse to builders and developers

Continue to next meeting not a special meeting, so all the questions can be resolved

Chair (PC), Lance Whisman: any new comments?

Guest, Terry Adams: 6626 E. 127th Street, Husband Mark has attended 98% of your meetings for over a year, all meetings, City Council etc.

Postpone the item to the next meeting, other details to be considered.

20 acres assigned at time of purchase, 14.5 feet to fence, When the fence was constructed we took out rosebushes, etc. No longer have a buffer of trees, now cancelled wedding.

Concern about erosion, at base of area, 20 percent grade, also concerned the yard will have issues similar to 111th and Memorial 20 feet ravine. We don't want to have erosion issues. The developer indicated we are going to get the water; Bixby will take the hit for Tulsa water.

Special email, Mr. Maguffee can make a list of issues to be discussed.

Don't make a rush to judgement, more investigation

(PC) Larry Whiteley: Who is the present owner of the property? Stone Horse Development (Ricky)

(PC) Larry Whiteley: Who gives them the right to go on wetlands and take trees out? Doesn't wetlands regulate if you can remove trees.

Applicant, Ricky Jones: we have a wetland report and do not believe the property is part of a wetland.

(PC) Larry Whiteley: Who does those?

Applicant, Ricky Jones: Approved by the Corps of Engineer, we are in the preliminary plat, we don't get into hydrology and engineering at platting level.

(PC) Larry Whiteley: why move forward if not sure not it will get approved, don't you think it will flood after the build out?

(PC) Larry Whiteley: Who gave the permission to put the drainage for the other side of Sheridan?

Applicant, Ricky Jones: meetings with City of Bixby and Tulsa

City Engineer, Jason Mohler: Per conversation with engineer, the proposed storm sewer under South Sheridan is not intended to convey water from the west side of Sheridan. The purpose of

this pipe is only to alleviate flooding of Sheridan in high flow events. Final design shall be completed in accordance with this concept and will be vetted in the process.

(PC) Larry Whiteley: The developer got ahead of themselves by removing trees.

Chair (PC), Lance Whisman: 2 lots of Seven Lakes, originally unplatted and abuts a public street, right of access to public street.

Applicant, Ricky Jones: suggest you act on the preliminary plat, go to City Council, 45 days before final plat, plenty of time to work out and meet. I don't see the need to continue today's application. Agree with staff recommendation, no reason to delay.

Guest, Terry Adams: from experience the preliminary usually gets approved at council, we have time, this is a train wreck, no erosion, all safe, HOA issues, and covenants. Too many unanswered questions even to safety.

Vice Chair (PC), Steve Sutton: certifications of most up to date available: stormwater regulated by FEMA, Wetlands regulated by Corps of Engineers a letter from the corps is the current status

Guest, Mike Maguffee: across the street is a wetland, in the past the Commission had the preliminary plat along with final plat on same agenda don't get ahead of self

Guest, Andy Oiler: 6860 E 127th, lived in 5 states, 5 houses, looked in Jenks. Looked at Bixby, reputation is so pro-business, quality of life is secondary. Maybe we should change the reputation of Bixby. Started the meeting by passing the buck, who is accountable for quality of life. I was sold: speck home retaining wall with steps, sprinkler system, sodded. BAIT and Switch, explicitly told use it like you own it. Owner wants to retain ownership. I have 40 or 50 people who can confirm my story. I ask you to stop it now.

Guest, Mark Adams: 6626E. 127th husband to Terry Adams,

Water, drainage pipe drains water from the pond and both sides of streets, 15-foot-wide pool about 3 feet deep. Asked the developer, can you cut a trench to this area, I was not going to buy that lot knowing there was only a 15-foot pond that was going to flood? They cut a drainage for us. 4 feet deep and 5 feet wide, I am concerned about erosion and neighbors

Mr. Jenkins from another area was told, never going to build behind you

Trails at Whitehawk, never going to build behind you

Seven Lakes, now this project, never going to build behind you

Guest, Mike Ramsey: 6950 E. 127th

Terry and Mark, attended the meetings when we found out about this, further address this drainage issue off fields flooding around Sheridan. Worried about erosion

Vice Chair (PC), Steve Sutton: Jason or Jared, make a special inquires Tulsa is not going to push that water over on us.

Chair (PC), Lance Whisman: water flow, assume water continues the on to the basin.

Applicant, Ricky Jones: we are doing the subdivisions around the plat, we are familiar with the hydrology.

Guest, Mike Maguffee: PUD 812, water gently flows to the east, Stormwater runoff will be stored off site. Bent River, 2014, called for the same thing, same developer

MOTION-(PC) Larry Whiteley: extend to next meeting so we can look at this a little bit farther

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Chair (PC): Lance Whisman: 2nd?

Vice Chair (PC), Steve Sutton: comment first, I don't like passing the buck, my comments originally were to make sure if you want to stop something in its tracks, I know how to do it, and it is in front of CC. I do agree about a continuance, but because there are too many issues which need to be dove into a little bit more. It appears the owner and engineering group needs to meet with the subdivision, I hope you don't need to get the attorneys in it I how when you all come back we will have something different to play with.

Chair (PC): Lance Whisman: Motion by Larry and Second by Steve, recommendation-be continued to the next PC meeting.

City Planner Marcae': May 16 PC meeting.

MOTION: Larry Whitley

SECOND: Steve Sutton

ROLL CALL:

AYE: Whitley, Sutton, Whisman

NAY: None

ABSTAIN: None

MOTION PASSED: 3:0:0

Chair (PC): Lance Whisman: Take a break for 10 minutes

OTHER BUSINESS

5. BCPA-16: City of Bixby

Continuation of the Public Hearing from March 21, 2016 regular Planning Commission Meeting: to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan Text concerning policy on single-family residential entitlements, including preference for Planned Unit Developments (PUDs), amending the Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan, recommending additions, subtractions, and/or changes to certain residential zoning districts in the Zoning Code, and making various other amendments.

City Consultant, Jim Coffey:

ORDINANCE BCPA -14 AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN ADD AND CHANGE CERTAIN OBJECTIVED, AREA POLICIES, AND EXHIBIT 5 MATRIC TO DETERMINE ZONING RELATIONSHIP TO BIXBY COMPREHENSIVE PLAN TO WIT:

Page 33 Residential Area Objectives add the following new items:

4. Better residential development outcome will result with more properties developing by PUD Planned Unit Development and utilizing development standards appropriate to context.

5. New residential developments will achieve the highest measure of compatibility and consistency with the context of the surrounding neighborhoods

Page 33, Residential Area Policies should be amended and reorganized as follows:

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1. Residential areas will be zoned, designed and developed to ensure the existing and future use of those areas as residential. Residential areas will be located primarily in a neighborhood and may be located in activity centers and corridors according to the Urban Development Design Guideline goals, objectives, and policies.
2. The City of Bixby has observed that better residential development outcomes result when properties develop by PUD Planned Unit Development and utilize development standards appropriate to context. PUD's 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. Development standards, established through the PUD or land use restrictions contained within a subdivision plat, should be planned to achieve the highest measure of compatibility and consistency with the context of the surrounding neighborhoods.
3. Residential development within areas subject to periodic flooding will be strongly discouraged and regulated. Compliance with flood prevention codes and other applicable regulations is required.
4. New residential developments will be designed, developed and constructed in a manner harmonious with preserving the natural environment. Forested areas, sloped land in excess of 15%, drainage ways, lake, river and scenic vistas will be preserved and natural contours of land will be carefully considered in project and site development.
5. Abandoned and deteriorating structures should be rehabilitated or cleared.
6. Residential mobile home subdivisions or parks will be buffered and screened from abutting land use.
7. Residential lot arterial street frontage access will be avoided. Residential lots which back or side on adjacent arterial streets will be designed to have additional lot depth, width, setback, buffering, open space or separation from the arterial to alleviate traffic impact on the residential use. Appropriate revisions to the zoning and subdivision regulations should be developed and adopted.
8. Undeveloped and developed land annexed into the City of Bixby will be zoned as applicable at the time of annexation and in accordance with the Bixby Comprehensive Plan 2001-2010. Annexed existing uses in conflict with the provisions of the Plan are allowed to continue use and operation according to municipal policy as long as the public health, safety and general welfare are protected and not endangered. Such uses are not intended to be expanded.

Exhibit 5 Matrix to Determine Zoning Relationship to Bixby Comprehensive Plan shall be reorganized to show the relationship of all Bixby Zoning Districts with the addition of RS 2.5.

BCPA-14 Amendments to the Comprehensive Plan and approved this date _____ in an open meeting of the Bixby City Council and PASSED by an affirmative majority vote of the entire membership of the City Council, to wit __yes__no __ABSTAINING

City Consultant, Jim Coffey: Jim Coffee any questions? Reading public hearing as an ordinance case and conversation of the proposed matrix

Chair (PC): Lance Whisman: we went through it and had a meeting on it. Just walk through the high points

City Consultant, Jim Coffey: Better development through a PUD, indicates we have taken out RS-4 and made it inactive. In its place RS-2.5, a new Matrix will be submitted. A PUD will allow smaller lots.

City Consultant, Jim Coffey: if PC is ready to take this forward you can move it forward to the CC and they can approve it and act on it or change it.

MOTION: Larry Whitley

SECOND: Steve Sutton

ROLL CALL:

AYE: Whitley, Sutton, Whisman

NAY: None

ABSTAIN: None

MOTION PASSED: 3:0:0

6. Zoning Code Text Amendment: City of Bixby

Continuation of the Public Hearing from March 21, 2016 regular Planning Commission Meeting: to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, to add, subtract, and/or change particular residential zoning districts, to amend Section 11-2-1 to define “masonry” and “masonry alternatives,” and to make various other amendments.

City Consultant, Jim Coffey:

AN ORDINANCE AMENDING ORDINANCE 272 THE BIXBY ZONING CODE OF THE CITY OF BIXBY TITLE 11 SECTION 11 TO ADD, SUBTRACT, AND/OR CHANGE CERTAIN RESIDENTIAL ZONING DISTRICTS TO WIT:

ZONING CODE SECTION 11-2-1 TO ADD THE FOLLOWING DEFINITIONS:

“MASONRY MATERIALS: For the purpose of residential construction, masonry materials shall include material of masonry units laid with mortar, grout, or other methods of joining including brick, natural or manufactured stone, fiber reinforced cement exterior siding. Commercial masonry material shall include, in addition, poured in place concrete walls, tilt up panels, pre-cast panels or walls, cinder and concrete block, and other commercial exterior wall cladding that is approved by the Planning Council and City Council. Alternative materials may include on approval traditional cementitious stucco that is applied over concrete or a lath system; exterior insulated finish systems; sculptured, fluted, exposed aggregate; glass blocks; concrete masonry units; or other materials as approved by the Planning Commission and the City Council ZONING CODE Section 11-5-4B.3a add the zoning district “RS-2.5”

ZONING CODE SECTION 11-5-4.c.2A to change “RS-4” to “RS-4 Inactive”.

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ZONING CODE SECTION 11-6-1 TO ADD “RS-2.5” Residential Single Family High Density District between RS-2 and RS-3.

ZONING CODE SECTION 11-7B-1.C IS AMENDED AS FOLLOWS: “RS Residential Single Family Districts: RS-1, RS-2, RS-2.5, RS-3, and RS-4 Inactive districts are designed to permit the development and conservation of single-family detached dwellings in suitable environments in a variety of densities to meet the varying requirements of families.”

RS-4 Inactive Residential District: All existing lots and uses in the RS-4 district are legal and conforming, provided they conform to the applicable standards of the ordinance before replacement or modification. However, the RS-4 District is considered “INACTIVE” in that no more zoning or rezoning may be approved to these districts following the effective date of this Ordinance dated _____. Development in an inactive residential district is subject to all applicable requirements of this Ordinance, including the use regulations, the dimensional requirements, and the development design standards that are not governed by the zone district standards of an inactive district.

ZONING CODE SECTION 11-7B-2 AMMEND TABLE 1 to change the double asterisk (**) text to be as follows: “Duplexes permitted only RS-3 and RS-2.5 Districts”

ZONING CODE SECTION 11-7B-4-A.1 TABLE 3 add, between columns RS-2 and RS-3 the bulk area requirements for RS-2.5 to include the following: Lot Width 70 feet; Lot Area 8500 sq. ft.; Land Area Per Dwelling Unit (Minimum Sq. ft.) 10,800; Height 48 ft.; Maximum number of stories 3; Livability Space 4500 sq. ft.; Front Yards Arterial 35 feet; Front Yards Not Arterial 30 feet; Rear Yards 25 feet; One Side 10 feet; and other side 5 feet.

ZONING CODE SECTION 11-10-4H TABLE “SURFACING UNENCLOSED OFF STREET PARKING AREAS ADD: Distract RS-2.5 to 32 percent.

Be it ORDAINED that all ordinances of parts of ordinances in conflict with this Ordinance be and the same are now expressly REPEALED,

APPROVED in an open meeting of the Bixby City Council and PASSED by an affirmative majority vote of the entire membership of the City Council, to wit ____ YES ____ NO ____ ABSTAINING on this ____ day of April 2016.

~~“MASONRY MATERIALS: For the purpose of residential construction, masonry materials shall include material of masonry units laid with mortar, grout, or other methods of joining including brick, natural or manufactured stone, fiber reinforced cement exterior siding. Commercial masonry material shall include, in addition, poured in place concrete walls, tilt up panels, pre-cast panels or walls, cinder and concrete block, and other commercial exterior wall cladding that is approved by the Planning Council and City Council. Alternative materials may include on approval traditional cementitious stucco that is applied over concrete or a lath system; exterior insulated finish systems; sculptured, fluted, exposed aggregate; glass blocks; concrete masonry units; or other materials as approved by the Planning Commission and the City Council~~

MOTION: Steve Sutton move to approve striking the masonry materials definition

SECOND: Larry Whitley

ROLL CALL:

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

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AYE: Whitley, Sutton, Whisman
NAY: None
ABSTAIN: None
MOTION PASSED: 3:0:0

NEW BUSINESS: NONE

ADJOURNMENT: Chair Lance Whisman declared the meeting adjourned.

APPROVED BY:

Chair

Date

Marcae' Hilton, Jason Mohler
City Planner/Recording Secretary

**MEETING MINUTES
PLANNING COMMISSION
116 WEST NEEDLES, BIXBY, OKLAHOMA
May 31, 2016 6:00 PM**

SPECIAL-CALLED MEETING

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.

CALL TO ORDER: Chair Lance Whisman called the meeting to order at 6:11 PM.

POINT OF ORDER: Mr Maguffee:

Please exclude item #5, it was not on the previous agenda, discussion of language on allowing the items to stay on agenda. The previous meeting agenda items were continued to the May meeting, but PC did not have quorum the developer asked for a special meeting. The city staff agreed and a special Meeting was scheduled for May 31. Patrick Boulden replied to Mr. Maguffee. City Attorney stated the items were OK to be heard; they were properly advertised and meet all the legal requirements. (COMMENTS FROM: Maguffee, Sutton, Hilton, Boulden)

ROLL CALL

PLANNING COMMISSION (PC):

Members Present: Lance Whisman (Chairman)
Steve Sutton (Vice Chair)
Larry Whiteley
Tom Holland
Jerod Hicks

STAFF PRESENT:

Patrick Boulden, Esq., City Attorney
Marcae' Hilton, City Planner
Jason Mohler, Development Services Director & City Engineer
Jim Coffey, City (Consultant)

OTHERS ATTENDING:

See attached Sign-In Sheet (35 adults, 4 children-present for Addison Creek/Seven Lakes VII)

Tanner Consulting (Ricky Jones, Justin Morgan)

CONSENT AGENDA

1. Approval of Minutes for the Regular Meeting's: March 21 and April 18, 2016
2. Approval of Minutes for the Specially Scheduled Work Session between Planning Commission and City Council on Monday, March 28, 2016

DISCUSSION: Chairman Lance Whisman

MOTION TO APPROVE NO 1: Larry Whitley

SECOND: Vice Chair, Steve Sutton

ROLL CALL:

MOTION PASSED: 3:0:2

MOTION TO APPROVE NO 2: Larry Whitley

SECOND: Chair, Lance Whisman

ROLL CALL:

MOTION PASSED: 3:0:2

PUBLIC HEARINGS:

PLATS:

3. **FINAL PLAT-PINE VALLEY ADDITION, PUD 12-D, BLOCKS 4-9: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and consideration of a Final Plat for *Pine Valley Addition, PUD 12-D, Blocks 4-9*, 84 Lots, 33.717 Acres

Section 16, Township 17, Range 13

Property generally located: east of Harvard Avenue and south of 141st Street about one-quarter mile

4. **FINAL PLAT-PINE VALLEY ADDITION, PUD 12-D, BLOCKS 10-11: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and consideration of a Final Plat for *Pine Valley Addition, PUD 12-D, Blocks 10-11*, 9 Lots, 4.346 Acres

Section 16, Township 17, Range 13

Property generally located: east of Harvard Avenue and south of 141st Street less than half a mile

GENERAL ITEM 3: *The Final Plat for Pine Valley Addition Blocks 4-9 is generally located one-quarter to one-half mile south of 141st Street and east of Harvard Avenue.*

The plat has 33.717 Acres, 84 Lots in 6 Blocks with five reserves. The property is currently zoned RS-1 and RS-3 Residential Single-Family Districts with PUD 12-D. PUD 12-D is in accordance with the Comprehensive Plan as a zoning district. The proposed subdivision plat is consistent with PUD 12-D. PUD 12-D did not show planned trail routes, but did include plans to provide trails under PUD 12-D Section II.C. The applicant has asked for a waiver, see waiver below.

GENERAL ITEM 4: *The Final Plat for Pine Valley Addition Blocks 10-11 is generally located one-half mile south of 141st Street and east of Harvard Avenue. The plat has 4.346 Acres, 9 Lots in 2 Blocks with 2 reserves. The property is currently zoned RS-3 and RS-1/PUD 12-D. The proposed subdivision plat is consistent with PUD 12-D. In addition, PUD 12-D did not show planned trail routes, but did include plans to provide trails under PUD 12-D Section II.C. The applicant has asked for a waiver, see waiver section below.*

This plat represents a conventional, suburban design and appears similar to The Reserve at Harvard Ponds and The Enclave at Harvard Ponds to the southwest, with lots similar in size and configuration. Typical lots range from 65' X 125' (8,125 square feet, 0.19 acres) to 70' X 142' (9,940 square feet, 0.23 acres).

TAC: *The Final Plat for Pine Valley Addition Blocks 4-9 was heard by Technical Advisory Committee (TAC) on Wednesday, May 4, 2016 no new comments were made. The comments from the Fire Marshal are attached. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.*

MODIFICATIONS/WAIVERS:

Upon its approval of the Preliminary Plat in November 10, 2014, the City Council approved the following Modifications/Waivers, as recommended by the Planning Commission:

SIDEWALK WAIVER:

CITY COUNCIL AGENDA ITEM COMMENTARY

November 10, 2014 (City Planner, Eric Enyart)

RECOMMENDATION: *Staff and the Planning Commission concur in recommending Approval of the Preliminary Plat with the following corrections, modifications, and Conditions of Approval:*

5. The Subdivision Regulations requires sidewalks along interior streets and Harvard Ave. To ensure this requirement is not inadvertently overlooked for the sidewalks along Harvard Ave. and Reserve Area frontages (developer's responsibility prior to the construction of any homes), the engineering construction plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval. The Applicant may request to do a fee-in-lieu by Modification/Waiver.

TANNER CONSULTING RESPONSE: Letter Dated-October 27, 2014

"Formally request a waiver of the Bixby Subdivision Regulations, Section 12-3-2-N and be permitted not to construct a sidewalk along the South Harvard frontage. Based on the current condition of South Harvard Avenue and the large amount of floodplain involved, we feel it is more practical to be permitted to pay a fee in lieu of construction of the sidewalk. We will provide you with an engineer's estimate of the cost of construction for the sidewalk in order to base you fee amount."

Letter attached.

CITY STAFF RESPONSE: This item will require coordination with Development Services Staff before submittal of Final Plat for City Council Approval.

Along with this Final Plat, the Applicant is requesting additional Modification/Waiver:

TRAILS WAIVER/MODIFICATION:

TAKEN FROM THE PRELIMINARY PLAT OF PINE VALLEY PER (City Planner, Eric Enyart)

DOD.4.Access and Circulation per PUD 12-D, "It is proposed that a trail system be provided that is meaningful and provides reasonable pedestrian opportunities extending from Harvard Avenue through the Posey Creek flood plain and continuing to the East boundary of Geiler Park. Prior to the issuance of occupancy permits for development which in the aggregate comprises 20% of the land area of Geiler Park, a trail system plan, including a construction phasing schedule, shall be submitted to and approved by the Bixby Planning Commission."

CITY COUNCIL AGENDA ITEM COMMENTARY

November 10, 2014

RECOMMENDATION

6. The division of trail construction responsibility between the residential and non-residential development areas was not addressed in PUD 12-D. The Applicant should consult with the current property owner and advise how the trail provisions will be addressed.

TANNER WAIVER REQUEST: As shown on the approved construction plans, a 4'-wide sidewalk will be constructed around the perimeter of the stormwater detention pond within Reserve Area C, which may serve as a walking amenity for residents of Pine Valley Addition. Further, the dedication language for Reserve Area A provides for potential future trail.....we respectfully request that the sidewalk system constructed along the Reserve Areas and around the stormwater detention pond within Reserve Area C and the Reserve Area A dedication language be accepted in satisfaction of any trail system obligation under PUD 12-D for the area included within the submitted plats.

CITY STAFF RESPONSE: the Development Services Staff is thoughtful of master planning for trails especially in conjunction with the proposed INCOG "GO Plan" a regional pedestrian and bicycle plan connecting major destinations in the region. Staff believes the City of Bixby will be a competitive viable Destination City with trails and pedestrian connectivity. Currently, the GO Plan does not include a master trail system within the proposed plat area. However it does have several recommended areas within the same Section 16, Township 17 Range 13. Staff will recommend future development in the area follow or improve upon the trails plan in order to create a community with greater accessibility along with economic and recreational opportunities for all our citizens. The sidewalks along the "reserve areas" will be satisfactory for this plat.

Staff recommends approval of the Final Plat for Pine Valley Blocks 4-9 & Blocks 10-11 subject to the resolution of comments from staff.

1. Subject to compliance with any outstanding Fire Marshal and City Engineer recommendations and requirements.
2. Before the City Council Final Plat hearing: Please coordinate the Sidewalk fee-in-lieu process with the City Engineer.
3. Please note the defining trails language in the Deed of Dedication as applicable.
4. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.
5. Deed of Dedication and Restrictive Covenants Section III. A: Provides "The Owner/Developer has formed or shall cause to be formed" an HOA. When the HOA is formed, please submit a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the Officers.

Consulting Comments: Ricky Jones 5323 S. Tulsa, OK Tanner consulting representing Stone Horse Development-Agree with recommendation; they are under construction please approve the final plat

Planning/Staff Comments: Jerod: tie into Spring Creek, does this tie into Spring Creek or is it a one way cul-de-sac? Ricky-it is a cul-de-sac.

Jason: there is a minimum number of lots requirements, this has been approved by Fire Marshal

Tom Holland: Trails, will sidewalk tie into the INCOG GO Plan? Staff, NO there is no trail plan.

Jason: vote separately or combined

Patrick: vote combined

MOTION TO APPROVE BLOCKS 4-9 AND 10-11: Tom Holland

SECOND: Larry Whiteley

ROLL CALL:

AYE: Whitley, Sutton, Whisman, Hicks, Holland

NAY: None

ABSTAIN: None

MOTION PASSED: 5:0:0

5. PRELIMINARY PLAT-SEVEN LAKES VII: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC

Discussion and possible action to approve a Preliminary Plat for *Seven Lakes VII*, 2 Lots, 0.625 Acres

Section 2, Township 17, Range 13

Property generally located: east of Sheridan Road and one-half mile north of 131st Street.

COMPREHENSIVE PLAN:

Low Intensity Land Use, the area is currently shown in the 100-Year Floodplain, but not listed as development sensitive per the Comprehensive Plan.

The preliminary plat for Seven Lakes VII is generally located East of Sheridan and one-half mile north of 131st Street. The proposed plat was originally part of the Preliminary Plat for Addison Creek (proposed plat, Planning Commission Agenda, ~~May 16, 2016~~ April 18, 2016). However, after the first planning commission meeting (April 18, 2016) ~~the developer made arrangements with Seven Lakes who accepted the 2 lots into the Seven Lake's development and (HOA) Home Owners Association~~ (this was discovered to be untrue and should be struck from the record). The plat consists of 2 lots on 0.625 acres. The

property is currently zoned RS-4. The *Final Plat of Seven Lakes I* was approved by City Council 10/23/2006 (plat recorded 04/26/2007).

The south portion of the plat is located within a 100-year floodplain. The City Engineer has extensive comments requiring FEMA approval and documentation along with finish floor elevations to be included in the Final Plat.

GENERAL:

This item was heard by Technical Advisory Committee (TAC) on Wednesday, May 4, 2016 no specific comments were made from utilities or the Fire Marshal. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Preliminary Plat for Seven Lakes VII subject to the resolution of comments from staff.

1. Approval is subject to compliance with any outstanding or new Fire Marshal and/or City Engineer recommendations and requirements.
2. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.
3. Please confirm the City of Bixby has the current HOA information including a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the current HOA Officers.

Correction to staff report: see red highlighted area above

May 16, 2016-April 18, 2016

Developer and HOA agreed to allow the Seven Lakes VII into Seven Lakes VII-this was incorrect and should be stricken from the staff report

CONSULTANT: Ricky Jones 5323 S, Tulsa, OK: we are in agreement

Mike Maguffee: 6698 E 127th Street Ms. Hilton please read the part about Seven Lakes and the Developer met-Item was never addressed with the HOA, this was incorrectly written, it was never brought before the HOA board to be formally considered accepted.

Steve Sutton (PC Vice Chair): What meeting are you referring to?

Marcae': spoke about the statement and acknowledged it may be incorrect, it was believed this was the case. Cannot confirm the meeting.

Brian Doyle-developer: spoke

Steve Sutton (PC Vice Chair): has the effected parties had a meeting as requested by Planning Commission, and have you gotten any resolution.

Mike Maguffee: as a corporate body we have not received a request to accept Seven Lakes VII as part of Seven Lakes

Steve Sutton (PC Vice Chair): has the effected parties meet to get a resolution?

Mike Maguffee: never been considered by the HOA for acceptance.

Steve Sutton (PC Vice Chair): modified question, did all the affected parties get together?

Jason Mohler: Meeting occurred on May 6, 2016 between Seven Lakes and the developer; the City Staff as directed by Staff facilitated it. Three members of Seven Lakes, at the beginning at that meeting there was a question as to whether or not those lots would be accepted.

Steve Sutton (PC Vice Chair): that is why I jumped in.

Tom Holland: Which properties are we speaking of? Are the two properties already built?

Marcae': they were not included in the original plat for Seven Lakes I, when Addison Creek plat came in they included the two lots, it did not make sense to put the two lots in the Addison Creek plat.

Mike Maguffee: discussion of history of Seven Lakes slides are included for reference.

Steve Sutton (PC Vice Chair): this is important to everyone, important to have a meeting with Tanner; I did have a meeting at my house, what was discussed at that meeting. Marcae? What is the date of the meeting of the meeting you are referencing? (Maguffee)It was after you suggested we get together (no date was given)

Steve Sutton (PC Vice Chair): what was discussed?

Mike Maguffee: placement of channel and drainage

Steve Sutton (PC Vice Chair): what was the bulk of the meeting?

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Mike Maguffee: drainage and flooding and addition comments were given

Brian Doyle-developer: stone horse development, meeting Mike is talking about was held before the PC meeting the meeting you are speaking about was held after the PC meeting, it was held by the staff...We spoke of drainage, the location of the fence....

Jim Coffee: 2925 W. H Street, Jenks, OK, consultant during development of Seven Lakes

Jim Coffee: Noticed, we have difficulty with dates and times; the memory of some is this happened today. Hard to know whether or not is current or happened a long time ago. Need to know the current information. Wetlands conversation, this in not wetlands, it is documented. Three requirements: does not meet any – from our perspective it is wrong.

Mike Maguffee: more history of Seven Lakes and surrounding properties, continued with slide show....

Tom Holland (PC): what is the purpose of this information?

Mike Maguffee: comprehensive information on surrounding properties, FEMA, and other information, continued with slide show,,,,

Coffee: wetlands conversation....

Mike Maguffee: more comments.... continued with slide show

Lance Whisman (Chair): let's not get out of hand

Tom Holland (PC): already in minutes but this is not wetlands the point is irrelevant

Maguffee: more comments.... continued with slide show

Marcae': wetlands identification, Initial meeting with Developer is referenced, lime green color on west

Mike Maguffee: more comments.... slide show

Tom Holland (PC): west side of Sheridan?

Jason: map identification

Mike Maguffee: continued with slide show....

Lance Whisman (Chair): thank you very much

Jim Coffee: the job you have been given is to see if it meets the Zoning Code if it meets the general qualifications of the preliminary plat. All these other issues are because people are upset.

Lance Whisman (Chair)/ Tom Holland (PC): Clarify is this even a part of Addison Creek?

CONSULTANT: Ricky Jones 5323 S, Tulsa, OK: the HOA does not have to accept these two lots. I am prepared to talk about engineering.

Tom Holland (PC): making sure the HOA is comfortable with the HOA

Lance Whisman (Chair): This is not something you want to seek? HOA acceptance? Can be accepted afterward?

Patrick Boulden (City Attorney): What direction is the HOA leaning?

CONSULTANT: Ricky Jones 5323 S, Tulsa, OK: we tried to do what we understood the HOA wanted.

Larry Whiteley (PC): if these two lots are not in your HOA they can do what they want.

Tom Holland (PC): The meeting was not for the HOA, is that correct. Were you not notified of that meeting?

Mike Maguffee: I was not there, the residents which were present were....

Marcae': the meeting was for anyone, it was not a closed meeting anyone could have come. I did ask for representatives from the Seven Lakes, but no one was excluded.

Jason: I would ask we hear from Mr. Adams

Mike Maguffee: this body does represent the interest of the homeowners.

Larry Whiteley (PC): cannot move mobile homes, if you don't allow them to join the HOA you cannot regulate, your

Mr. Adams: 6626 E 127th Street South.-on HOA it was never addressed with HOA. The Developer never came to us about the 2 lots. I was at TAC meeting; I do not recall anything about the Seven Lakes VII.

Steve Sutton (PC Vice Chair): was there any resolution?

Adams: No, there was not, flooding, Jared Cottle was in the meeting he mentioned it is a technical issue and will be addressed at a later date. More discussion ensued regarding the May 6th meeting and other concerns.

Jerod Hicks (PC): is there a lot of water in the neighborhood? I have grown up here; Seven Lakes was like this before it was developed. I believe Jared was addressing this with his discussion. The engineer will look at it extensively.

Adams: what guarantee do we have this will not be another Frye Creek in regards to erosion. There was not resolution in the end of the TAC meeting. The fence is staying up. My understanding is the Addison Creek development is only 1 foot above the floodplain. That could be an issue. More discussion ensued.

Marcae': that was not a TAC meeting; it was May 6, 2016.

Adams: took time off work. Others took time off to get some sort of resolution. Still a page and ½ of items

Marcae': items were sent to me, I categorized the questions which were sent to me. As the Meeting began Mr. Cottle asked for the top 3 items. Flooding was addressed from Mr. Cottle and it lasted for about an hour with exhaustive historical analysis. Run off, flooding, erosion, I would disagree, it seemed there were no more questions and everyone was satisfied. I misunderstood; I actually thought they were fine with the discussion.

Adams:more comments

Larry Whiteley (PC): what time was the meeting?

Marcae': I set up the meeting, the CM wanted to be involved

Justin Morgan, Tanner Consulting: all the water will be taken to Frye Creek, turn the Clock back, Frye Ditch did not exist.

Larry Whiteley (PC): it's not a flood plain? We are bound, we do not have much choice, if we turn it down we could get sued, discussion ensued regarding voting and Planning Commission duties. Take them to court if you have documentation.

Lance Whisman (Chair): drainage question, how much water do we think that will be?

Jason: the original basin was 1500 acres, that basin has already been reduced to 400 acres approximately, future development could reduce it further, detailed discussion ensued. There will be a full drainage study.

Lance Whisman (Chair): master plan for what to expect with flooding

Marcae: did not and would never purposefully misrepresent the public or my Planning Commission

Mark Adams: all we are asking for: if we can follow the proper protocol so the item can be approved, I think we are OK, we just want to follow the proper procedure to get the two lots in Seven Lakes

Joseph Tiereny: not opposed to the addition, just giving a history. Told it was un-farmable wetlands. Changed when they drained it. Detailed history was given, this whole project is about drainage, I believe it can be done. Fences? Concrete? Give them the greenbelt, you get the drainage, and everyone is happy.

Brian Doyle/Tiereny: discussion

Tiereny: the want to knock down all my trees

Larry Whiteley (PC): have you signed any agreement they can take any trees out?

Tiereny: How are you going to remove the water, drain pipe? 5 feet off the property line. Roots out

Larry Whiteley (PC): comment...

Tiereny: Try to do the right thing, let me keep some of my trees, let them keep the green belt,

Larry Whiteley (PC): they can only keep the greenbelt if they buy it.

Tiereny/Whiteley: greenbelt discussion....

Larry Whiteley (PC): flooding, drainage, don't see any reason to develop it

Tiereny: the property should still be wetlands if done properly,

Tom Holland (PC): you answered your own question: it is doable

Tiereny: I believe it is doable.

Larry Whiteley (PC): are we voting

Tiereny: give the greenbelt, accept the two lots.

Liz Hulz: I do not live on the greenbelt. List you can tick off this meets all the criteria, we need to know what is going on to the south. Too secretive, entire neighborhood should have been able to come to the meeting. Mr. Sutton said this is not where to bring it up. Mr. Whiteley-HOA, they need to ask if we want them. If the homeowners are kept in the dark, we will always have questions. Developer more open with home owners, if there is a floodway, we have children. It is helpful to have information and communicate. Lack of communication, lack of trust.

Kirk Walker: 2626 S. 126th street: 2 lots and discussion with regards to drainage. This will be an agenda item with our HOA. Table it until we have an opportunity to meet about the 2 lots.

Steve Sutton (PC Vice Chair): this is a preliminary plat; it could be pulled and addressed later.

CONSULTANT: Ricky Jones, we would like to have the go together to the city council.

Brian Fleming: what do we have to offer, I believe the meeting went: can we not have a fence? How about we pay more money to get the additional footage and move the fence back. No, we are not selling the land, it is out of the question. Other side, no we are not doing that. The meeting was attempted, all we have to negotiate: can you move it back or can we buy it.

Marcae': Mr. Doyle said he would go back and ask the other owners if access was an option.

Mark Adams: it was addressed, fence-will go around the perimeter, can fence be moved or taken down, no there is no way around it. The owner was there, but he was asked to leave the room at that time.

Marcae':

Brian Doyle-developer: first thing was buffer/drainage ditch; we went out there earlier and walked the area, Accommodations: moved the ditch south away from their houses. Fence: the answer today the fence is going back up. There methods for working with us is to file a

lawsuit, they were concerned about lot size, house height, two lots will have the same covenants as seven lakes. Meeting with them, not a problem, not going to give them property, it is their amenity, they have ponds. We will meet with them prior to City Council. We would like to get all these lots approved.

Marcae': the meeting was not set up with malicious intent, I felt I followed Mr. Sutton's request. I sincerely apologize.

Brian Doyle-developer: as far as platting, we have no intent of giving up any property.

Tom Holland (PC): acknowledge there was not malicious intent

Mike Maguffee: comments regarding staff.

Mike Maguffee: previous owner...3000 documents, tell me the principles of Stone Horse, more history of the area development. Daniel Ruhl is involved.

Larry Whiteley (PC): drainage statement about Frye Ditch vs Arkansas River ...Are we going to vote on these two lots?

Lance Whisman (Chair): is there anyone else going to

Mike Ramsey: thank you to Mr. Sutton, I appreciate you taking the time to come walk the property. I would like to show you photos, (Marcae; you will need to leave them for the Planning Commission report), all of this was put in by the developer, why are stairs there? Ask you to do the right thing.

Tom Holland (PC): the Seven Lakes ownership

Mike Maguffee: development/owner details see slide presentation for more information

Tom Holland (PC): drainage from Seven Lakes going into the Addison Creek area?

Mike Maguffee: yes

Tom Holland (PC): are the original owners at that time and charged them extra money? Is it the same developer who is developing the property now?

Mike Maguffee: developer discussion see slides

Todd Hanson: petrified to talk.... I did want to show you my photos of my back yard, is this appropriate? FENCE issue/photo

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Brian Fleming: glossy pics, tape measure, 21 inches from bottom of rocks/retention wall to fence, landscaping

Whiteley/Fleming: extra money for access to greenbelt, advertising

Mark Adams: submittal of original plat, "use it as if it is yours"

Andy Oiler: 6860 E. 11th Street, submit pics, will apply to both, address something that I believe to have happened. "Sales people, they work off of commission" this is not about what happened in the past, it is about what is right for the community. The message needs to be we are no longer going to operate with that mentality.

Whiteley/Oiler: car analysis, sales people often exaggerate. Can see how people were fooled, should have done more due diligence. What about the ponds? Wetlands on map, drainage pipe, discussion ensued. Federally protected wetlands will never be developed.

Whiteley/Coffee: wetland designation does not stay with property forever.

Lance/Coffee: Frye Ditch discussion and wetlands.

Justin Morgan: Frye Ditch was part of Tulsa County mitigation with corps jurisdiction

Coffee: wetland comment

Andy Oiler: drainage pipes under Sheridan

Jason: water goes over Sheridan; we would like it to go under for public safety purposes

Mark Adams: rock house/Sheridan discussion. Just recently, someone changed the ditch and we had no flooding.

Joseph Tiereny: Sheridan flooding/improvements to

Justin Morgan: Rock house discussion and models Justin asked for the culvert to be cleaned out. Tanner made the improvements

Mike Maguffee: Daniel.... 1 comment

Lance Whisman (Chair): comment about drainage on Sheridan.

Oiler: spec home, everything was done, yard was built for access to wetlands. Slanted yard for mowing wetland. Sprinkler system in wetland. Retaining wall steps. Case not thrown

out, judge said let me tell you how to write this litigation. Legally, has to end up in court. Profit over people, when does it stop, when do we consider the people.

Tom Holland/Justin Morgan: 1 foot to 10-12 feet deep in the middle, it will raise about 2 feet in parts; the hole will be a couple of feet lower than seven lakes.

Steve Sutton/Justin Morgan: next to the are you going to level everything? Seven lakes fence line 150-foot drainage, pushed straight channel to Addison Creek side. Had to match the drainage culvert to Frye Ditch, surveyed all the trees to keep as many as possible. Are the new Addison Creek Home owners going to have access to the greenbelt, asphalt trail, chat, 4 foot sidewalk? Mutual access to greenbelt, has this been asked,

Brian Doyle/Steve Sutton, mutual access: lots in Addison Creek 80,000-100,000 lots, dues to reserve area. HOA paying dues, it is hard to sale. Might add to your monetary fund to have access, it is a possibility, I hear about two different Seven Lakes. Need to discuss, but it is a hard deal to sale to Home Owners to Addison Creek. Reserve are on plat as platted reserve area.

Amid: house backs to greenbelt march 27, 2015, only reason I bought the home was because the of greenbelt. PHD in engineering did everything possible to make sure we did everything, I have it in writing in my contract, my contract is part of the lawsuit. Second, I did survey myself; land is at least 6 or 6 feet deep. I thought in his right mind would build anything here, they are sloped lots and all the drainage goes to wetland. Have standing water when it rains heavy. Got it in writing. I have photo to submit. No one would ever do that, I have daughters and need play area, now we cannot, all of our garden. Holland what year did you buy your property? March 2015, received a letter one month later from Shaw homes, we have sold the property, please remove your personal items. We looked all over Tulsa and purchased because it had a green belt.

Mark Adams:-submit pics for Mike Collier, if we write you a check will you accept it at May 6, 2016, we were told no.

Mike Maguffee: first slide, lawsuit has been going on for over a year, in process of writing the third petition, I am really anxious to have our case heard. I would at least address one thing, Mr. Ruhl having no interest, filed to court clerk, is also listed on the initial platting and same consultant on all the properties. Forget about the lawsuit, when someone said you have 3 options: approve, continue or disapprove

Lance Whisman (Chair): motion?

AGENDA – Bixby Planning Commission

May 31, 2016

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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 Development Services, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or via Email: jmohler@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.

Tom Holland (PC): question, waiver or modification decreasing from 100% masonry to 75% masonry? Is it on one story or two story?

Lance Whisman (Chair): just the 2 lots-

Motion: Larry Whiteley (PC): deny the two lots being added.

Discussion

Motion: Larry Whiteley (PC): postpone the plat

CONSULTANT: Ricky Jones, defer to the City Attorney, this is not an issue

Tom Holland (PC): is this part of the other plat? Is this a problem?

CONSULTANT: Ricky Jones, we would like both heard

Tom Holland (PC): they were integral to each other

CONSULTANT: Ricky Jones, not significant issue

Patrick Boulden, Esq., City Attorney: not final plat, mostly private issues, approved with Seven Lakes VII approval from HOA acceptance.

Motion: Larry Whiteley (PC Chair) **Second:** Steve Sutton (PC Vice Chair)

MOTION: Larry Whitley

SECOND: Steve Sutton, Vice Chair

ROLL CALL:

AYE: Whitley, Sutton, Whisman, Hicks, Holland

NAY: None

ABSTAIN: None

MOTION PASSED: 5:0:0

6. PRELIMINARY PLAT-ADDISON CREEK: (Continued from the Regularly Scheduled Planning Commission Meeting of April 18, 2016, with modifications)

Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC

Discussion and possible action to approve a Preliminary Plat for *Addison Creek*, 61 lots, 29.138 Acres

Section 2, Township 17, Range 13

Property generally located: east of Sheridan Road and one quarter to one-half mile north of 131st Street

in order to gather more information and learn the outcome of pending litigation concerning the reserve area of this plat. The Planning Commission did continue the item to the next PC meeting (May 16, 2016) and urged the applicant, developer and Seven Lakes residents to have an additional meeting in an effort to resolve outstanding issues. The Development Services Staff facilitated the requested meeting on May 6, 2016 at 1:30PM which lasted a little over 2 hours, the meeting details are attached. The May 16, 2016 Planning Commission Meeting was cancelled due to *LACK OF QUORUM* a SPECIAL MEETING was then created for May 31, 2016. Based on the information presented in the meeting and the outcome of the litigation; Staff believes the Preliminary Plat for Addison Creek meets the requirements of the Zoning Regulations and Bixby Land Use.

CONSULTANT: Ricky Jones, we did reduce the masonry from 100 to 75% we think it will enhance the exterior

Tom Holland (PC): existing additions, PUD come in; new additions should take into effect what is in the area. Everything is 100% masonry in surrounding areas.

CONSULTANT: Ricky Jones, the developers are wanting to do something different, the market is saturated with cookie cutter developments.

Tom Holland (PC): I agree in theory, then we get something we don't like. It is always a consideration. The style of home might be different and may not be conducive to masonry veneer. Not sure where I am going with that

Marcae': are you comfortable with a masonry type product.

CONSULTANT: Ricky Jones, we just wanted a little bit of variety

Tom Holland (PC): rivers edge,

Jerod Hicks (PC): lot of character, appreciated now such as midtown.

Tom Holland (PC): In theory I agree, in practice I am really concerned.

Andy Oiler: The homes would be 2800 sq. feet minimum, 450,000 single story. 160.00 square foot. Seven Lakes 110-130 per square foot.

CONSULTANT: Ricky Jones, minimums surprised if you see any houses in there that size. That is the minimum 3000-3500 square feet.

Andy Oiler: 2800 and 250,00 dollars.

CONSULTANT: Ricky Jones, I do not want to get into economics can't build a house for 250,000, meets zoning, meets square footage minimums.

Lance Whisman (Chair): take a five minute break- thank you all for coming we tried to listen to everyone, we are a recommending body, city council ultimately makes the decision, so keep that

AGENDA – Bixby Planning Commission

May 31, 2016

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in mind, as a group we cannot speak to property or legal issues, we have to take what we have on hand and make a vote

Comments:

Motion: Tom Holland-most convoluted case I ever recall, staff has recommended approval with no exceptions, confirmation of drainage input? I can see drainage being a safety issue. Other discussion...they have met all the requirements staff has indicated, I make a motion to approve based on staff's recommendation

Second: Larry Whiteley

MOTION: Tom Holland

SECOND: Larry Whiteley

ROLL CALL:

AYE: Whitley, Holland

NAY: Hicks, Sutton, Whisman

ABSTAIN: None

MOTION FAILED: 2:3:0

Lance Whisman (Chair): The motion doesn't carry

Marcae': is there another motion?

Patrick Boulden (City Attorney): there is no procedure for appeal of preliminary plat, (Patrick reads zoning ordinance). In depth discussion of process: approve, approve with modification, or disapprove

CONSULTANT: Ricky Jones, there is no appeal process for preliminary plats?

Steve Sutton (PC Vice Chair): this issue needs to go to City council

CONSULTANT: Ricky Jones, there is not an appeal

Marcae': what happens if there is an appeal process discovered? Notify the developer in writing

The motion was to approve and that failed it was not denied. That is why I asked for another motion, the item was not denied.

Steve Sutton (PC Vice Chair): Approve with adding to: approve with modifications to have a mutually accessible greenbelt.

Jerod Hicks (PC): second.

Passed 5-0-0

Planning Commission recommended approval subject to the following modifications and Conditions of Approval: the Preliminary Plat of Addison Creek is to include a mutually accessible greenbelt for the adjacent residents of Seven Lakes and Addison Creek.

MOTION: Steve Sutton

SECOND: Steve Sutton

ROLL CALL:

AYE: Whitley, Sutton, Whisman, Hicks, Holland

NAY: None

ABSTAIN: None

MOTION PASSED: 5:0:0

OTHER BUSINESS

7. Discussion of Use Unit 17 and Use Unit 25: Development Services Staff

Discussion and consideration of Use Unit 17 and Use Unit 25 in regards to the proper zoning designation for automotive collision repair requiring the use of paint to complete their restoration project

MOTION: Larry Whitley-continue discussion to the next meeting

SECOND: Steve Sutton

ROLL CALL:

AYE: Whitley, Sutton, Whisman, Hicks, Holland

NAY: None

ABSTAIN: None

MOTION PASSED: 5:0:0

OLD BUSINESS

NEW BUSINESS: NONE

ADJOURNMENT: Chair Lance Whisman declared the meeting adjourned. 9:24PM

APPROVED BY:

Chair

Date

Marcae' Hilton, Jason Mohler
City Planner/Recording Secretary

**AMENDED AGENDA
PLANNING COMMISSION
116 WEST NEEDLES, BIXBY, OKLAHOMA
July 18, 2016 6:00 PM**

CALL TO ORDER: 6:06 PM

ROLL CALL

PLANNING COMMISSION (PC):

Members Present: Mr. Larry Whiteley
Mr. Jerod Hicks
Mr. Lance Whisman
Mr. Tom Holland
Members Absent: Mr. Steve Sutton

STAFF PRESENT:

Patrick Boulden, Esq., City Attorney
Marcaé Hilton, City Planner
Jason Mohler, Development Services Director & City Engineer (DSD)

CONSENT AGENDA

1. Approval of Minutes for the Planning Commission Meeting: May 31, 2016
MOTION TO APPROVE: Larry Whiteley
SECOND: Jerod Hicks
APPROVED: 4-0-0

PUBLIC HEARINGS

NONE

PLATS-PRESENTED BY LANCE WHISMAN, CHAIR OF PLANNING COMMISSION

1. **FINAL PLAT-THE VILLAGE AT TWIN CREEKS (PUD 91)-Applicant, AAB Engineering, LLC**

Discussion and consideration of a Final Plat for approximately 6.0 acres for the purpose of a residential development in Section 31 T18N, R14E

Property Generally Located: East of Mingo and ½ mile north of 121st Street

REQUEST: Final Plat Approval for *The Village at Twin Creeks (PUD 91)*

EXISTING ZONING: RS-2 (Residential Single-Family Districts) and PUD 91 “The Village at Twin Creeks”

LOCATION: 11625 S. Mingo Rd., east of Mingo and ½ mile north of 121st Street

STR: S31, T18N, R14E

SIZE OF TRACT: 6 acres

LOT INFO: 22 Lots
2 Blocks
2 Reserves

PUBLIC INPUT: No known comments since preliminary plat approval

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: RS-2 (Residential Single-Family) *Southwood East Subdivision*
South: RS-2 (Residential Single-Family) *Southwood East Subdivision Second*
West: Across Mingo-RE (Residential Estate) *Amended Southwood Extended*
RS-2 (Residential Single-Family) *Twin Creeks II and Twin Creeks*
East: RS-2 (Residential Single-Family) *Southwood East Second*
RS-3 (Residential Single-Family) *The Park at Southwood*

COMPREHENSIVE PLAN:

Land Use Intensities: Low
Land Use: Residential Area
Urban Design Elements: None
Public Facilities: None

GENERAL: The Final Plat for *The Village at Twin Creeks (PUD 91)* is generally located one-half mile north of 121st Street and East of Mingo Road. The plat has six (6) Acres, 22 Lots in two (2) blocks with two (2) reserves. The property is currently zoned RS-2 and PUD 91 (Residential Single-Family Districts). PUD 91 is in accordance with the Comprehensive Plan as a zoning district. Additionally, the proposed subdivision plat is consistent with PUD 91.

The paving and grading has been installed, staff expects to see building permits soon from the developer. This plat represents large lots ranging from 60' X 142.64' (8,412 square feet, 0.19 acres) to 72' X 124' (9,467 square feet, 0.22 acres).

TAC: The Final Plat for The Villages at Twin Creeks PUD 91 was heard by our Technical Advisory Committee (TAC) on Wednesday, July 6, 2016 see the new comments below. Staff requests all outstanding comments from TAC,

Fire Marshal and engineering be resolved before submittal of the Final Plat to City Council.

- Need letter from utility companies (received ONG & COX)
- Alan Betchan and Craig Thurmond present
- Lonny: need UE between BLOCK 1 9&10, BLOCK 2, 7&8
- Steve revised the plat before Planning Commission
- BTC: conduit at entrance
- Private Street
- Collection of Fee
- PUD 91-get copy of changes from Alan, sidewalks (fee-in-Lieu) equivalent sidewalk using check if this has been paid

CITY STAFF RESPONSE: Outstanding comments will require coordination with Development Services Staff before submittal of Final Plat for City Council Approval.

- EXHIBITS:**
1. Final Plat
 2. Aerial Map

STAFF RECOMMENDATIONS:

Staff recommends approval of the Final Plat for *The Villages at Twin Creeks PUD 91* subject to the resolution of comments from staff and TAC.

1. Before the City Council Final Plat hearing: Please coordinate the Sidewalk fee-in-lieu process and dollars with the City Engineer.
2. Satisfy all Erik Enyart's Comments provided during the Preliminary Plat process
3. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per Subdivision Regulations Section 12-2-6.B.
4. Deed of Dedication and Restrictive Covenants Section IV: Provides "The Owner/Developer has formed or shall cause to be formed" an HOA. When the HOA is formed, please submit a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the Officers.

Lance Whisman, Chair: question about sidewalk vs fee in lieu
Marcae' Hilton, clarity on fee in lieu, dollar amount...either way they will pay fee or build sidewalks

Tom Holland, PC: Mingo widening issue in fee in lieu

Alan Betchan, Applicant: explanation of process to date

Jason Mohler, Development Services Director: sidewalk option when not necessarily the best idea

Alan Betchan, Applicant: design constraint conversation

Tom Holland, PC: question regarding right of way

Jason Mohler, DSD: Explanation of right of way, number of lanes

Tom Holland, PC: not too big a burden on developer but meets development purposes

MOTION TO APPROVE: Larry Whiteley

SECOND: Jerod Hicks

APPROVED: 4-0-0

2. PRELIMINARY PLAT (BXPT-16.07 CEDAR CREST)

CEDAR CREST BUSINESS PARK (PUD 41), Applicant, Ryan McCarty on behalf of ABR, LLC

Discussion and consideration of a Preliminary Plat for approximately 8.316 acres for the purpose of commercial shopping development and mini storage in Section 21, T17N, R13E

Property Generally Located: South of 151st Street and ½ mile east of Harvard

Marcae' Hilton-staff report

REQUEST: Preliminary Plat *Cedar Crest Business Park (PUD 41)*

EXISTING ZONING: CS-PUD 41 (Commercial Shopping District) (PUD 41)

LOCATION: 4110 E. 151st E. Ave.-South of 151st Street and near a ½ mile east of Harvard

STR: S21, T17N, R13E

SIZE OF TRACT: 8.316 acres

LOT INFO: 2 Lots
1 Block
2 Reserves

PUBLIC INPUT: No known comments

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: CS (Commercial Shopping); AG (Agriculture)

South: RS-2 (Residential Single-Family), 100 year Floodplain

West: AG (Agriculture) unplatted *New Beginnings Baptist Church*

East: AG (Agricultural) undeveloped, 100 year Floodplain

COMPREHENSIVE PLAN:

Land Use Intensities: Some is Development Sensitive

Land Use: Residential Area

Urban Design Elements: Corridor

Public Facilities: Planned Regional Trail

GENERAL: The preliminary plat for Cedar Crest Business Park (PUD 41) is generally located south of 151st Street and approximately ½ mile east of Harvard. The proposed plat consists of two (2) lots and one (1) Block on 8.316 acres. The property is currently zoned CS per PUD 41 which was sent to City Council as a second reading for approval on July 11, 2005 and was filed in Tulsa County as Ordinance No. 908 amending Ordinance No. 272.

The south end and a portion of the east is located within a 100-year floodplain. At this time, the developer does not intend to bring this area out of the floodplain. The floodplain is located within two reserve areas.

The Technical Advisory Committee (TAC) heard this item on Wednesday, July 6, 2016 the comments are listed as part of the attached *PLAT CHECKLIST*. The comments from the Fire Marshal are also listed as part of the Checklist. Staff requests all outstanding comments be resolved before submittal of the Final Plat.

Staff believes the Preliminary Plat for Cedar Crest Business Park meets the requirements of the Zoning Regulations and Bixby Land Use.

EXHIBITS: Preliminary Plat for Cedar Crest Business Park
Exhibits for Cedar Crest Business Park
Aerial Map of Addison Creek
Checklist for Addison Creek

STAFF RECOMMENDATIONS:

Staff recommends approval of the Preliminary Plat for Cedar Crest Business Park subject to the resolution of comments from staff and *Plat Checklist*.

Jerod Hicks, PC: location question

Tom Holland: FEMA issues, conversation ensued
Fencing requirement?

Ryan McCarty, Applicant, Select Design 11063D, South Memorial Drive, Bixby OK:
screening will be on the next item.

Jerod Hicks, PC: question about pics in staff report

Lance Whisman, Chair: PSO easement Flood Plain, Floodway
Dialog ensued with Ryan.

Tom Holland, PC: set back and commercial frontage

Ryan McCarty, Applicant: explanation of commercial development, out parcel for later development

Tom Holland, PC: Masonry requirement adjacent to 151st Street, what will the building standards for Commercial Development

Conversation ensued about commercial development standards and Storage elevations

Ryan, Applicant: stated the PUD will be in the plat and will not be changed.

MOTION: LARRY WHITELEY, APPROVE

SECOND: JEROD HICKS

APPROVED: 4-0-0

SITE PLANS-PRESENTED BY LANCE WHISMAN, CHAIR

3. SITE PLAN (BXSP-16.06.CEDAR CREST)

CEDAR CREST BUSINESS PARK (PUD 41): Applicant, Ryan McCarty on behalf of ABR, LLC

Discussion and consideration of a Site Plan for approximately 8.316 acres with two Lots. Lot 1-no proposed use at this time, Lot 2-proposed Use Unit 16, Mini Storage. In Section 21, T17N, R13E

Property Generally Located: South of 151st Street and ½ mile east of Harvard

Marcae- Hilton: REQUEST: Site Plan approval for *Cedar Crest Business Park (PUD 41)* and Use Unit 17 Mini-Storage

EXISTING ZONING: CS-PUD 41 (Commercial Shopping District) (PUD 41)

LOCATION: 4110 E. 151st E. Ave.-generally located south of 151st Street and near a ½ mile east of Harvard

STR: Section 21, T17N, R13E

SIZE OF TRACT: 8.316 acres

LOT INFO: 2 Lots

1 Block

2 Reserves

PUBLIC INPUT: No known comments

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: CS (Commercial Shopping); AG (Agriculture)

South: RS-2 (Residential Single-Family), 100 year Floodplain

West: AG (Agriculture) unplatted *New Beginnings Baptist Church*

East: AG (Agricultural) undeveloped, 100 year Floodplain

COMPREHENSIVE PLAN:

Land Use Intensities: Some is Development Sensitive

Land Use: Residential Area

Urban Design Elements: Corridor

Public Facilities: Planned Regional Trail

GENERAL: The site plan has been filed simultaneously with the Preliminary Plat for Cedar Crest Business Park (PUD 41) the undeveloped parcel is generally located south of 151st Street and approximately ½ mile east of Harvard. The proposed plat consists of two (2) lots and one (1) Block on

8.316 acres. The property is currently zoned CS per PUD 41 which was sent to City Council as a second reading for approval on July 11, 2005 and was filed in Tulsa County as Ordinance No. 908 amending Ordinance No. 272.

The south end and a portion of the east is located within a 100-year floodplain. At this time, the developer does not intend to bring this area out of the floodplain. The floodplain is located within two reserve areas.

The Technical Advisory Committee (TAC) heard this item on Wednesday, July 6, 2016 the TAC and Fire Marshal comments are listed below. Staff requests all outstanding comments be resolved before submittal of the Final Plat.

COMPARISON OF PUD VS. CEDAR CREST (NOT COMPLETE LIST)

*PUD 41 REQUIREMENTS:
PROPOSAL:*

CEDAR CREST BUSINESS PARK

AREA A

1.35 net acres

LOT 1, BLOCK 1

1.38 net acres

AREA B

6.92 net acres (gross/net)

LOT 2, BLOCK 1

4.030 net acres

AREA A

*PERMITTED USES: 11, 12, 13, 14, 15, 15, 17**

Use Unit 15 permitted by special exception in a CS District and by right with a PUD- except:

- Bait Shops
- Bottled Gas
- Fuel Oil
- Ice Plant
- Lumber Yard
- Model Homes
- Monument Shaping
- Plastic Materials
- Frozen Food Locker
- Kennel
- Taxidermist
- Woodworking
- Armature Rewinding Service
- All Use Unit 17 are prohibited except mini-storage and Indoor sales with no outside display

LOT 1, BLOCK 1

PERMITTED USES: 11, 12, 13, 14,

Use Unit 15 and 17 permitted by exception in a CS District and by right with a PUD- except:*

- Bait Shops
- Bottled Gas
- Fuel Oil
- Ice Plant
- Lumber Yard
- Model Homes
- Monument Shaping
- Plastic Materials
- Frozen Food Locker
- Kennel
- Taxidermist
- Woodworking
- Armature Rewinding Service
- All Use Unit 17 are prohibited except Mini Storage and Indoor sales with no outside display

***17-Currently Use Unit 16 mini storage, (Ord. 994, 4-14-2008)**

AREA B
SAME AS AREA A, EXCEPT
USE UNIT 12 IS NOT ALLOWED

LOT 2, BLOCK 1
SAME AS LOT 2 BLOCK 2, EXCEPT
USE UNIT 12 IS NOT ALLOWED

BUILDING FLOOR AREA (A)
50,841.32 square feet
BUILDING FLOOR AREA (B)
150,717 square feet-MAX

BUILDING FLOOR AREA (LOT 1)
NONE AT THIS TIME
BUILDING FLOOR AREA (LOT 2)
57, 750 square feet-proposed FAR

BUILDINGS PROPOSED

AREA A
1
AREA B
4

LOT 1, BLOCK 1
UNKNOWN, TO BE DETERMINED
LOT 2, BLOCK 1
8 INCLUDING 1 WITH OFFICE SPACE

LANDSCAPING
Meet or exceed: PUD Chapter 9,
Landscape Chapter 17, Corridor
Appearance District, Chapter 19

LANDSCAPING
Meet or exceed: PUD Chapter 9,
Landscape Chapter 17, Corridor
Appearance District, Chapter 19

SCREENING/FENCING:
Meet or exceed CHA 9, 17, 19

SCREENING/FENCING:
REQUEST ALTERNATIVE FOR APPROVAL:

1. In lieu of masonry and/or screening on alternative plan for approval south and east, applicant proposes to use back side of by Planning Commission building (painted prefinished metal) to serve as screening (see E-2)
2. Leave 300 ft. +/- natural vegetative buffer (see E-1); the property on the east is owned by PSO and serves high power transmission lines, this will provide a 400 ft. buffer to future development on the east.

TAC COMMENTS

- Not touching floodplain
- 8' max wood screening fence, buffer-seeking variance
- Show ultimate build-out for Planning Commission
- Sanitary sewer-public or private
- No Climate Controlled
- OG&E PSO service on N. Stafford
- No Climate Control
- Single Phase
- Lot 1 10-11,000 office/retail
- BTC-pedestal in drive
- Wall packs on outside

FIRE MARSHAL COMMENTS

- All hydrants shall be operable before construction begins.
- Brand- AVK or Mueller , Color- Chrome Yellow

- All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction begins. (IFC 2015 Appendix D)
- Stub out streets may be required for any abutting unplatted property.
- Security gates shall meet City of Bixby Ordinance 9-7-2 Chapter 5. Provide this office with drawings and specs for approval.
- Provide this office with turning radius modeling ensuring a dual axle fire engine that is 32 foot 11 inches long can maneuver the proposed turning radiuses/ street configurations.
 - Main entrance S curve should be softened.
 - Fire lanes and signage will be required as per IFC 2015 Appendix D and Chapter 5.
- Westerly drive will need to be a minimum 26 feet wide; all others will need to be 30 feet wide per IFC 2015 D 103.1.
- Developer to keep gross area below 62,000 square feet in order to allow one ingress/egress or up to 124,000 square feet when sprinkled per IFC 2015 Section D104.1
 - Proposed gross area of Lot 2 of Block 1 is 57,500 sq. feet. Lot 1 of Block 1 will need to be taken into consideration when calculating total square feet allotments due to both lots only having one means of ingress/egress.

Staff believes the Site Plan for Cedar Crest Business Park and Use Unit 17 (meets the requirements of PUD 41, the Zoning Regulations and Bixby Land Use.

EXHIBITS:

1. Site Plan
2. Aerial Map
3. Landscape Plan
4. Exterior Elevations
5. Preliminary Plat for Cedar Crest Business Park

STAFF RECOMMENDATIONS:

Staff recommends Approval subject to comments, modifications, and Conditions of Approval by staff, TAC and Fire Marshal.

Jerod Hicks, Planning Commissioner: how many units?

Ryan McCarty, Applicant: response...conversation ensued

Jim Roberts, Developer: 802 W. 91st Jenks, OK: Office at entrance, look similar to Woodland Hills Vet Clinic, concrete will supporting backs of walls. Conversation ensued.

Marcae' Hilton: (Ryan) do you want to discuss the fence?

Ryan McCarty, Applicant: read the PUD as will be presented on PLAT

Patrick Boulden, City Attorney: question about City Architectural committee,

Ryan McCarty, Applicant: continued speaking about, flood plain, and vegetative buffer 200-300 feet, Exhibit E1, better than masonry exterior.

Larry Whiteley, PC: residential houses near there?

Conversation ensued

Jerod Hicks, Planning Commissioner: question about exterior and buffer

Conversation ensued

Tom Holland, PC: no maintenance in Flood Plain?

Ryan McCarty, Applicant: naturally vegetative

More conversation on fencing, setbacks, landscaping, grassy area, property line, waterline,

Jim Roberts, Developer: proposing alternative to wooden fence, wooded vegetation serving as a buffer on the east and south. We are meeting the landscaping plan per the PUD.

Discussion ensued- drive lane, retaining wall for grading

Jim Roberts, Developer: detention pond will be built

Tom Holland, PC: metal is longer lasting fencing option, auto salvage uses them

Discussion ensued: fencing materials, longevity of fencing materials, ordinance-requires building wall abutting residential to be masonry.

Jason Mohler, DSD: real deviation is on the south and east

Conversation ensued- regarding screening, staff request intermittent columns

Kurt Roberts, Developer: 5711 E. 71st Street, sensitive to the church needs, metal is better quality fence, encapsulates the project, buffer of greenbelt on two sides

Jerod Hicks, PC: how does the metal fence handle high winds?

Kurt Roberts, Developer: we are willing to advance that product and take a chance; we want a good-looking product for Bixby

Lance Whisman, Chair: not opposed with the heavy vegetation

MOTION: Jerod Hicks, approve per staff recommendation, noting the fence waiver is approved per the unusual circumstances

SECOND: Larry Whiteley,

APPROVED: 4-0-0

4. SITE PLAN (BXSP-16.04.PRIMROSE)-PRESENTED BY LANCE WHISMAN

PRIMROSE SCHOOL FRANCHISING COMPANY: Applicant, Mark Capron on behalf of Primrose School Franchising Company

Discussion and consideration of a Site Plan for approximately 1.41 acres for the purpose of a children’s nursery in part of the 101 South Memorial Center Plat, Section 25, T18N, R13E

Property Generally Located: South of 101st Street and East of Memorial one-quarter mile

Presented by Marcae’ Hilton, this is a good use for the development

REQUEST: Site Plan approval for Use Unit 5 Children’s Nursery

EXISTING ZONING: CS (COMMERCIAL SHOPPING CENTER DISTRICT)

LOCATION: 10185 S. 85th E. Ave, generally located south of 101st Street and East of Memorial one-quarter mile

STR: Section 25, T18N, R13E

LOT SIZE: 1.41

EXISTING USE: VACANT

PROPOSED USE: Children's Nursery

PUBLIC INPUT: (0)

BACKGROUND INFORMATION: This item was on the July 6, 2016 TAC Agenda; the comments are attached as well as the Fire Marshal comments.

SURROUNDING ZONING AND LAND USE:

North: OL-Office Low Intensity-Empty building

West: CS-Commercial Shopping Center District-vacant lot and Hotel

South: CS-Commercial Shopping Center District-theatre

East: RS-3 Residential Single Family-The Village at Legacy-built out

COMPREHENSIVE PLAN:

Land Use Intensities: Medium

Land Use: Commercial Area

Urban Design Elements: Corridor

Public Facilities: None

ATTACHMENTS:

1. Site Plan
2. Aerial Map
3. Landscape Plan
4. Exterior Elevations
5. Monument Sign Elevations-A7.1
6. Sign Elevations-X-1

Staff believes the proposed Use Unit 5; children's nursery is compatible with abutting and nearby zoning and would provide a necessary service to the area.

STAFF RECOMMENDATION: Staff recommends Approval subject to the following corrections, modifications, and Conditions of Approval:

1. Add Site Plan Case Number to title box: BXSP-2016.04
2. Address should be 10185 S. 85th E. Ave.
3. Identify the storm sewer line which wraps from south-east-north
4. Provide access agreement with theatre property (Spirit Master Funding, LLC)
5. Label Speed bumps at entrance
6. Provide Legend for abbreviations
7. LIGHTING:
 - a. Please include height of exterior light poles
 - b. Provide spec sheet for lighting or photometric
8. Please address Engineering Comments as applicable
9. Please address Fire Marshal Comments

10. Please submit complete, corrected copies of the Detailed Site Plan incorporating all of the corrections, modifications, and conditions of approval as follows: three (3) full-size hard copies, two (2) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).
11. LANDSCAPE: 11-12-4: ADMINISTRATION:  
 - B. Certification Of Installation:
 1. Prior to the issuance of a certificate of occupancy, written certification shall be submitted to the city by an architect, landscape architect or engineer authorized to do business in the state that the installation of the landscaping and appurtenances has been accomplished in accordance with the approved landscaping plan.
 2. In the event that the planning commission has granted temporary approval of occupancy prior to the completion of tree planting, an architect, landscape architect or engineer authorized to do business in the state shall provide written certification that all trees have been installed in accordance with the approved plan. Such certification shall be provided prior to or within the time frame approved in the specific tree planting schedule, and shall not exceed one hundred twenty (120) days from the issuance date of the occupancy permit.
12. FIRE MARSHAL COMMENTS: FORTHCOMING
13. ENGINEERING COMMENTS: FORTHCOMING
14. TAC COMMENTS 7.6.16
 - Lonny: Hard surface question
 - Staff: How is this going? mountable curb on South form Theater
 - BTC: looking at depths-get cost, storm sewer conflict on south
 - Staff: Fire Marshal-trouble to get pressure to drop

Lance Whisman, Chair: are there any significant comments

Marcae' Hilton/Jason Mohler: Fire access is ongoing, there is a conversation between Theatre and Primrose

Greg Weise, Sizemore Wiese & Associates, Applicant Representative-6111 E 32nd Place, Tulsa, 74135: second access conversation ensued, size comments

MOTION TO APPROVE: Tom Holland

SECOND: JEROD HICKS

APPROVED: 4-0-0

OTHER BUSINESS-PRESENTED BY LANCE WHISMAN

5. DISCUSSION OF USE UNIT 17 AND USE UNIT 25: Development Services Staff

Discussion and consideration of Use Unit 17 and Use Unit 25 in regards to the proper zoning designation for automotive collision repair requiring the use of paint to complete their restoration project

Marcae' Hilton: Desert Rose Collision Center, two businesses vying for building. When they came to get their zoning verification letter, they did not meet the zoning requirements. It took about a week to find they had in fact received a variance. In my research, I found Orlando and other large communities allow automotive repair with paint adjacent to and in

commercial. Smaller communities rarely allow automotive repair with paint in a Commercial Zoning.

Lance Whisman, Chair: State of OK if less than 5 tons of emissions you do not need an air permit. Many business owner do not understand the rules and don't change the filters, etc. as long as they don't back up to a residential development, it could be OK. Make sure away from residence.

Tom Holland, PC: fire marshal issues, storage of paint, fixed fire systems, feel guarded

Lance Whisman, Chair: waste has to be stored at back of property.

Jerrod Hicks, PC: leave and look at a case by case

Marcae' Hilton: I wrote the zoning letter to keep the variance with the property rather than the business, OK we feel comfortable leaving the topic

NEW BUSINESS

Marcae' Hilton: new system of identifying projects, due to inconsistency in filing the following changes have been made

BX (Bixby)

-16 (Year)

.00 (Project Number)

Will start over each year.

ADJOURNMENT-Larry Whiteley 7:24PM

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES, BIXBY, OKLAHOMA
August 15, 2016 6:00 PM**

CALL TO ORDER- 6:08 PM

ROLL CALL

PLANNING COMMISSION (PC):

Members Present: Mr. Steve Sutton
 Mr. Tom Holland
 Mr. Lance Whisman

Members Absent: Mr. Jerod Hicks
 Mr. Larry Whiteley

STAFF PRESENT:

Patrick Boulden, Esq., City Attorney
Marcaé Hilton, City Planner

CONSENT AGENDA-Lance Whisman, PC Chair

1. Approval of Minutes for the Planning Commission Meeting: June 20, 2016
Move to the August 15, 2016 Planning Commission Meeting

2. **CONDITIONAL FINAL PLAT-Quail Creek Villas (PUD 76)-Applicant, Justin Morgan of Tanner Consulting**
Discussion and Recommendation on the Approval of a Final Plat for approximately 11.605 acres for the purpose of finalizing a Single-family Residential Development in Section 02, T17N, R13E
Property Generally Located: West of Memorial one-quarter mile and south of 121st Street South one quarter to one-half mile
REQUEST: Approval of Conditional Final Plat of Quail Creek Villas PUD 76

EXISTING ZONING: (CG) General Commercial District with PUD 76

LOCATION: 7300-block of E. 121st St. S.-West of Memorial one-quarter mile and south of 121st Street South one quarter to one-half mile

STR: Section 02, T17N, R13E

SIZE OF TRACT: 11.605 Acres

LOT INFO: 46 Lots
 2 Block
 4 Reserves

PUBLIC INPUT: No known comments

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: PUD 76:CG-Commercial General District-undeveloped

West: PUD 76:CG-Commercial General District-developed as Single-family Residential and undeveloped, (AG) and Frye Creek Ditch #1 to the far west of PUD 76

South: Pending: BXZO-16.05 & BXPUD-16.03 RS-3 Single-family Residential, (AG)- agriculture parcel-Frye Creek Ditch #1

East: (RS-3) Single-family Residential-Undeveloped, PUD 76:CG-Commercial General District-undeveloped

GENERAL: The Conditional Final Plat, Quail Creek Villas (PUD 76) is generally located south of 121st Street and approximately 1/4 mile west of Memorial. The proposed plat consists of forty-six (46) lots and two (2) Blocks on 11.65 acres. City Council conditionally approved the Preliminary Plat during the regularly scheduled meeting of January 13, 2014. The property is currently zoned CG with PUD 76 as an overlay. *PUD 76 "Scenic Village Park" & BZ-364*, was submitted for application by Tanner Consulting, LLC, Planning Commission recommended Approval 02/27/2013 and City Council Conditionally Approved 03/25/2013 as amended at the meeting (Ord. # 2116).

The Technical Advisory Committee (TAC) heard this item on Wednesday, August 3, 2016. TAC, Staff and Fire Marshal comments are included below. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

Staff believes the Final Conditional Plat for Quail Creek Villas meets the requirements of the Zoning Regulations and Bixby Land Use.

COMPREHENSIVE PLAN:

Land Use Intensities: None

Land Use: None

Urban Design Elements: Corridor

EXHIBITS:

Conditional Final Plat Quail Creek Villas

Aerial Map

STAFF RECOMMENDATIONS:

Staff recommends approval of the Conditional Final Plat of Quail Creek Villas, PUD 76 subject to the resolution of comments from Staff and outstanding comments from the Preliminary Plat process.

TAC COMMENTS: August 3, 2016

1. Add Utility Easements:
 - a. Block 1-Lots 17/16, Lots 12/11, Lots 7/6
 - b. 5 feet on each side

PLANNING COMMENTS: Not Complete List

2. Before the City Council Final Plat hearing:
 - a. Please provide release letters from all utility companies serving the subdivision as per Subdivision Regulations Section 12-2-6.B.
 - b. Please have plat corrections completed before the City Council meeting. City Council reserves the right to make additional changes.
3. At the appointed time, please confirm the City of Bixby has the current HOA information including a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the current HOA Officers.

ENGINEERING COMMENTS: FORTHCOMING

FIRE MARSHAL COMMENTS:

Final Plat PUD 76 "Quail Creek Villas" are approved by this office with the following conditions:

4. All hydrants shall be operable before construction begins.
 - a. Brand- AVK or Mueller , Color- Chrome Yellow
 - b. Fire line supporting the fire hydrants shall be looped.
5. All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction of homes. (IFC 2015 Appendix D Chapter 5)
6. Islands shall have mountable curbs.

Lance Whisman, Chair: is the applicant present

Applicant, Justin Morgan, Tanner Consulting, 5323 S. Lewis: nothing to add

Tom Holland, PC: questions about zoning and PUD, discussion ensued, PUD allowed for CG with residential

Patrick Boulden, City Attorney: this is not a topic that is on the agenda, zoning is not an application before you for discussion, all you have is the plat, it may be a concern for future applications, but there is no application for a change in zoning

Tom Holland, PC: with that being said Patrick, it could still be a factor in whether or not it is approved couldn't it?

Patrick Boulden, City Attorney: I don't know how, if it is compliant with all the requirements which were imposed originally, that is the only issue.

Marcae' Hilton: He is correct, when you are looking at a plat, you are to consider the requirements for a plat. (DISCUSSION) I can address it on the next item.

Tom Holland, PC: what are the lot widths? (DISCUSSION)

Marcae' Hilton: this item is on the consent agenda, I should have said something. If you want to have a discussion, you should have pulled it from the consent agenda, and is voted on as one item. (DISCUSSION)

Steve Sutton, PC Vice Chair: Did you take roll or did you make a motion to approve the consent agenda? (DISCUSSION)

Patrick Boulden, City Attorney: The appropriate motion would be to approve item number 2 on the consent agenda (DISCUSSION)

MOTION TO APPROVE: Steve Sutton

SECOND: Tom Holland

APPROVED: 3-0-0

PUBLIC HEARINGS-Lance Whisman, PC Chair

3. ZONING-BXZO-16.05 Cottages at Quail Creek & PUD-BXPUD-16.03 Cottages at Quail Creek Applicant, Ricky Jones of Tanner Consulting

Discussion and Recommendation on the Approval of a Zoning change from AG (Agricultural District) to RS-3 (Residential Single Family District) and Approval of the companion Planned Unit Development for approximately 8.851 acres for the purpose of a Single-family Residential Development in Section 02, T17, R13E

Property Generally Located: West of Memorial one-quarter mile and north of 131st Street South one-half mile

Marcae' Hilton-REQUEST: Zoning Change from AG (Agricultural District) to RS-3 (Residential Single Family District) in conjunction with PUD *BXPUD-16.03 Cottages at Quail Creek*

EXISTING ZONING: AG (Agriculture)

REQUESTED ZONING: RS-3 (Residential Single Family District) & PUD

LOCATION: West of Memorial one-quarter mile and north of 131st Street South one-half mile

STR: Section 2, T17N, R13E

SIZE: 8.851 Acres
40 Lots, 2 Reserves

EXISTING USE: Agriculture (AG) (unplatted)

PROPOSED USE: Single-family Residential

PUBLIC INPUT: (1) REQUEST FOR A COPY OF THE PUD

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: PUD 76:CG-Commercial General District-partially developed as Single-family Residential and partially undeveloped

West: PUD 76:CG-Commercial General District-developed as Single-family Residential with (AG) and Frye Creek Ditch #1 to the far west of PUD development

South: (AG)-undeveloped agriculture parcel-Frye Creek Ditch #1

East: RM-Residential Multi-family development (Encore on Memorial)

The applicant has two requests: change the Zoning to RS-3 and the acceptance of the Cottages of Quail Creek PUD in order to complete the next phase of the Quail Creek of Bixby and Quail Creek Villas of Bixby development. The Reserve Area will be combined with Reserve A and Lot 40, Block 2, of Quail Creek (Plat #6613) to provide a neighborhood amenity containing accommodations such as a pool, clubhouse, and play area. This collective area, located in the northwest corner will serve as the second point of access to the subdivision and as a connector street to Quail Creek. The Reserve A and Lot 40, Block 2, Quail Creek of Bixby will be replatted with Cottages at Quail Creek and the combined area will be set aside for use by residents of the various Quail Creek subdivisions. If the project is approved, a Minor Amendment to PUD 76 will be required for Quail Creek, to allow Lot 40 Block 2 to serve a use other than residential.

COMPREHENSIVE PLAN:

Land Use Intensities: None

Land Use: None

Urban Design Elements: Corridor

ATTACHMENTS:

Case Map Zoning

Case Map PUD

Ariel Map

Draft PUD

Plat #6613, Quail Creek of Bixby PUD 76

Staff believes the proposed Zoning and PUD request meet the requirements of the Zoning Regulations and Land Use objectives.

STAFF RECOMMENDATION

1. Staff recommends Approval of BXZO-16.05 COTTAGES AT QUAIL CREEK
2. Staff recommends Approval of BXPUD-16.03 COTTAGES AT QUAIL CREEK

Both with the following conditions:

PLANNING COMMENTS (not a complete list)

1. Review and correct PUD
2. Platting will be requisite for the new development with the necessary Right of Way and Utility Easement Dedications

3. A minor amendment to PUD 76 (Plat #6613) to allow Lot 40, Block 2 to serve as an amenity rather than a Single-family residence
ENGINEERING COMMENTS (forthcoming)

TAC

4. Look at Cul-de-sac length
5. Joey, Fire Marshal-Send modeling on new development
6. Joey, Fire Marshal-Consider radii of turnaround (80')
7. Not Gated
8. Shared Pool
9. Joey, Fire Marshal-Consider red marking for fire lane adjacent to pool

FIRE MARSHAL COMMENTS

10. All hydrants shall be operable before construction begins. Hydrants shall be located no further than 600 feet apart. (Submit water plans to this office prior to final plat approval)
 - A. Brand- AVK or Mueller , Color- Chrome Yellow
 - B. Hydrants shall be located at the entry of any cul-de-sacs.
11. All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction begins. (IFC 2015 Appendix D)
 - A. Cul-de-sacs shall be designed to meet IFC 2015 Figure D130.1
 - B. Fire lanes and signage may be required for second entrance.
 - C. Grades shall not exceed 10%
12. Any gates proposed now or in the future shall meet the City of Bixby Ordinance 9-7-2. (Plans shall be submitted to this office for approval)

App

Applicant, Justin Morgan, Tanner Consulting, 5323 S. Lewis: it will be RS-3 zoning, the front setbacks are a little less, it is the same developer as Quail Creek and Quail Creek Villas, fits nice and acts as a good transition between multi family. 1800, sq foot allowed minimum but most likely 22,000 square foot houses. (DISCUSSION), asking for reduction in setback and minimum lot size.

Tom Holland, PC: We have had problems every time we approve this. (DISCUSSION)
5 feet on each side, 11 feet along back.

Marcae' Hilton: nicer houses less yard

(DISCUSSION) gated vs. non-gated, number of lots with 65' vs 55', page 3 (TOM) table 3 says it would permit many more if allowed to be CG. Are you going to have 45 lots? (DISCUSSION) height limitation for a reason

MOTION TO APPROVE ZONING-BXZO-16.05 Cottages at Quail Creek: Tom Holland

SECOND: Steve Sutton

APPROVED: 3-0-0

(DISCUSSION ON HOA DUES): **Justin**, usually a 15 year maintenance schedule. Unknown costs...\$2000.00 year, less for other houses, agreement amongst 2 PC to support gate
Marcae' Hilton: How would that impact the amenity area? (DISCUSSION) Staff has not looked at it to see if they would be in support nor has the Fire Marshal. (DISCUSSION) screening, common fencing along collector street, apartments already have wrought iron, standard privacy fence along south.

Justin-Applicant: smaller lots, smaller homes, private homes, gate plus-second gate-now all gates are all slider required by Fire Marshal, currently open access between two residences.

Tom Holland, PC: NO exclusivity at all? Would it be appropriate if we proposed it be a private gated community? I want the project to go forward

MOTION TO APPROVE PUD-BXPUD-16.03 Cottages at Quail Creek as recommended by staff with the stipulation, it be a gated PUD as opposed to an open development (due to smaller lot size). (DISCUSSION)

Patrick Boulden, City Attorney: what is the connection to gated community and the size of lot?

Tom Holland, PC: the PUD'S we have addressed that have small lots are lesser income type homes and either the people that join them or adjoin them don't like them because they have created problems for their home values. In a gated community, they usually maintain a higher value because it is a restricted area and the people that buy there like the security and they don't want to mow yards. You are attracting a different clientele entirely when you do that and the price of the property maintains well...

Steve Sutton, PC: setback discussion (mowing & weed eating issue)...we all want to look back 5, 10, 15 years from now and that was nice we put that there....the value has risen, the upkeep is good, so if you do this motion and you say "why" then City Council can have that conversation, at least we have said we like what you did, can you throw in a gate....

Patrick Boulden, City Attorney: I think it is important you have a planning reason for it.

Tom Holland, PC: ...Our past experience has been mostly negative where there are small lots abutting other addition, we have filled this room before with people outraged before

Patrick Boulden, City Attorney: I don't think that logic is true, and I come from an experience where a gated community is discouraged, that is a planning thing not a legal issue...

Tom Holland, PC: more discussion (apartments could be an issue)

Marcae' Hilton: Mr. Dodson building these homes, (JUSTIN) yes that is the plan (DISCUSSION)...I am not sure what Joey's (FIRE MARSHAL) stance will be and I do not know if there is enough room to do a gate with the way it is laid out at this time. It looks to me like it would be near impossible on that cul-de-sac area to put a gate in (DISCUSSION)

Tom Holland, PC: trying to compromise in my own mind form the 55' lot width, if you want to go 65' I will vote for it....(DISCUSSION)

MOTION TO APPROVE (Tom Holland) PUD-BXPUD-16.03 Cottages at Quail Creek as recommended by staff with the stipulation, it be a gated PUD as opposed to an open development (due to smaller lot size).

(DISCUSSION): **JUSTIN:** Mr. Dodson will be at City Council and he can discuss the economics at that time... **TOM HOLLAND, PC:** optimally, if the developer could come to us and we could have this discussion, I am really not asking for City Council to make the decision...

SECOND: Steve Sutton

APPROVED: 3-0-0

Steve Sutton, PC: Mr. Dodson could call Tom Holland.

4. PRELIMINARY PLAT-Willow Creek Estates, Blocks 6-11 (PUD 78)-Applicant, Ryan McCarty of Select Design

Discussion and Recommendation on the Approval of a Preliminary Plat for approximately 60.81 acres for the purpose of a residential development in Section 12, T17N, R13E

Property Generally Located: west of Mingo Road and south of 131st Street

Marcae' Hilton-REQUEST: Approval of Preliminary Plat, Willow Creek Estates, Blocks 6-11, PUD 78

EXISTING ZONING: (RS-3) Residential Single-Family District, (RM-3) Residential Multi-Family District, & PUD 78

LOCATION: West of Mingo Road and south of 131st Street

STR: Section 12, T17N, R13E

SIZE OF TRACT: 60.81 Acres

LOT INFO: 195 Lots
6 Block
3 Reserves

PUBLIC INPUT: No known comments

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: AG (Agriculture District), undeveloped farmland

West: PUD 78:RS-3 Willow Creek Estates (Single-family Residential), RS-3 (Single-family Residential), Blue Ridge II, Blue Ridge Estates

South: RE (Residential Estate), Southwood South Addition

East: AG (Agriculture District)

GENERAL HISTORY: The *Willow Creek Estates (PUD 78)* is generally located West of Mingo Road and south of 131st Street.

Step One of Willow Creek:

PUD: Willow Creek (PUD 78), applicant Rosenbaum Consulting, LLC, requested approval for a PUD *parent tract*, Planning Commission recommended Conditional Approval 05/02/2013 and City Council Conditionally Approved 05/13/2013 (Ord. # 2120 approving PUD, 09/23/2013 upon receipt of the "Final As Approved" PUD on 09/11/2013).

PRELIMINARY PLAT OF WILLOW CREEK PUD 78, applicant Rosenbaum Consulting, LLC, requested approval for a 291-lot residential subdivision for parent tract, Planning Commission recommended Conditional Approval 05/02/2013 and City Council Conditionally Approved 05/13/2013.

Step Two of Willow Creek:

FINAL PLAT OF WILLOW CREEK ESTATES PUD 78 was filed in Tulsa County on August 24, 2015 Plat # 6625, 111 Lots in five (5) Blocks and five (5) Reserves

SURVEYORS AFFIDAVIT: Multiple scrivener's errors were found and corrected per DOC# 2016072984 filed with the Tulsa County Clerk for nine (9) errors found in the plat "Willow Creek Estates".

Step Three of Willow Creek:

PRELIMINARY PLAT OF WILLOW CREEK, Blocks 6-11 (PUD 78), applicant Ryan McCarty of Select Design, is requesting approval of this Phase II of the original Willow Creek Plat (PUD 78). The plat consists of one hundred sixty-five (165) lots and six (6) Blocks on 60.81 acres.

The Technical Advisory Committee (TAC) heard this item on Wednesday, August 3, 2016. Staff, TAC and Fire Marshal comments are included in report. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

Staff believes the *Preliminary Plat for Willow Creek Estates Blocks 6-11, PUD 78* meets the requirements of the Zoning Regulations and Bixby Land Use.

COMPREHENSIVE PLAN:

Land Use Intensities: Medium, Low, and Development Sensitive

Land Use: Commercial, Residential, Vacant, AG, Rural Residences and Open Land

Urban Design Elements: Borders Secondary Arterial

EXHIBITS:

Preliminary Plat Willow Creek Estates Blocks 6-11, PUD 78
Aerial Map

STAFF RECOMMENDATIONS:

Staff recommends approval of the Preliminary Plat of Willow Creek Estates PUD 78 subject to the resolution of comments from Staff and outstanding comments from the Preliminary Plat process.

TAC COMMENTS: August 3, 2016

1. Marcae'-Resend Plat to Utility Companies with Utility Easements turned on
2. Get hard copy of Plat to Police Department
3. Address 300' Cul-de-sac issue with Fire Marshal
4. Address 600' spacing of hydrants
5. Set up Predevelopment Meeting after Monday, August 15th, 2016
6. Will be heard at Planning Commission on August 15, 2016

7. Will be heard at City Council on September 12, 2016 pending Planning Commission approval

PLANNING COMMENTS: (Not Complete List)

8. Before the City Council Final Plat hearing:

a. Please provide release letters from all utility companies serving the subdivision as per Subdivision Regulations Section 12-2-6.B.

b. Please have plat corrections completed and be ready to run your prints before the City Council meeting.

9. At the appointed time, please confirm the City of Bixby has the current HOA information including a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the current HOA Officers.

ENGINEERING COMMENTS: FORTHCOMING

FIRE MARSHAL COMMENTS: FORTHCOMING

Tom Holland, PC: (step 2) 2015, 111 lots, 5 blocks, 5 reserves, (step 3) is what we are seeing now...YES, (DISCUSSION ON PLATTING)

Ryan McCarty, Applicant-11063-D, South Memorial, Tulsa, OK: The preliminary plat was associated with the PUD, not associated with the project at that time. This phase follows the original layout. The rough grading has already been done. The Haikey Creek relief ditch came in. We were basically stuck with the same layout, also the sunburst interceptor runs through this. (DISCUSSION ENSUED).

MOTION TO APPROVE: Steve Sutton

SECOND: Tom Holland

APPROVED: 3-0-0

OTHER BUSINESS

5. DISCUSSION OF SUNSET CLAUSE ON ZONING PER TOM HOLLAND, PLANNING COMMISSION MEMBER.

Marcae' Hilton: essentially, it is an expiration date on Zoning or PUD.

Tom Holland, PC: I ran across this in another state, it is something I have thought about more than once. We have people coming to Planning Commission and City Council with grandeur plans only to be a façade to say it nicely, never intending to do anything, just to get the property to where it is saleable and it sets there for years and nothing ever happens. I don't think it is good for the community, I think if someone comes here with a legitimate project it needs to be built in a timely frame or revert back to the previous zoning or terminate the PUD whatever it happens to be. This is in Missouri, in any case where the "conditional use" is not in use.....(DISCUSSION)

Marcae' Hilton: there are a couple of hiccups to that, one is our Statutory Law that govern our Planning and Zoning in the State of Oklahoma

Patrick Boulden, City Attorney: the treatise is Rathkopf's, The Law of Zoning & Planning, the one zoning attorneys go to first, in the Cases cited, some jurisdictions do allow "Reverter Clauses" or "sunset clause" but some do not due to denial of due process, because of the statutory requirements for a Public Hearing before a zoning change. There is a

suggestion in Rathkopf citing an Oklahoma case, that OK would fall in the latter category, I do not necessarily agree, but it does suggest there would be a requirement before a change in zoning for a public hearing, it would not be automatic you would have to come back for a hearing.

Tom Holland, PC: I am not opposed to that, if you had language in your City Ordinance, then at that time limit it would be automatically be brought back to the Board.

Marcae': automatically would mean the City Planner would bring it back and I think it would be difficult to enforce.

Tom Holland, PC: logistically is another issue, the issue itself, it could be developed? Is the issue itself worth consideration?

Patrick Boulden, City Attorney: I will debate that with you. I think is in not necessarily a good idea, when you do a zoning decision the PC and CC determines if it is consistent with what the plan for the city is, and whether it happens in 5 or 10 years as long as it is consistent with the comprehensive plan your decision should be good. Why would you want to automatically change it in 5 years? Not knowing what 5 years looks like, and let it be the conscious decision of a property owner, if they want to change it then they can do that. Why would you go back in time, simply because it did not happen as fast as you wanted it to.

Tom Holland, PC: I see it differently, I think of it as a hindrance, you are not thinking about that piece of property, you are talking about a large piece of property, if you come in and strip zone something in the middle of that, then you've put barriers on what can be developed on that property. If someone comes in 5 years and they have an idea of what they want to develop, and now they can't, there is 50 acres or 20 acres, but in the middle is 5 which is zoned something that is....**Patrick Boulden**, that sounds like spot zoning.

Lance Whisman, PC Chair: You are thinking that is a deterrent, you want to make somebody put more thought in it rather than just rezone it with no intentional plan

Tom Holland, PC: If people come in here for solely, rezoning property for the purpose of resale, which is their prerogative, but they are misleading to some intent this commission and the City Council, because they have no plans for building that....what good has it done us to rezone that in any capacity?

Patrick Boulden, City Attorney: in the spirit of debate....The only thing you should care about is, is it consistent with the comprehensive plan and is this the direction you want the City to grow....

Marcae' Hilton: ...I would have this comment..., if you have particular zoning somewhere and you purchase your home and you do your due diligence and that land behind you is zoned commercial, you know sometime in the future there is a real possibility a business is coming in beside you. If you build your home and the zoning is residential and that zoning can expire and you bought your home thinking that only residential is going behind you, but someone has a better greater idea....

Tom Holland, PC: they have that now, nothing has changed it is his prerogative.. discussion ensued....if nothing else if someone applies for something with a conditional use

Marcae' Hilton: there are communities with conditional approval of PUD's and the PUD can expire after 2 years. **(DISCUSSION ENSUED)**

Patrick Boulden: it should come up ultimately in the context of the Comprehensive Plan...(DISCUSSION) lets keep in on the table for a discussion with City Council....**Marcae'** It will probably be the end of September.

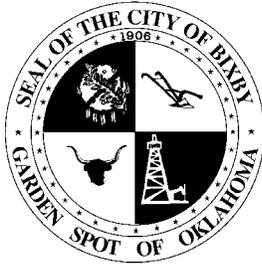
NEW BUSINESS-NONE

ADJOURNMENT

Motion to adjourn: Tom Holland

Second: Steve Sutton

DRAFT



CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008

(918) 366-4430

STAFF REPORT

To: Bixby Planning Commission

From: Marcae' Hilton, City Planner

Date: Monday, September 19, 2016

RE: Report and Recommendations:
ZONING AND PUD REQUEST FOR CONRAD FARMS, Applicant, Ricky Jones of Tanner Consulting

BXZO-16.06 CONRAD FARMS (DEVELOPMENT AREA A & B)

BXZO-16.07 CONRAD FARMS (DEVELOPMENT AREA C-1)

BXPUD-16.04 CONRAD FARMS (A MAJOR AMENDMENT TO PUD 75 & 85)

Discussion and Recommendation on the approval of two (2) ZONING requests ***BXZO-16.06 & BXZO-16.07 CONRAD FARMS*** and approval of the companion PUD request ***BXPUD-16.04 CONRAD FARMS (A MAJOR AMENDMENT TO PUD 75 AND 85)***; the zoning requests propose to change DEVELOPMENT AREA A & B from AG (Agriculture) to CG (General Commercial District), and DEVELOPMENT AREA C-1 from AG (Agriculture) to RMH (Residential Mobile Home) or RS-3 (Residential Single-family) with the proposed companion PUD for the purpose of a Master Planned, Multiuse Development; 182.19 acres in part of Section 23, T17N, R13E; the property is generally located near the 7400 Block of 151st E. Ave-and spans in-part west to Sheridan and from 151st Street south to 161st Street

REQUEST:

Zoning Changes

- **DEVELOPMENT AREA A & B** from AG (Agriculture) to CG (General Commercial District)
- **DEVELOPMENT AREA C-1** from AG (Agriculture) to RMH (Residential Mobile Home) or RS-3 (Residential Single-family)
- Recommendation of Approval of proposed companion **PUD** (Planned Unit Development)

EXISTING ZONING: DEVELOPMENT AREA A & B, AG (Agriculture)
 DEVELOPMENT AREA C-1, AG (Agriculture)
 DEVELOPMENT AREA C & D, RS-3 (Residential Single Family)
 & PUD 85-CONRAD FARMS
 DEVELOPMENT AREA E, RM-2 (Residential Multi-family) &
 PUD 75-LEANN ACRES

REQUESTED ZONING: DEVELOPMENT AREA A & B, CG (General Commercial)
 DEVELOPMENT AREA C-1, RMH (Residential Mobile Home)
 or RS-3 (Residential Single-family)
 DEVELOPMENT AREA C & D, NO CHANGE
 DEVELOPMENT AREA E, NO CHANGE
 ENTIRE TRACT, PUD-BXPUD-16.04 CONRAD FARMS (A MAJOR
 AMENDMENT TO PUD 75-LEANN ACRES AND PUD 85-CONRAD FARMS)

LOCATION: Near the 7400 Block of 151st E. Ave-and spans in-part west to
 Sheridan and from 151st Street south to 161st Street

STR: Section 23, T17N, R13E

LOT SIZE: 182.19 Acres

EXISTING USE: One Dwelling, Undeveloped Agriculture, Vacant Commercial
 Buildings

PROPOSED USE/DETAILS: The applicant requests a Major Amendment to PUD 75 and 85
 in an effort to provide a Master Plan including long term phased development areas,
 which encompass the former Conrad Farms (PUD 85-never developed), Leann Acres (PUD
 75-never developed) along with newly purchased project areas.

DEVELOPMENT AREA A, 5.145 acres, CG (General Commercial), Uses permitted as a
 matter of right in CS (Commercial Shopping) excluding “sexually oriented” uses
 Use Units 1, 4, 5, 10, 11, 12, 13, 14, 19 allowed by right

| | Code for CG | PUD |
|-------------------|---------------------|--------------------------|
| Floor Area Ratio: | .75 | .75 |
| Building Height: | 5 stories or 70 FT | 40 FT |
| Street Frontage: | 100 FT Arterial | 100 FT public or private |
| | 50 Non-arterial | 0 |
| Setbacks: | | |
| Arterial | 50 FT | 50 FT from ROW |
| Non-arterial | 25 FT | 20 FT from ROW |
| Other Lots | 10 FT (residential) | 0 FT |



DEVELOPMENT AREA B, 10.914 Acres, CG (General Commercial) uses permitted by right in CG and by Special Exception and /or PUD including only “office –warehouse” / “trade center” and ministorage uses (Use Units 15, 16, 17, and 23), and customary accessory uses, excluding “sexually oriented” uses, open air storage is prohibited

Use Units 1, 4, 5, 10, 11, 12, 13, 14, 17, 18, 19 allowed by right

Use Units 15, 16, 17 and 23 including only “office warehouse,” “trade center,” & ministorage

| | Code for CG | PUD |
|-------------------|------------------------------------|------------------------------|
| Floor Area Ratio: | .75 | .75 |
| Building Height: | 5 stories or 70 FT | 40 FT |
| Street Frontage: | 100 FT Arterial 50 Non-arterial | 30 FT public or private 0 |
| Setbacks: | | |
| Arterial | 50 FT | - |
| Non-arterial | 25 FT | 20 FT from ROW |
| Other Lots | 10 FT (residential) | 0 FT |

DEVELOPMENT AREA C-1, 6.097 Acres, RMH (Residential Mobile Home) or *RS-3 (Residential Single-family), Use Unit 9 manufactured home dwelling units, customary accessory uses including management office and private recreation, laundry, and storage facilities, and Use Unit 5 common area facilities such as club house, swimming pool, playground and recreational open space

*if not developed as a manufactured home park, Development Area C-1 shall be developed according to the use and development standards for development Area C

| | Code for RS-3 | PUD |
|---------------------|---------------|--|
| Max No. of Units: | - | 48 |
| Min Tract Width | 100 FT | 0 FT-30 FT of frontage on dedicated street |
| Min Street Frontage | 22 FT | 0 FT-30 FT of frontage on dedicated street |
| Min RMH TRACT: | 5 Acres | 5 Acres (see PUD for details) |
| Land Area/Unit: | 5,445 sq. FT | - |
| Building Height: | 1 story | 1 story |
| Min Livability: | 300 SF | 300 SF (see PUD for details) |
| Yard Setbacks: | | |
| Front: | 5 FT | (PUD) |
| Rear: | 10 FT | (PUD) |
| Side Yard/Street: | 5/10 FT | (PUD) |
| Separation: | 15 FT | (PUD) |



Staff Report: CONRAD FARMS

DEVELOPMENT AREA C, 97.136 acres, RS-3 (Residential Single Family)

Use Unit 6, detached residential dwelling units, single family, patio homes, customary accessory uses

Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space

| | Code for RS-3 | PUD |
|---------------------------------|--------------------|--------------------|
| Max No. of Lots: | - | 400 |
| Min Dwelling Size: | - | 1,600 FT |
| Min Masonry 1 st Fl. | - | 80% |
| Min Lot Width: | 65 FT | 60 FT |
| Min Lot Size: | 6,900 SF | 6,900 SF |
| Building Height: | 3 stories or 48 FT | 2 stories or 35 FT |
| Min Livability: | 4,000 SF | 2,000 SF |
| Yard Setbacks: | | |
| Front: | 25 FT/35 FT | 20 FT |
| Rear: | 20 FT | 20 FT |
| Side Yard/Street: | - | 15 FT |
| Side Yard | 5/5 FT | 5/5 FT |



DEVELOPMENT AREA D, 62.688 Acres, RS-3 (Residential Single Family) Use Unit 6,

detached residential dwelling units, single family, patio homes, customary accessory uses, including Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space

| | Code for RS-3 | PUD |
|---------------------------------|---------------|--------------------|
| Max No. of Lots: | - | 300 |
| Min Dwelling Size: | - | 1,200 FT |
| Min Masonry 1 st Fl. | - | 80% |
| Min Lot Width: | 65 FT | 60 FT |
| Min Lot Size: | 6,900 SF | 6,900 SF |
| Building Height: | 3 st./48 FT | 2 stories or 35 FT |
| Min Livability: | 4,000 SF | 2,000 SF |
| Yard Setbacks: | | |
| Front: | 25 FT/35 FT | 20 FT |
| Rear: | 20 FT | 20 FT |
| Side Yard/Street: | - | 15 FT |
| Side Yard | 5/5 FT | 5/5 FT |



**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
MARCH 21, 2016 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:

Patrick Boulden, Esq., City Attorney
Marcae' Hilton, City Planner
Jason Mohler, Development Services Director
Jim Coffey, Development Services (Consultant)

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Chair Lance Whisman called the meeting to order at 6:04 PM.

ROLL CALL:

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

1. Nomination and election of Secretary (City Code Section 10-1-3)

Chairman Lance Whisman introduced new City Planner, Marcae' Hilton, and new Development Services Director, Jason Mohler, to the board. Lance Whisman made a MOTION to APPROVE Jason Mohler as the PC Secretary and Marcae' Hilton as Assistant Secretary. Larry Whitely SECONDED the Motion. Roll was called:

ROLL CALL:

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

2. Approval of Minutes for the February 16, 2016 Regular Meeting

City Planner Marcae' Hilton asked to pass the February 16, 2016 Minutes of the Regular Meeting until the next Regular Meeting. Larry Whiteley made a MOTION to APPROVE passing the February 16, 2016 Minutes until the next Regular meeting. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

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

PUBLIC HEARINGS

3. **BCPA-14 – City of Bixby.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Comprehensive Plan Text regarding policy on single-family residential entitlements including preference for Planned Unit Developments (PUDs), amending the Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan, recommending additions, subtractions, and/or changes to certain residential zoning districts in the Zoning Code, and making certain other amendments.

4. **Zoning Code Text Amendment.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, to add, subtract, and/or change certain residential zoning districts, to amend Section 11-2-1 to define “masonry” and “masonry alternatives,” and to make certain other amendments.

Chair Lance Whisman introduced Items 3 and 4 in a combined fashion and asked Jim Coffey for the Staff Report and recommendation. Jim Coffey presented the background information and Staff recommendation. Chair Lance Whisman asked if there was anyone in the audience here to speak on the item. Mike Maguffee spoke and requested the opportunity to review the Staff Report and noted that Planning Commission Minutes have not been posted for past meetings. Discussion continued regarding the Planning Commissions desire to continue the item and communicate further with Staff and City Council. Jarod Hicks requested an opportunity to collaborate with City Council in an upcoming City Council Work Session. Larry Whiteley made a MOTION to CONTINUE the public hearing to the next regular scheduled Planning Commission meeting. Jerod Hicks seconded the MOTION. Roll was called:

ROLL CALL:

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

PLATS

5. **Preliminary Plat – “Chisholm Ranch II” – Tanner Consulting.** Discussion and consideration of a Preliminary Plat for “Chisholm Ranch II”, approximately 26.056 acres (68 Lots) in the NW/4 of Section 6, T17N, R14E.
-

Chair Lance Whisman introduced the Item 5 and asked Marcae’ Hilton for the Staff Report and recommendation. Marcae’ Hilton presented the background information and Staff recommendation. Ricky Jones with Tanner Consulting concurred with Staff. Jarod Hicks asked a question about resolution of the sidewalks. Mr. Jones confirmed resolution and indicated that are going to construct sidewalks along the frontage. Chair Lance Whisman asked if there was anyone in the audience here to speak on the item. Mike Maguffee expressed concern with sidewalk construction for Seven Lakes. Jarod Hicks made a MOTION to APPROVE the Preliminary Plat for “Chisholm Ranch II”. Larry Whiteley seconded the MOTION. Roll was called:

ROLL CALL:

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

6. **Preliminary Plat – Chisholm Ranch Villas II – Tanner Consulting.** Discussion and consideration of a Preliminary Plat for “Chisholm Ranch Villas II”, approximately 4.654 acres (16 Lots) in the NW/4 of Section 6, T17N, R14E.
-

Chair Lance Whisman introduced the Item 6 and asked Marcae’ Hilton for the Staff Report and recommendation. Marcae’ Hilton presented the background information and Staff recommendation specifically noting the gate requirements. Marcae’ Hilton requested that the Applicant address all Preliminary Plat comments before submittal of the Final Plat. Ricky Jones with Tanner Consulting concurred with Staff. Chair Lance Whisman asked if there was anyone in the audience here to speak on the item: none. Larry Whiteley made a MOTION to APPROVE the Preliminary Plat for “Chisholm Ranch Villas II”. Jarod Hicks seconded the MOTION. Roll was called:

ROLL CALL:

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

OTHER BUSINESS

7. **BL-402 – Stephen Linn.** Discussion and possible action to approve a Lot-Split for approximately Lots 9 and 10, Block 3, *WoodMere*
-

Chair Lance Whisman introduced the Item 7 and asked Jason Mohler for the Staff Report and recommendation. Jason Mohler presented the background information and Staff recommendation. The Applicant and property Owner, Mr. Stephen Linn, was present and expressed agreement with City Staff. Chair Lance Whisman asked if there was anyone in the audience here to speak on the item: none. Jarod Hicks made a MOTION to APPROVE the Lot-Split. Larry Whiteley seconded the MOTION. Roll was called:

ROLL CALL:

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

ADJOURNMENT:

There being no further business, Chair Lance Whisman declared the meeting Adjourned at 6:32 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary

DEVELOPMENT AREA E, 7.283 Acres, RM-2 (Residential Multi-family) Use Unit 6, detached residential dwelling units, single family, patio homes, customary accessory uses, including Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space

| | Code for RS-3 | Code for RM-2 | PUD |
|---|---------------|---------------|---------------------|
| Max No. of Lots: | - | - | 30 |
| Min Dwelling Size: | - | - | N/A |
| Min Masonry 1 st Fl. | - | - | N/A |
| Min Lot Width: | 65 FT | 60 FT | 60 FT |
| Min Lot Size: | 6,900 SF | 6,000 SF | 6,900 SF |
| Building Height: | 3 st. /48 FT | 3 st. /48 FT | 2 stories and 35 FT |
| Min Livability: | 4,000 SF | 400 SF | 2,000 SF |
| Yard Setbacks: | | | |
| Front: | 25 FT /35 FT | 25 FT /35 FT | 20 FT |
| Rear: | 20 FT | 10 FT | 20 FT |
| Side Yard/Street: | - | - | 15 FT |
| Side Yard | 5/5 FT | 10/10 FT | 5/5 FT |
| Other Bulk and Area Requirements: as required in RS-3 | | | |



PUBLIC INPUT: (0)

BACKGROUND INFORMATION:

SURROUNDING ZONING AND LAND USE:

North: AG-undeveloped agriculture parcel (across 151st Street)
 West: AG-single family residential and undeveloped agriculture parcel, far west CH-Commercial Heavy and RMH-Residential Mobile Home
 South: AG-undeveloped agriculture parcel
 East: Bixby Creek, Commercial-CS and CG, IL-Industrial Light and single family residential.

COMPREHENSIVE PLAN:

Land Use Intensities: Development Sensitive, Low Intensity
 Land Use: Commercial, Vacant, Agricultural, Rural Residences, and Open Land
 Urban Design Elements: Corridor
 Public Facilities: Proposed Regional Trails

ATTACHMENTS:

1. Ariel Map
2. Case Maps (3)
3. PUD
4. GO PLAN Trails Map

Staff believes the proposed Zoning request meets the requirements of the Zoning Regulations and Land Use objectives.

Staff believes the proposed Master Planned PUD request meets the requirements of the Zoning Regulations and Land Use objectives per Ordinance 272, 4-2-1974: 11-7I-2:

PURPOSES:  

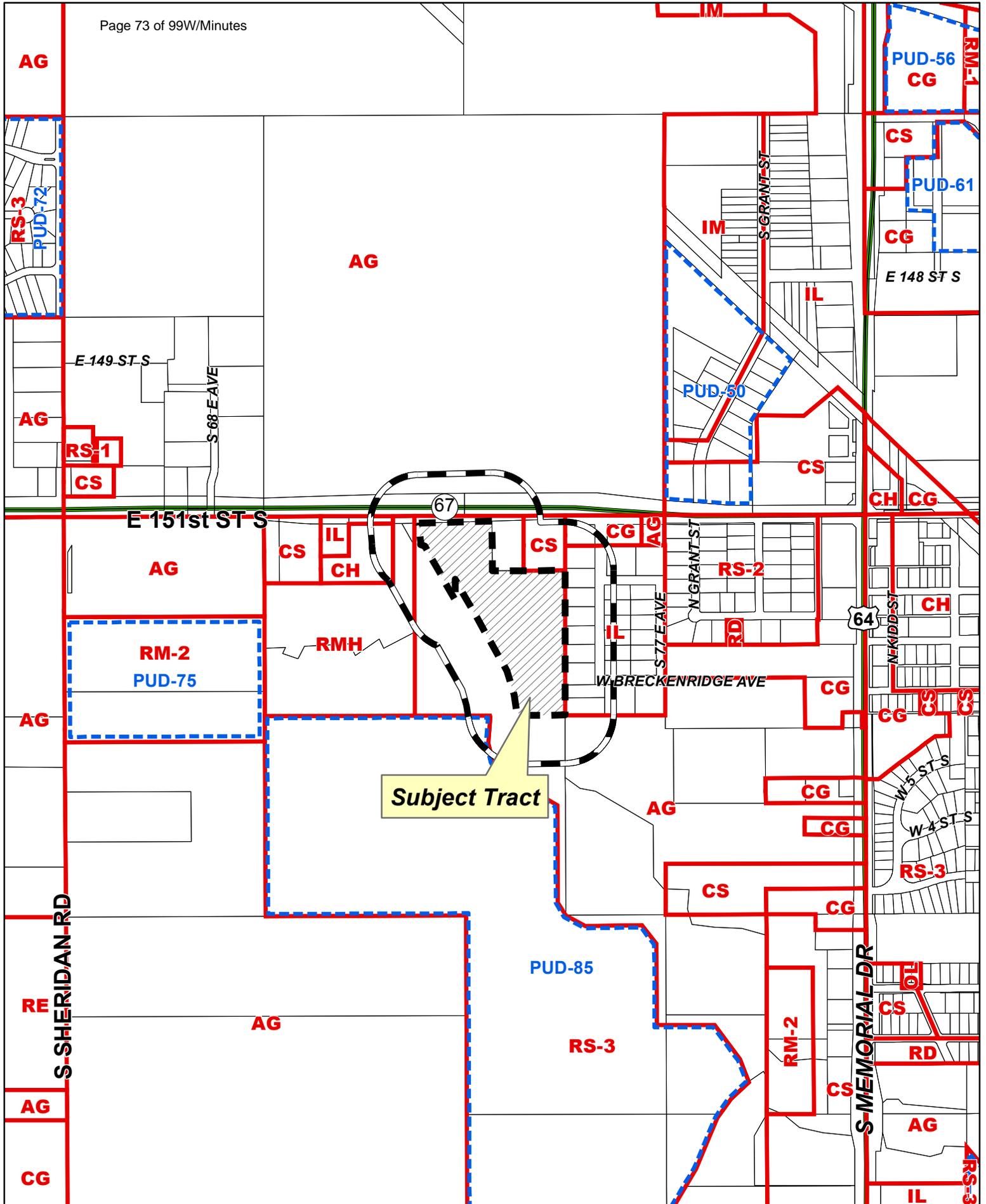
The purposes of the planned unit development are to:

- A. Permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties;
- B. Permit flexibility within the development to best utilize the unique physical features of the particular site;
- C. Provide and preserve meaningful open space; and
- D. Achieve a continuity of function and design within the development.

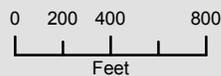
STAFF RECOMMENDATION: Staff recommends Approval of BXZO-16.06, BXZO-16.07 and BXPUD-16.04 CONRAD FARMS (*A MAJOR AMENDMENT TO PUD 75 & 85*) with the following conditions (not a complete list):

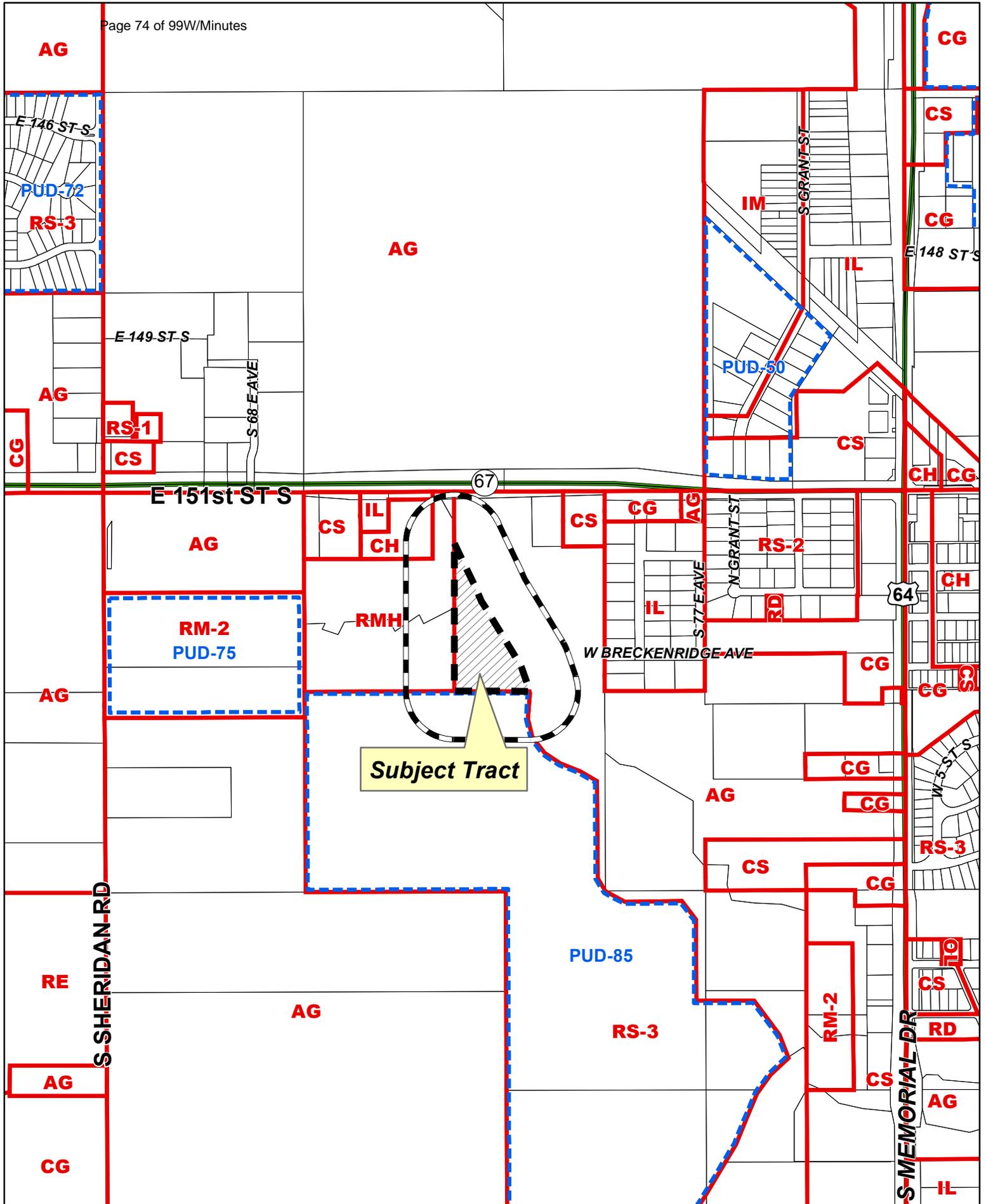
1. Approve Zoning for Development Area C-1 as RMH
2. All PUD changes shall be corrected before submittal to City Council
3. Correct the title to read:

CONRAD FARMS, BXPUD-16.04
(A MAJOR AMENDMENT TO PUD 75 & 85)
4. Per Emergency Services, provide a third access once development builds single family dwelling 251
 - a. Provide third access on site layout (multiple options are acceptable)
 - b. Provide supportive language in PUD
5. Provide language as follows:
 - c. Requiring stub out streets to adjacent undeveloped properties
 - d. Requiring connection from Development in NW corner to Commercial Development on Corner of 151st Street and Sheridan (Pedestrian/Bicycle minimum)
 - e. Detailed concepts for each Development (modify language below as needed):
 - i. Each development will be phased
 - ii. "All Residential Development will be platted, the Plat will serve as a Site Plan for each phase"
 - iii. "All Commercial Development will be platted and go through the Site Plan Process as developed"
 - f. Identification/location of small housing vs. large housing in each development area designating larger houses adjacent to arterial streets
6. Provide conceptual drainage report
7. Compare and contrast: NEW PUD – OLD PUD’S – BIXBY CODE
8. Elaborate on the amenity plan for development areas
9. INCLUDE TRAILS LANGUAGE-refer to Go Plan if needed
 - g. Acknowledge the trails adjacent to property along Bixby Creek will be developed
 - h. Identify trails as an amenity
 - i. Create language requiring access from development areas to trail



Subject Tract



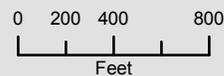


300' Radius
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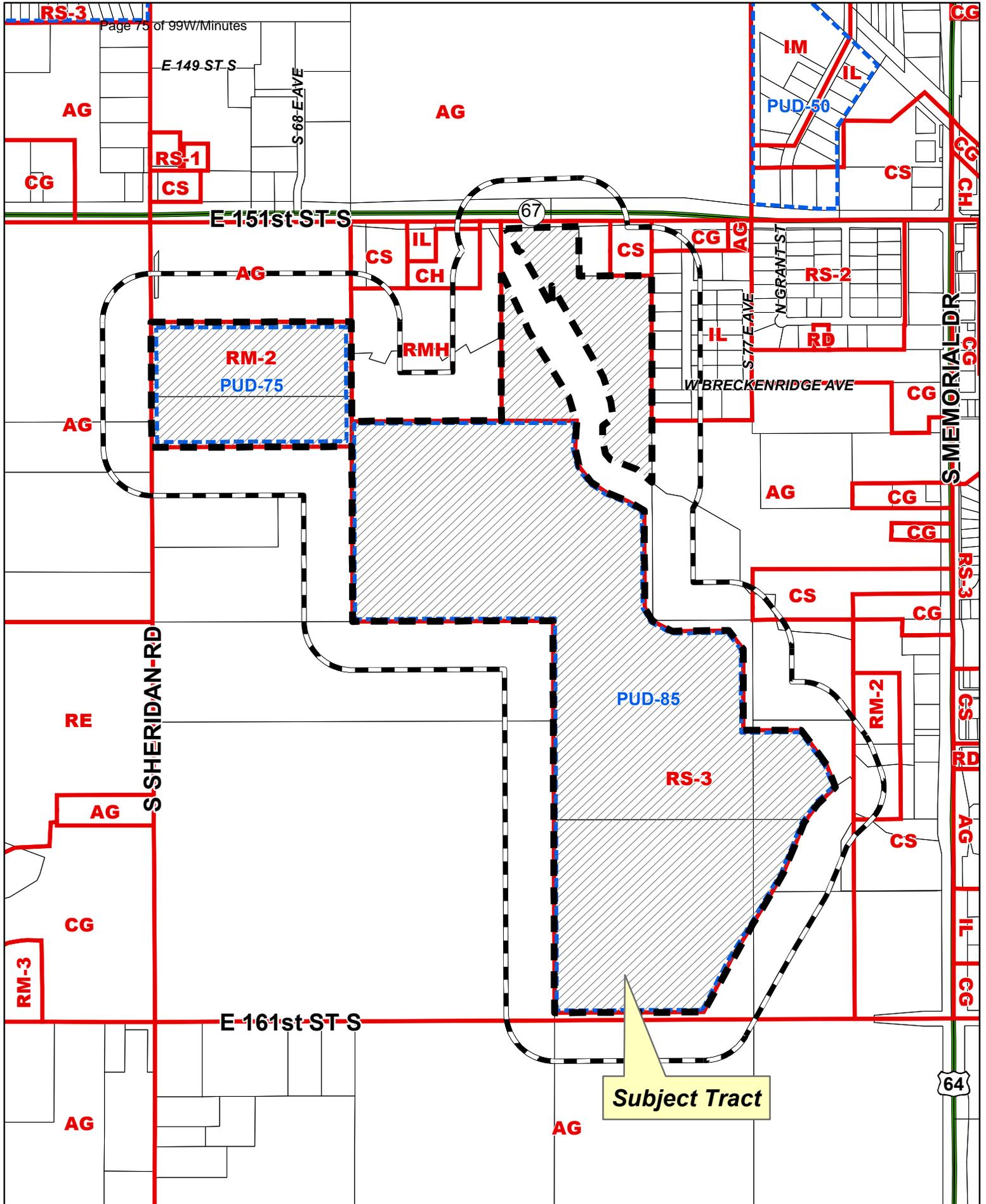
Subject Tract

BXZO-16.07



23 17-13



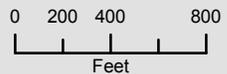


300' Radius
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Subject Tract

BXPUD-16.04



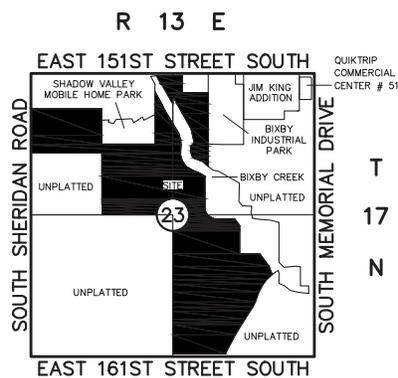
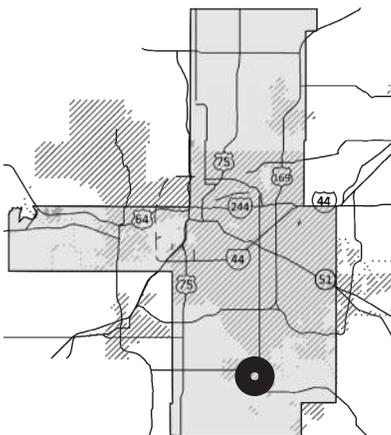
23 17-13



64

Conrad Farms

APPROXIMATELY 182 ACRES
EAST 151ST STREET SOUTH AND SOUTH MEMORIAL DRIVE
BIXBY, OKLAHOMA



Location Map
SCALE: 1"=2000'

AUGUST, 2016

APPLICANT / OWNER:
CONRAD FARMS BIXBY, LLC
c/o JULIUS PUMA
8511 E. 111TH ST. S. SUITE H
TULSA, OK 74133
PUMA74011@YAHOO.COM

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

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I. PROPERTY DESCRIPTION

Conrad Farms consists of 182.194 acres located between 151st and 161st Streets South, Sheridan Rd. and Memorial Dr., in the City of Bixby, Oklahoma, and is more particularly described within the following statement:

A TRACT OF LAND THAT IS A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 E/2 NE/4 NW/4) OF SAID SECTION 23; THENCE SOUTH 1°25'02" EAST AND ALONG THE WEST LINE OF SAID E/2 E/2 NE/4 NW/4, FOR A DISTANCE OF 46.88 FEET TO A POINT ON THE NORTH LINE OF THAT TRACT OF LAND DEEDED TO THE CITY OF BIXBY BY GENERAL WARRANTY DEED IN BOOK 6812 AT PAGE 2573, AS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK, COUNTY OF TULSA, STATE OF OKLAHOMA; THENCE NORTH 87°20'04" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 30.70 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 87°20'04" EAST AND ALONG THE SOUTH LINE OF STATE HIGHWAY NO. 67 AS DEEDED BY WARRANTY DEED IN BOOK 5673 AT PAGE 1218, SAID OFFICE OF THE TULSA COUNTY CLERK, FOR A DISTANCE OF 480.68 FEET; THENCE SOUTH 1°23'03" EAST AND ALONG THE WEST LINE OF THAT TRACT OF LAND DEEDED IN QUIT CLAIM DEED, DOCUMENT NO. 2011078716, SAID OFFICE OF TULSA COUNTY CLERK, FOR A DISTANCE OF 329.86 FEET; THENCE NORTH 88°39'07" EAST AND ALONG THE SOUTH LINE OF SAID TRACT OF LAND, FOR A DISTANCE OF 480.00 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2 NW/4 NE/4) OF SAID SECTION 23; THENCE SOUTH 1°23'03" EAST AND ALONG SAID EAST LINE FOR A DISTANCE OF 1364.11 FEET TO A POINT ON THE EAST LINE OF THAT TRACT OF LAND DEEDED TO THE CITY OF BIXBY BY GENERAL WARRANTY DEED IN BOOK 6812 AT PAGE 2573, AS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK, COUNTY OF TULSA, STATE OF OKLAHOMA; THENCE ALONG SAID EAST LINE THE FOLLOWING THIRTEEN COURSES; NORTH 50°13'58" WEST FOR A DISTANCE OF 132.30 FEET; THENCE NORTH 70°02'37" WEST FOR A DISTANCE OF 184.39 FEET; THENCE NORTH 40°51'25" WEST FOR A DISTANCE OF 51.73 FEET; THENCE NORTH 13°58'08" WEST FOR A DISTANCE OF 96.92 FEET; THENCE NORTH 1°29'59" WEST FOR A DISTANCE OF 92.93 FEET; THENCE NORTH 51°35'39" EAST FOR A DISTANCE OF 86.63 FEET; THENCE NORTH 9°29'22" WEST FOR A DISTANCE OF 108.77 FEET; THENCE NORTH 17°42'40" WEST FOR A DISTANCE OF 167.61 FEET; THENCE NORTH 30°52'12" WEST FOR A DISTANCE OF 694.61 FEET; THENCE SOUTH 1°24'19" EAST FOR A DISTANCE OF 142.30 FEET; THENCE NORTH 30°52'11" WEST FOR A DISTANCE OF 414.13 FEET; THENCE NORTH 67°50'55" WEST FOR A DISTANCE OF 30.13 FEET; THENCE NORTH 1°33'38" EAST FOR A DISTANCE OF 18.04 FEET; THENCE NORTH 29°45'53" WEST FOR A DISTANCE OF 145.88 FEET TO THE POINT OF BEGINNING;

AND

A TRACT OF LAND THAT IS A PART OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER, AND THE SOUTHEAST QUARTER (NW/4 NE/4 SE/4) OF SECTION TWENTY-THREE (23), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 E/2 NE/4 NW/4) OF SAID SECTION 23; THENCE SOUTH 1°25'02" EAST AND ALONG THE WEST LINE OF SAID E/2 E/2 NE/4 NW/4, FOR A DISTANCE OF 340.48 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY LINE OF THAT TRACT OF LAND DEEDED TO THE CITY OF BIXBY BY GENERAL WARRANTY DEED IN BOOK 6812 AT PAGE 2573 AS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK, TULSA COUNTY, OKLAHOMA, FOR THE FOLLOWING TWENTY COURSES, SOUTH 31°25'39" EAST FOR A DISTANCE OF 270.98 FEET; THENCE SOUTH 25°08'25" EAST FOR A DISTANCE OF 112.55 FEET; THENCE SOUTH 32°38'14" EAST FOR A DISTANCE OF 508.27 FEET; THENCE SOUTH 17°45'21" EAST FOR A DISTANCE OF 130.68 FEET; THENCE SOUTH 6°42'07" EAST FOR A DISTANCE OF 94.29 FEET; THENCE SOUTH 2°48'40" WEST FOR A DISTANCE OF 172.74 FEET; THENCE SOUTH 14°34'47" EAST FOR A DISTANCE OF 122.64 FEET; THENCE SOUTH 38°09'31" EAST FOR A DISTANCE OF 130.31 FEET; THENCE SOUTH 57°42'11" EAST FOR A DISTANCE OF 125.24 FEET; THENCE SOUTH 69°30'44" EAST FOR A DISTANCE OF 144.00 FEET; THENCE SOUTH 60°41'07" EAST FOR A DISTANCE OF 128.00 FEET; THENCE SOUTH 1°29'03" EAST FOR A DISTANCE OF 641.12 FEET; THENCE SOUTH 31°41'34" EAST FOR A DISTANCE OF 99.75 FEET; THENCE SOUTH 63°00'24" EAST FOR A DISTANCE OF 146.75 FEET; THENCE NORTH 88°03'35" EAST FOR A DISTANCE OF 374.33 FEET; THENCE SOUTH 38°39'52" EAST FOR A DISTANCE OF 155.68 FEET; THENCE SOUTH 1°21'44" EAST FOR A DISTANCE OF 536.44 FEET; THENCE NORTH 88°36'25" EAST FOR A DISTANCE OF 381.06 FEET; THENCE SOUTH 37°38'59" EAST FOR A DISTANCE OF 282.36 FEET; THENCE SOUTH 22°26'17" EAST FOR A DISTANCE OF 165.02 FEET; THENCE SOUTH 45°48'18" WEST, DEPARTING SAID WESTERLY LINE, FOR A DISTANCE OF 146.24 FEET; THENCE SOUTH 36°23'04" WEST FOR A DISTANCE OF 108.44 FEET; THENCE SOUTH 26°06'48" WEST FOR A DISTANCE OF 157.78 FEET; THENCE SOUTH 18°41'05" WEST FOR A DISTANCE OF 205.42 FEET; THENCE SOUTH 26°15'52" WEST FOR A DISTANCE OF 100.50 FEET; THENCE SOUTH 32°43'23" WEST FOR A DISTANCE OF 94.43 FEET; THENCE SOUTH 30°33'39" WEST FOR A DISTANCE OF 251.39 FEET; THENCE SOUTH 30°44'58" WEST FOR A DISTANCE OF 266.51 FEET; THENCE SOUTH 26°21'49" WEST FOR A DISTANCE OF 399.83 FEET; THENCE SOUTH 88°35'21" WEST, AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION 23, FOR A DISTANCE OF 978.12 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 1°24'23" WEST AND ALONG SAID WEST LINE, FOR A DISTANCE OF 2589.82 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88°37'01" WEST AND ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) OF SAID SECTION 23, FOR A DISTANCE OF 1319.59 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 1°26'58" WEST AND ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 1155.37 FEET; THENCE SOUTH 88°37'51" WEST FOR A DISTANCE OF 1320.46 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 1°29'33" WEST AND ALONG SAID WEST LINE, FOR A DISTANCE OF 825.49 FEET; THENCE NORTH 88°38'26" EAST FOR A DISTANCE OF 1321.08 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 1°26'58" EAST AND ALONG SAID WEST LINE, FOR A DISTANCE OF 660.21 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 88°37'58" EAST AND ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 990.44 FEET; THENCE NORTH 1°25'02" WEST FOR A DISTANCE OF 979.67 FEET TO THE POINT OF BEGINNING;

SAID TRACTS CONTAIN A COMBINED 7,936,354 OR 182.194 ACRES.

The above described property will hereinafter be referred to as the "Site" or "Subject Property" and is depicted on Exhibit A, "Aerial Photography & Boundary Depiction."

II. DEVELOPMENT CONCEPT

Conrad Farms is a Planned Unit Development (PUD) proposing commercial and single-family residential development of 182.194 acres between 151st and 161st Streets South, Sheridan Rd. and Memorial Dr., in the City of Bixby, Oklahoma. Conrad Farms has been named after its heritage, the former farmland and fresh produce sales business owned and operated by the Conrad family for decades until their retirement and its closure in 2013. Bixby Creek bisects the land and creates approximately 15 acres for commercial development along 151st St. S. (State Highway 67) and single-family residential areas for the balance of the property. The single-family residential development areas incorporate the previous PUD 85 “Conrad Farms” (single-family) and PUD 75 “LeAnn Acres” (multifamily) and the triangularly-shaped area north of PUD 85 between the Shadow Valley Manufactured Home Community and Bixby Creek. While key elements of the single-family PUD 85 will be incorporated in this new PUD, the multifamily use entitled with PUD 75 “LeAnn Acres” will be removed in favor of single-family use.

While intended as a replacement for PUDs 75 and 85, if desired by the City of Bixby, this PUD may be considered a Major Amendment to PUD 85 “Conrad Farms,” provided that all elements of PUDs 75 and 85 are removed entirely, and provided that the geographic boundary of PUD 85 is extended to annex all of the areas included within this PUD as described in Section I Property Description.

As outlined in the Bixby Zoning Code, this PUD is intended to provide a unified treatment of the development possibilities of the project site, to permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, to provide and preserve meaningful open space, and to achieve a continuity of function and design within the development.

Due to the scale of the property, the mix of land uses proposed, and the anticipated time horizon to ultimate build-out, this PUD proposes to establish a conceptual site plan with designation of development areas, allocation of uses and intensity of uses and development standards and conditions, to be followed by more specific subdivision plats and commercial detailed site plans for each phase of development.

The subject property presently contains areas zoned AG Agricultural District. In order to implement this PUD, an accompanying application is being filed to rezone certain areas to commercial and residential.

Consistent with surrounding zoning, this PUD proposes CG zoning for the two (2) commercial development areas, Development Areas A and B. Development Areas are represented on Exhibit B “Conceptual Site Plan.” That part of Development Area B lying south of the south line of the N/2 N/2 will remain zoned AG in accordance with the Special District 1 designation of the Bixby Comprehensive Plan map. This area contains a farm pond which may be modified for use as onsite stormwater detention and/or other appropriate uses permissible in the AG district. As required by Bixby Zoning Code Section 11-5-2 (as amended by Ordinance # 2137), this PUD is intended, in part, to satisfy the PUD requirement for the rezoning to CG and in part to permit in CG zoning “office-warehouse” / “trade center” and ministorage uses (Use Units 15, 16, 17, and 23) within Development Area B. Commercial Development Area A is planned for retail-related businesses.

The three (3) single-family residential development areas (C, D, and E) propose different neighborhoods with varied price points designed to be consistent with the market demand within the area. Each neighborhood will feature its own unique designs and neighborhood amenities. Development Area E contains an existing house and barn and may continue to be used for residential and agricultural purposes until developed. Areas adjacent to the Bixby Creek right-of-way will be designed with direct access for residents to use and enjoy. Future residents at the westerly end of Development Areas C and E will be able to enjoy views from the east slope of a hill system along Sheridan Rd.

Most of Development Area C and all of Development Area D are presently zoned RS-3 with PUD 85. The westerly approximately 18 acres of Development Area C and all of Development Area E are zoned RM-2 with PUD 75 "LeAnn Acres." This PUD will replace both previous PUDs, retain the underlying RS-3 and RM-2 zoning districts, and disallow multifamily use in favor of single-family use. At the time of PUD 85 and PUD 75 approvals, the underlying RS-3 and RM-2 zoning districts were found to be in accordance with the Bixby Comprehensive Plan as amended by BCPA-12 and BCPA-8, respectively. The northerly approximately six (6) acres of Development Area C is presently zoned AG, and RMH Residential Manufactured Home Park District zoning, or in the alternative, RS-3 zoning is being requested. This six (6) acres has an alternative set of development standards under Development Area C-1. Development Area C-1 is designed to allow for the expansion of the Shadow Valley Manufactured Home Community, if the sale of the property is successfully negotiated. If otherwise, Development Area C-1 may be developed single-family residential according to the development standards for Development Area C.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" on page 27 of the Bixby Comprehensive Plan 2001-2020 provides that CG, RMH, and RS-3 zoning all May Be Found In Accordance with the Corridor designation of the Bixby Comprehensive Plan. The requested CG zoning should also should be considered consistent with the Commercial Area specific land use within northerly parts of this area so designated.

The PUD will allow the most efficient use of the land which is harmonious with the surrounding land uses, as represented on Exhibit A, "Aerial Photography & Boundary Depiction." A conceptual site plan depicting the Development Areas and design features is provided on Exhibit B "Conceptual Site Plan." Final Development Area boundaries and areas shall be established by required PUD subdivision plats. The PUD shall be developed in accordance with the use and development regulations of the City of Bixby Zoning Code, except as otherwise specified herein.

Although Zoning Code Sections 11-7I-5.A.1.b and 11-7B-4.A.1 Table 3 would permit many more in the existing underlying RM-2 and RS-3 zoning, this PUD will restrict the residential development areas to 730 dwelling units. In addition to lowering the density otherwise permitted, this PUD will impose higher development standards (dwelling size and masonry) than if developed with straight residential zoning.

Conrad Farms

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION WITH ADJACENT DEVELOPMENTS LABELED



Conrad Farms

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT SHOWN AS OF AUGUST 16, 2016
CONTOUR DATA PER CITY OF BIXBY GIS AND IS APPROXIMATE ONLY



III. DEVELOPMENT STANDARDS

DEVELOPMENT AREA A

| | | |
|--|---|----------|
| Gross Land Area: | 224,109 SF | 5.145 AC |
| Net Land Area: | 178,384 SF | 4.095 AC |
| Permitted Uses: Uses permitted as a matter of right in the CS Zoning District and customary accessory uses; provided, however, all uses classified as “sexually oriented” within the City of Bixby Zoning Code (Section 11-7D-6) shall be excluded. | | |
| Maximum Floor Area Ratio: | 0.75 | |
| Maximum Building Height: | 40 FT | |
| Minimum Public or Private Street Frontage: | 100 FT* | |
| Minimum Building Setbacks: | | |
| From Arterial Street Right-of-Way: | 50 FT | |
| From Non-Arterial Street Right-of-Way: | 20 FT | |
| From All Other Lot Boundaries: | 0 FT | |
| Minimum Landscaping: | 10% of Lot Area | |
| Minimum and Maximum Parking Ratio: | As per applicable Use Unit, except as may be modified upon Site Plan approval | |
| Other Bulk and Area Requirements: | As required within CG District | |

* Any interior lot shall be provided access to a public street by access easement(s) approved by the City of Bixby during platting review.

DEVELOPMENT AREA B

| | | |
|---|---|-----------|
| Gross Land Area: | 475,432 SF | 10.914 AC |
| Net Land Area: | 475,432 SF | 10.914 AC |
| Permitted Uses: Uses permitted as a matter of right in the CG Zoning District, uses permitted by Special Exception and/or PUD including only “office-warehouse” / “trade center” and ministorage uses (Use Units 15, 16, 17, and 23), and customary accessory uses; provided, however, all uses classified as “sexually oriented” within the City of Bixby Zoning Code (Section 11-7D-6) shall be excluded. All permitted uses shall be conducted within enclosed buildings. Open air storage is prohibited. * | | |
| Maximum Floor Area Ratio: | 0.75 | |
| Maximum Building Height: | 40 FT | |
| Minimum Public or Private Street Frontage: | 30 FT** | |
| Minimum Building Setbacks: | | |
| From Non-Arterial Street Right-of-Way: | 20 FT | |
| From All Other Lot Boundaries: | 0 FT | |
| Minimum Landscaping: | 10% of Lot Area | |
| Minimum and Maximum Parking Ratio: | As per applicable Use Unit, except as may be modified upon Site Plan approval | |
| Other Bulk and Area Requirements: | As required within CG District | |

* Areas with AG underlying zoning shall be limited to Use Units 1 and 4, as permitted within the AG district, to include stormwater drainage and detention.

** Any interior lot shall be provided access to a public street by access easement(s) approved by the City of Bixby during platting review.

DEVELOPMENT AREA C

| | | |
|--|--|-----------|
| Gross Land Area: | 4,231,264 SF | 97.136 AC |
| Net Land Area: | 4,231,264 SF | 97.136 AC |
| Permitted Uses: Use Unit 6 detached residential dwelling units, including single-family, patio home, and customary accessory uses, including Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space. | | |
| Maximum Number of Lots: | 400 | |
| Minimum Lot Width: | 60 FT | |
| Minimum Lot Size: | 6,900 SF | |
| Maximum Building Height: | 2 Stories and 35 FT * | |
| Off-street Parking and Front Yard Coverage: | Minimum two (2) enclosed off-street parking spaces required per dwelling unit. Off-street parking shall not exceed 75% of the required front yard. | |
| Minimum Livability Space | 2,000 SF ** | |
| Minimum Yard Setbacks | | |
| Front Yard: | 20 FT | |
| Rear Yard: | 20 FT | |
| Side Yard Abutting a Street: | 15 FT | |
| Side Yard <u>Not</u> Abutting a Street: | 5 FT | |
| Other Bulk and Area Requirements: | As required within the RS-3 District | |
| Minimum Dwelling Size: | 1,600 SF | |
| Minimum Masonry First Floor: | 80% | |

* Architectural features may extend a max. of five (5) feet above maximum permitted building height.

** Livability space may be located on a lot or contained within common open space of the development, as per Section 11-71-5.C of the Bixby Zoning Code.

DEVELOPMENT AREA C-1

Located within Development Area C, Development Area C-1 may be developed according to the following development standards for a manufactured home park. To ensure compliance with applicable development standards, subsequent to platting, such manufactured home park shall be subject to PUD Detailed Site Plan approval by city staff. If not developed as a manufactured home park, Development Area C-1 shall be developed according to the use and development standards for Development Area C.

| | | |
|--|--|----------|
| Gross Land Area: | 265,605 SF | 6.097 AC |
| Net Land Area: | 265,605 SF | 6.097 AC |
| Permitted Uses: Use Unit 9 manufactured home dwelling units, customary accessory uses including management office and private recreation, laundry, and storage facilities, and Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space. | | |
| Maximum Number of Dwelling Units: | 48 | |
| Minimum Tract Width / Street Frontage: | 0 FT * | |
| Minimum Manufactured Home Park Tract Size: | 5 AC ** | |
| Maximum Building Height: | 1 Story | |
| Minimum Off-street Parking: | Minimum two (2) off-street parking spaces required per dwelling unit | |
| Minimum Livability Space | 300 SF *** | |
| Minimum Manufactured Home Park Tract Setbacks: | As required within the RMH District | |
| Minimum Internal Setbacks: | As required within the RMH District | |
| Other Bulk and Area Requirements: | As required within the RMH District | |

* *Manufactured home park tract shall have a minimum of 30' of frontage on a dedicated public or private street or shall be provided access to a public street by access easement(s) approved by the City of Bixby during platting review.*

** *Smaller tracts shall be required to be combined with another tract or tracts such that the minimum size is achieved.*

*** *Livability space shall be provided in common areas of not less than 7,500 sq. ft., located so as to be conveniently accessible to the manufactured home it is intended to serve, as per Section 11-7B-4.B of the Bixby Zoning Code.*

DEVELOPMENT AREA D

| | | |
|--|--|-----------|
| Gross Land Area: | 2,777,664 SF | 63.766 AC |
| Net Land Area: | 2,729,824 SF | 62.668 AC |
| Permitted Uses: Use Unit 6 detached residential dwelling units, including single-family, patio home, and customary accessory uses, including Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space. | | |
| Maximum Number of Lots: | 300 | |
| Minimum Lot Width: | 60 FT | |
| Minimum Lot Size: | 6,900 SF | |
| Maximum Building Height: | 2 Stories and 35 FT * | |
| Off-street Parking and Front Yard Coverage: | Minimum two (2) enclosed off-street parking spaces required per dwelling unit. Off-street parking shall not exceed 75% of the required front yard. | |
| Minimum Livability Space | 2,000 SF ** | |
| Minimum Yard Setbacks | | |
| Front Yard: | 20 FT | |
| Rear Yard: | 20 FT | |
| Side Yard Abutting a Street: | 15 FT | |
| Side Yard <u>Not</u> Abutting a Street: | 5 FT | |
| Other Bulk and Area Requirements: | As required within the RS-3 District | |
| Minimum Dwelling Size: | 1,200 SF | |
| Minimum Masonry First Floor: | 80% | |

* Architectural features may extend a max. of five (5) feet above maximum permitted building height.

** Livability space may be located on a lot or contained within common open space of the development, as per Section 11-71-5.C of the Bixby Zoning Code.

DEVELOPMENT AREA E

| | | |
|---|--|----------|
| Gross Land Area: | 317,247 SF | 7.283 AC |
| Net Land Area: | 317,247 SF | 7.283 AC |
| Permitted Uses: Use Unit 6 detached residential dwelling units, including single-family, patio home, and customary accessory uses, including Use Unit 5 common area facilities such as clubhouse, swimming pool, playground, and recreational open space.* | | |
| Maximum Number of Lots: | 30 | |
| Minimum Lot Width: | 60 FT | |
| Minimum Lot Size: | 6,900 SF | |
| Maximum Building Height: | 2 Stories and 35 FT ** | |
| Off-street Parking and Front Yard Coverage: | Minimum two (2) enclosed off-street parking spaces required per dwelling unit. Off-street parking shall not exceed 75% of the required front yard. | |
| Minimum Livability Space | 2,000 SF *** | |
| Minimum Yard Setbacks | | |
| Front Yard: | 20 FT | |
| Rear Yard: | 20 FT | |
| Side Yard Abutting a Street: | 15 FT | |
| Side Yard <u>Not</u> Abutting a Street: | 5 FT | |
| Other Bulk and Area Requirements: | As required within the RS-3 District | |
| Minimum Dwelling Size: | Not Applicable | |
| Minimum Masonry First Floor: | Not Applicable | |

* Existing agricultural use may be continued until areas are platted for single-family residential development.

** Architectural features may extend a max. of five (5) feet above maximum permitted building height.

*** Livability space may be located on a lot or contained within common open space of the development, as per Section 11-7I-5.C of the Bixby Zoning Code.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. ACCESS AND CIRCULATION:

As indicated on the Tulsa Metropolitan Area Major Street and Highway Plan, Conrad Farms proposes a mid-mile collector street system connecting 161st St. S. to 151st St. S. (State Highway 67) and Sheridan Rd. The 151st St. S. and Sheridan Rd. collector street segments should be extended as their respective intercepted tracts are developed. A minor residential street is proposed to connect the collector street system to Sheridan Rd. approximately at the 153rd Street South alignment. While further street patterns will be designed during the platting stage, conceptual street alignments are indicated on the Exhibit B Conceptual Site Plan.

Streets serving Conrad Farms, whether public or private, shall be constructed to meet the standards of the City of Bixby for public streets, including 60' minimum rights-of-way and 36' minimum paving between curb faces for collector streets and 50' minimum rights-of-way and 26' minimum paving between curb faces for minor streets. Private access drives serving commercial development areas shall meet these dimensional standards for collector or minor streets, as determined by the City of Bixby during the platting stage. Any gates serving private streets or drives shall be designed according to the Fire Code adopted by the City of Bixby and be approved by the Bixby Fire Marshal during the platting stage.

Sidewalks, including both internal and along exterior street frontages, shall be constructed by the developer or individual lot owners 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. Sidewalks which are proposed outside of public right-of-way shall be placed in a public sidewalk easement. During the platting stage, pedestrian access from the subdivision may be provided to the adjoining Bixby Creek right-of-way.

Limits of No Access (LNA) will be imposed by the future plat(s) along arterial street frontages, except at approved street intersections.

III.B. SIGNS: Commercial signage along 151st St. S. shall be limited to 25' in height and shall comply with the Bixby Zoning Code. Within commercial Development Areas A and B, businesses located on interior lots may be served by one (1) offsite ground sign located along 151st St. S., not to exceed 25' in height or a maximum display surface area permitted based on the street frontage of the lot containing such sign. Such ground sign shall be permitted in addition to the one (1) ground sign serving the lot with arterial street frontage, provided the 40' minimum sign separation standard is maintained. Within commercial Development Areas A and B, businesses located on interior lots may additionally be served by one (1) onsite ground sign, not to exceed 10' in height and 150 square feet in display surface area.

Residential subdivision entrance signage shall be permitted along arterial and collector street frontages and shall comply with standards for same as provided in the Bixby Zoning Code. Signage serving residential neighborhood amenities, appropriate for purpose and neighborhood scale, shall be permitted within reserve areas containing neighborhood amenities. All other signage shall comply with the Bixby Zoning Code.

IV.C. UTILITIES: A 24" Bixby Creek Interceptor sanitary sewer line bisects the site along Bixby Creek. An eight (8) inch waterline is located along the 151st St. S. frontage, and an eight (8) inch waterline is located at the northwest corner of 161st St. S. and Memorial Dr. Sanitary sewer and waterline extensions to and throughout the project will be required, and will be designed during the platting stage. New sanitary sewer

lines will be extended within the development in order to provide all lots with service. Waterlines shall be looped within the interior of the subdivision to provide water service and fire protection. Fire hydrant locations shall be coordinated with and approved by the Bixby Fire Marshal during platting and commercial site plan stages.

With the exception of the westerly 25 acres of the site (Development Area E and part of Development Area C), the site is relatively flat and ultimately drains to Bixby Creek. An internal stormwater collection and detention system will be designed and constructed to drain the site to stormwater detention facilities, to be sited and designed during the platting stage. Existing water, sanitary sewer, and storm sewer are shown on Exhibit "C" of this PUD.

IV.D. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: The westerly 25 acres of the site (Development Area E and part of Development Area C) contains significant slope, including the top of a small hill. The northern tip of a farm pond, located on another tract abutting to the south, intersects the south line of this 25 acres. This pond is part of a natural drainageway that skirts this southerly line. The drainageway ultimately drains to Bixby Creek. The balance of the subject property is relatively flat and drains to the east and south, ultimately to Bixby Creek.

As represented on Exhibit "E" FEMA Floodplain Map, most of Development Areas A and B and parts of areas along Bixby Creek and its tributary are located in the Regulatory Floodplain. Development of such areas will be subject to compliance with FEMA and City of Bixby regulations for floodplain development.

The Soil Survey of Tulsa County, Oklahoma was used to help identify soils types and possible constraints to development. Part of a hill system along Sheridan Rd., the westerly 25 acres of the site primarily contains Eram-Coweta complex (5 to 15% slopes) and Dennis silt loam (3 to 5 percent slopes, eroded). The majority of the downhill site is Choska very fine sandy loam, 0-1% slopes, rarely flooded, with areas along Bixby Creek and the Bixby Creek tributary containing Severn very fine sandy loam (0 to 3 percent slopes, rarely flooded) and Latanier clay (0 to 1% slopes, occasionally flooded). The total site shares of each are: Choska very fine sandy loam (70%), Severn very fine sandy loam (15%), Eram-Coweta complex (9%), Dennis silt loam (8%), and Latanier clay (2%).

Development constraints associated with these soils types will be addressed in the engineering design phase of the project. Prior to construction, a geotechnical report will be performed to recommend paving sections and subgrade design. Soils types are shown on Exhibit "D" and topography is represented on Exhibit "B" of this PUD.

IV.E. EXISTING ZONING AND LAND USE: Commercial development Areas A and B are presently zoned AG and contain vacant commercial buildings and parking areas previously used for the Conrad Farms sales, a house, and land most recently used for agricultural crops. Most of Development Area C and all of Development Area D are presently zoned RS-3 with PUD 85 and contain land most recently used for agricultural crops. The northerly approximately six (6) acres of Development Area C (also designated Development Area C-1) is presently zoned AG and contains land most recently used for agricultural crops. The westerly approximately 18 acres of Development Area C and all of Development Area E (25 acres combined) are zoned RM-2 with PUD 75 "LeAnn Acres;" together, they contain a dwelling, a barn, and agricultural land.

IV.F. PLATTING AND SITE PLAN REQUIREMENTS: No building permit shall be issued until a subdivision plat has been submitted to and recommended upon by the Bixby Planning Commission and approved by the Council of the City of Bixby, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved PUD and the City of Bixby shall be a beneficiary thereof. The plat will also serve as the site plan for all residential lots contained within the plat. Nonresidential buildings within Development Areas A and B, and any neighborhood amenities requiring a building permit, shall submit and receive Bixby city staff approval of a site plan application. Use Unit 16 ministorage developments shall require Planning Commission site plan approval per Bixby Zoning Code Section 11-9-16.E. By this PUD, the Planning Commission shall have the authority to waive screening, height, and other use conditions provided in Bixby Zoning Code Section 11-9-16.C.

Because the lot of record is already developed, commercial lots within Development Areas A and B, including ministorage uses, shall be eligible for development flexibility upon City Council site plan approval, at the owner's option, pursuant to Bixby Zoning Code Section 11-9-0.F. At the owner's option, if City Council site plan approval is sought, Planning Commission approval of a site plan shall not be required for ministorage uses.

III.G. STANDARDS PERTAINING TO COMMERCIAL LOTS: Within commercial Development Areas A and B, the subdivision plats shall contain restrictive covenants (1) providing for mutual parking privileges, so that all lots may allow their excess parking spaces to be used by patrons of adjacent lots, and (2) lot maintenance covenants requiring such lots to be maintained clear of trash and debris.

III.H. STANDARDS PERTAINING TO DWELLINGS: Within Development Areas C and D, all single family dwelling units shall have a minimum finished heated living area and first-floor masonry content as specified within the respective Development Standards. Masonry percentages shall exclude windows and beneath covered porches. The masonry requirement shall mean brick, natural or manufactured stone, or stucco. The exterior surface of any foundation, including stem walls, shall also be of masonry. The foregoing standards shall be included in the Deed of Dedication and Restrictive Covenants of the plat; all other such restrictions pertaining to dwellings shall be private and will be contained in a separate instrument declaration of covenants, conditions and restrictions, or a similarly-titled document.

IV.I. CITY DEPARTMENT REQUIREMENTS: Standard requirements of the City of Bixby Fire Marshal, City Engineer, and City Attorney shall be met.

IV.J. SCHEDULE OF DEVELOPMENT: Development of the project is expected to commence and be completed as market conditions permit. Commercial development within Development Areas A and B is anticipated to be the first phase.

Conrad Farms

EXHIBIT C

EXISTING UTILITIES

EXISTING UTILITIES LOCATED FROM CITY OF BIXBY ATLAS DATA

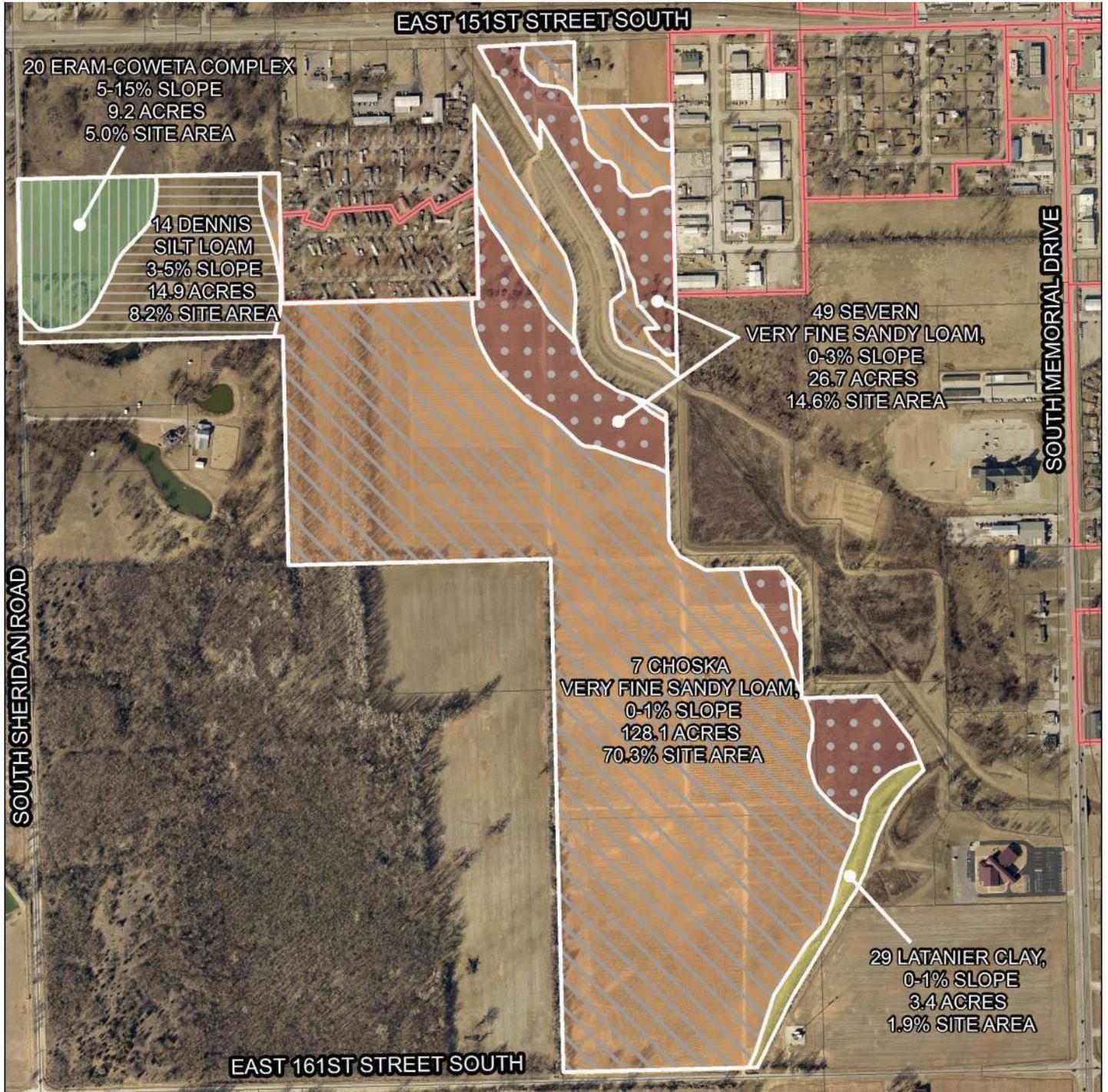


Conrad Farms

EXHIBIT D

EXISTING SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED JULY 05, 2016

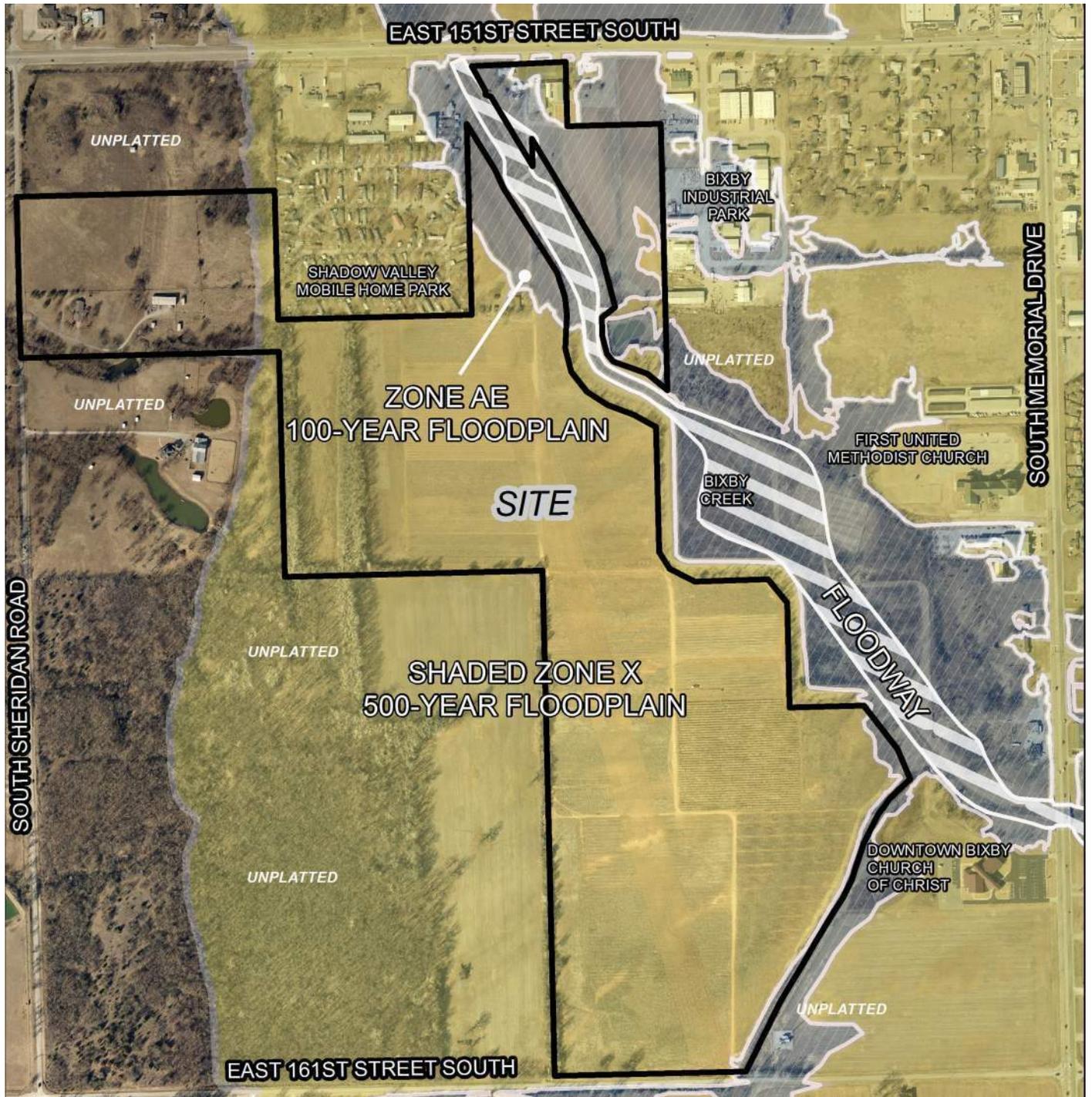


Conrad Farms

EXHIBIT E

FEMA FLOODPLAIN MAP

FEMA FIRM PANEL NO. 40143C0434L, REVISED OCTOBER 16, 2012

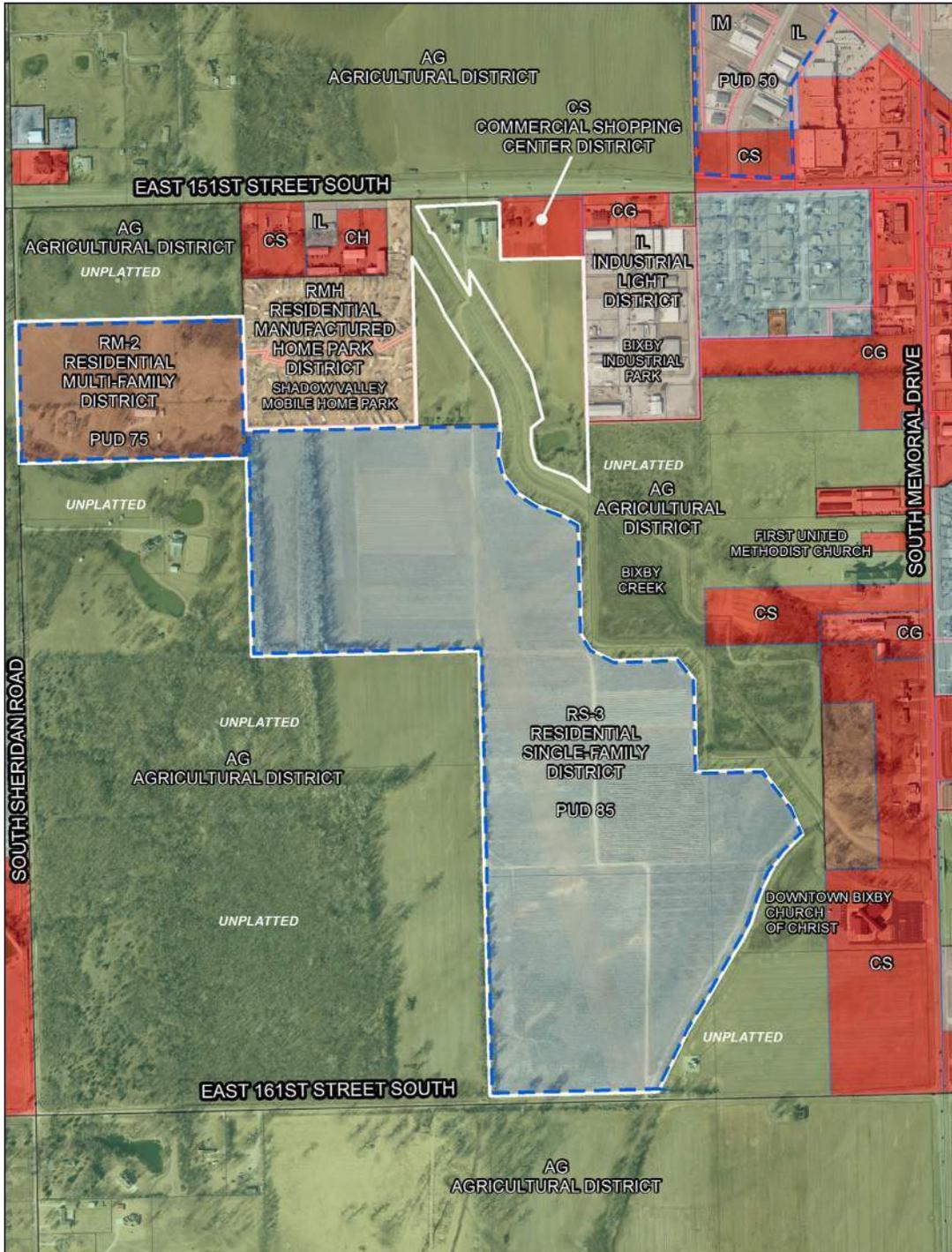


Conrad Farms

EXHIBIT F

EXISTING ZONING MAP

DATA OBTAINED FROM INCOG GIS, VERIFIED BY INCOG WEBSITE AUGUST 12, 2016
MODIFIED PER BIXBY ORDINANCE # 2186 AND BZ-341

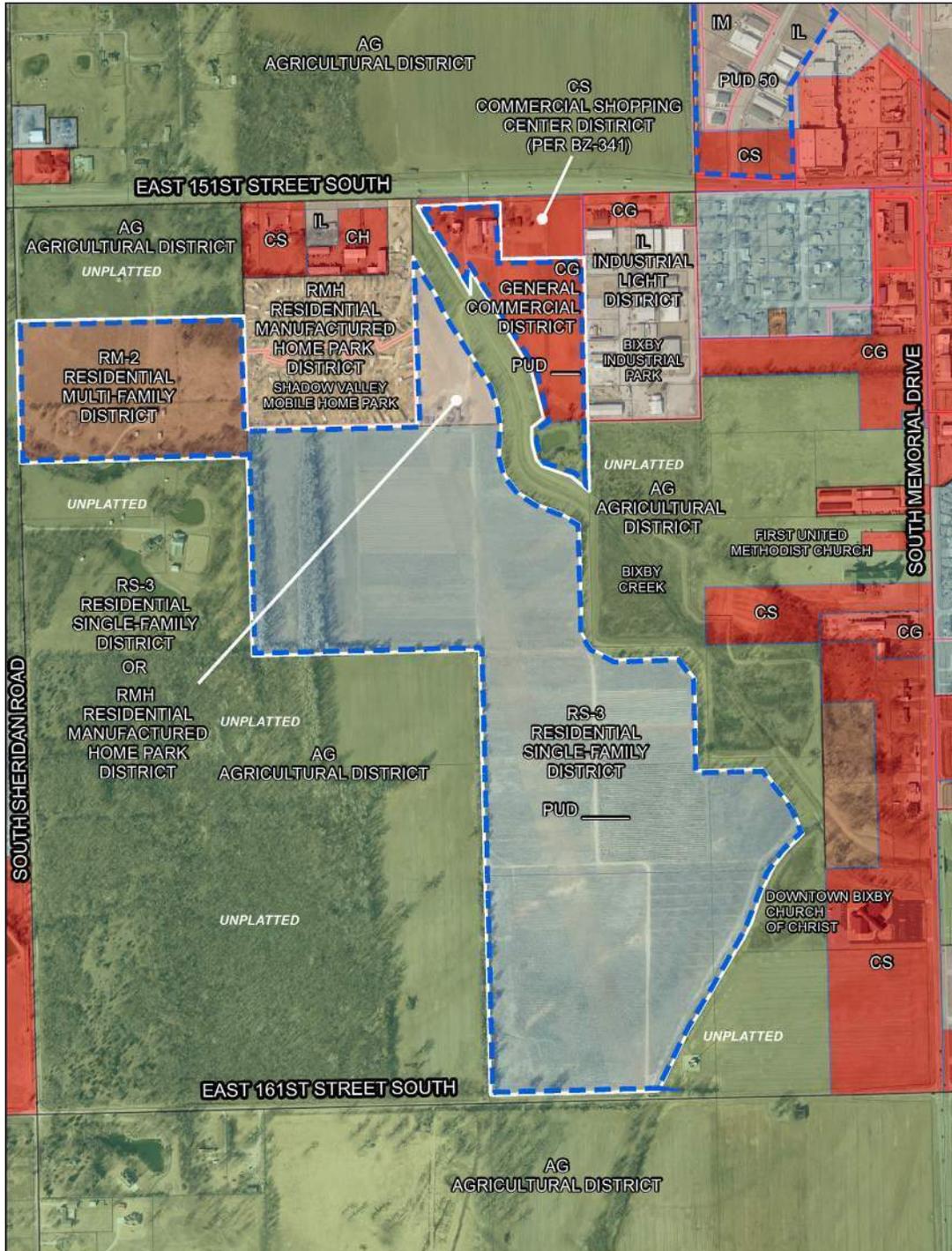


Conrad Farms

EXHIBIT G

PROPOSED ZONING MAP

DATA OBTAINED FROM INCOG GIS, VERIFIED BY INCOG WEBSITE AUGUST 12, 2016
MODIFIED PER BIXBY ORDINANCE # 2186 AND BZ-341 AND WITH PROPOSED ZONING



Conrad Farms

EXHIBIT H

COMPREHENSIVE PLAN MAP

DATA FROM BIXBY COMPREHENSIVE PLAN 2001-2020

