

**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

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 wall 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 chance 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

**FINAL AS APPROVED BY
PLANNING COMMISSION AT THE
SEPTEMBER 19, 2016
REGULARLY SCHEDULED MEETING**