

Bixby Planning Commission

Agenda

City Hall, Council Chambers | 116 West Needles, Bixby, Oklahoma

Tuesday | December 14, 2021 | 6:00 PM

Call to Order

Roll Call

1. APPROVAL OF MINUTES | Regular Scheduled Planning Commission Mtg. | Nov. 15, 2021

Public Hearings

1. 8218 East 121st Street South | Restaurants at Boardwalk

Rezone – BXZO-21.21

Planned Unit Development – BXPUD-21.13

Applicant: Select Design

2. 8050 East 131st Street South | Bell Land Use, LLC

Rezone – BXZO-21.20

Planned Unit Development – BXPUD-21.12

Applicant: Bell Land Use, LLC

Old Business

New Business

Donna Crawford

Posted December 10, 2021, on or before 5pm

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: dcrawford@bixbyok.gov as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using 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.

BIXBY PLANNING COMMISSION MINUTES

Monday | November 15, 2021 | 6:00 PM

City Hall, Council Chambers | 116 West Needles, Bixby, OK

CALL TO ORDER: 6:02PM

Roll Call was taken

MEMBERS PRESENT: Tom Holland

JR Donelson (Chair)

Steve Hobbs

Josh Nave (Vice Chair)

MEMBERS ABSENT: Lance Whisman

Other Staff Present: Carolyn Back, Development Services Director, City Planner

Bixby Leadership Intern Visitors observed proceedings

1. Approval of Minutes | Planning Commission Mtg. October 18, 2021

Mr. Hobbs made motion to approve, Seconded by Mr. Holland

Mr. Holland – Yes

Mr. Nave – Abstained

Mr. Hobbs – Yes

Mr. Donelson - Yes

Motion Approved

Mr. Donelson announced all items have been posted and the next item is:

1. **Preliminary Plat BXPT-21.17**

141st & Lewis | Applicant: AAB Engineering, LLC

Ms. Back presented the staff report. Mr. Nave asked for clarification that at this point nothing is set in stone pertaining to the Deed of Dedication or Plat. Ms. Back indicated there is still work to be done.

The applicant, Jason Mohler of AAB Engineering took the podium, indicated he is in agreement with the staff recommendations and apologized for the pretty sorry job with the Conceptual Utility Plan, but updates have been made with utilities being in the right place and returned to staff. Mr. Mohler also stated that City Council stipulated that at least 25% of the lots needed to be 65ft wide or greater, which has been implemented. Mr. Mohler also indicated the Final Plat for Phase I will be 150 lots.

Mr. Holland expressed concern about being able to raise any questions when the plat comes back, discussion ensued.

Mr. Nave made motion to approve, seconded by Mr. Hobbs

Mr. Hobbs - Yes

Mr. Holland – Yes

Mr. Nave – Yes

Mr. Donelson – Yes

Motion Approved

2. **Rezone BXZO-21.19**

3230 East 151 Street South | Applicant: Oral Roberts Evangelistic Assoc., Mike Bernard

Ms. Back presented staff report and pointed out there will not be university activity at this site. This site is for the ministry, not university activity, the offices will be satellite offices for the ministry.

Mr. Mike Bernard of Oral Roberts Evangelistic Association spoke and verified no university activity Mr. Bernard also stated he is in agreement with staff recommendations.

Mr. Holland made motion to approve, seconded by Mr. Donelson

Mr. Hobbs - Yes

Mr. Holland – Yes

Mr. Nave – Yes

Mr. Donelson – Yes

Motion Approved

3. **Preliminary Plat BXPT-21.16**

13500-Block of South Mingo | Haikey Creek Estates | Applicant: Tanner Consulting, LLC

Ms. Back presented the staff report

Mr. Matt Stentson of Tanner Consulting, LLC spoke about the residential project. Mr. Stentson also stated that Tanner has been working with the City in regards to upgrading the Southbridge Lift Station which is required. Mr. Stentson also stated the lift station will be upgraded prior to any house built in the addition.

Mr. Holland asked what the plan was for the length of 135th Street. He stated that street is nearly ½ mile long and straight and it's about safety. Discussion ensued on the options regarding traffic control.

Mr. Nave made motion to approve, seconded by Mr. Holland

Mr. Donelson – Yes

Mr. Nave – Yes

Mr. Holland – Yes

Mr. Hobbs – Yes

Motion Approved

4. **Final Plat BXPT-18.06**

161st & Memorial | Robinson Ranch III | Applicant: Tanner Consulting, LLC

Ms. Back gave staff report and explained this is Phase III of a proposed series of 10 Phases per PUD-16.05. Also reminded Planning Commission this was initially approved under the name of Prairie Ranch South 04.24.2017.

Discussion ensued on stormwater and where it went from this location.

Motion made by Mr. Nave to approve, seconded by Mr. Hobbs

Mr. Donelson – Yes

Mr. Hobbs – Yes

Mr. Holland – Yes

Mr. Nave – Yes

Motion Approved

5. **BXZO-21.11 REZONE / BXPT-21.15 PRELIMINARY PLAT / BXPT-21.15 FINAL PLAT**

126th Street and Memorial Drive | Cox Nursing Home |

Applicant: Tulsa Engineering & Planning

Ms. Back presented the staff report. Mr. Nave asked what the issues were that City Council continued this project. Ms. Back stated it was elevations and alignment of the building. Mr. Donelson asked if the PUD is required for the entire parcel or just for the parcel frontage along Memorial. Ms. Back stated it was for the front parcel, the Specific Use Permit took care of the nursing home parcel.

Motion made by Mr. Nave to approve on the Rezone, seconded by Mr. Holland

Mr. Donelson – Yes

Mr. Nave – Yes

Mr. Holland – Yes

Mr. Hobbs – Yes

Motion Approved

Motion made by Mr. Hobbs to approve the Preliminary & Final Plat, seconded by Mr. Nave

Mr. Donelson – Yes

Mr. Nave – Yes

Mr. Holland – Yes

Mr. Hobbs – Yes

Motion Approved

6. **SITE PLAN BXSP-21.05 / BXPT-21.11 PRELIMINARY PLAT**

15800-Block of South Memorial Drive | South Bixby Mini Storage

Applicant: JR Donelson

Mr. Donelson recused himself from the meeting, Mr. Nave took over the meeting. Ms. Back read the staff report and explained how the owners met with staff and revised their plans to reflect better alignment with the Corridor Appearance District and staff was appreciative of their effort. Staff is in support of recommending approval.

Motion made by Mr. Hobbs to approve, seconded by Mr. Holland

Mr. Nave – Yes

Mr. Holland – Yes

Mr. Hobbs – Yes

Motion Approved

Mr. Donelson reentered the Council Chambers.

Mr. Donelson asked if there was any

New Business – None

Old Business – None

Mr. Holland made motion to adjourn, seconded by Mr. Nave

Meeting adjourned at 6:50pm



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission
From: Carolyn Back, Development Services Director/City Planner
Donna Crawford, Assistant City Planner
Date: Tuesday, December 14, 2021
Name: Neafus Rezone and PUD
RE: Rezone (BXZO-21.20), and Planned Unit Development (BXPUD-21.12)
Location: 8050 E 131st Street
1.099 Acres (+/-)
STR: Section 11, Township 17N, Range 13E
Applicant: Bell Land Use, LLC

Staff Review

The applicant is requesting a Rezone (BXZO-21.20) from Residential Single-Family (RS-1) to Commercial General (CG) with Supplemental Zoning through (BXPUD-21.12).

Existing Zoning; Use:

Single-Family Residential (RS-1); Single-Family residence

Abutting Zoning; Use:

North: Residential Single-Family (RS-1); Single-Family Residence

East: Commercial General (CG); Financial Institution and C-Store with fuel

South: Agriculture (AG); Vacant

West: Residential Single-Family (RS-1); Single-Family Residence

Proposed Zoning; Use:

Commercial General (CG); not disclosed

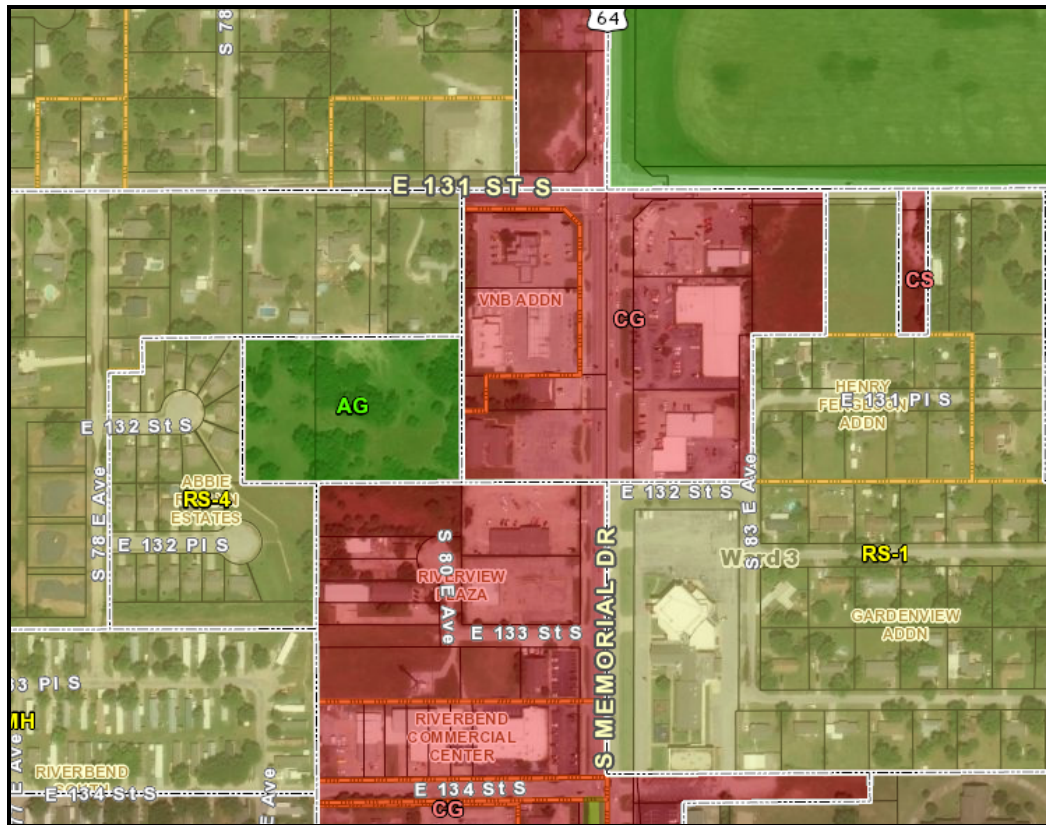


Figure 1: City of Bixby Zoning Map

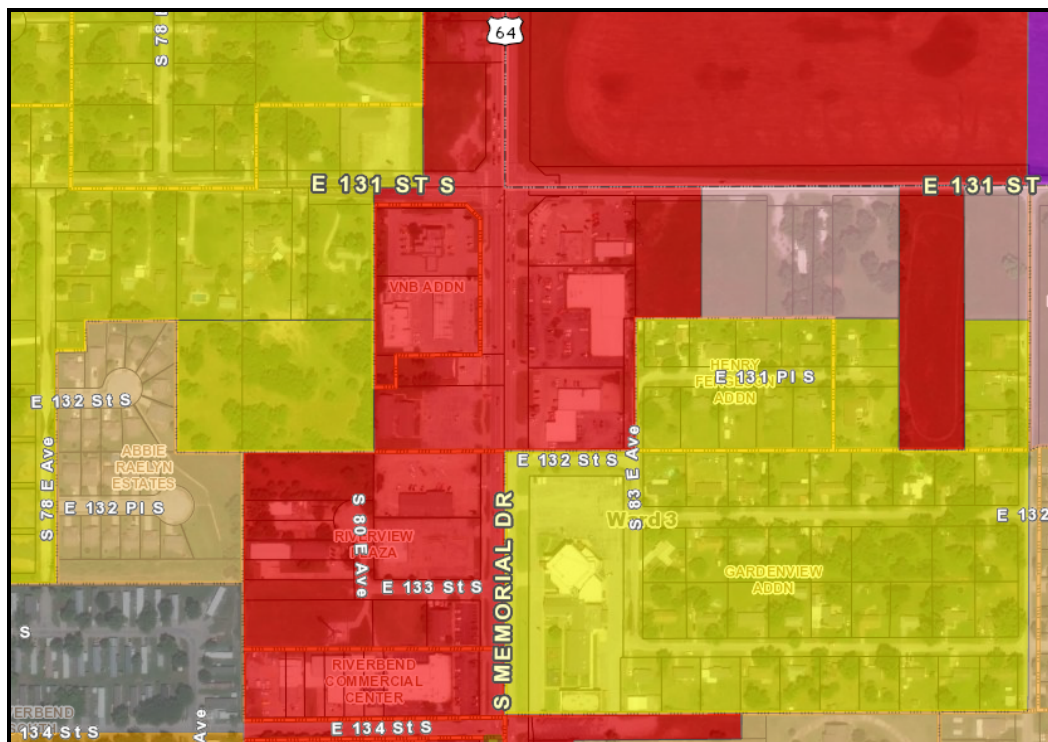


Figure 2: City of Bixby Future Land Use Map

The applicant is currently requesting a Rezone (BXZO-21.20) from Residential Single-Family (RS-1) to Commercial General (CG) with supplemental zoning through a Planned Unit Development (BXPUD-21.12). They believe an increase in intensity from Low Density Residential to Commercial is best suited for the property, based on abutting commercially zoned property to the east and its location within the Corridor Appearance District.

The applicant has requested Commercial General Zoning, but has reduced the allowed uses within the PUD to Commercial Shopping (CS) "Uses by Right" with the following exceptions.

Exceptions from PUD:

Use Unit 2 – Area Wide Special Exception Uses

Use Unit 5 – Children's Nursery (Only)

Use Unit 19 – Drinking Establishment (Only) (Unless recognized as an accessory use to eating establishment as defined by the State of Oklahoma)

Sexually Oriented Business as defined in Section 11-7D-6 Bixby Zoning Code

The following uses shall require an amendment to the PUD and must be approved by the Bixby City Council prior to establishment:

Use Unit 16 – Mini-Storage

Use Unit 19 – Hotel, Motel (Only)

Signage excerpt from PUD:

- A. The development may place One (1) ground sign along East 131st Street South that incorporates the uses within the development.
- B. Grounds signs and building signs associated with uses that front East 131st Street South shall follow the guidelines of the Commercial General (CG) and the Corridor Appearance District.

If approved, to further reduce potential impacts, Staff recommends One (1) Tenant ground sign for all businesses. The ground sign must be situated along East 131st Street South. No additional ground signs should be allowed for this development.

Staff appreciates the applicant downgrading the allowed uses within the PUD to only allowing Commercial Shopping (CS) uses, with stated exceptions in the PUD, but would ask the applicant add a statement in the PUD prohibiting any Commercial General (CG) uses, to avoid any confusion in the future with the Rezone being to Commercial General.

This rezone requires an update to the Comprehensive Plan, 2030 Future Land Use Map.

History:

On October 25, 2021, the applicant went before the City Council with recommendation from Planning Commission for approval of the Comprehensive Plan, 2030 Future Land Use Map amendment (BXCP 21.11).

Currently, the City Council application is pending to allow the applicant time to prepare and submit Rezone and Planned Unit Development (PUD) applications, before continuing with the Comprehensive Plan case.

Based on future development patterns along South Memorial Drive, within our Corridor Appearance District, this amendment could be considered consistent with the future development of commercial property along our 600 foot deep Corridor District. This subject property does abut the existing commercially zoned property currently operating as a bank located to the east.

This land is located within the Corridor Appearance District and if approved, will be held to those standards for future commercial development.

Corridor Appearance District

11-7G-1: PURPOSES:

There is hereby created a corridor appearance district along Memorial Drive from 101st to 171st Street South, as hereinafter defined, for the purpose of extending appearance review standards and guidelines to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping, building material selection, structural design and color scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for nonresidential, commercial development, and industrial development to the benefit of the city's visitors and residents

11-7G-2: LOCATION:

An area six hundred feet (600') in width along and parallel to Memorial from 101st to 171st South, [pertaining to this property].

11-7G-5: DEVELOPMENT MINIMUM STANDARDS:

A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.

B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the City Council reduce or waive the requirement altogether.

C. The City Planner may refer a proposed structure to the City Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

Public Comments: Several public comments have been received from: a.) One (1) abutting City of Bixby business owner and, b.) Three (3) City of Bixby residents that live in the area.

Their concerns were focused on:

- Traffic in and out of the neighborhood
- Problems that go along with the cannabis industry: security, odors, traffic, noise
- The loss of residential zoning in their neighborhood

Staff Comments:

1. A Medical Marijuana Education Facility (Use Unit 5) is an allowed use in the Commercial Shopping (CS) and Commercial General (CG) zoning districts.
2. A Medical Marijuana Dispensary (to include transporting use) (Use Unit 13) is an allowed use in the Commercial Shopping (CS) and Commercial General (CG) zoning districts.
3. A Medical Marijuana Warehousing and Wholesaling Facility (Use Unit 23) is an allowed use with an approved Specific Use Permit in the Commercial General (CG) zoning district.
4. Staff has received several calls about this project. One from the abutting business owner and the other calls were from concerned residents.
5. Staff has concerns for the abutting single-family uses and the difficulty it would be for the commercial use(s) to properly screen the proposed commercial impacts: noise, lighting, odors, traffic, etc., on the existing single-family residences and uses.
6. Staff recommends adding an exclusion of all medical marijuana uses within this PUD due to the proximity of the single-family residences.
7. Staff recommends deleting the PUD entry that Use Unit 16 for mini-storage and Use Unit 19 for Hotel, Motel (only) as being allowed.
8. Staff appreciates the applicant downgrading to only allowing CS type uses per the PUD, but would ask the applicant add a statement prohibiting any CG uses, to avoid confusion.
9. Staff recommends One (1) Tenant ground sign for all businesses. The ground sign must be situated along East 131st Street South. No additional ground signs should be allowed for this development.

Staff Recommendation:

1. With the projected growth within the City of Bixby, Staff foresees the proposed rezone being amenable to various types of commercial uses, but is not confident the timing is best for the community as a whole, and more specifically, the established single-family residential uses in the immediate area that will be impacted.
2. If inclined to recommend approval, Staff recommends including all of the Staff Comments (1. through 5.) in their motion to City Council.

Staff Recommends Planning Commission deny the application for Rezone (BXZO-21.20) and PUD (BXPUD-21.12).

Attachments:

Exhibit A: BXPUD-21.12 by Bell Land Use, LLC, October 29, 2021

8050 East 131st Street South

Bixby Oklahoma

Planned Unit Development Number _____

General Commercial with restricted uses



Jim Neafus Property

🔔 Bell Land Use LLC
918-902-0462

TABLE OF CONTENTS

		Page
I.	Executive Summary	3
II.	Development Text	5
III.	Development Standards	6
	a. Permitted Uses	
	b. Prohibited Uses	
	c. Screening	
	d. Landscaping	
	e. Access	
	f. Lighting	
IV.	Signage	7
V.	Parking	8
VI.	Drainage and Utilities	8
VII.	Existing Zoning and Comprehensive Plan	8
VIII.	Proposed Zoning and Comprehensive Plan	8
IX.	Site Plan Review	8
	Exhibit A Comprehensive Plan	
	Exhibit B Aerial View	
	Exhibit C Screening Fence beginning Point	
	Exhibit D Existing Zoning	

I. Executive Summary

The subject property is designated as Low Intensity by the Bixby Comprehensive Plan and is under consideration to be changed to a Commercial Designation. The subject property is within an area that would be generally recognized as a five-acre Commercial node that is usually established at the intersection of section line roads. This area is further enhanced for commercial use because one of the section line roads (Memorial Avenue) is a State Highway. The commercial designation has been extended along Memorial Avenue in recognition of the volume of traffic and the conditions created that are not conducive to residential use.

The Bixby Comprehensive Plan Designates the property to the west of the Low Intensity area as Medium Residential. This situation creates a condition where a pocket of single-family residential sets between two higher density uses. This was created because the low intensity area was established to protect the two existing residential structures when the Plan was originally established in the 1970's. These properties are not a neighborhood. They are two single family residential structures setting on unplatted property that is greater than one acre each. Since the application is only addressing the Neafus tract, it is recognized that the limitations that are created to the subject property extend to the residential property to the west and the 2.5-acre tract south of the Neafus property.

The current owners of the subject tract have come to the realization that the property cannot be developed for Single Family Residential Use as currently designated by the Comprehensive Plan. The impacts to the property from the adjacent commercial uses and more so the negative impact of being so close to Memorial (Highway 67) and the 131st intersection renders the property not suitable for residential use.

The Assessor values the current structure on the subject property at \$45,000. This structure has obviously outlived its usefulness and should be razed. It is unlikely that anyone at today's costs would build a new house at this location. The value is not sustainable for the cost of new housing at this location. To remodel the existing structure would not raise the value of the property to the dollars spent. A residential development of the property is not viable because of the required upgrade to the road and other infrastructure requirements, plus the residential use of the road would be considered greater negative impact to the existing developments along this road and would not support the highest and best use of all tracts that have access to the road.

This brings us to the Development Concept associated with the Zone Change Request and associated Planned Unit Development. The important consideration for the subject tract is to determine the appropriate zone for the subject property that allows highest and best use and does not create limitations on the other tracts of the Low Intensity area during future consideration. At the same time, the concept is to create development standards that protect the existing residential use until the adjacent property has been considered for Commercial Use. This can only be addressed by the establishment of a Planned Unit Development that restricts uses that have already been considered and denied by public process, identify those use that would be inappropriate for the site and established the proper development standards.

A Plan Amendment Application for a Commercial Designation has been submitted to the City Council. This application has been tabled until such time that a Zone Change to CG and a Planned Unit Development application can be processed with the Plan Amendment that addresses the previous denied applications and possible inappropriate zoning uses and with criteria to protect existing residential.

II. Development Text

The subject property is in the Corridor Appearance Review District along Memorial Drive from 101st to 171st Streets and shall be subject to the Appearance Review criteria. The Corridor Appearance review standards and guidelines are established to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping, building material selection, structural design and color scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for non-residential, commercial development and industrial development to the benefit of the city's visitors and residents. The minimum development standards and exceptions are as follows:

- A. Modified 11-7G-5 - All sides of buildings facing public streets shall be full masonry to the first-floor top plate to include brick, stucco or similar masonry like product, stone, or some combination thereof.
- B. The development must submit elevations with a site plan with a required Plat as specified in the Zoning Code. The site plan review will incorporate the elevation of the building for the Corridor Appearance Review process.
- C. Submittal with the site plan will be an extensive landscape plan. This plan will include protection of existing trees, if possible, and incorporate features that aid in protecting adjacent residential use from the activities on the site.
- D. An eight-foot high screening fence will be erected along the west property line from the southwest corner of the property to a point that is 50 feet from 131st Street. The defined length of the screening fence incorporates all residential structures and uses on the adjacent property to the west.
- E. The City Planner may refer a proposed structure to the City Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

III. Development Standards

The Property will be Zoned CG (General Commercial)

Permitted Uses:

All uses allowed by right in the CS Zoning District except as defined below.

Prohibited Uses:

The following uses shall be prohibited by the PUD and not allowed on the Property:

Use Unit 2 – Area Wide Special Exception Uses

Use Unit 5 – Children’s Nursery (Only)

Sexually Oriented Business as defined in Section 11-7D-6 Bixby Zoning Code

Use Unit 19 – Drinking Establishment (Only) (Unless recognized as a accessory use to eating establishment as defined by the State of Oklahoma)

The following uses shall require an amendment to the PUD and must be approved by the Bixby City Council prior to establishment:

Use Unit 16 – ministorage

Use Unit 19- Hotel, Motel (Only)

Minimum Lot Area Per Unit:	Per CG Zone
Minimum Width	80 Feet
Minimum Setback from South Property Line: (Commercial Property)	5 Feet
Minimum Setback from East Property Line:	5 Feet
Minimum Setback from west property Line: (South 79 East Avenue)	20 Feet
Minimum Setback from north Property Line:	50 Feet
Maximum Permitted Building Height:	35 Feet

Screening:

An eight-foot screening fence shall be established on the west property line beginning 50 feet from 131st Street to the southwest corner of the tract upon development of the property for commercial use. (See exhibit C)

Landscaping:

Submittal with the required site plan will be an extensive landscape plan. The plan will comply with all requirements of the City of Bixby codes. The plan will also include protection of existing trees, if possible, and incorporate features that aid in protecting adjacent residential use from the activities on the site.

Access:

An existing access is established to the property from 131st Street, any relocation and/or establishment of a second access from 131st Street shall be subject to review and approval of the Bixby City Engineer. An access point may be established from South 79 East Avenue within 50 feet of East 131st Street prior to the required Screening Fence with the upgrade of the area utilized of 79 East Avenue to City Standards subject to the review and approval of the Bixby City Engineer.

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from adjacent residential properties. Street and parking lot lighting shall not exceed 15 feet in height and be approved by City Engineer prior to installation.

IV. Signage

1. General requirements:

- a. The Development may place one ground sign along 131st Street that incorporates the uses within the development.
- b. Ground signs and building signs associated with uses that front 131st Street shall follow the guidelines of the CG Zoning District and the Corridor Appearance District.

2. Wall or canopy signs within the development shall not exceed an aggregate display surface area of 1 square foot per each lineal foot of the building wall to which the sign or signs are affixed. Wall and canopy signs shall be further restricted as follows:

- a. A wall or canopy sign shall not extend above the top of the parapet or building wall on which it is located

3. During the period of construction, but not exceeding 24 months, a maximum of one sign advertising the construction may be erected on the 131st Street frontage of the

development. This sign shall comply with the City of Bixby Sign Code for display area allowed.

V. Parking

Parking Spaces shall comply with the requirements of the Zoning Code for the use being installed.

VI. Drainage and Utilities

All public utilities are available to the site and shall be addressed in the required platting requirements associated with the requested zone change.

The development will be required to submit a detailed drainage plan to the City Engineer for review and approval in the platting process.

VII. Existing Zoning and Comprehensive Plan

The subject property is designated as Low Intensity by the Bixby Comprehensive Plan. The Property is currently zoned RS-1 (Single Family Residential).

VIII. Proposed Zoning and Comprehensive Plan

A Plan Amendment Application for a Commercial Designation has been submitted to the City Council. This application has been tabled until such time that a Zone Change to CG and a Planned Unit Development application can be processed with the Plan Amendment that addresses the previous denied applications and possible inappropriate zoning uses and with criteria to protect existing residential.

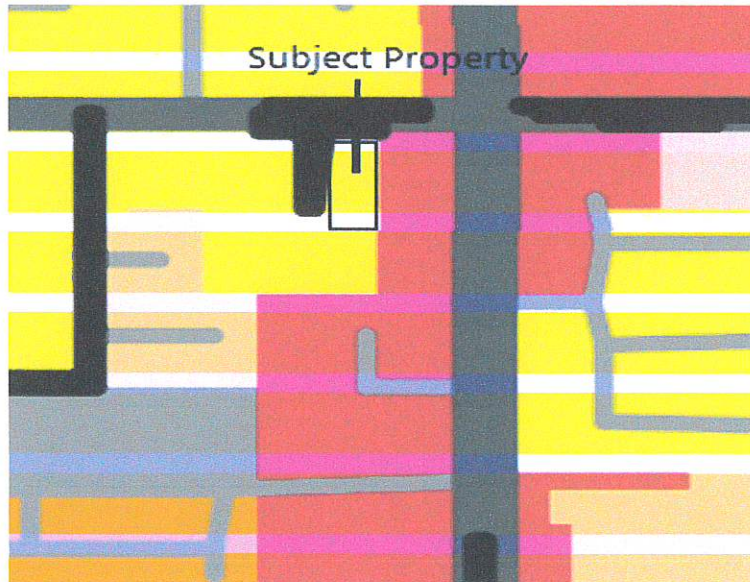
IX. Site Plan Review

Approval of the PUD also requires the submittal of building elevations with a detailed site plan, and required Platting as specified in the Zoning Code. The site plan review will incorporate the elevation of the building for the Corridor Appearance Review process.

EXHIBIT 'A'

Bixby Comp Plan

Subject Area



Legend

Future Land Use

- Rural Agriculture (Unincorporated)
- Agricultural
- Rural Residential
- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential
- Mixed Use
- Residential Manufactured Home Park

Density (du/ac.)

- 0 - 0.5
- 0 - 1
- 0 - 1.5
- 1.5 - 4
- 4 - 6
- 6 - 10
- 10 +
- 10 +
- 8

Future Land Use

- Neighborhood Commercial
- Commercial
- Industrial
- Public/Institutional
- Recreation and Open Space
- Flood District
- Water

- City Owned Parcels
- Bixby Fenceline
- Bixby City Limit
- County
- Highway
- Major Street
- Local Street
- Railroad



EXHIBIT 'B'
Aerial Photo of Site



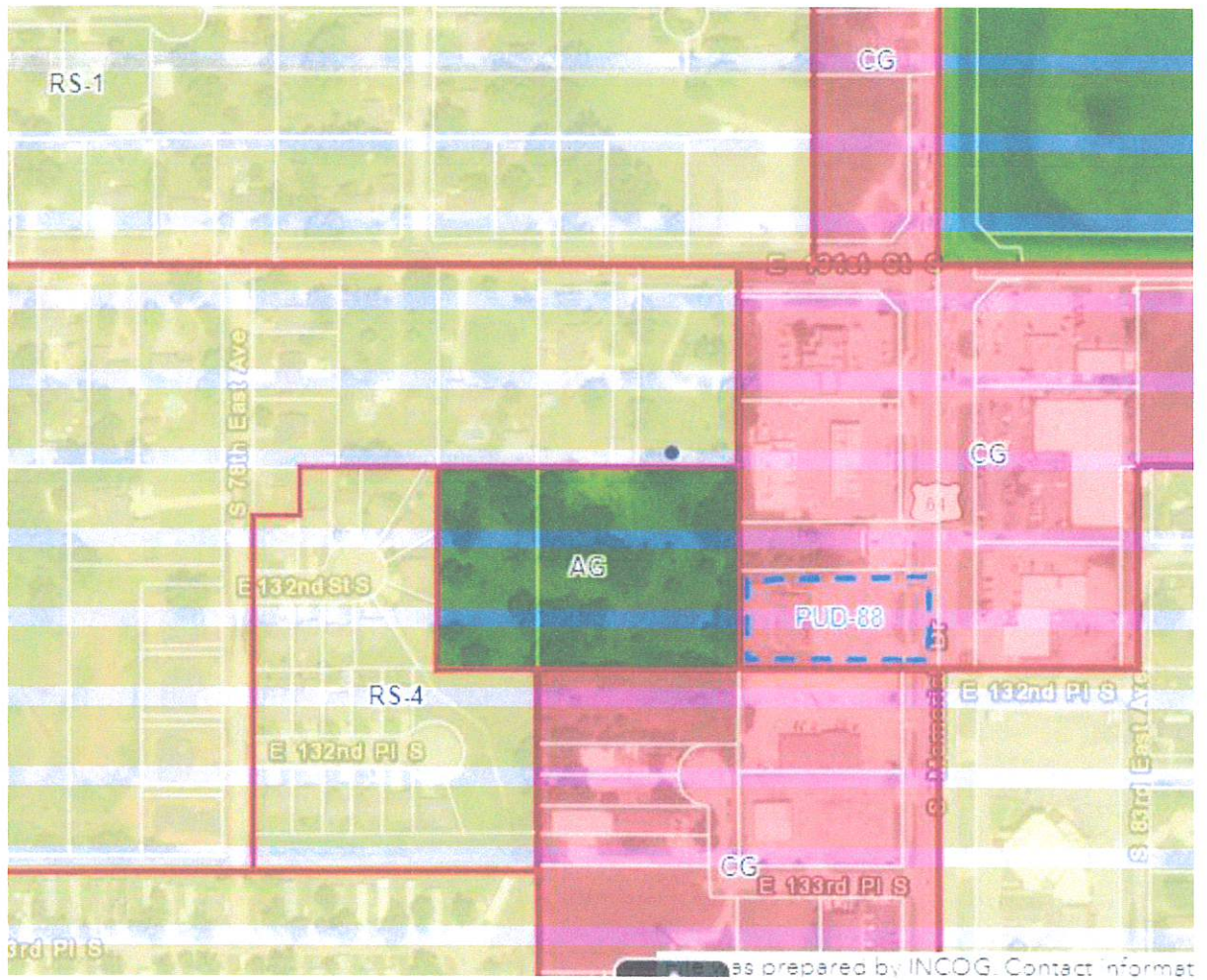
EXHIBIT 'C'

Screening Fence Requirement



EXHIBIT 'D'

Area Zoning





City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner
Donna Crawford, Assistant City Planner

Date: Tuesday, December 14, 2021

Name: Restaurants at Boardwalk
(Mixed-Use Development: Multi-Tenant Food Hall with Brew Pub and Drive-through Coffee; Office/ General Retail Uses)

RE: Rezone (BXZO-21.21), and Planned Unit Development (BXPUD-21.13)

Location: 8210 and 8218 E 121st Street
2.50 Acres (+/-)

STR: Section 1, Township 17N, Range 13E

Applicant: Select Design – Ryan McCarty

Request:

The applicant is requesting a Rezone (BXZO-21.21) from Commercial Shopping (CS) to Commercial General (CG) with Supplemental Zoning through (BXPUD-21.13).

Existing Zoning; Use:

Commercial Shopping (CS); Atlas Building
PUD-81; Residential Multi-Family campus

Abutting Zoning; Use:

North: (CS) Commercial Shopping; Convenience Store
(CS) Commercial Shopping; Townhouses
East: (PUD-81, PUD-81-A) Residential Multi-Family; Apartments
South: (RM-3) Residential Multi-Family; Stormwater Retention/Detention Pond
West: (CS) Commercial Shopping; Fast Food Restaurant and Flooring commercial business

Proposed Zoning; Use:

(CG) Commercial General; Multi-tenant Food Hall with supplemental zoning (PUD-21.13)

Staff Review

The Restaurants at Boardwalk is a proposed mixed-use, commercial development of a multi-tenant food hall, brewpub, drive-thru coffee building and an office / general retail building on a 2.5-acre tract of land within the City of Bixby.

The project is located on the south side of East 121st Street South approximately 500 feet east of South Memorial Drive. This property lies within our Corridor Appearance District and will be required to comply with these standards.

The proposed Rezone with supplemental zoning PUD-21.13 with the Corridor Appearance Plan requirements aligns with the Comprehensive Plan and the 2030 Future Land Use Map designation of Mixed-Use.

Development Area A - Restaurant / Brew Pub:

# of Acres (Gross) 1.994 Acres (+/-)	# of Acres (Net) 1.9445Acres (+/-)	Max FAR .75	Max Allowed Bldg SF 63,531 SF
Zoning & Permitted Uses CG Uses by Right PUD-21.13	Prohibited Uses Sexually Oriented Businesses per 11- 7D-6	Max Bldg Height 5-stories or 70 feet	Approx Bldg SF 18,500 SF
Use Unit 10 Off Street Parking Areas	Use Unit 12 Entertainment establishments and eating establishments other than drive- ins	Use Unit 13 Convenience Goods and Services	Use Unit 19 Hotel, Motel and recreation facilities (Brewpub Use Only)

Development Area B – Office General Retail:

# of Acres (Gross) 0.508 (+/-)	# of Acres (Net) 0.483 (+/-)	Max FAR .75	Max Allowed Bldg SF 15,774 SF
Zoning & Permitted Uses CG Uses by Right PUD-21.13	Prohibited Uses Sexually Oriented Businesses per 11- 7D-6	Max Bldg Height 5-stories or 70 feet	Approx Bldg SF 7,500 SF
Use Unit 10 Off Street Parking Areas	Use Unit 11 Office and Studios	Use Unit 13 Convenience Goods and Services	Use Unit 14 Shopping Goods and Services

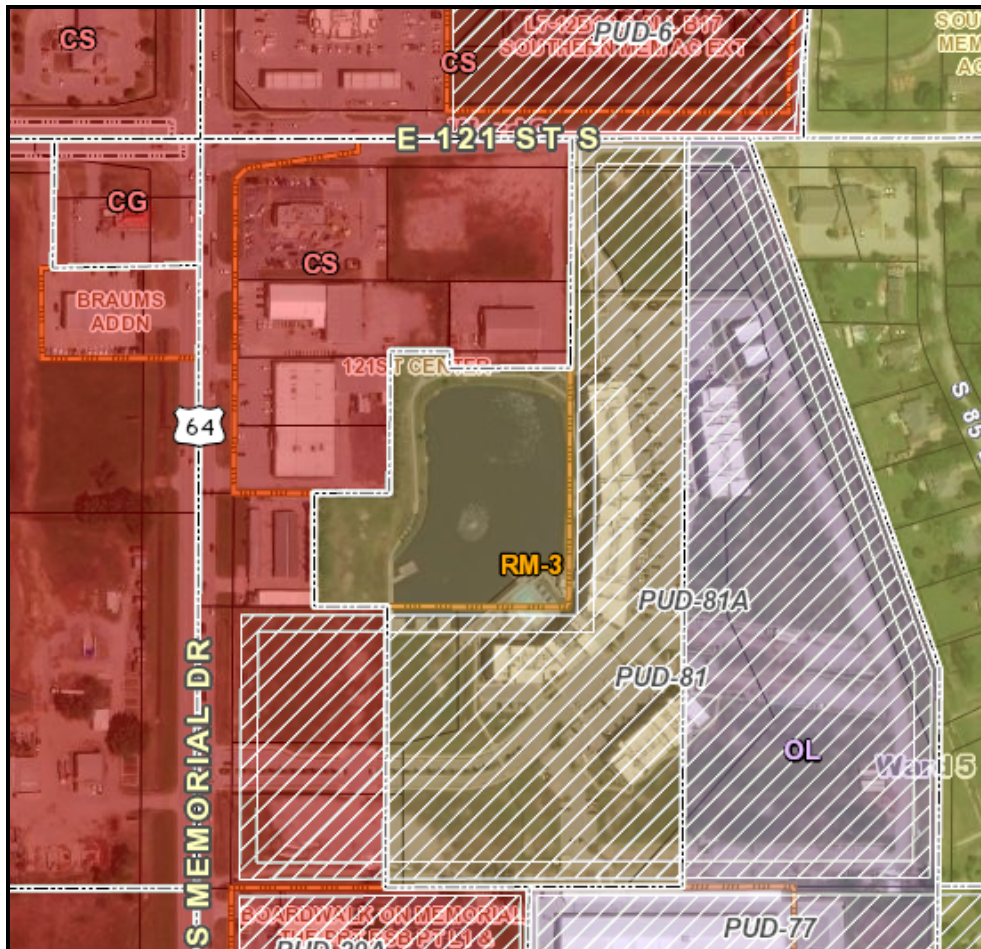


Figure 1: City of Bixby Zoning Map

Utilities: City of Bixby Water, Stormwater, and Sanitary Sewer

Engineering Comments: To be addressed at permitting

Public Comments: No public comments received

Staff Comments:

1. Staff supports Planning Commission recommendation for approval.

Attachments:

Exhibit A: BXPUD-21.13 by Select Design, December 9, 2021

**Planned Unit Development
BXPUD-21.13**

RESTAURANTS AT BOARDWALK

Bixby, Oklahoma

December 9, 2021



Table of Contents

I. DEVELOPMENT CONCEPT	3
Exhibit A – Vicinity Map	4
Exhibit B – Aerial Photo	5
Exhibit C – Conceptual Site Plan	6
Exhibit D – Current Zoning Map	7
Exhibit E – Bixby Comprehensive Plan	8
Exhibit F – Conceptual Building Elevations	9-11
Exhibit G – Signage Concept	12
Exhibit H – Mutual Access Easement	13
 II. DEVELOPMENT STANDARDS	
Development Areas Summary & Map	14
Development Area A	15
Development Area B	16
 III. GENERAL PROVISIONS	
A. Landscaping	17
B. Screening	17
C. Parking	17
D. Lighting	17
E. Signage	18
F. Utilities	18
G. Topography and Existing Soils	18
H. Drainage	19
I. Vehicular Access and Circulation	19
J. Emergency Vehicle Access & Mutual Access Easement	19
K. Detailed Site Plan Review	19
 IV. ANTICIPATED CONSTRUCTION SCHEDULE	19

I. Development Concept

Restaurants at Boardwalk is a proposed mixed-use, commercial development requesting approval of a Planned Unit Development to allow a multi-tenant food hall, brewpub, drive-thru coffee and office / general retail on a 2.5-acre tract of partially developed land within the City of Bixby. Historically, a portion of this property was developed as a sales office / warehouse for a general contractor which is planned to be removed from the property. The project is located on the south side of East 121st Street South approximately 500 feet east of South Memorial Drive.

Objectives:

- To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties
- To permit greater flexibility within the development to best utilize the physical features of the particular site
- To encourage the provision and preservation of meaningful open space
- To encourage integrated and unified design and function of the various uses comprising the planned unit development
- To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility.

Legal Description

A TRACT OF LAND THAT IS PART OF LOT FIVE (5), BLOCK ONE (1) AND RESERVE AREA "A", 121ST CENTER, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 4728 AND PART OF LOT THREE (3), BLOCK ONE (1), CHATEAU VILLAS, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT NO. 6671, ALL PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17), NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW/4 OF SAID SECTION 1; THENCE NORTH 88°39'06" EAST ALONG THE NORTH LINE THEREOF 663.98 FEET; THENCE SOUTH 01°20'54" EAST A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT FIVE (5), BLOCK ONE (1), 121ST CENTER AND THE POINT OF BEGINNING; THENCE SOUTH 00°59'54" EAST ALONG THE EAST LINE OF SAID LOT FIVE (5), BLOCK ONE (1), 121ST CENTER, A DISTANCE OF 97.87 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 130.00 FEET, AN ARC LENGTH OF 88.95 FEET, A CENTRAL ANGLE OF 39°12'11", A CHORD BEARING OF SOUTH 20°35'59" EAST AND A CHORD DISTANCE OF 87.22 FEET; THENCE SOUTH 40°12'04" EAST A DISTANCE OF 10.12 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 97.00 FEET, AN ARC LENGTH OF 41.35 FEET, A CENTRAL ANGLE OF 24°25'37", A CHORD BEARING OF SOUTH 27°59'16" EAST AND A CHORD DISTANCE OF 41.04 FEET; THENCE SOUTH 08°32'16" EAST A DISTANCE OF 122.11 FEET; THENCE SOUTH 81°18'32" WEST A DISTANCE OF 70.94 FEET TO A POINT ON THE EAST LINE OF SAID RESERVE "A", 121ST CENTER; THENCE SOUTH 88°39'06" WEST A DISTANCE OF 215.00 FEET; THENCE NORTH 00°59'54" WEST A DISTANCE OF 155.00 FEET; THENCE SOUTH 88°39'02" WEST A DISTANCE OF 110.69 FEET; THENCE NORTH 00°47'58" WEST A DISTANCE OF 200.01 FEET TO A POINT IN THE NORTH LINE OF SAID LOT FIVE (5), BLOCK ONE (1), 121ST CENTER; THENCE NORTH 88°39'06" EAST ALONG THE NORTH LINE THEREOF 325.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 108,990.64 SF OR 2.502 ACRES, MORE OR LESS.

EXHIBIT A
VICINITY MAP



EXHIBIT B
AERIAL PHOTO



EXHIBIT C

CONCEPTUAL SITE PLAN

East 121st Street South

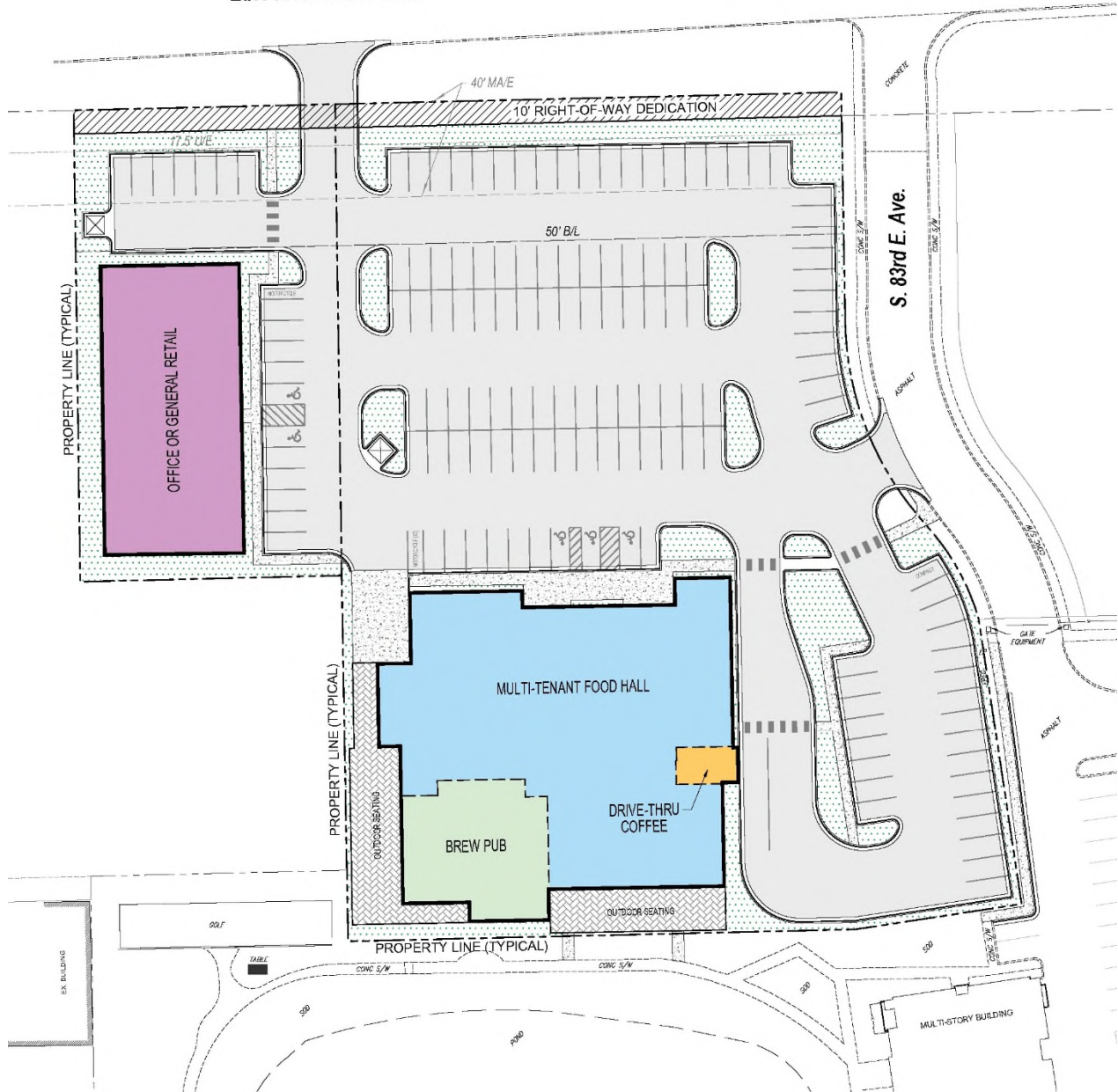


EXHIBIT D
CURRENT ZONING MAP

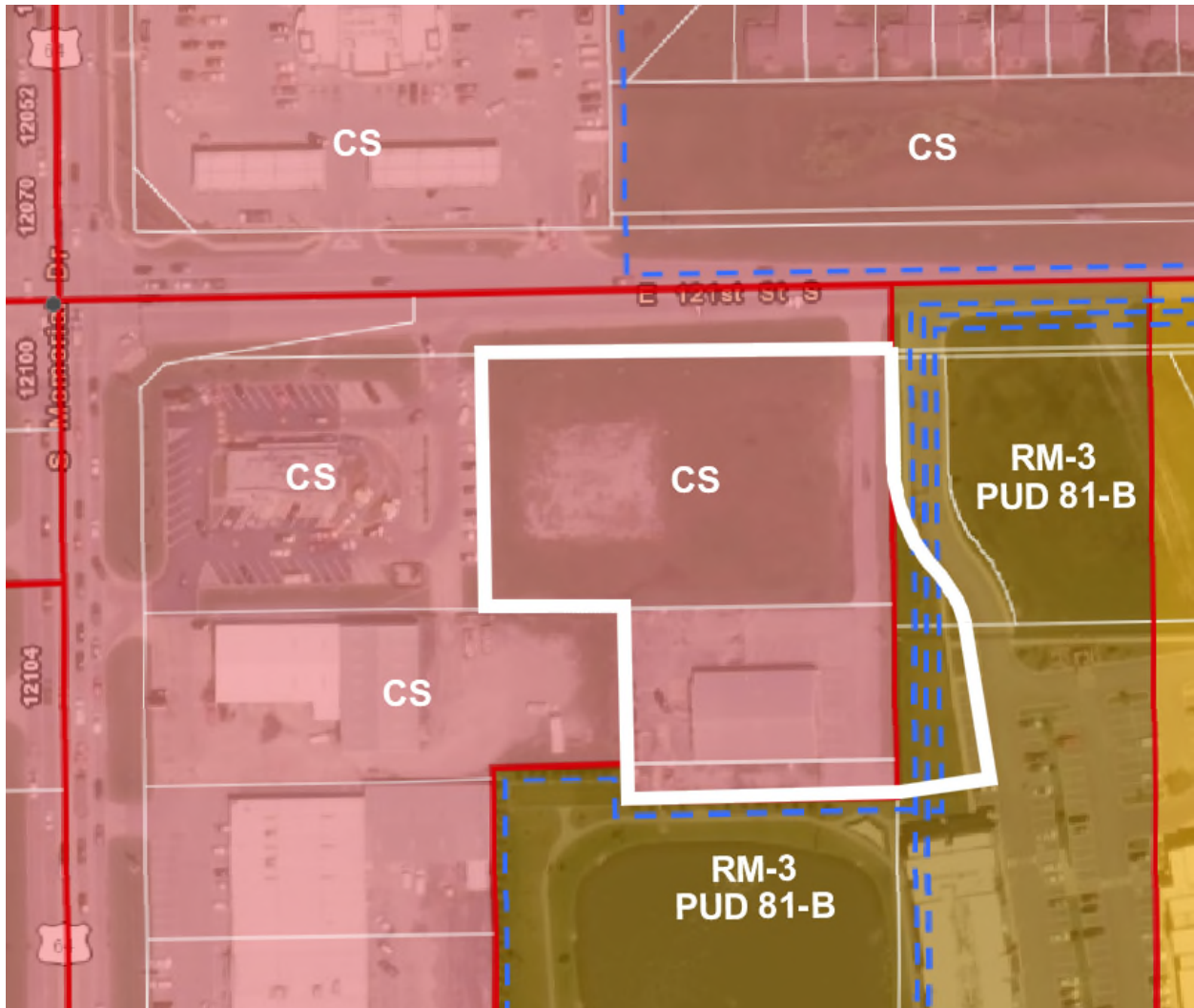
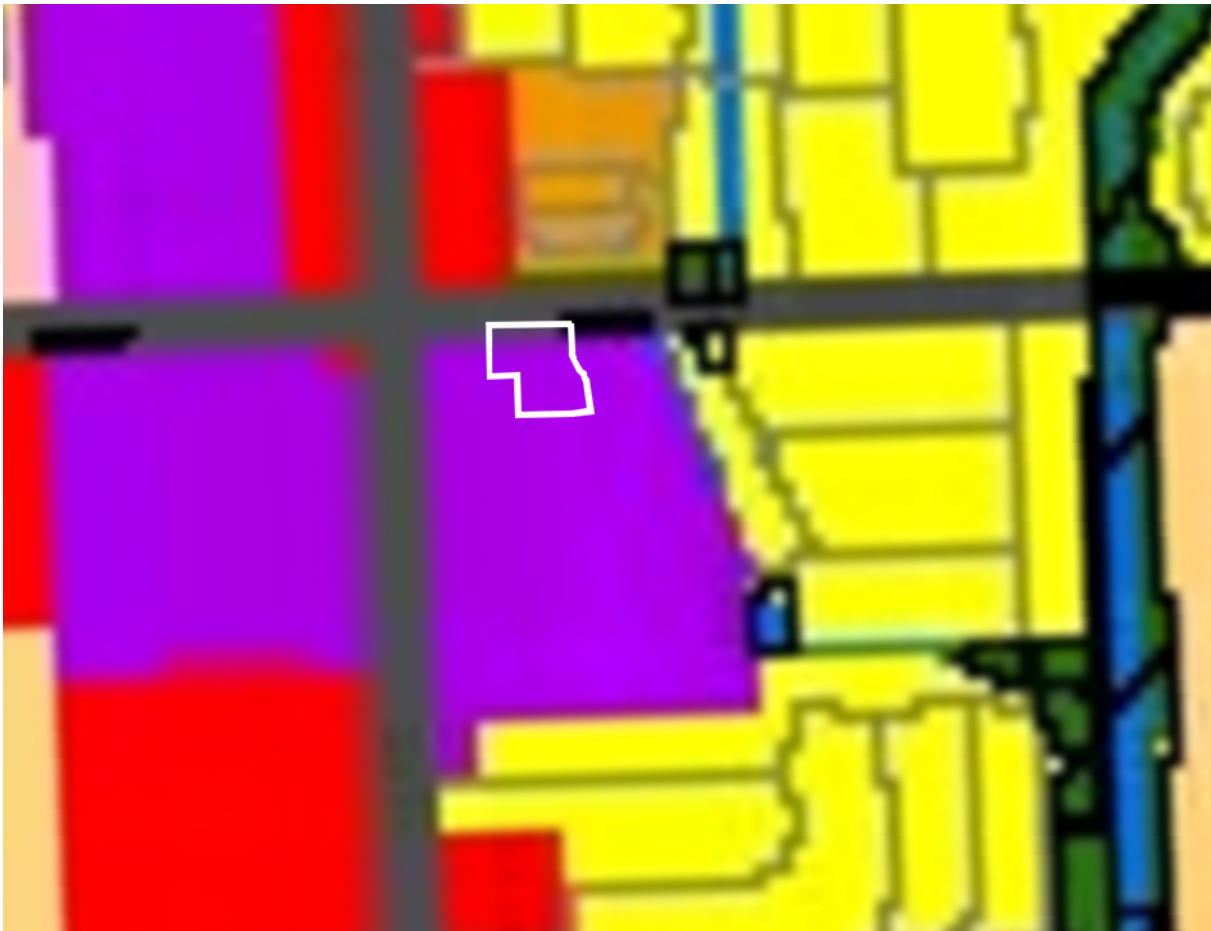


EXHIBIT E

BIXBY COMPREHENSIVE PLAN



The Mixed Use designation denotes areas where multiple unrelated uses are permitted on a single lot, clustered together to create a dense, walkable, and active urban area. Multiple uses may be stacked vertically in a single structure, or horizontally in a well-planned fashion. These areas should be pedestrian-oriented and located at focal points within the City, such as Downtown. Density: 10+ du/ac

Zoning: RD, RT, RM-1, RM-2, RM-3, CS, OL, CG, OM, CH, ST

Legend

Future Land Use

	Rural Agriculture (Unincorporated)
	Agricultural
	Rural Residential
	Low Density Residential
	Medium Density Residential
	Medium-High Density Residential
	High Density Residential
	Mixed Use
	Residential Manufactured Home Park

Density (du/ac.)

0 - 0.5
0 - 1
0 - 1.5
1.5 - 4
4 - 6
6 - 10
10 +
10 +
8

Future Land Use

	Neighborhood Commercial
	Commercial
	Industrial
	Public/Institutional
	Recreation and Open Space
	Flood District
	Water

EXHIBIT F
CONCEPTUAL BUILDING PERSPECTIVES





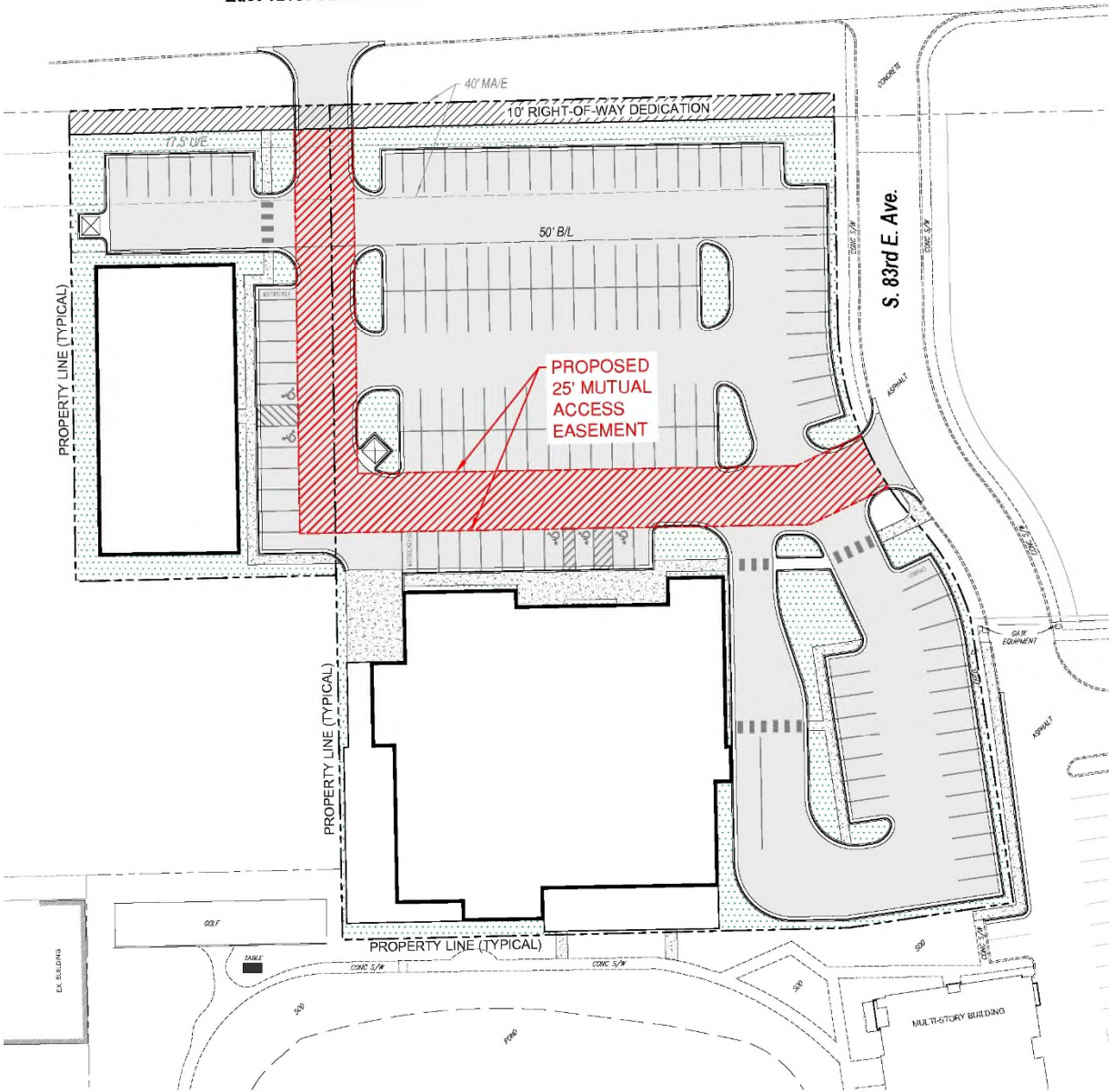


EXHIBIT G
SIGNAGE CONCEPT



EXHIBIT H
MUTUAL ACCESS EASEMENT

East 121st Street South



DEVELOPMENT AREAS SUMMARY

[illegible]

DEVELOPMENT AREA - A

Restaurants at Boardwalk - a waterfront restaurant (food hall) with patio seating, brewpub and drive-thru coffee service. The proposed building shown on the Conceptual Site Plan is approximately 18,500 SF.

Gross Lot Area (prior to right-of-way dedication): 86,851.44 SF (1.994 AC)

Net Lot Area (after right-of-way dedication): 84,708.21 SF (1.945 AC)

Zoning: CG

Permitted Uses: Uses permitted by right (including all uses customarily accessory thereto) within the CG district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6). "Stacking" of uses customarily found in a mixed-use development shall also be allowed.

- Use Unit 10: Off Street Parking Areas
- Use Unit 12: Entertainment establishments and eating establishments other than drive-ins
- Use Unit 13: Convenience Goods and Services
- Use Unit 14: Shopping Goods and Services
- Use Unit 19: Hotel, motel and recreation facilities (Brewpub Use Only) **

*** Brewpub: An eating and drinking establishment (restaurant) with a small brewery on the premises which produces beer, ale, or other malt beverage, and where the majority of the beer, ale, or other malt beverage produced is consumed on the premises. On-site retail sales and/or wholesaling of produced beer, ale, or other malt beverage for off-site consumption is permitted, with appropriate State and City licenses. Annual production shall be limited to 3,000 barrels. Brewing waste and/or byproducts of the brewing process shall be removed from the property within 24 hours of completion of the brewing cycle.*

Maximum Building Square Footage: 63,531 SF

Based on maximum 0.75 F.A.R. per Bixby City Code 11-7D-4

Minimum Building Setbacks: Minimum front, side, and rear yards shall not be required, except for buildings along South 121st East Street shall be setback a minimum of 50 feet.

Maximum Building Height: 5 stories or 70 feet

Screening: No internal screening of differing uses within the boundaries of the PUD is required.

Operations Restriction: Permitted uses within Development Area A (i.e. brewing process, coffee roasting, etc.) shall have slight or no objectionable emission of odors produced by business operations.

DEVELOPMENT AREA - B

Office / General Retail & Services – the proposed building shown on the Conceptual Site Plan is approximately 7,500 SF.

Gross Lot Area (prior to right-of-way dedication): 22,139.20 SF (0.508 AC)

Net Lot Area (after right-of-way dedication): 21,032.25 SF (0.483 AC)

Zoning: CG

Permitted Uses: Uses permitted by right (including all uses customarily accessory thereto) within the CG district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6). “Stacking” of uses customarily found in a mixed-use development shall also be allowed.

- Use Unit 10: Off Street Parking Areas
- Use Unit 11: Office and studios
- Use Unit 13: Convenience Goods and Services
- Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 15,774 SF

Based on maximum 0.75 F.A.R. per Bixby City Code 11-7D-4

Minimum Building Setbacks: Minimum front, side, and rear yards shall not be required, except for buildings along South 121st East Street shall be setback a minimum of 50 feet.

Maximum Building Height: 5 stories or 70 feet

Screening: No internal screening of differing uses within the boundaries of the PUD is required.

III. General Provisions

A. Landscaping:

Per Chapter 12 of the City of Bixby Zoning Ordinance, and additional requirements as follows:

1. Along the southern and eastern boundaries of the PUD abutting a residential district, a landscaped edge shall be established providing a minimum, average width of three feet (3'). Landscaped edge shall be planted with ten (10) shrubs (3-gallon minimum) for every fifty (50) lineal feet. Required shrubs shall not count towards the minimum landscaping requirements of Chapter 12 of the City of Bixby Zoning Ordinance.

B. Screening:

1. Service equipment (including HVAC equipment) and areas shall be screened so the visual impacts of these functions are fully contained and out of view from a person standing on the ground at the perimeter of the PUD boundary.
2. Screening materials for solid waste collection and loading areas shall be a six-foot tall wooden fence. Trash dumpsters shall have a door, which shall remain closed when not in use.

C. Parking:

1. Required parking for a particular use may be located and maintained anywhere within the Property subject to each parking space being a maximum of 600 feet from any building entry.
2. The Owner is required to submit parking information with each building permit and shall maintain an ongoing count of parking spaces and the allocation of parking spaces toward a particular use.
3. Uses within Development Area B may share required parking spaces where the Owner can submit a shared parking analysis prepared by a professional engineer to the Director of Development Services demonstrating the feasibility of shared parking for multiple uses. The shared parking analysis shall address at a minimum the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.
4. Up to 80% of the parking spaces required for a brewpub (evening entertainment after 5:00 PM) may be provided and used jointly by offices and similar uses not normally open, used, or operated during evening hours if specifically approved by the Director of Development Services.

D. Lighting:

1. All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development.

2. The mounting height of each fixture light shall not exceed 20' as measured from the pavement to the light fixture.
3. A maximum light level of 0.5 foot-candles (measured at three feet (3') above grade) shall be obtained at the perimeter of the PUD boundary. In conjunction with the detailed site plan and landscape plan review, a photometric study shall be submitted to and approved by the by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code.

E. Signage:

1. A maximum of one (1) freestanding sign shall be allowed. (Refer to Exhibit G – Signage Concept)
2. Freestanding sign is subject to a maximum height limit of thirty feet (30') and shall not exceed an aggregate display surface area of three (3) square feet per each linear foot of street frontage. Only one side of double faced signs shall be included in the computation of display surface area.
3. No sign shall exceed an illumination of seventy-foot candles (70 fc) as measured at a two-foot (2') distance from the source of the illumination. Illuminated signs shall not face a residential district. Electronic message signs are prohibited.
4. Wall and canopy signs shall not exceed an aggregate display surface area of three (3) square feet per each linear foot of the building wall to which the sign or signs are affixed.
5. Directional signs are subject to a maximum height limit of eight feet (8') and may not exceed 32 square feet of "total" display area.
6. No sign permit shall be issued until a detailed site plan and landscape plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code.

F. Utilities:

Proposed public utility infrastructure design shall be submitted to and approved by the City Engineer and in accordance with the City of Bixby Engineering Design Criteria.

G. Topography and Existing Soils:

The property consists of relatively flat, well maintained vegetated lawn with the southern portion previously developed including a single commercial building and associated driveway and parking areas. Elevations range from 609 feet to 613 feet. The Soil Survey of Tulsa County, Oklahoma was used to help identify soil types present on the site which consists of:

- 100% - Osage silty clay, 0 to 1 percent slopes

H. Drainage:

A portion of the site is currently covered with an existing building and associated pavement. The re-developed site will follow existing drainage patterns where possible. The final drainage and grading design shall be submitted to and approved by the City Engineer and in accordance with the City of Bixby Engineering Design Criteria.

I. Vehicular Access and Circulation:

1. All private driveway and/or street connections shall be subject to the City Engineer curb cut permit approval for the proposed access points on East 121st Street South and South 83rd East Avenue, and the Fire Marshal's approval of locations, spacing, widths, and curb return radii.
2. Delivery vehicles shall be limited to bobtail trucks only. No semi-trucks allowed.

J. Emergency Vehicle Access & Mutual Access Easement:

A fire apparatus road (20' wide) shall be established and maintained for emergency vehicles. Pavement striping, signage, etc. shall be submitted to and approved by the Fire Marshal. For the benefit of each property owner, a mutual access easement shall be prepared and duly filed of record at the Tulsa County Clerk's Office. (Refer to Exhibit H – Mutual Access Easement)

K. Detailed Site Plan and Landscape Plan Review:

No building permit shall be issued until a detailed site plan and landscape plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code. Any standard requirements of the City of Bixby Fire Chief, Fire Marshal, City Engineer, City Planner and City Attorney shall be met as part of the PUD detailed site plan and landscape plan approval.

IV. Anticipated Construction Schedule

Construction shall commence within 6 months from the date this PUD is approved by City Council.