BIXBY PLANNING COMMISSION

MINUTES OF REGULARLY SCHEDULED MEETING

CITY HALL, COUNCIL CHAMBERS ~ 116 WEST NEEDLES, BIXBY, OKLAHOMA

MONDAY, OCTOBER 16, 2017 ~ 6:00 PM

CALL TO ORDER (6:06 PM): LANCE WHISMAN, CHAIR

ROLL CALL: Jason Mohler, Secretary

Planning Commission Members	HERE	ABSENT
Chris Cloyde	H	
Jerod Hicks (VICE CHAIR)	H	
Tom Holland	H	
Joshua Nave	H	
Lance Whisman (CHAIR)	H	
Other staff present: Tammy Ewing-City Attorney, Jason Mohler-Development Services Director, Marcae' Hilton-City Planner		

CONSENT AGENDA

(LANCE) Commissioner Josh has requested Item No. 2 be removed from the Consent Agenda and heard as a separate item.

"MARCAE' CAN YOU PLEASE PRESENT ITEM 1 OF THE CONSENT AGENDA?"

Marcae' presentation of Item 1 of the consent agenda

(LANCE) "THIS CONSENT ITEM WILL NOT MOVE ON TO CITY COUNCIL. IF THERE ARE NO COMMENTS OR CONCERNS, DO I HAVE A MOTION TO APPROVE ITEM 1?"

1. **Approval of Minutes: Regularly Scheduled Planning Commission Meeting ~ September 18, 2017**

1. CONSENT MOTION: Chris Cloyde	SECOND: Jerod Hicks	
Planning Commission Members Vote: 5-0-0	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

(LANCE) "LET THE RECORD SHOW, COMMISSIONER JOSH NAVE HAS RECUSED HIMSELF AND WILL NOT PARTICIPATE, COMMENT, OR VOTE ON ITEM 2. MARCAE' CAN YOU PLEASE PRESENT ITEM 2?"

(MARCAE) Presentation of Item 2, THE APPLICANT IS PRESENT AND IN AGREEMENT WITH STAFF REPORT

2. **LOT SPLIT *BXLS-17.10 River Trail II, Plat No. 6541*:** Applicant, Troy Gudgel
   Approval of a Lot-Split for Lot One (1), Block One (1) and Lot Two (2), Block One (1) of River Trail II Plat No. 6541; (TRACT A) having a combined Acreage of 2.51, (TRACT B) having an area of 0.1643 Acres, (TRACT C) representing the combined lot with an area

of 1.1724 Acres, and (TRACT D) representing the remaining portion of Lot One (1), Block One (1) with 1.3377 Acres, Zoning: CG:PUD83, in Section 2, T17N, R13E
Property Located: 12600 Block of Memorial, ½ mile south of 121st and West of Memorial in Bixby, OK

2. (CONSENT) MOTION: Tom Holland	SECOND: Jerod Hicks	
MOTION/NOTES: The applicant, Troy Gudgel was present to answer questions. He noted there is a medical clinic interested in the parcel; they need an extra 22 ft. to accommodate their footprint.		
Planning Commission Members VOTE 4-1-0	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave-RECUSED	0	0
Lance Whisman	Y	

PUBLIC HEARINGS

3. **SITE PLAN *BXSP-17.06 WOODLAKE CHURCH*:** Applicant, Construction by Daniels, Inc. Discussion and recommendation of a site plan for the expansion of the Woodlake Church parking lot, Zoning: AG:BBOA-582, 27 Acres, in Section 25, T18N, R13E Property Located: 10444 S. Mingo, Southwest corner of the intersection of 104th St. S. and Mingo Rd. in Bixby, OK

NO. 3 PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
(MARCAE) THE APPLICANT IS PRESENT AND IS IN AGREEMENT WITH STAFF COMMENTS
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? NO
(LANCE) ARE THERE ANY COMMENTS FROM PC? DO WE HAVE A MOTION?

3. MOTION: Josh Nave	SECOND: Tom Holland	
MOTION/NOTES: Merwin Pickney of Woodlake Church was present to answer questions. He stated the church has grown faster than expected; they would like to add 50 parking spaces. In addition, they will be adding a temporary custom-built modular building for the Kids Ministry. They expect the have the building for approximately 2-3 years. They will be landscaping around the building. The building meets the current building code and public safety requirements.		
No. 3 Planning Commission Members Vote: 5-0-0	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

4. **SITE PLAN *BXSP-17.05 BIXBY TRADE CENTER, LLC:*** Applicant, JR Donelson
Discussion and recommendation of a site plan for an industrial building on a vacant lot within Lot 9, Block 3, Bixby Industrial Park, Zoning: (IL) Industrial Low Intensity, for Use Unit 23, in Section 23, T17N, R13E
Property Located: 15150 S 77th E. Ave, south of 151st Street and one quarter mile west of Memorial Drive in Bixby, OK

NO. 4 PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
(MARCAE) THE APPLICANT IS PRESENT AND IS IN AGREEMENT WITH STAFF COMMENTS
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? NO; PUBLIC COMMENT? NO;
(LANCE) ARE THERE ANY COMMENTS FROM PC? DO WE HAVE A MOTION?

4. MOTION: Josh Nave	SECOND: Tom Holland
MOTION/NOTES: No One was present to represent the owner; the applicant was out of the country. They were in agreement with the staff report. There was little comment from PC.	

Planning Commission Members VOTE 5-0-0	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

5. PRELIMINARY PLAT *WINDRUSH:* Applicant, JR Donelson
Discussion and recommendation of the Preliminary Plat for *WINDRUSH*, Zoning: CS:BXPUD-18.08 WINDRUSH, 5.19 Acres, 17 Lots, 1 Block, in Section 12, T17N, R13E Property Located: South of 131st Street and west of Mingo Road in Bixby, OK

NO. 5 PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
(MARCAE) THE APPLICANT LANDOWNER, MR. TONY GENOFF IS PRESENT AND IS IN AGREEMENT WITH STAFF COMMENTS
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? NO (LANCE) THE PUBLIC HEARING PORTION IS CLOSED. (LANCE) ARE THERE ANY COMMENTS FROM PC? DO WE HAVE A MOTION?

5. MOTION: Josh Nave	SECOND: Chris Cloyde

MOTION/NOTES: Mr. Genoff discussed the fencing along Mingo as well as the required screening between the commercial and residential. The PUD language states, the following:

> **XI. Screening**
> A 6'-0" wooden privacy fence will be constructed between the two Development areas, when a building permit is issued for a commercial structure in Development Area 'A'. An 8'-0" masonry privacy fence will be required, between the two development areas, if there is a 24 hour use in Development Area "A".

Commissioner Holland was concerned the language would not provide adequate protection from lights and noise for the residential lots adjacent to the commercial property. This dialogue continued for some time. Commissioner Cloyde commented the language provided adequate screening especially since the use was unknown. Also stating the screening fence language was discussed and previously approved in the PUD by the PC and the PUD language is the same as in the covenants on the Preliminary Plat. In the end it was passed as recommended by staff. (Added from 11.14.17 PC meeting comments/minute approval) Mr. Holland asked the meeting minutes include the statement Planning Commission and City Council have the right to review screening within all future site plan review process.

Planning Commission Members Vote: 4-0-1	Yes	No
Chris Cloyde	Y	
Tom Holland		N
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

OTHER BUSINESS:

PRESENTATION FROM STAFF~Marcae' Hilton, City Planner

The City of Bixby will be receiving comments regarding land use designation (kiosks are set up at City Hall and the Dawes building) and accepting surveys online at bixby2030.com, until Wednesday, October 18, 2017.

ADJOURNMENT TIME: 7:08

SEE ATTACHED PACKET FOR ADDITIONAL CASE DETAILS.

APPROVED BY:

11-14-17

Chair

Date

Marcae' Hilton, Jason Mohler
City Planner or Recording Secretary

BIXBY PLANNING COMMISSION

AGENDA

CITY HALL, COUNCIL CHAMBERS ~ 116 WEST NEEDLES, BIXBY, OKLAHOMA

MONDAY, OCTOBER 16, 2017 ~ 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes: Regularly Scheduled Planning Commission Meeting~September 18, 2017

2. **LOT SPLIT *BXLS-17.10 River Trail II, Plat No. 6541*:** Applicant, Troy Gudgel
   Discussion and recommendation of approval of a Lot-Split for Lot One (1), Block One (1) and Lot Two (2), Block One (1) of River Trail II Plat No. 6541; (TRACT A) having a combined Acreage of 2.51, (TRACT B) having an area of 0.1643 Acres, (TRACT C) representing the combined lot with an area of 1.1724 Acres, and (TRACT D) representing the remaining portion of Lot One (1), Block One (1) with 1.3377 Acres, Zoning: CG:PUD83, in Section 2, T17N, R13E
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PUBLIC HEARINGS

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   Property Located: 15150 S 77th E. Ave, south of 151st Street and one quarter mile west of Memorial Drive in Bixby, OK

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: mhilton@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.

5. **PRELIMINARY PLAT *WINDRUSH:*** Applicant, JR Donelson
   Discussion and recommendation of approval of the preliminary Plat for *WINDRUSH*, Zoning: CS:BXPUD-18.08 WINDRUSH, 5.19 Acres, 17 Lots, 1 Block, in Section 12, T17N, R13E
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OTHER BUSINESS: The City of Bixby will be receiving comments regarding land use designation (kiosks are set up at City Hall and the Dawes building) and accepting surveys online at bixby2030.com, until Wednesday, October 18, 2017.

ADJOURNMENT

Posted By: Marcae' Hilton
Date: October 11, 2017
Time: 5:00PM

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: mhilton@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.

MINUTES OF THE REGULARLY SCHEDULED MEETING
BIXBY PLANNING COMMISSION

CITY HALL, COUNCIL CHAMBERS ~ 116 WEST NEEDLES, BIXBY, OKLAHOMA

MONDAY, AUGUST 21, 2017 ~ 6:00 PM

Comments/Review of Rulses by Tammy Ewing, City Attorney

CALL TO ORDER: TIME: 6:12 PM

ROLL CALL

Planning Commission Members	HERE	ABSENT
Chris Cloyde	H	
Jerod Hicks (VICE CHAIR)	H	
Tom Holland	H	
Joshua Nave	H	
Lance Whisman (CHAIR)	H	
Other staff present: Tammy Ewing, City Attorney, Jason Mohler, Development Services Director, Marcae' Hilton, City Planner		

CONSENT AGENDA
(LANCE) "MARCAE' CAN YOU PLEASE PRESENT THE CONSENT AGENDA?"
Marcae' presentation of consent agenda
(LANCE) "THE CONSENT AGENDA IS HEARD AS ONE ITEM, THESE ITEMS DO NOT MOVE ON TO CITY COUNCIL. TONIGHT THERE ARE 2 ITEMS ON THE CONSENT AGENDA, IF THERE ARE NO COMMENTS OR CONCERNS, DO I HAVE A MOTION TO APPROVE ITEM 1-4?"

1. Approval of Minutes: Regularly Scheduled Planning Commission Meeting~May 15, 2017
2. Approval of Minutes: Regularly Scheduled Planning Commission Meeting~June 19, 2017
3. Approval of Minutes: Regularly Scheduled Planning Commission Meeting~July 17, 2017

1-3 CONSENT MOTION: Tom Holland	SECOND: Jerod Hicks	
MOTION: can we pull item 4 from the agenda for discussion? I move we approve items 1-3. Item was approved: 5:0:0		
Planning Commission Members	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

4. **LOT SPLIT** BXLS-17.09 STUNKARD: Applicant, JR Donelson, on behalf of owner Discussion and review of a Lot Split for a new Single-family residence, the property is located south of 161st Street and west of Mingo in the City of Bixby, OK

REQUEST: Lot-Split approval

LOCATION: South of 161st and west of Mingo

STR: Section 25, T17N, R13E

LOT SIZE: (1) One Lots **(Original/New Tract Unplatted)**

ZONING: CS (Commercial Shopping), OL (Office Low Intensity) (Parent Tract) RM-1 (Residential Multi-family) RS-2 (Residential Single-family)

EXISTING USE: Vacant Undeveloped

PROPOSED USE: Single-family residence

PUBLIC INPUT: None, not advertised

BOA: Board of Adjustment (BOA) Single-family residence will require a Special Exception from the BOA. Scheduled for Tuesday, September 5, 2017

BACKGROUND INFORMATION:
The applicant requests to lot split the undeveloped tract for the purpose of a Single-family residence. Staff has required the right-of-way along 161st Street to be dedicated along with required utility easements. There are no plans at this time to develop the parent tract. The applicant has applied for a Special Exception from the Board of Adjustment, single-family residences are not allowed by right in OL and CS.

This item was presented at the August 2, 2017 Technical Advisory Committee (TAC) Meeting for approval.
OL Code Requirements: Bixby Zoning **11-7D-4: BULK AND AREA REQUIREMENTS:**

- Frontage (minimum feet)*:
  - Arterial 75
  - Not an arterial 50
  - Floor area ratio (maximum) 0.30

*Setback from centerline of abutting street (minimum feet): Measured from centerline of abutting street; add to the distance designated in the column to the right 1/2 of the right of way width designated on the major street plan, or 25 feet if the street is not designated on the major street plan:
  - Arterial 50
  - Not an arterial 25

- Setback from abutting R district:
  - Boundary lines (minimum feet) 10*
  - Building height (maximum feet) 5 stories or 70 feet

COMPREHENSIVE PLAN:
Land Use Intensities: Medium (moderate activity, transitional uses not highest and best use but allowed per the matrix)
Land Use: Commercial Area
Urban Design Elements: Primary Arterial
Public Facilities: Secondary School

ATTACHMENTS:
1. Case Map
2. Lot Split Exhibits

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

STAFF RECOMMENDATION: Staff and the Technical Advisory Committee recommend Approval of **BXLS-17.09** with the following conditions:

1. Include deed of dedication for right-of-way
2. BRING WARRANTY DEED TO OFFICE OF CITY PLANNER TO BE STAMPED AFTER APPROVAL OF PLANNING COMMISSION AND BEFORE FILING AT TULSA COUNTY
3. Provide copy of filed document to office of city planner

4 CONSENT MOTION: Chris Cloyde	SECOND: Jerod Hicks	
MOTION/NOTES: Questions from Tom Holland-should the PC set the precedence for allowing single family on a CS lot? This is not a desirable path. JR-in the future they would come back to the BOA and operate a business making the property income producing. Item was approved: 4:1:0		
Planning Commission Members	Yes	No
Chris Cloyde	Y	
Tom Holland		Abstain
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

Motion was made to move Other Business - *Item 9* *of the Agenda to the top before Public Hearings to accommodate Chris Cloyde who recused himself from Item 8.*

OTHER BUSINESS

9. ZONING TEXT AMENDMENT: Discussion and review of Zoning Ordinance language changes regarding screening requirements for any use allowing 24 hour access or services

PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
(LANCE) ARE THERE ANY COMMENTS FROM PC? NO MOTION REQUIRED!

DRAFT

REQUEST: The Mayor and Council have asked Development Services Staff and Planning Commission to consider changes to screening requirements when a use provides 24-hour access or service. The concern is noise, lights, foot traffic, and other nuisances, which are derived from being open 24 hours a day.

ATTACHMENTS: Staff/Council Memo

ZONING AMENDMENTS

11-7F-3: ACCESSORY USES:

B. Accessory Use Conditions

3. Storage: Accessory storage of materials, equipment or products, within two hundred feet (200') of an abutting R district, shall be screened by the erection of a screening wall or fence along the lot line or lines in common with the abutting R district.

4. Any use allowing 24 hour access or services is required to install an (8) eight foot masonry screening fence when abutting residential development.

11-7I-8: ADMINISTRATION OF DEVELOPMENT:

1. A site plan reflecting:

e. Proposed screening and landscaping;

Any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-8-10: SCREENING FENCES OR WALLS:

A. Purpose: For the purpose of maintaining a compatible relationship between certain land uses, a screening requirement is hereby established for the initiation and continuance of particular uses in such instances as may be hereinafter designated.

B. Any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

BC. Specifications: When the provisions of this title require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, unless otherwise specified, the screening wall or fence shall be opaque and adhere to the following regulations:

1. Shall be constructed with customarily used fencing materials, and shall be designed and arranged to provide visual separation of uses irrespective of vegetation;

2. Shall not be less than six feet (6') in height, except when in a required front yard, in which case the screening wall or fence shall be four feet (4') in height, nor taller than eight feet (8');

3. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance;

4. Shall be erected prior to the occupancy of the building or initiation of the use required to be screened;

5. Shall be uniform in height, except for significant changes in topography;
6. Shall have a consistency of design;
7. Shall, if painted, be earth tone in color when abutting an R district boundary; and
8. Shall not be a chainlink fence which utilizes inserts of metal or other materials.
CD. Maintenance: The screening wall or fence shall be maintained by the owner of the lot containing the use required to construct the screening. Failure to maintain after notice by the building inspector shall constitute a violation of this title.
DE. Modification Of The Screening Wall Or Fence Requirements: The board of adjustment, as a special exception, may:
1. Modify or remove the screening requirement where existing physical features provide visual separation of uses.
2. Modify the screening requirement where an alternative screening will provide visual separation of uses.
3. Grant an extension of time to erect a screen where properties which are to be benefited by the screen are undeveloped.
4. Remove or reduce the screening requirement where the purposes of the screening requirement cannot be achieved, or is prohibited by other ordinances and/or regulations.

F. Screening Wall Upon Detailed Site Plan Approval: Upon detailed site plan approval, where required by this title, the planning commission may require that the screening requirement be satisfied using a screening wall, to include materials such as masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof. The planning commission may require this only when determined reasonable and appropriate based on the intensity of the land use requiring screening, the surrounding architectural context, or other such considerations specifically related to the development and the need for screening in its context. (Ord. 2031, 12-21-2009)

11-9-0: INTRODUCTION OF USE UNITS:
2. A detailed site plan representing the lot of record and all existing and proposed improvements and such information as required for a comprehensive review and approval by city staff, which information shall be listed on the application form for site plan approval, including:
a. A plan view site plan.
b. Building elevations or building height information.
c. A landscape plan.
d. A sign plan or signage information represented on another drawing.
e. A screening and fence plan represented on another drawing.
f. A lighting plan or lighting information represented on another drawing. (Ord. 2091, 9-10-2012)

11-9-9: USE UNIT 9 MANUFACTURED HOME DWELLING:

C. Use Conditions: The manufactured home dwelling, when located within an RMH district and located on a lot which is abutting an RE, RS or RD district, shall be screened from the abutting RE, RS or RD district by the erection and maintenance of a with an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening wall or fence along the lot line or lines in common with the RE, RS or RD district.

11-9-11: USE UNIT 11 OFFICES AND STUDIOS:

C. Use Conditions: The uses included in use unit 11, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development. (Ord. 272, 4-2-1974)

11-9-12: USE UNIT 12 EATING PLACES OTHER THAN DRIVE-INS:

C. Use Conditions: The uses included in use unit 12, when located within a district other than an R district and located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-13: USE UNIT 13 CONVENIENCE GOODS AND SERVICES:

C. Use Conditions:

1. In the CS district, there shall be no open air storage or display of merchandise offered for sale within three hundred feet (300') of an abutting R district.
2. The uses included in use unit 13, when located within a district other than an R district, and located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-14: USE UNIT 14 SHOPPING GOODS AND SERVICES:

C. Use Conditions:

1. In the CS district, there shall be no open air storage or display of merchandise offered for sale within three hundred feet (300') of an abutting R district.
2. The uses included in use unit 14, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete

DRAFT

tilt-up panels, or some combination thereof screening fence when abutting residential development. (Ord. 272, 4-2-1974)

11-9-15: USE UNIT 15 OTHER TRADES AND SERVICES:

C. Use Conditions: The uses included in use unit 15, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-16: USE UNIT 16 MINISTORAGE:

. Along all property lines adjoining or visible from an adjoining public street or any R or O district:

a. All building walls shall consist of masonry construction using brick, stone, stucco or concrete tilt-up panels. Metal or standard (smooth) concrete block exterior walls are not permitted on such exterior walls.

b. Buildings shall be so screened from by the erection and maintenance of permanent opaque walls or fences that it cannot be seen from adjoining streets or lots in any district when viewed by a person standing on ground level; provided, however, that no screening in excess of eight feet (8') in height shall be required. Continued maintenance of required screening in good repair shall be a continuing condition of occupancy, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-17: USE UNIT 17 AUTOMOTIVE AND ALLIED ACTIVITIES:

C. Use Conditions:

1. The uses included in the use unit 17, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

2. Within the CS district, there shall be no open air storage or display of merchandise offered for sale within three hundred feet (300') of an adjoining R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development. (Ord. 272, 4-2-1974)

11-9-18: USE UNIT 18 DRIVE-IN RESTAURANTS:

C. Use Conditions: The uses included in use unit 18, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is

required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development..

11-9-19: USE UNIT 19 HOTEL, MOTEL AND RECREATION FACILITIES:

C. Use Conditions: The uses included in use unit 19, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-20: USE UNIT 20 COMMERCIAL RECREATION; INTENSIVE:

C. Use Conditions: The uses included in use unit 20, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-22: USE UNIT 22 RESEARCH AND DEVELOPMENT:

C. Use Conditions:

1. The uses included in use unit 22, when located in an IR district, shall be conducted within enclosed buildings.
2. The uses included in use unit 22, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-22A: USE UNIT 22A SCIENCE AND TECHNOLOGY DEVELOPMENT AND MANUFACTURING:

C. Use Conditions:

1. The uses included in use unit 22A, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection of a screening wall or fence or sufficient landscape, or combination screening by wall, fence and/or landscape along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-23: USE UNIT 23 WAREHOUSING AND WHOLESALING:

C. Use Conditions: The uses included in use unit 23, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development..

11-9-24: USE UNIT 24 MINING AND MINERAL PROCESSING:

C. Use Conditions: The board of adjustment, in granting a mining and mineral processing use by special exception, shall consider potential environmental influences, such as dust and vibration, and shall establish in the particular instance, appropriate protective conditions such as setbacks, screening and method of operation, as will mitigate the adverse affect on proximate land uses. Oil and gas well drilling shall comply with title 3, chapter 8 of this code, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.**11-9-25: USE UNIT 25 LIGHT MANUFACTURING AND**

INDUSTRY:

C. Use Conditions:

1. The uses included in use unit 25, which are located within three hundred feet (300') of an R district, shall be conducted within enclosed buildings.
2. The uses included in use unit 25, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-9-26: USE UNIT 26 MODERATE MANUFACTURING AND INDUSTRY:

C. Use Conditions:

1. The uses included in use unit 26, which are located within three hundred feet (300') of an R district, shall be conducted within enclosed buildings.
2. The uses included in use unit 26, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

DRAFT

11-10-3: SETBACKS:

A. Off street loading areas shall not be located within fifty feet (50') of any abutting property which is within an R district unless it is wholly within an enclosed building or screened on all sides abutting the R district by a screening wall or fence , any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.

11-10-4: DESIGN STANDARDS FOR OFF STREET PARKING AREAS:

I. Screening: Unenclosed off street parking area which are principal uses shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an R district, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development. Unenclosed off street parking areas, containing six (6) or more spaces, which are accessory to uses not required to provide screening shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an RE or RS district; provided, that if the parking area is located more than fifty feet (50') from the RE or RS lot line or lines, the screening requirement shall not apply. (Ord. 2031, 12-21-2009)

11-10-5: DESIGN STANDARDS FOR OFF STREET LOADING AREAS:

D. Screening: Unenclosed off street loading berths shall not be located within fifty feet (50') of any property in an R district unless it is screened on all sides abutting the R district by a screening wall or fence, any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development..

11-11-1: SCOPE:

Within the districts established by this title, or amendments that may later be adopted, there exist uses, structures and lots which were lawful before this title was adopted or amended, but which would be prohibited under the terms of this title or future amendment to this title. These uses, structures and lots, herein referred to as "nonconforming", may continue as regulated by this chapter. A use lawfully existing prior to the effective date hereof, or amendment thereto, which does not comply with a parking, loading, screening, bulk and area, sign or enclosure requirement or requirements, but which is otherwise lawful shall be deemed nonconforming and may continue as regulated by sections 11-11-4, 11-11-5 and 11-11-9 of this chapter. Any use allowing 24 hour access or services is required to install an (8) eight foot masonry, masonry like product, stucco, stone, concrete tilt-up panels, or some combination thereof screening fence when abutting residential development.. (Ord. 272, 4-2-1974)

DRAFT

11-11-8: PARKING, LOADING AND SCREENING NONCONFORMITIES:

A use lawfully existing at the effective date hereof or amendment thereto, but which does not comply with a parking, loading or screening requirement or requirements of this title, shall be deemed nonconforming and may continue, subject to the following provisions:

A. No such use may be enlarged or extended unless parking and loading is provided as required for the enlargement or extension.
B. No such use may be enlarged or extended unless screening is provided as required for the use.
C. No such use may be changed unless parking, loading and screening is provided as required for such use; provided, however, that the board of adjustment may modify such parking and loading requirements as a special exception after finding that the proposed use meets the standards contained in subsection 11-4-9C of this title, and the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties. The change of use to another use contained within the same use unit shall not constitute a "change of use" within the meaning of this section. (Ord. 272, 4-2-1974)

STAFF RECOMMENDATION: Staff asks the Planning Commission to review the documents provided and submit feedback in writing to the office of the City Planner by Tuesday, August 22, 2017 (memo provided to PC via email 8.9.17). The City Planner will provide the final documents to City council for review and acceptance at a future date.

9. MOTION NOT REQUIRED
MOTION/NOTES: Tom Holland had several comments about a broader use if masonry and perhaps a taller wall requirement, he agreed to provide comments in writing to City Staff. Jared Hicks asked if Masonry like was giving too much? The item and additional comments will be presented to City Council at a later date.

PUBLIC HEARINGS

5. **PUD:** Continuation of discussion and recommendation of approval of a Planned Unit Development, BXPUD-17.08 WINDRUSH, for the purpose of a Mixed-use Development including: Commercial, Office and Residential uses. Property location: west of Mingo Road and south of 131st Street, Bixby, OK, containing approximately 8.93 Acres

PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
REQUEST: RECOMMENDATION OF APPROVAL FOR PROPOSED SUPPLEMENTAL ZONING, PLANNED UNIT DEVELOPMENT DISTRICT OF THE CITY OF BIXBY, OKLAHOMA, (PUD) PLANNED UNIT DEVELOPMENT

EXISTING ZONING: (CS) COMMERCIAL SHOPPING

REQUESTED ZONING: (CS) COMMERCIAL SHOPPING and (PUD) BXPUD-17.08

EXISTING LAND USE: UNDEVELOPED

PROPOSED: NO CHANGE IN COMP PLAN

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

STR: Section 12, Township 17, Range 13

LOT SIZE: 8.93 Acres

PROPOSED USE: Residential, Commercial-Retail, Office

PUBLIC INPUT: None

BACKGROUND INFORMATION: This PUD is comprised of two development areas, Development Area A is a rectangular parcel (420 feet by 510 feet or 3.016 acres) dedicated for retail and office space with two primary accesses, 131 Street and Mingo Rd. Development Area B, is approximately 5.9 acres dedicated to Single-family Residential.

Staff believes the proposed PUD amendment meets the requirements of the Zoning Regulations and Land Use objectives per Ordinance 272, 4-2-1974:

11-7I-2: PURPOSES OF A PUD: 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;
D. Achieve a continuity of function and design within the development;

DEVELOPMENT AREA A (Business): 3.016 Acres

BULK AND AREA REQUIREMENTS (CS)	CS	BXPUD-17.08
Lot Width (minimum feet):	150 ft.	100 ft.
Height	70 ft. (5*)	35 ft.
Setback from Mingo (Arterial)	50 ft.	100 ft.
Setback from 131st (Arterial)	50 ft.	100 ft.
Setback from south property line (RS-3:PUD-78)	10 ft.	15 ft.
Setback from west lot line (RM-2:PUD-78)	10 ft.	18 ft.
Maximum Dwelling Units	N/A	3
Minimum Lot Size	N/A	26,200 sq. ft.

Permitted Uses: 1, 4, 5, 10, 11, 12, 13, 14, 19

*stories
Masonry Units, EFIS, Stucco, Niche Board
DEVELOPMENT AREA B (Residential): 5.914 Acres

BULK AND AREA REQUIREMENTS	CS	BXPUD-17.08	RS-3
Lot Width (minimum feet):	50 ft.	60 ft.	65 ft.
Height	70 (5*)	35 ft.	48 ft.
Setback front building line	50 ft.	25 ft.	35 ft.
Setback side yard	50 ft.	5 ft.	5/5 ft.
Setback rear yard	10 ft.	20 ft.	20 ft.
Setback corner lot	10 ft.	15 ft.	N/A
Minimum House Size	N/A	1600 sq. ft.	N/A
Maximum Number of Stories	5	2	3
Livability Space	N/A	4000 sq. ft.	4000
Land Area Per Dwelling Unit	N/A	8400 sq. ft	8400

Permitted Uses (Allowed by right in CS District): 1, 4, 5, (6), 10, 11, 12, 13, 14, 19
Masonry Units, EFIS, Stucco, Niche Board
*stories

SURROUNDING ZONING AND LAND USE:
North: (AG) Agriculture, undeveloped
South: (RS-3) Single-Family Residential, (pud-78) platted as WILLOW CREEK
East: (CS) Commercial Shopping, (OL) Office Low Intensity, 2 undeveloped lots, AG USE- possible Mini-storage coming through Tulsa County
West: (CS) Commercial Shopping, CHURCH USE, (RS-3, RM-2:PUD78) Platted as Single-family Residential, WILLOW CREEK

COMPREHENSIVE PLAN:
Land Use Intensities: MEDIUM
Land Use: COMMERCIAL AREA, RESIDENTIAL
Urban Design Elements: PRIMARY ARTERIAL

ATTACHMENTS:
1. BXPUD-17.08 WINDRUSH WITH COMMENTS
2. CONCEPT PLAN
3. ZONING MAP

Planning Commission has the right to make the following recommendations:
11-5-4: ZONING MAP AMENDMENTS:
D. Planning Commission Action On Zoning Map Amendments:
1. After notice and public hearing, the planning commission shall vote to:
a. Recommend to the city council that the application be approved:
1. As submitted
2. As amended
3. Approved subject to modification; or
b. Recommend to the city council that the application be denied.

2. An application recommended for approval, or approval subject to modification, shall be transmitted, with the report and recommendation of the planning commission, to the city council within fifteen (15) days from the date of the planning commission action.
3. An application recommended for denial, shall not be considered further unless the applicant, within fifteen (15) days from the date of the planning commission action, files a written request with the city clerk for a hearing by the city council. The request for hearing shall be accompanied by the payment of a fee in such amount as established by resolution of the city council. Upon notice of such request, the planning commission shall forthwith transmit the application and its report and recommendations to the city council.
4. In the event the planning commission arrives at a tie vote, the application shall be transmitted with a report and notation of the tie vote to the city council within fifteen (15) days from the date of the planning commission action. (Ord. 272, 4-2-1974; amd. 2006 Code)

STAFF RECOMMENDATION: Staff recommends Approval of the PLANNED UNIT DEVELOPMENT BXPUD-17.08 with the following conditions (not a complete list):

- All requested Planning Commission (PUD changes) shall be corrected before submittal to City Council
- Confirm ROW Dedication width (SECONDARY ARTERIAL-100 FT ROW)
- Include materials for facades (brick, stone, etc.)
- Done in revised PUD 8.8.17 Masonry Units, EFIS, Stucco, Niche Board
- Meet or exceed comments from Fire Marshal (NOT INCLUDED)
- Meet or exceed comments from City Engineer (NOT INCLUDED)

(LANCE) IS THE APPLICANT PRESENT? JR Donelson
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? No Public Comment
(LANCE) THE PUBLIC HEARING PORTION IS CLOSED.
(LANCE) ARE THERE ANY COMMENTS FROM PC? Minimal Discussion between PC members. DO WE HAVE A MOTION?

5. MOTION: Jerod Hicks		SECOND: Josh Nave
NOTES: JR handed out a preliminary plat. Discussion ensued regarding the changes made in the PUD. What is the screening wall material along Mingo? What % of Masonry is going to be used? MOTION: Approve per staff recommendation adding 8'masonry, masonry like product, stucco, stone, concrete, tilt-up panels or some combination thereof screening between Commercial development and residential uses. A 6.0' privacy-screening fence will be built along the entire boundary of Development Area B (residential lots) adjacent to Mingo.		
Item was approved 5:0:0		
Planning Commission Members	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

6. **PARTIAL VACATION OF PLAT:** Partial Vacation of Plat for Quail Creek, Part of PUD 76
   Discussion and review of the Partial Vacation of Plat for Quail Creek, Part of PUD 76, Lot 40,
   Block 2 and the Reserve Area will be replatted as part of The Cottages at Quail Creek, Part of BXPUD-16.03, located north of 131st Street and west of Memorial in the City of Bixby, OK
7. **PLAT:** FINAL PLAT COTTAGES AT QUAIL CREEK, Part of BXPUD-16.03:
   Discussion and review of the Final Plat for Cottages at Quail Creek, Zoning: RS-3: BXPUD-16.03, 8.831 Acres with Forty (40) Lots, Two (2) Blocks, One (1) Reserve the property is located north of 131st Street and west of Memorial in the City of Bixby, OK

PRESENTATION of Item s 6 & 7 FROM STAFF~Marcae' Hilton, City Planner

2 REQUESTS: Applicant, Ricky Jones of Tanner Consulting
Item 6. on PC Agenda, 8.21.17~Partial Vacation of Plat
Item 7. on PC Agenda, 8.21.17~FINAL Plat
6. PARTIAL VACATION OF PLAT: ***Partial Vacation of Plat for Quail Creek, Part of PUD 76***
Discussion and review of the Partial Vacation of Plat for Quail Creek, Part of PUD 76, Lot 40, Block 2 and the Reserve Area will be replatted as part of The Cottages at Quail Creek, Part of BXPUD-16.03, located north of 131st Street and west of Memorial in the City of Bixby, OK
7. FINAL PLAT: ***THE COTTAGES AT QUAIL CREEK, PART OF BXPUD-16.03***
Discussion and review of the Final Plat for Cottages at Quail Creek, Zoning: RS-3:BXPUD-16.03, 8.851 Acres with Forty (40) Lots, Two (2) Blocks, One (1) Reserve the property is located north of 131st Street and west of Memorial in the City of Bixby, OK

REQUEST: Approval of the Partial Vacation of Plat for Quail Creek
Approval of Final Plat, The Cottages at Quail Creek, BXPUD-16.03

EXISTING ZONING: RS-3 (Residential Single Family District) & PUD (BXPUD-16.03 COTTAGES AT QUAIL CREEK), Approved at City Council on September 12, 2016

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

STR: Section 2, T17N, R13E

SIZE OF TRACT: 8.851Acres

LOT INFO: 40 Lots
2 Block
1 Reserve

PUBLIC INPUT: No known comments

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)

GENERAL HISTORY:
ZONING: The applicant received approval from City Council on September 12, 2016, for a change in Zoning from AG to RS-3 along with bxpud-16.03 *Cottages of Quail Creek* in order to complete the next phase of the Quail Creek of Bixby and Quail Creek Villas of Bixby development.

RESERVE AREA A, LOT 40 BLOCK 2: Special attention has been given to the Reserve Area, which is combined with 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 of the plat will serve as the second point of access to the subdivision and as a connector street to Quail Creek. Reserve A and Lot 40, Block 2, Quail Creek of Bixby will be vacated and replatted with Cottages at Quail Creek, residents of the various Quail Creek subdivisions will make use of the facilities.

The Minor Amendment to PUD 76 for Quail Creek allowed Lot 40, Block 2 to serve a use other than residential. Quail Creek of Bixby is part of PUD 76, Scenic Village Park, and includes all of development area C & D. The original Plat No. 6613 was 40.680 acres. There were two parts to amending the deed of dedication for Quail Creek. During Part I, the *PUD Amendment* reduced setbacks and also recognized Reserve Area A and Lot 40, Block 2 are no longer part of the Quail Creek Development Areas C & D, and would be replatted as part of *Cottages at Quail Creek* per *BXPUD-16.03 Cottages at Quail Creek.* In Part II, the *Plat, Deed of Dedication Amendment* requested to reduce the side-yard setback abutting streets from 20' to 10' and to increase the front-yard setback to 25' to correspond with the recorded plat as was approved in Major Amendment #1.

The applicant was granted approval, by the Bixby City Council on February 27, 2017, of the requested Planned Unit Development Amendment (BXPUD-17.02 Scenic Village) also known as PUD 76 Major Amendment #3 (PUD 76B). The Plat amendment was approved March 27, 2017 by City Council.

Through the action of a Partial Vacation of Plat for Quail Creek, the developer will vacate and replat roughly half (½) an acre (Lot 40, Reserve Area A, Block 2) through the platting process. BXPUD-16.03, *The Cottages at Quail Creek,* was recommended for approval by the Planning Commission at the regularly scheduled meeting of August 15, 2016 and approved by City Council on September 12, 2016.

The Technical Advisory Committee (TAC) heard this item on Wednesday, August 2, 2017. Erik Enyart presented Plat Vacation documents for Quail Creek Lot 40, Block 2 and the reserve area, these two areas will be replatted with Cottages. Erik asked PSO how much U/E they need and conversed about relocating POS within the Reserve area. PSO has a primary feeder and switch line. Erik will be coordinating with PSO on the placement of the PSO utilities within the easement. PDG has been hired to submit a site-plan. Jason stated there is also a sanitary sewer line (15") within the UE. The earth work is 80% done on this site. The development is well underway.

Staff believes the *Plat Vacation Documents* and the *Final Plat for The Cottages at Quail Creek* 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:
Final Plat
Aerial Map
Plat Vacation Documents

STAFF RECOMMENDATIONS:
ITEM 6. Staff and TAC recommend approval of the *Partial Vacation of Plat for Quail Creek, Part of PUD 76, Reserve Area & Lot 40, Block 2*

ITEM 7. Staff and TAC recommend approval of the Final Plat *The Cottages at Quail Creek, BXPUD-16.03* subject to the resolution of comments from Staff and TAC.

(LANCE) IS THE APPLICANT PRESENT? APPLICANT PRESENTATION-Ricky Jones of Tanner Consulting
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? No Public Comment
(LANCE) THE PUBLIC HEARING PORTION IS CLOSED.
(LANCE) ARE THERE ANY COMMENTS FROM PC? Limited conversation ensued.
DO WE HAVE A MOTION?

6 & 7. MOTION: Tom Holland	SECOND: Chris Cloyde	
MOTION/NOTES:		
Planning Commission Members	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

MEETING RECESS: 8:00 PM
MEETING CALLED TO ORDER FROM RECESS: 8:08 PM

Mr. Chris Cloyde recused himself, and left the room. He explained: *Mr. Chairman, Fellow Planning Commissioners and the Citizens of Bixby:*
On July 17th, BXPUD-17.07 LINKS A MAJOR AMENDMENT TO PUD-16 came before this Commission for approval. This PUD amendment was prepared by Crafton, Tull & Associates Office in Rogers, Arkansas. At the time of this meeting, I worked for Crafton Tull's Tulsa Office and I was unaware that the Roger's Office has prepared this PUD amendment. It wasn't until after the July 17th meeting that I was made aware of this fact. As of July 28th, I am no longer employed by Crafton Tull. Now that I know that Crafton Tull prepared the PUD amendment and in order to remove any appearance of impropriety on my part, I wish to remove myself from any Planning Commission participation on this agenda item. Therefore, I will leave the Planning Commission meeting prior to any discussion on this item. Thank you.

8. **PUD AMENDMENT:** Continuation of discussion and recommendation of approval of a Major Amendment to the Planned Unit Development (PUD-16), for the purpose of additional apartments. Property location: 11500 Links Blvd., west of Memorial Road and south of E. 111th Street, Bixby, OK, containing approximately 80.07 Acres (BXPUD-17.07 LINKS A MAJOR AMENDMENT TO PUD-16)
PRESENTATION FROM STAFF~Marcae' Hilton, City Planner
REQUEST: RECOMMENDATION OF APPROVAL FOR PROPOSED AMENDMENT FOR A SUPPLEMENTAL ZONING PLANNED UNIT DEVELOPMENT DISTRICT OF THE CITY OF BIXBY, OKLAHOMA (PUD) PLANNED UNIT DEVELOPMENT

EXISTING ZONING: BZ-219, PER ORDINANCE 738
RESIDENTIAL MULTI-FAMILY (RM-1), RM-1:PUD 16
COMMERCIAL SHOPPING (CS), (not part of PUD)

REQUESTED ZONING: (MAJOR AMENDMENT TO PUD 16) **BXPUD-17.07 LINKS**

EXISTING LAND USE: APARTMENTS, GOLF COURSE (UNDEVELOPED COMMERCIAL)

PROPOSED: NO CHANGE IN COMP PLAN

LOCATION: 11500 Links Blvd, Bixby, OK, west of Memorial Road and south of E. 111th Street

STR: Section 35, Township 18, Range 13

LOT SIZE: **80.07 Acres (less due to right-of-way dedication) BXPUD-17.07**
6.12 Acres COMMERCIAL PER BZ-219
80.12 Acres MULTI-FAMILY PER BZ-219:PUD16

PROPOSED USE: Additional Apartments, change in Golf Course hole configuration

PUBLIC INPUT: **Before PC 7.17.17:** Approximately 12 calls/emails

PC DRAFT Meeting Minutes 7.17.17: PRESENTATION FROM STAFF

Marcae' Hilton, City Planner~the applicant has contacted staff and asked the item be continued until the next meeting (August 21, 2017) the applicant is present to answer questions related to the continuation.

(LANCE) IS THE APPLICANT PRESENT? *YES, HUGH JARRETT, reiterated the request to continue the item to the next meeting, the applicant planned to meet with the public prior to the July 17, 2017 Planning Commission meeting, however, the community meeting notices did not get mailed in a timely fashion. The applicant would like to meet with the public before having a public hearing with the Planning Commission. According to the applicant, the notices arrived the day of or the day after the community/developer meeting.*

(LANCE) ARE THERE ANY COMMENTS FROM PC?

Discussion ensued, *Tom Holland asked if we could hear public comment since so many people showed up for the case. The representative from the Links, Hugh Jarrett indicated changes have been made to the project and guessed many of the public concerns will be addressed with the additional proposed changes.*

(LANCE) DO WE HAVE A MOTION? *See Below*

3. MOTION: Tom Holland	SECOND: Chris Cloyde	
MOTION: Move to continue until August 21, 2017 meeting		
NOTES: Hugh Jarrett, spoke as representative of LINKS 18 people completed the *Planning commission Public Hearing Request* • 11 registered "wish to speak in opposition" • 1 person registered "not present" "do not wish to speak-opposed" • 6 registered "do not wish to speak-opposed"		
Planning Commission Members	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

BACKGROUND INFORMATION:

Staff believes the proposed PUD amendment meets the requirements of the Zoning Regulations and Land Use objectives per Ordinance 272, 4-2-1974: 11-7I-2: PURPOSES OF A PUD**:** 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-this project does not increase the boundary of the existing Multi-family lot area and still meets the requirements of (RM-1) zoning code

B. Permit flexibility within the development to best utilize the unique physical features of the particular site; the development does not lose the golf course which is considered a high-end amenity, members can play golf in Bixby or at other "Links" golf courses across the country. The number of holes and pars will not change, the greens will be upgraded

C. Provide and preserve meaningful open space; the golf course allows for beautiful well manicured open space, the other amenities such as tennis courts and pool will not be impacted by the proposed development changes, if approved the developer will add a 24 hour fitness facility

D. Achieve a continuity of function and design within the development; if approved the overall project provides improvements for existing buildings and a higher end new development

This major amendment to PUD 16 (BXPUD-17.07) is considered an expansion of bulk and area requirements. The original PUD consisted of a 90.8 Acre golf course, multi-family residential and commercial development. The overall design concept continues to consist of a boulevard entry street with a landscaped median leading to the golf course and a Multi-family apartment complex. The frontage along Memorial is zoned commercial and not part of PUD 16. Originally, RM-2 zoning was requested, however, the approved zoning of RM-1 mandated lower density and more restrictive bulk and area requirements, straight RM-1 zoning would have allowed up to 820 dwelling units.

Zoning Case and PUD Staff Recommendation dated 3-6-96: Based on the Comprehensive Plan and pattern of existing zoning, staff is supportive of the CS and not greater than RM-1 zoning; and recommends APPROVAL of CS to a maximum depth not to exceed that of the existing CS to the south; and APPROVAL of RM-1 in the alternative to RM-2 based on the PUD Text and approval of PUD 16 with underlying RM-1 and uses to be a golf course and a maximum of 504 multi-family units as stated above and otherwise as presented in the PUD 16 Text and Outline Development Plan.

BULK AND AREA REQUIREMENTS	**RM-1**	**PUD-16**	**PROPOSED**
RM-1 PREVIOUS PROPOSED			
Lot Width (minimum feet):	100	100	100
Lot area (minimum square feet);			

Multi-family	10,000	10,000	10,000
Land area per dwelling unit (min sq. ft.):			
Multi-family, less than 2 bedrooms	3,100	3,100	3,100
Multi-family, 2 or more bedrooms	4,356	4,356	4,356
Height	48	26	48
Maximum number of stories	3	3	3
Livability space	1,000	556	556

NOTE SQUARE FOOTAGE: 556 sf FOR 1-BEDROOM AND 967 FOR 2-BEDROOM

SURROUNDING ZONING AND LAND USE:
North: (CS) Commercial Shopping-BIXBY COMMONS (LOWES, REASORS), (RT:PUD47) Residential Townhouse-WOODCREEK VILLAGE AMENDED, (RS-3) Single-Family Residential-WOODCREEK
South: FRY DITCH CREEK, (AG) Agriculture-Single-family & undeveloped, (RS-1) Single-Family Residential, North Heights Addition
East: (OL) Office Low Intensity (BANK), (CS) Commercial Shopping, 2 undeveloped lots, one developed lot, (CG) Commercial General (SOD STORE)
West: FRY DITCH CREEK (HEAVILY VEGETATED), (RS-2:PUD17) Single-family Residential, GRAYSTONE, DEVONSHIRE AT GRAYSTONE RE-SUBDIVISION

COMPREHENSIVE PLAN:
Land Use Intensities: MEDIUM, DEVELOPMENT SENSITIVE, WATER
Land Use: COMMERCIAL AREA, RESIDENTIAL, OPEN LAND
Urban Design Elements: CORRIDOR, PLANNED REGIONAL TRAIL

Staff believes the proposed amendment meets the intent of the Comprehensive Plan land use and policy guide. On Page 12 of the Comprehensive Plan, "5. Corridors are defined as specific areas located along expressways and are to contain major employment and region-serving functions in concert with a relatively high residential base. In specific instances, a corridor may be defined along corridor-arterials in cases where existing and planned development, zoning, existing and planned highway improvements and traffic patterns warrant such a designation. Corridors are characterized by the fallowing standards; a. High intensity zoning classifications that may or may not be appropriate within a corridor include CG, CH, IL, IM and IH. If such districts are approved for a corridor, it should be when a PUD is also applied…The medium intensity zoning classifications of RD, RM-1, RM-2, RM~3, OL, OM, CS, and ST are appropriate within a corridor. Less intense zoning classifications or an RMH may OT may not be appropriate within a corridor… An FD district is appropriate if a flood hazard area is in the corridor, it is intended that medium and high intensity zoning for corridor-designated areas be allowed for large undeveloped areas (40 acres +/-)…b. Land uses that are more intense in nature should have exposure and convenient access to high-speed transportation facilities. c. Multiple land uses may be allowed within a corridor and those land uses will be interrelated by internal vehicular and pedestrian traffic system. The

corridor may be ultimately connected to the regional transit system. d. Appropriate access should be provided to arterial streets from corridor collector streets. All tracts within corridors should have direct access to the corridor collector streets or service roads…f. Higher intensity development should be designed by utilization of extensive setbacks, buffering uses and other separations or transitions to be compatible with any adjoining low intensity development. g. Refer to the Corridor-Arterial Exhibit for special corridor-arterial standards.

ATTACHMENTS:
1. BXPUD-17.07 LINKS WITH COMMENTS
2. CONCEPT PLAN
3. ZONING MAP

Planning Commission has the right to make the following recommendations:

11-5-4: ZONING MAP AMENDMENTS:
D. Planning Commission Action On Zoning Map Amendments:
1. After notice and public hearing, the planning commission shall vote to:
a. Recommend to the city council that the application be approved:
   1. As submitted
   2. As amended
   3. Approved subject to modification; or

b. Recommend to the city council that the application be denied.
2. An application recommended for approval, or approval subject to modification, shall be transmitted, with the report and recommendation of the planning commission, to the city council within fifteen (15) days from the date of the planning commission action.
3. An application recommended for denial, shall not be considered further unless the applicant, within fifteen (15) days from the date of the planning commission action, files a written request with the city clerk for a hearing by the city council. The request for hearing shall be accompanied by the payment of a fee in such amount as established by resolution of the city council. Upon notice of such request, the planning commission shall forthwith transmit the application and its report and recommendations to the city council.
4. In the event the planning commission arrives at a tie vote, the application shall be transmitted with a report and notation of the tie vote to the city council within fifteen (15) days from the date of the planning commission action. (Ord. 272, 4-2-1974; amd. 2006 Code)

STAFF RECOMMENDATION: Staff recommends Approval of the PLANNED UNIT DEVELOPMENT MAJOR AMENDMENT BXPUD-17.07 with the following conditions (not a complete list):

- All requested Planning Commission (PUD changes) shall be corrected before submittal to City Council
- Meet or exceed comments from Fire Marshal (NOT INCLUDED)

- Meet or exceed comments from City Engineer (NOT INCLUDED)
- Provide improved traffic signage and awareness for motorist entering Memorial
    - Add stop sign at 115th St. South at entrance to Memorial Road
    - Paint "STOP" on pavement to indicate stop requirement
    - Add stop sign at Links Boulevard and Birdie Lane
    - Paint striping on pavement to indicate stop requirement

(LANCE) IS THE APPLICANT PRESENT? APPLICANT PRESENTATION Hugh Jarrett, spoke as representative of LINKS
(LANCE) IS ANYONE HERE TO SPEAK ON THIS ITEM? PUBLIC COMMENT (5 MIN PER PERSON~30 MIN TOTAL) 28 total see details below
(LANCE) THE PUBLIC HEARING PORTION IS CLOSED.
(LANCE) ARE THERE ANY COMMENTS FROM PC? DO WE HAVE A MOTION?

8. MOTION: Tom Holland	SECOND: Josh Nave
MOTION/NOTES: INTERESTED PARTIES @ PLANNING COMMISSION 8.21.17: NOTES: 28 people completed the *Planning commission Public Hearing Request* • 09 registered "wish to speak in opposition" • 19 registered "do not wish to speak-opposed" -Mr. Joe Heldmann submitted photos of his yard claiming the Links development created a flood issue. Discussion ensued, the PC approved per staff recommendation, they cited the PUD meets the Code.	

Planning Commission Members	Yes	No
Chris Cloyde		RECUSED SELF
Tom Holland	Y	
Jerod Hicks	Y	
Joshua Nave	Y	
Lance Whisman	Y	

ADJOURNMENT: 8:59 PM

DRAFT

CITY OF BIXBY
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

STAFF REPORT

To: Bixby Planning Commission

From: Marcae' Hilton, City Planner

Date: Monday, October 16, 2017

RE: **LOT SPLIT** *BXLS-17.10 ENCORE:* Applicant, Troy Gudgel
BXLS-17.10 ENCORE* (*River Trail II, Plat No. 6541)
Approval of a Lot-Split for Lot One (1), Block One (1) and Lot Two (2), Block One (1) of River Trail II Plat No. 6541; (TRACT A) having a combined Acreage of 2.51, (TRACT B) having an area of 0.1643 Acres, (TRACT C) representing the combined lot with an area of 1.1724 Acres, and (TRACT D) representing the remaining portion of Lot One (1), Block One (1) with 1.3377 Acres, Zoning: CG:PUD83, in Section 2, T17N, R13E
Property Located: 12600 Block of Memorial, ½ mile south of 121st and West of Memorial in Bixby, OK

REQUEST: Lot-Split Approval

LOCATION: 12620 S Memorial Drive, ½ mile south of 121st and West of Memorial in Bixby, OK

STR: Section 2, T17N, R13E

LOT SIZE: Lot One (1), Block One (1) and Lot Two (2), Block One (1) of River Trail II Plat No. 6541;
(TRACT A) having a combined Acreage of 2.51
(TRACT B) having an area of 0.1643 Acres
(TRACT C) combined lot with an area of 1.1724 Acres
(TRACT D) remaining portion of Lot One (1), Block One (1)

ZONING: PUD 83:CG (Commercial General)

EXISTING USE: Vacant Undeveloped

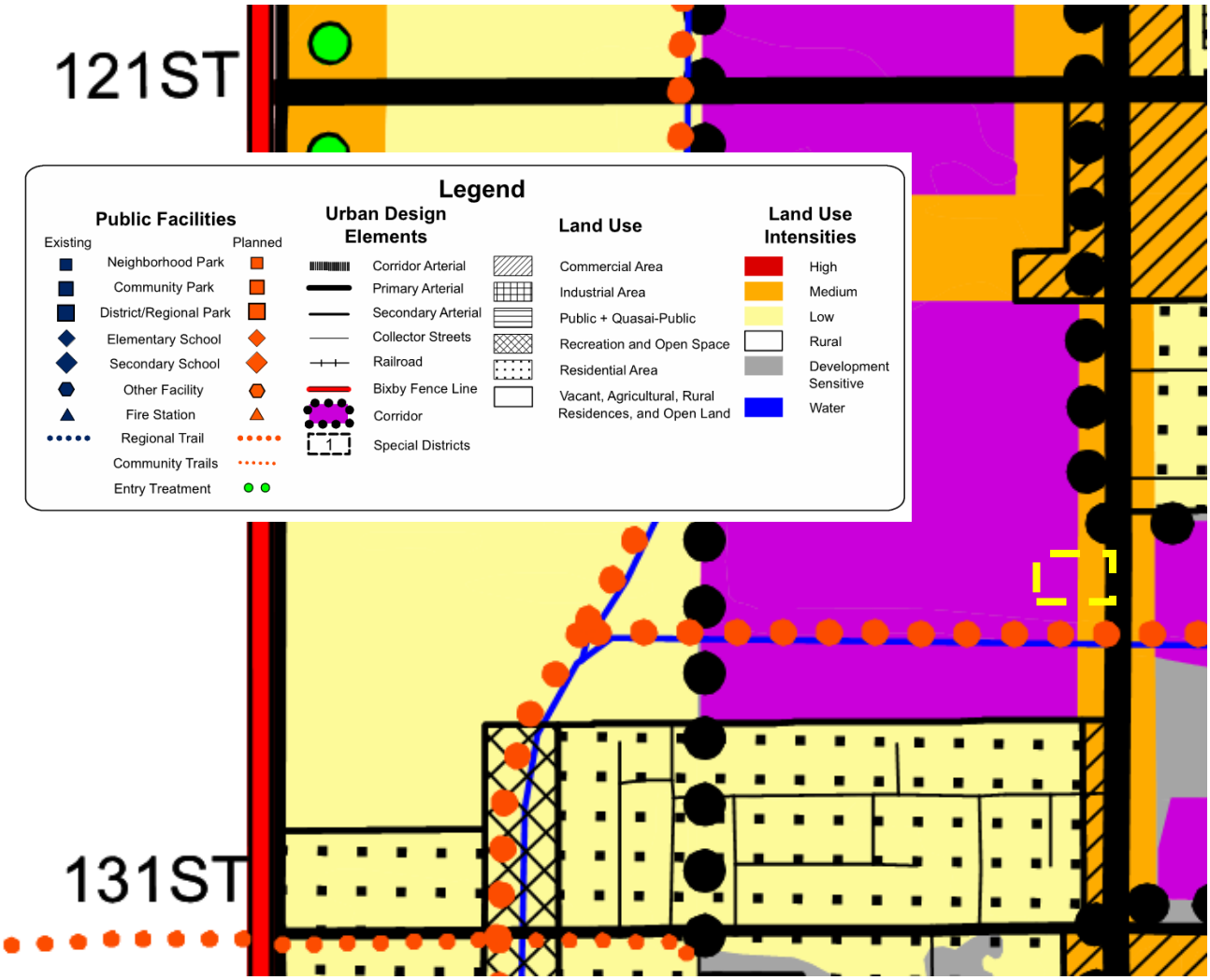
PROPOSED USE: Unknown

PUBLIC INPUT: None, not advertised

BACKGROUND INFORMATION:
The applicant requests to lot split the undeveloped tract for the purpose of a commercial structure. Staff believes the proposed Lot Split request meets the requirements of the Zoning Regulations and Land Use objectives and PUD requirements. There were no comments from TAC.

COMPREHENSIVE PLAN:

Land Use Intensities: Medium (moderate activity)
Land Use: Vacant, Agriculture Rural Residences, and open land
Urban Design Elements: Corridor, Primary Arterial
Public Facilities: Trail



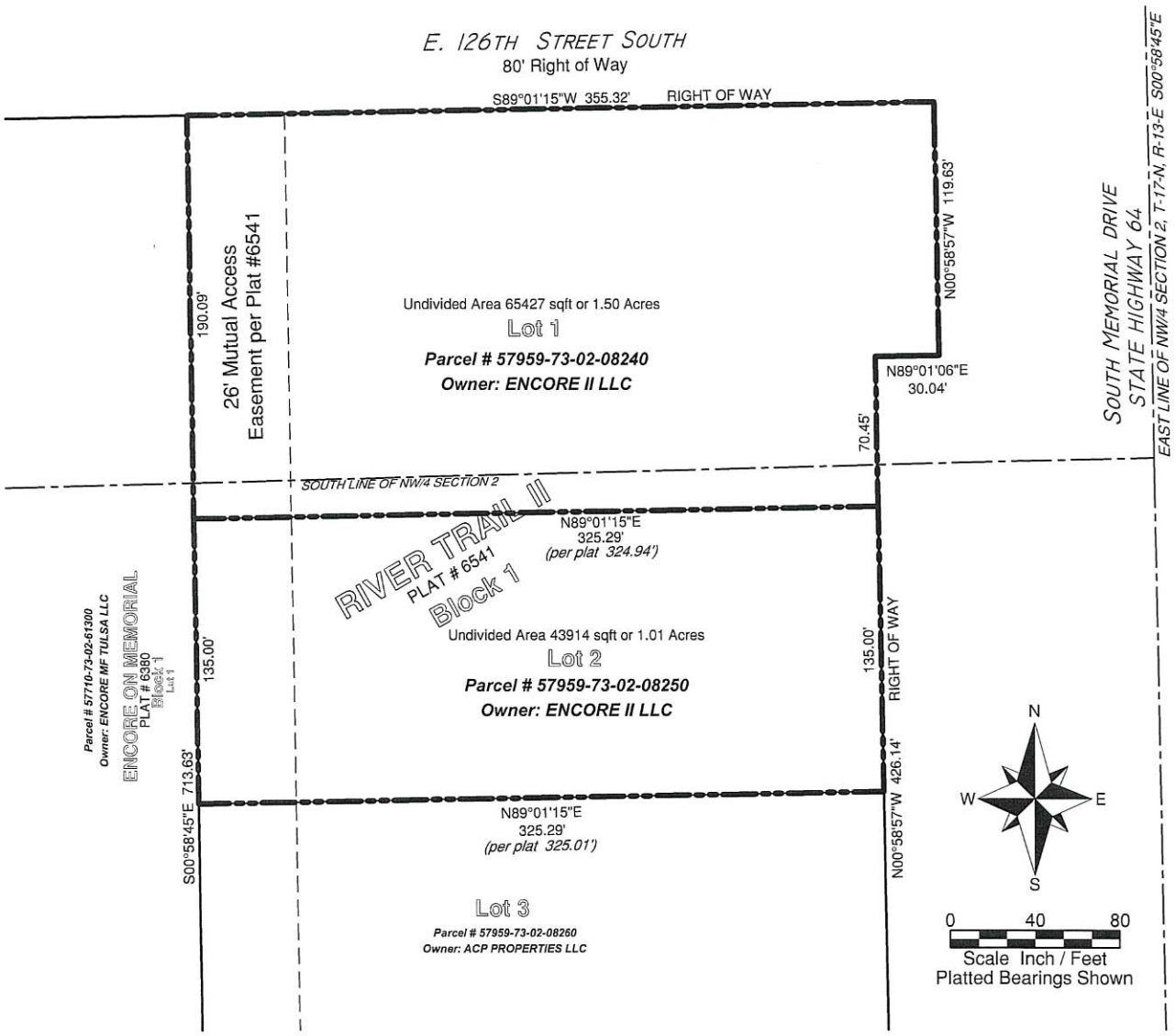
ATTACHMENTS:

1. Lot Split Exhibits

STAFF RECOMMENDATION: Staff and the Technical Advisory Committee recommend Approval of **BXLS-17.10** with the following conditions:

1. BRING WARRANTY DEED TO OFFICE OF CITY PLANNER TO BE STAMPED AFTER APPROVAL OF PLANNING COMMISSION AND BEFORE FILING AT TULSA COUNTY
2. PROVIDE COPY OF FILED DOCUMENT TO OFFICE OF CITY PLANNER
3. THIS PROJECT PARCEL IS LOCATED WITHIN THE CORRIDOR APPEARANCE DISTRICT SEE CODE FOR GUIDELINES: ARTICLE G. 11-7G-(1-6) CORRIDOR APPEARANCE DISTRICT

UNDIVIDED LOT 1 & LOT 2



Parcel Owner name ENCORE II LLC (Lot 1&2)

Parcel # 57959-73-02-08240 (Lot 1)
&
Parcel # 57959-73-02-08250 (Lot 2)

Legal Description UNDIVIDED TRACTS (Lots 1&2)
(Vesting General Warranty Deed Doc#2014036305)

Lot One (1), & Lot Two (2), Block One (1) of "RIVER TRAIL II", an Addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the Recorded Plat #6541.

Having a combined area of 109341 Square Feet or 2.5101 Acres

August 23, 2017
Russell M. Muzika
Oklahoma PLS #1603
GEODECA LLC
P.O.Box 330281
Tulsa, Oklahoma 74133
918 949 4064
CA # 5524 exp 6/30/2018

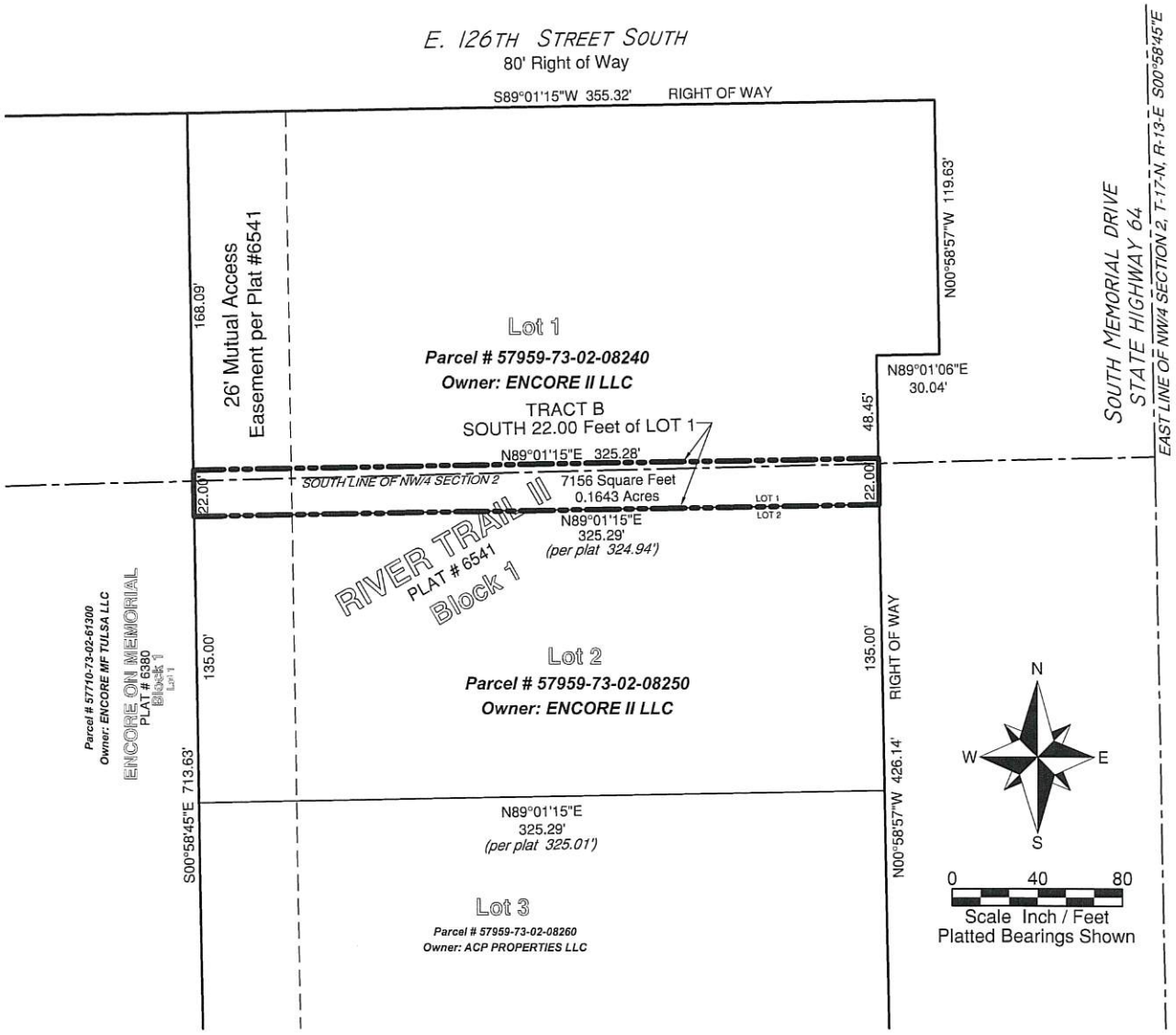
GEODECA
LAND SURVEYING COMPANY

CITY OF BIXBY
AUG 28 2017
RECEIVED
By _____

EXHIBIT A

TRACT B

(Lot split of the South 22' Lot 1)



Parcel Owner name ENCORE II LLC (Lot 1&2)

Parcel # 57959-73-02-08240 (Lot 1)
&
Parcel # 57959-73-02-08250 (Lot 2)

Legal Description Tract B (South 22' of Lot 1)
(Vesting General Warranty Deed Doc#2014036305)

South 22.00 feet of Lot One (1), Block One (1) of "RIVER TRAIL II", an Addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the Recorded Plat #6541.

Having an area of 7156 Square Feet or 0.1643 Acres

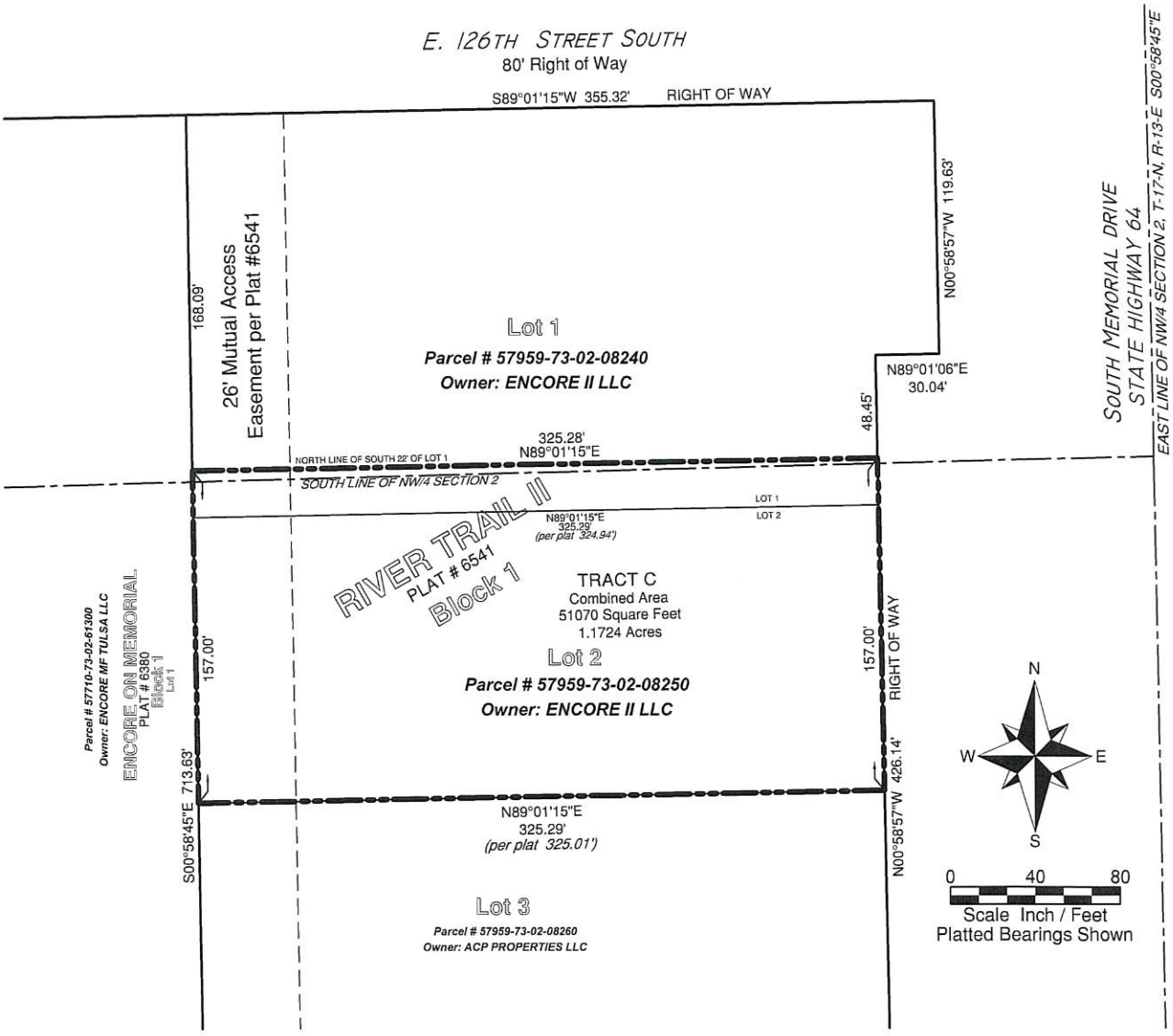
August 23, 2017
Russell M. Muzika
Oklahoma PLS #1603
GEODECA LLC
P.O.Box 330281
Tulsa, Oklahoma 74133
918 949 4064
CA # 5524 exp 6/30/2018

GEODECA
LAND SURVEYING COMPANY

EXHIBIT B

TRACT C

(Combined Lot 2 with the South 22' of Lot 1)



Parcel Owner name ENCORE II LLC (Lot 1&2)

Parcel # 57959-73-02-08240 (Lot 1)
&
Parcel # 57959-73-02-08250 (Lot 2)

Legal Description TRACT C (Combined Lot 2 & S22' of Lot 1)

(Vesting General Warranty Deed Doc#2014036305)

Lot Two (2) and the South 22.00 feet of Lot One (1), Block One (1) of "RIVER TRAIL II", an Addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the Recorded Plat #6541.

Having an area of 51070 Square Feet or 1.1724 Acres

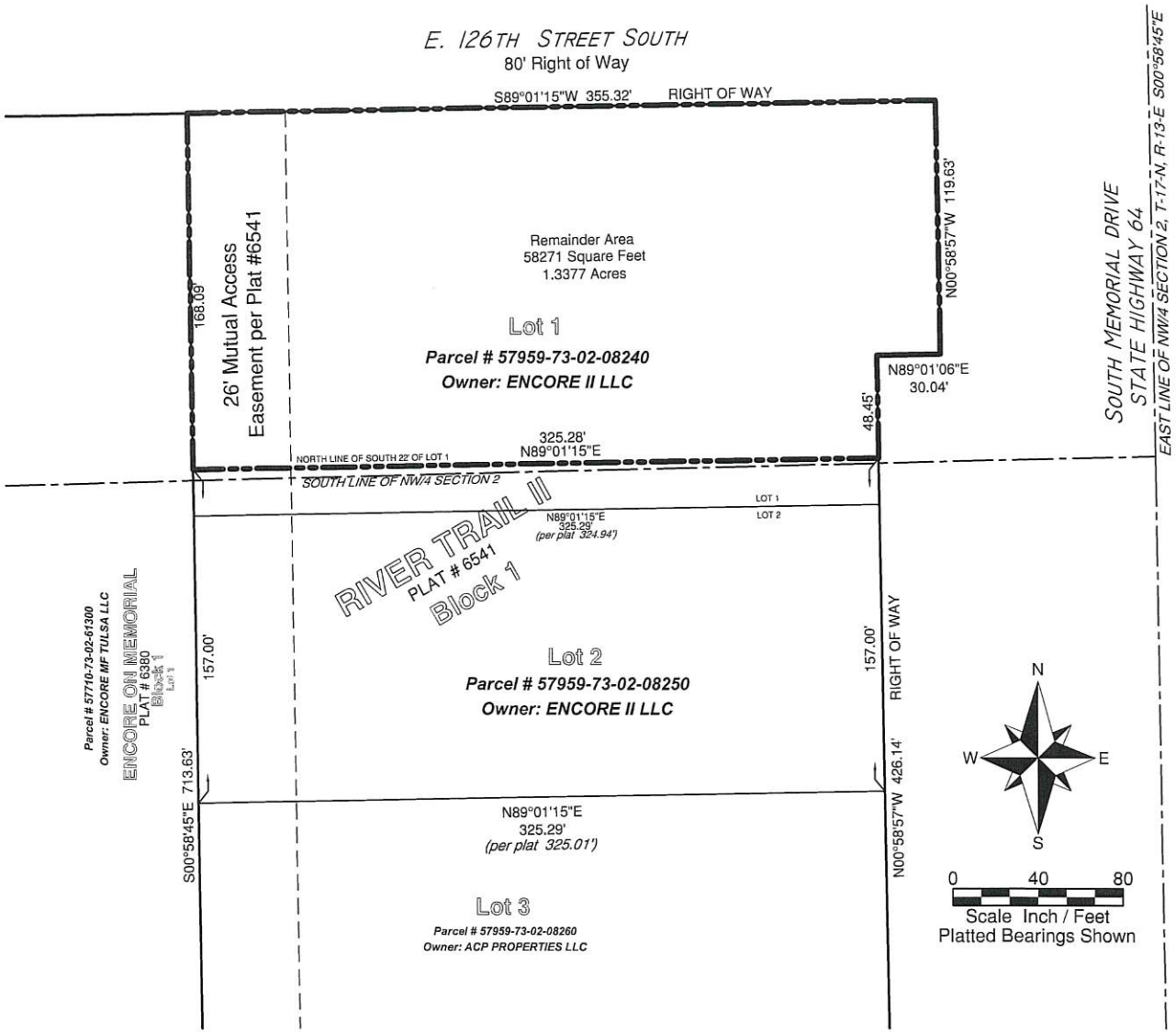
August 23, 2017
Russell M. Muzika
Oklahoma PLS #1603
GEODECA LLC
P.O.Box 330281
Tulsa, Oklahoma 74133
918 949 4064
CA # 5524 exp 6/30/2018

GEODECA
LAND SURVEYING COMPANY

EXHIBIT C

TRACT D

(Remainder Lot 1)



Parcel Owner name ENCORE II LLC (Lot 1&2)

Parcel # 57959-73-02-08240 (Lot 1)
&
Parcel # 57959-73-02-08250 (Lot 2)

Legal Description Tract D (Remainder Lot 1)
(Vesting General Warranty Deed Doc#2014036305)

Lot One (1), Block One (1) of "RIVER TRAIL II", an Addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the Recorded Plat #6541, Less and Except the South 22.00 feet thereof.

Having an area of 58271 Square Feet or 1.3377 Acres

August 23, 2017
Russell M. Muzika
Oklahoma PLS #1603
GEODECA LLC
P.O.Box 330281
Tulsa, Oklahoma 74133
918 949 4064
CA # 5524 exp 6/30/2018

GEODECA
LAND SURVEYING COMPANY

EXHIBIT D

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, October 16, 2017

RE: **SITE PLAN *BXSP-17.06 WOODLAKE CHURCH***: Applicant, Construction by Daniels, Inc.
Discussion and recommendation of a site plan for the expansion of the Woodlake Church parking lot, Zoning: AG:BBOA-582, 27 Acres, in Section 25, T18N, R13E Property Located: 10444 S. Mingo, Southwest corner of the intersection of 104th St. S. and Mingo Rd. in Bixby, OK

REQUEST: Approval of the Parking Lot Expansion and Modular Building Site Plan for Woodlake Church

EXISTING ZONING: AG:BBOA-582 (Agriculture with a Special Exception from the Board of Adjustment

LOCATION: 10444 S. Mingo, Southwest corner of the intersection of 104th St. S. and Mingo Rd. in Bixby, OK

STR: Section 25, T18, R13E

IMPERVIOUS CALC.: EXISTING AREA=145,271 SF
REMOVED AREA=4,356 SF
NEW AREA=49,364 SF
NET TOTAL AREA=190,270 SF

EXISTING USE: CHURCH

PUBLIC INPUT: (0)

BACKGROUND INFORMATION:

PROPOSED USE/DETAILS: Woodlake Church has experienced growth beyond their initial expectations. They are in need of additional parking and classrooms. The Church has purchased a modular building which will be placed adjacent to the south side of the church. The building plans have been reviewed by the City of Bixby Building Inspector and Fire Marshal there are no staff comments.

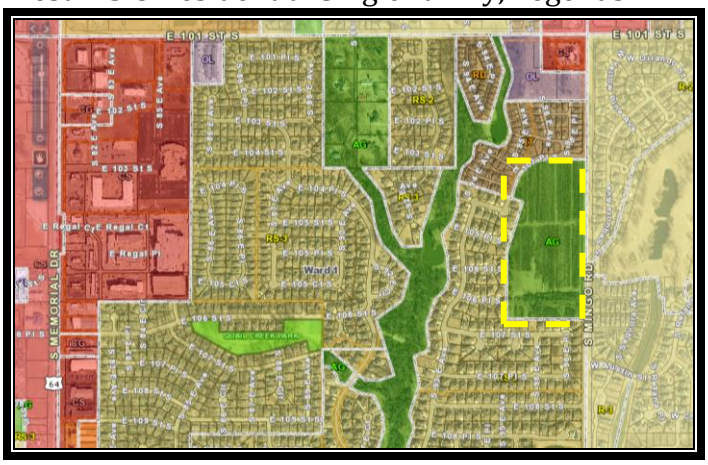
The Bixby Board of Adjustment granted the applicant approval of a Special Exception on January 6, 2013 to allow Use Unit 5 (Church) in the AG district with conditions:
1. If the subject property is divided, the Use Unit 5 Church approval shall only attach to the lot or lots on which the church campus is constructed.
2. Subject to the approval of a plat, or otherwise City Council approval of a Waiver of Platting, which would be based on the provision of right-of-way and utility and other necessary easements by separate instrument.
3. Staff recommends that driveway/curb cut locations, drive widths, and curb return radii be approved by the Fire Marshal, City Engineer and County Engineer as may be required.

On June 23, 2014, the City Council conditionally approved a Waiver of Platting requirement based upon the Applicant's separate instrument dedication of the easements and rights-of-way as would otherwise have been dedicated by a plat.

The applicant received a Sidewalk Waiver from City Council on February 23, 2015.

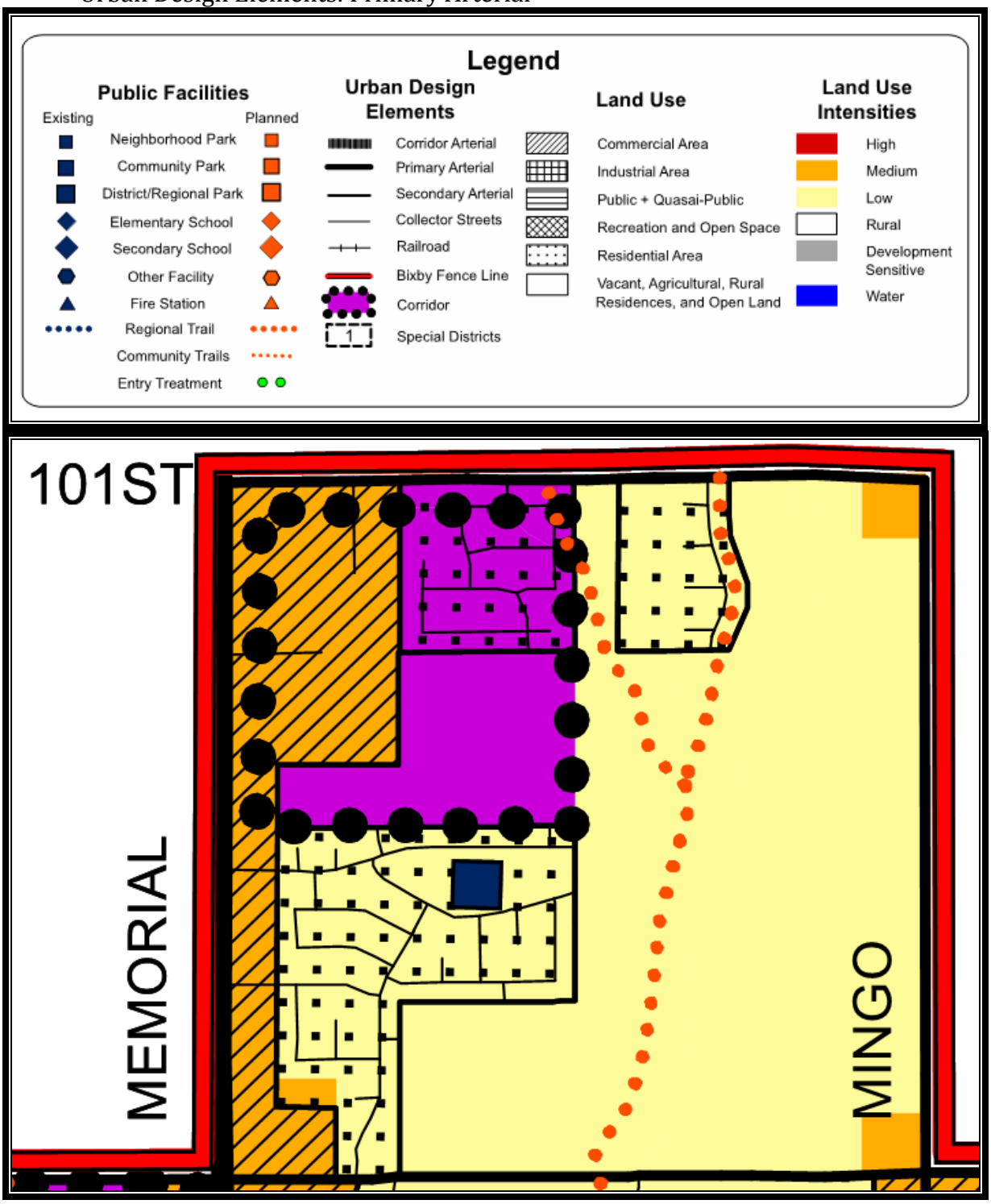
TAC Comments (10.4.17): NO COMMENTS FROM TAC MEMBERS OTHER THAN STAFF.
STAFF HAD THE FOLLOWING COMMENTS:
Where will the building be located?
What is the size and use of the building?
Staff agreed to set up a meeting with the engineer or record for the modular building.
Since the regularly scheduled TAC meeting, Staff has been to the site, reviewed the building specifications and has no other questions.

SURROUNDING ZONING AND LAND USE:
North: RT-Residential Townhouse-Spicewood Villas, Spicewood Pond
South: RS-3 Residential Single-family, Legends
East: RS-2 Residential Single-family, The Greens, Broken Arrow
West: RS-3 Residential Single-family, Legends II



COMPREHENSIVE PLAN:

Land Use Intensities: Low
Land Use: Vacant, Agricultural, Rural Residences, and Open Land
Urban Design Elements: Primary Arterial



Staff believes the proposed Parking Lot Expansion meets the requirements of the Zoning Regulations and Land Use objectives.

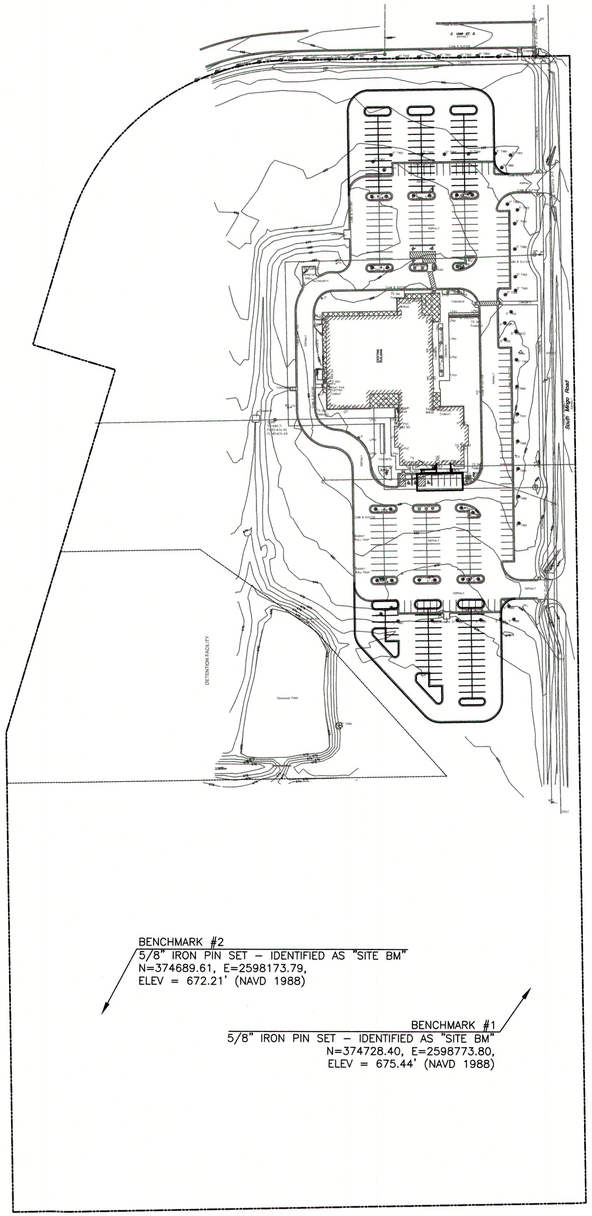
ATTACHMENTS:

1. Construction Plans

STAFF RECOMMENDATION: Staff and TAC recommend approval of the Site Plan-Parking Lot Expansion and request for the temporary use of a modular building for Woodlake Church Satellite Campus with NO conditions.

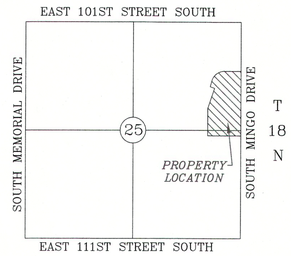
PARKING LOT EXPANSION
FOR
WOODLAKE CHURCH SATELLITE CAMPUS

A PART OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 13 EAST,
CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

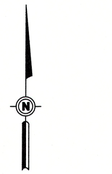


BENCHMARK #2
5/8" IRON PIN SET – IDENTIFIED AS "SITE BM"
N=374689.61, E=2598173.79,
ELEV = 672.21' (NAVD 1988)

BENCHMARK #1
5/8" IRON PIN SET – IDENTIFIED AS "SITE BM"
N=374728.40, E=2598773.80,
ELEV = 675.44' (NAVD 1988)



LOCATION MAP



0 100 200
GRAPHIC SCALE: 1" = 100'

GENERAL NOTES:

1. ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF BIXBY STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND LOCATIONS HAVE BEEN VERIFIED BY THE OWNERS OF SAID LINES. THE EXACT LOCATIONS AND NOTIFICATIONS OF THE PROPER AGENCY IS THE RESPONSIBILITY OF THE CONTRACTOR PRIOR TO ANY EXCAVATION.
3. AFTER CONSTRUCTION IS COMPLETE, ALL DISTURBED AREAS SHALL BE RE-SODDED ACCORDING TO THE CITY OF BIXBY, OKLAHOMA, SPECIFICATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR SODDED AREAS UNTIL GROWTH IS ESTABLISHED.
4. IN THE ARTERIAL STREET RIGHTS-OF-WAY, ALL TREES, SHRUBS, AND DELETERIOUS DEBRIS MUST BE CLEARED FROM REMAINING UNPAVED AREAS OF THIS PROJECT, AND THOSE AREAS ARE TO BE GRADED TO DRAIN AND PLANTED WITH SOLID SLAB SOD.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY WORK ORDERS AND PERMITS FROM THE CITY OF BIXBY, INCLUDING PROVISIONS OF BONDS AND INSURANCE AS REQUIRED.
6. ALL WASTE OR SPOIL SHALL BE TAKEN TO A CITY APPROVED SITE OR SPREAD IN AREAS OUTSIDE OF THE STREET RIGHTS-OF-WAY AS DIRECTED BY THE OWNER AND ENGINEER.
7. A RIGHT OF WAY PERMIT WILL BE REQUIRED FOR ALL WORK IN THE CITY OF BIXBY RIGHT-OF-WAY.
8. ALL GRADES ARE BASED ON NAVD 1988 U.S.G.S. VERTICAL DATUM.

SHEET INDEX

C1 – COVER SHEET
C2 – SITE, GRADING AND EROSION CONTROL PLAN
C3 – DETAILS

OWNER/DEVELPER:

WOODLAKE CHURCH
7100 EAST 31ST STREET
TULSA, OKLAHOMA 74145
MR. MERWIN PICKNEY

IMPERVIOUS AREA CALCULATION		
EXISTING AREA	=	145,271 SF
REMOVED AREA	=	4,365 SF
NEW AREA	=	49,364 SF
NET TOTAL AREA	=	190,270 SF

PARKING SUMMARY	
EXISTING ADA ACCESSIBLE	6
EXISTING STANDARD PARKING	194
TOTAL EXISTING PARKING PROVIDED	200
PROPOSED ADA ACCESSIBLE	7
PROPOSED STANDARD PARKING	282
TOTAL PROPOSED PARKING PROVIDED	289

ADS BENCHMARK:

5/8" REBAR – 1 1/2" ALUMINUM CAP – FLUSH-STAMPED "BA 18", SET S.W. OF 111TH ST. AND MINGO.
ELEV = 653.840' (NAVD 1988)

SITE BENCHMARK:

BENCHMARK #1
5/8" IRON PIN SET – IDENTIFIED AS "SITE BM"
N=374728.40, E=2598773.80,
ELEV = 675.44' (NAVD 1988)

BENCHMARK #2
5/8" IRON PIN SET – IDENTIFIED AS "SITE BM"
N=374689.61, E=2598173.79,
ELEV = 672.21' (NAVD 1988)

BEFORE YOU DIG CALL OKIE 1-800-522-OKIE

LICENSED PROFESSIONAL ENGINEER Brian A. Casement 16873 OKLAHOMA
09/25/2017
BRIAN A. CASEMENT, P.E.
ENGINEER OF RECORD

DATE	REVISION	BY
6/8/17	TAC REVIEW COMMENTS	BAC

CASEMENT ENGINEERING, LLC
CIVIL AND AGRICULTURAL SERVICES
P.O. Box 688
Owasso, OK 74055-0688
MOBILE: 918.740.7650
EMAIL: BCASEMENT54@YAHOO.COM
CERTIFICATE OF AUTHORIZATION NO. 5433
EXPIRES JUNE 30, 2018

STIPULATION FOR REUSE OR ALTERATION
THIS DRAWING IS PREPARED FOR USE ON A PROJECT AND IS NOT SUITABLE NOR AUTHORIZED FOR USE ON A DIFFERENT PROJECT SITE. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE IN ANOTHER PROJECT REQUIRES THE APPROVAL OF THE ENGINEER OF RECORD. MODIFICATION BY THE ENGINEER WITHOUT THE AUTHORIZATION OF THE ENGINEER OF RECORD IS PROHIBITED.

COVER SHEET

WOODLAKE CHURCH
10444 S. MINGO RD.
BIXBY, OK 74133

DRAWN BY:	BC
APPV. BY:	BC
DATE:	09/25/17
SHEET	C1

PAVING NOTES:

1. REFER TO GEOTECHNICAL REPORT FOR SUBGRADE MODIFICATION, COMPACTION AND SUBBASE PREPARATION.
2. PAVING SECTIONS ARE SHOWN AS REPRESENTED IN GEOTECHNICAL REPORT BY HENLEY JOHNSTON & ASSOCIATES (REPORT 13440 – FEBRUARY 19, 2014). REFER TO REPORT FOR ADDITIONAL DETAILS.

NOTE:
ALL NON-PAVED DISTURBED AREAS SHALL BE COVERED WITH SOLID SLAB SOD UPON COMPLETION OF CONSTRUCTION

*NOTE:
TAPER HEIGHT OF CURB, FROM 6" TO 8" AS CURB APPROACHES 12' CURB CUT FROM BOTH SIDES.

NOTES:

(A) TUBULAR FIBER BARRIER OR STRAW ROLL.

(B) NEW LANDSCAPE ISLAND (TYP.) MATCH LENGTH AND WIDTH OF EXISTING.

(C) NEW ASPHALT PAVEMENT, FOR LEGEND SEE THIS SHEET, FOR DETAILS SEE SHEET C3.

(D) NEW PAINT STRIPES SHALL MATCH ALIGNMENT, SPACING AND COLOR WITH EXISTING.

(E) NEW PARKING LOT LIGHTS. SEE LIGHTPOLE BASE DETAIL J ON SHEET C3

LEGEND

ASPHALT PAVEMENT SECTION (HEAVY DUTY) (REFER TO DETAIL 'A' SHEET C3) TOTAL 3093 S.Y.

ASPHALT PAVEMENT SECTION (LIGHT DUTY) (REFER TO DETAIL 'B' SHEET C3) TOTAL 2041 S.Y.

[#] NUMBER OF PARKING SPACES IN ROW

—SF— SILT FENCE

ADS BENCHMARK:

5/8" REBAR – 1 1/2" ALUMINUM CAP – FLUSH-STAMPED "BA 18", SET S.W. OF 111TH ST. AND MINGO.
ELEV = 653.840' (NAVD 1988)

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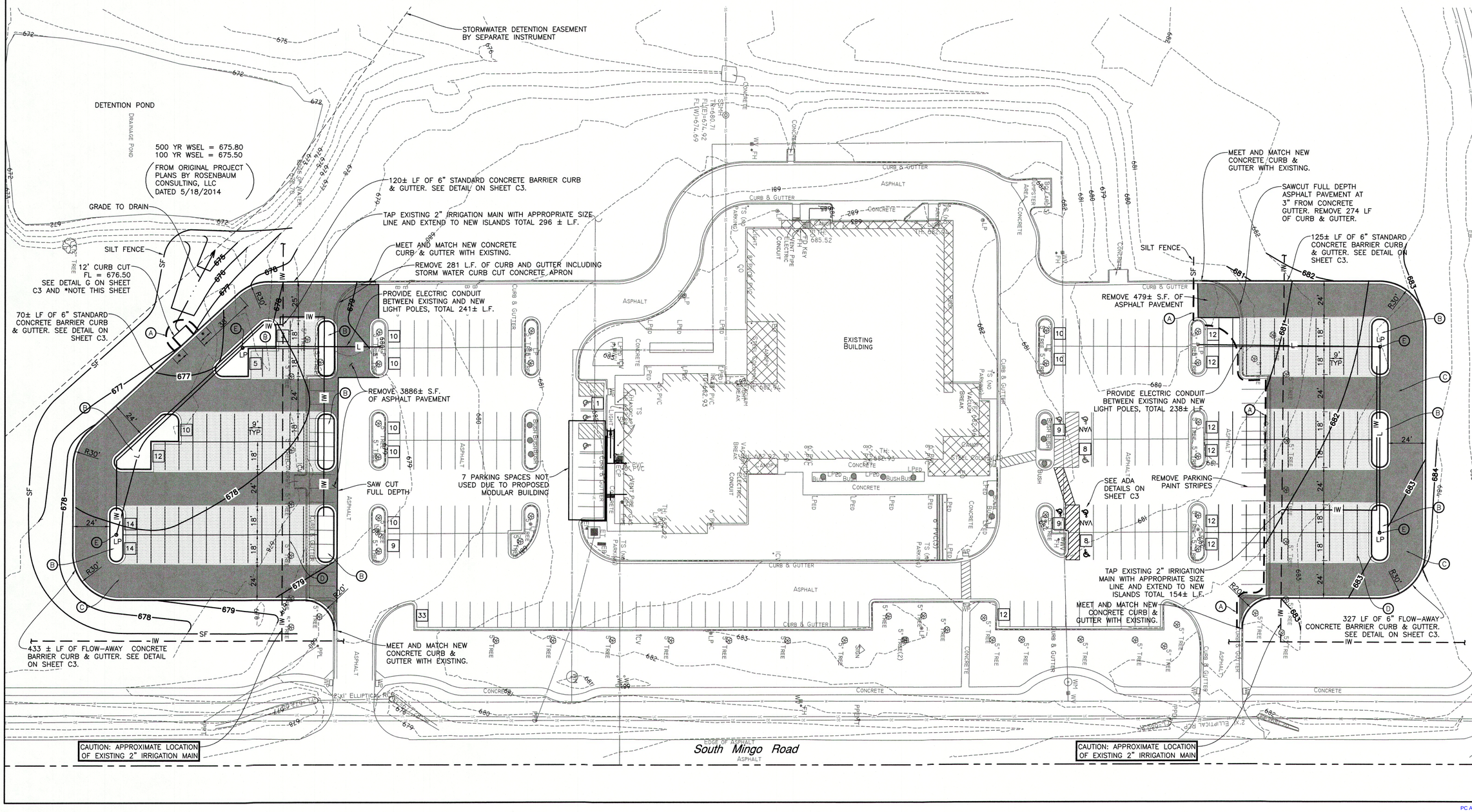
0 30 60
GRAPHIC SCALE: 1" = 30'



BEFORE YOU DIG CALL OKIE 1-800-522-OKIE

LICENSED PROFESSIONAL ENGINEER Brian A. Casement 16873 OKLAHOMA
09/25/2017
BRIAN A. CASEMENT, P.E.
ENGINEER OF RECORD

DATE	REVISION	BY

CASEMENT ENGINEERING, LLC
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P.O. Box 688
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CERTIFICATE OF AUTHORIZATION NO. 5433
EXPIRES JUNE 30, 2018

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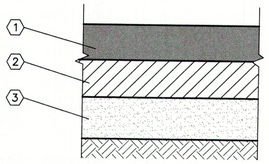
SITE, GRADING AND EROSION CONTROL PLAN

WOODLAKE CHURCH
10444 S. MINGO RD.
BIXBY, OK 74133

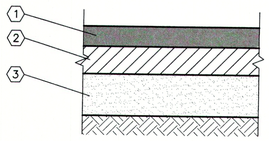
DRAWN BY:	BC
APPV. BY:	BC
DATE:	09/25/17
SHEET	C2



1. 2" TYPE 'D' ASPHALTIC CONCRETE
2. 4" TYPE 'A' OR 'B' ASPHALTIC CONCRETE
3. 6" TREATED SUBGRADE (6% PORTLAND TYPE I CEMENT

A HEAVY DUTY ASPHALT PAVEMENT SECTION

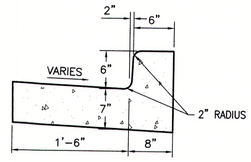
SCALE: NTS



1. 1" TYPE 'D' ASPHALTIC CONCRETE
2. 2" TYPE 'A' OR 'B' ASPHALTIC CONCRETE
3. 6" TREATED SUBGRADE (6% PORTLAND TYPE I CEMENT

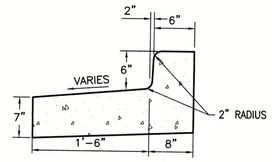
B LIGHT DUTY ASPHALT PAVEMENT SECTION

SCALE: NTS



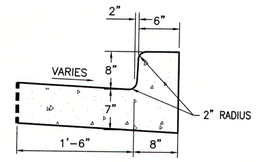
C 6" STANDARD CONCRETE BARRIER CURB & GUTTER

SCALE: NTS



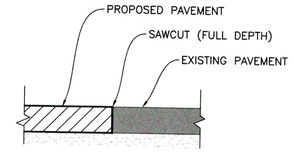
D 6" FLOW-AWAY CONCRETE BARRIER CURB & GUTTER

SCALE: NTS



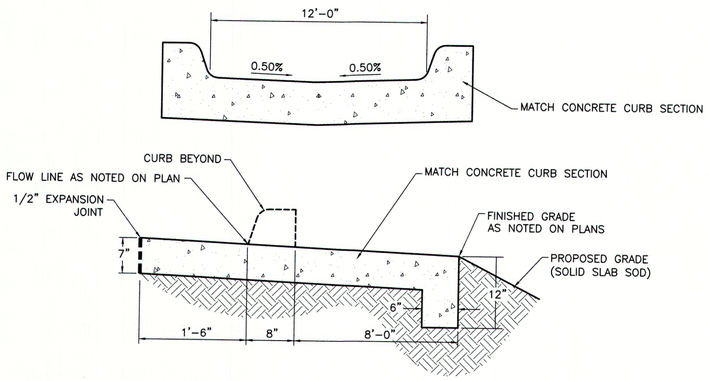
E 8" STANDARD CONCRETE BARRIER CURB & GUTTER

SCALE: NTS



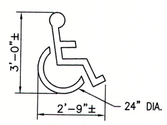
F BUTT JOINT DETAIL

SCALE: NTS



G CURB DETAIL

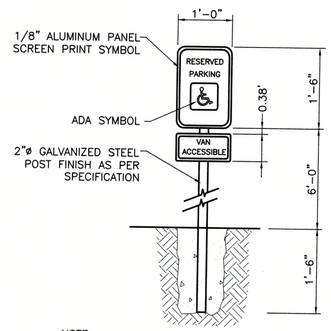
SCALE: NTS



HANDICAPPED PARKING IDENTIFICATION LOGO TO BE CENTERED AND PAINTED ON STALL (SEE PLAN FOR LOCATION)

H HANDICAP PAVEMENT MARKING

SCALE: NTS



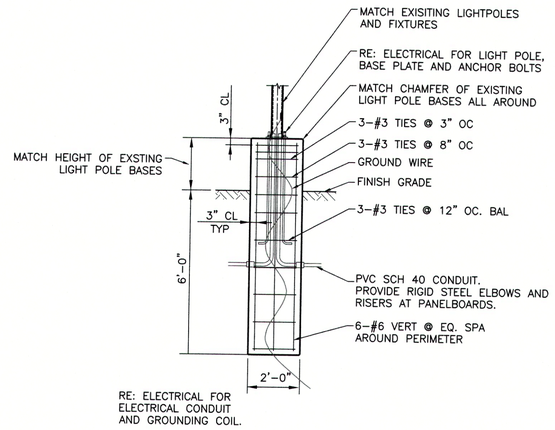
NOTE:

HANDICAPPED PARKING SIGNS SHALL:

1. BE CENTERED IN THE ADA SPACE.
2. HAVE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY ON THEM, ONE OF THE SIGNS SHALL HAVE THE STATEMENT "VAN ACCESSIBLE" BELOW THE INTERNATIONAL SYMBOL OF ACCESSIBILITY.
3. SIGN TO BE MINIMUM OF 32 INCHES ABOVE SIDEWALK.

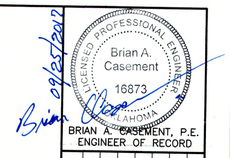
I ADA PARKING SIGN DETAIL

SCALE: NTS



J LIGHTPOLE BASE DETAIL

SCALE: NTS



09/25/2017

BRIAN A. CASEMENT, P.E.
ENGINEER OF RECORD

DATE	REVISION	BY

CASEMENT ENGINEERING, LLC
CIVIL AND AGRICULTURAL SERVICES
P.O. Box 688
Owasso, OK 74055-0688
MOBILE: 918.740.7650
EMAIL: BCASEMENT54@YAHOO.COM
CERTIFICATE OF AUTHORIZATION NO. 5433
EXPIRES JUNE 30, 2018

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DETAILS

WOODLAKE CHURCH
10444 S. MINGO RD.
BIXBY, OK 74133

DRAWN BY:	BC
APPV. BY:	BC
DATE:	09/25/17

SHEET C3

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, October 16, 2017

RE: **SITE PLAN *BXSP-17.05 BIXBY TRADE CENTER, LLC*:** Applicant, JR Donelson
Discussion and recommendation of a site plan for an industrial building on a vacant lot within Lot 9, Block 3, Bixby Industrial Park, Zoning: (IL) Industrial Low Intensity, for Use Unit 23, in Section 23, T17N, R13E
Property Located: 15150 S 77th E. Ave, south of 151st Street and one quarter mile west of Memorial Drive in Bixby, OK

REQUEST: Approval of a new industrial building on a vacant industrial lot

EXISTING ZONING: IL (Industrial Light District)

USE UNIT: 11-9-23: USE UNIT 23 WAREHOUSING AND WHOLESALING

IL BULK & AREA: SEE CHART BELOW

LOCATION: 15150 S 77th E. Ave, south of 151st Street and one quarter mile west of Memorial Drive in Bixby, OK

STR: Section 23, T17, R13E

EXISTING USE: Undeveloped

PUBLIC INPUT: (0)

PLAT: *Bixby Industrial Park*, Plat No. 3438, August 30, 1973
Lot 9, Block 3

SIZE: 17,000 SQ. FT. OR 0.39 ACRES

PARKING: 1.6 Required for Use Unit 23-4 Stalls provided- Comments: Identify 2 as handicap, provide shared parking agreement from adjacent lots, build sidewalk access from shared ownership properties.

BACKGROUND INFORMATION:

PROPOSED USE/DETAILS: The applicant proposes to build a metal building approximately 75' x 109' on an undeveloped site. The current building concept includes two spaces (37.5' x 109') and will include office space and restrooms as well as a warehousing on each side.

11-9-23: USE UNIT 23 WAREHOUSING AND WHOLESALING:

A. Description: Warehousing, wholesaling and trucking often located adjacent to the central business district, in industrial parks served by rail and highway transportation and port areas.

B. Included Uses:
Storage, NEC
Truck rentals
Trucking establishments
Warehousing, NEC
Wholesale establishments, NEC

C. Use Conditions: The uses included in use unit 23, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

D. Off Street Parking And Loading Requirements:

Uses		Parking Spaces		Loading Berths
All uses		1 per 5,000 square feet of floor area		1 per 5,000 to 25,000 square feet of floor area, plus 1 per each additional 25,000 square feet of floor area

(Ord. 272, 4-2-1974)

TAC Comments (10.4.17): NO COMMENTS FROM TAC MEMBERS.

11-7F-4: BULK AND AREA REQUIREMENTS:
(Ord. 272, 4-2-1974; amd. 2006 Code)

TABLE
BULK AND AREA REQUIREMENTS IN INDUSTRIAL DISTRICTS

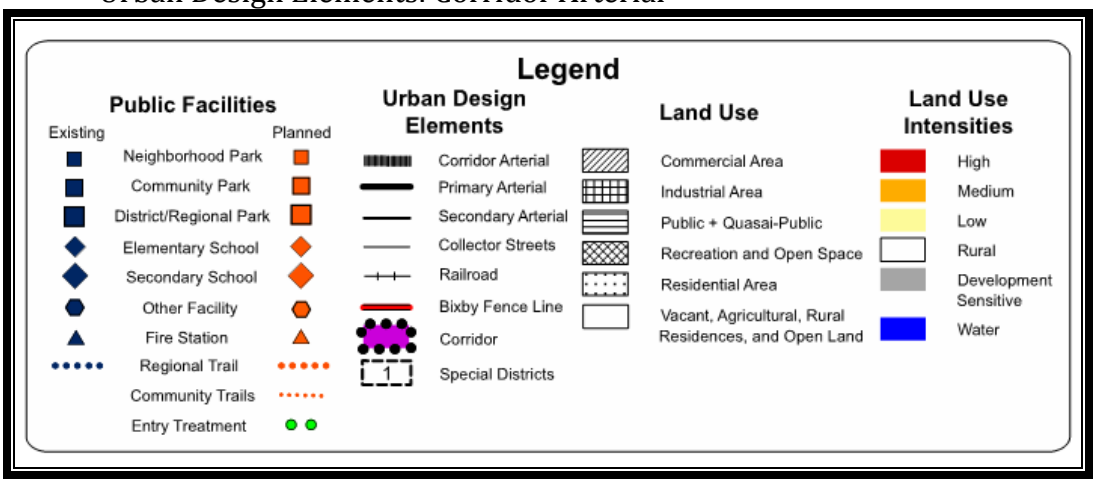
	Districts
	IL
Frontage (minimum feet):	
Arterial	150
Not an arterial	50
Floor area ratio (maximum)	n/a
Setback from abutting AG, R or O district boundary lines (minimum feet)	75
Building height (maximum feet)	26

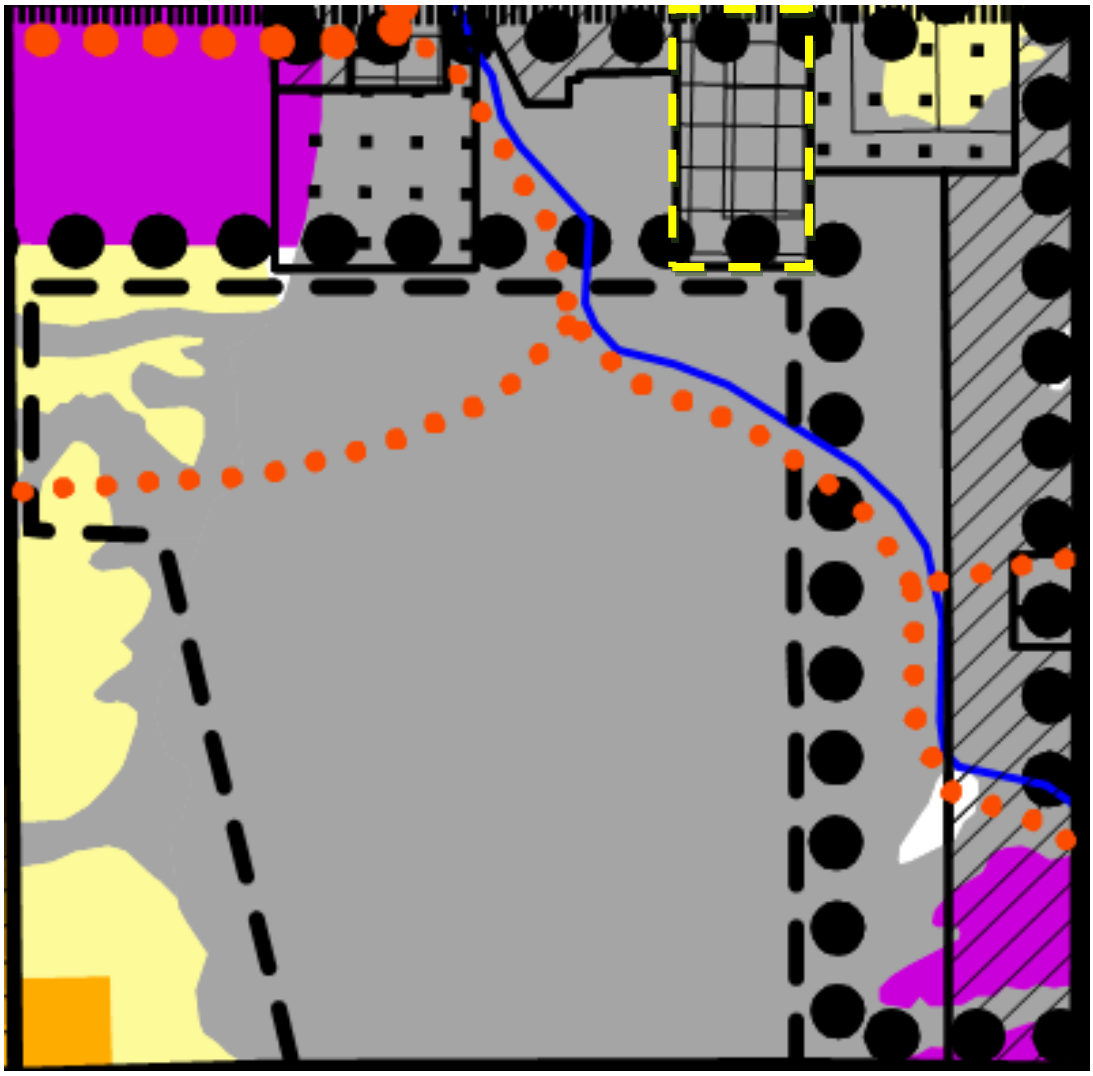
SURROUNDING ZONING AND LAND USE:
North: IL, Industrial Low Intensity
South: IL, Industrial Low Intensity
East: RS-2 Residential Single-family, Jim King Addition
West: Conrad Farms, BXPUD-16.04:CG Commercial General

ATTACHMENTS: Construction Plans

COMPREHENSIVE PLAN:

Land Use Intensities: Development Sentsitive
Land Use: Industrial Area
Urban Design Elements: Corridor Arterial





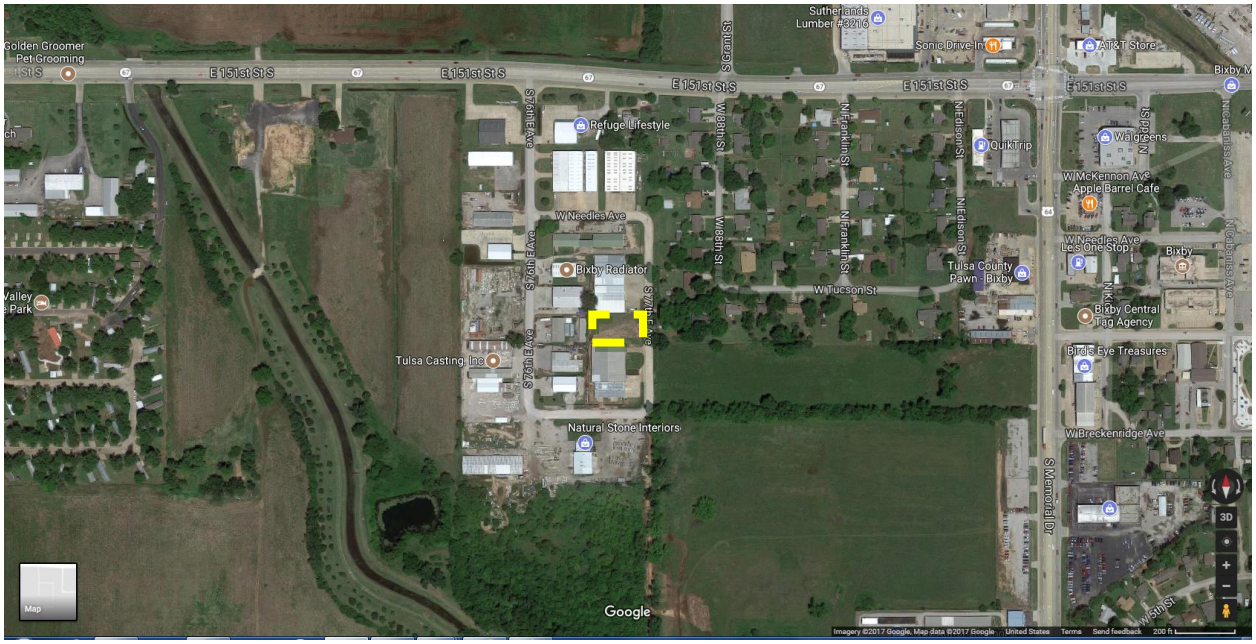


Figure 1: ENTRANCE TO BIXBY IND PARK

Figure 2: CORNER of S 76TH and W NEEDLES LOOKING SOUTH

Figure 3: CORNER of S 76 and W NEEDLES LOOKING EAST

Figure 4: W NEEDLES LOOKING EAST

Figure 5: CORNER of W NEEDLES and S 77th E Ave.

Figure 6: S 77th E Ave. with Residential on east, looking South

Figure 7: VIEW ACROSS THE STREET FROM LOT

Figure 8: CORNER OF 77TH and W BRECKENRIDGE LOOKING WEST

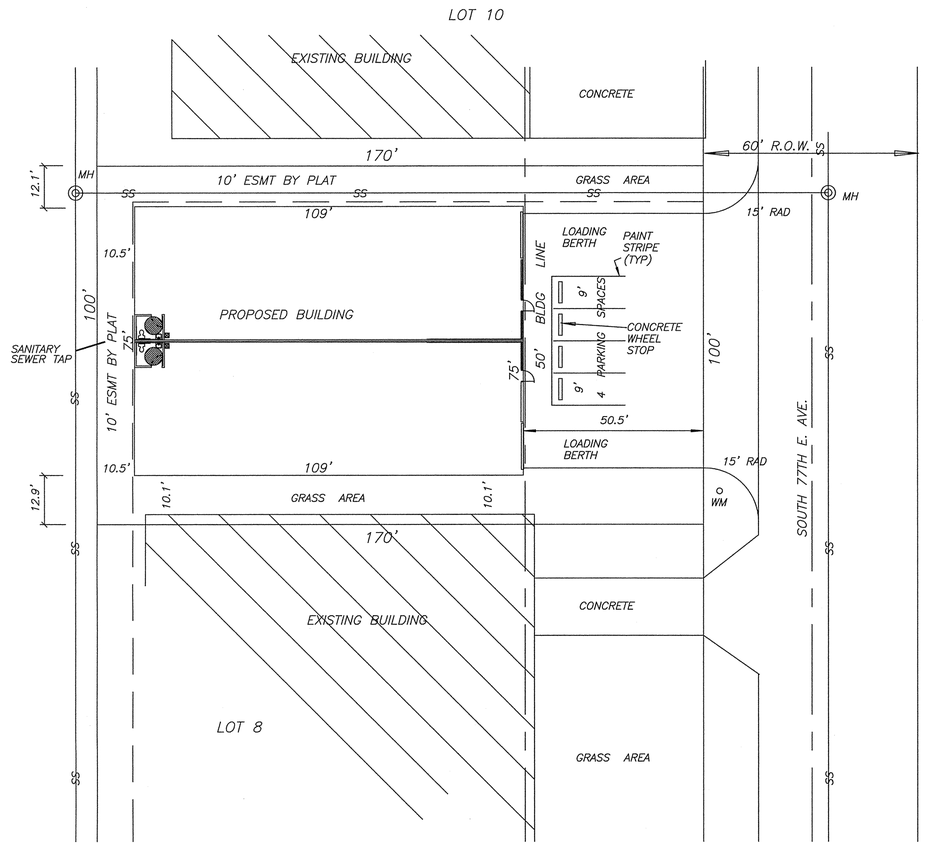
Figure 9: CORNER OF W BRECKENRIDGE AND 76TH E AVE LOOKING SW

STAFF RECOMMENDATION: Staff and TAC recommend approval of the Construction Drawing for Dave Younce within the Bixby Industrial Park with the following considerations:

1. PARKING:

- Identify 1 or 2 as handicap, and build per ADA code requirements
- Provide shared parking agreement from adjacent lots to north
- Build sidewalk access from shared ownership properties

2. DUMPSTER SCREENING: Identify and provide screening for dumpster.



SITE PLAN
SCALE: 1"= 20'

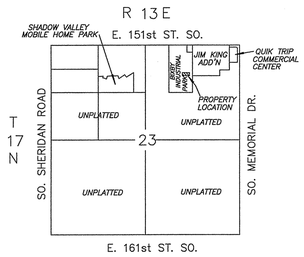
N

SCALE: 1"= 20'

OWNER:
BIXBY TRADE CENTER, LLC
CONTACT: MIKE BROWN
P.O. BOX 877
BIXBY, OKLAHOMA 74008
PHONE: 918-629-7539

LEGEND

—G—	GAS LINE
—SS—	SANITARY SEWER LINE
—W—	WATER LINE
—X—	FENCE
—OHE—	OVERHEAD ELECTRIC
MH	MANHOLE
BLDG	BUILDING
U/E	UTILITY EASEMENT
O.D.E.	OVERLAND DRAINAGE EASEMENT
RAD	RADIUS
TYP.	TYPICAL
FCE	FENCE
LP	LIGHT POLE



TULSA COUNTY

LOCATION MAP

BIXBY INDUSTRIAL PARK
LOT 9, BLOCK 3
FILE: YOUNCEINDSITE.DWG

F.I.R.M. MAP 40143C0434 K
EFFECTIVE DATE: AUGUST 3, 2009
ZONES 'X' AND 'AE'
BASE FLOOD ELEV: 601.13

BENCH MARK:
"x" in concrete along the South line of Section 14, at the Southwest Corner of Wal-Mart Stores Addition.

ELEVATION – 603.52 NGVD29 DATUM

CONSTRUCTION SCHEDULE

INSTALL SILT FENCE	9/1/2017
CONSTRUCT PAD	9/3/2017
BUILD THE BUILDING	10/1/2017

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF BIXBY, PUBLIC WORKS DEPARTMENT STANDARDS & SPECIFICATIONS.
2. NO INVESTIGATIONS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF UNDERGROUND UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL GIVE THE NOTIFICATION CENTER OF OKLAHOMA ONE CALL SYSTEM, INC. NOTICE OF ANY EXCAVATION NO SOONER THAN 10 DAYS AND NOT LATER THAN 48 HOURS EXCLUDING SATURDAYS, SUNDAYS AND OTHER LEGAL HOLIDAYS PRIOR TO COMMENCEMENT OF WORK. PHONE NUMBER IS 1-800-522-6543.
4. ANY ITEM OF WORK NOT COVERED BY A SEPARATE ITEM IN THE PROPOSAL SHALL BE INCLUDED IN THE COST OF THE ITEM OR WORK OF WHICH IT IS A PART.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PROJECT FOR A TIME PERIOD AS DETERMINED BY THE CITY OF BIXBY. HE SHALL PROVIDE A MAINTENANCE BOND IN THE AMOUNT OF PERCENTAGE OF THE CONTRACT AMOUNT FOR THE PERIOD AS DETERMINED BY THE CITY OF BIXBY.
6. ALL BACKFILL UNDER PAVEMENT SHALL BE BACKFILLED WITH TYPE "A" AGGREGATE, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
7. ALL FILL AREA TO BE 95% STANDARD PROCTOR DENSITY PRIOR TO CONSTRUCTION.

BEFORE YOU DIG..
CALL OKIE
1-800-522-6543

INDEX
C1. PROPOSED SITE PLAN
C1. EXISTING DRAINAGE CONDITIONS
C3. PROPOSED DRAINAGE CONDITIONS
C4. GRADING / EROSION CONTROL PLAN

LAND USAGE

TOTAL LAND AREA	17,000 SQ.FT. OR 0.39 acres		
EXISTING IMPERVIOUS AREA	304 SQ.FT	2%	
EXISTING PERVIOUS AREA	16,696 SQ.FT	98%	
TOTAL LAND AREA	17,000 SQ.FT. OR 0.39 acres		
PROPOSED IMPERVIOUS AREA	11,760 SQ.FT	70%	
PROPOSED PERVIOUS AREA	5,240 SQ.FT	30%	
BUILDING SIZE	8175 SF	=	48% OF THE PROPERTY
PARKING SPACES	4 SPACES		

LANDSCAPE NOTE:
ALL DISTURBED EARTH SURFACES THAT ARE NOT PAVED OR HAS A BUILDING PAD, SHALL BE LANDSCAPED OR REVEGETATED WITH A TEMPORARY OR PERMANENT COVER, DEPENDING ON THE PLANTING SEASON.

STATE OF OKLAHOMA
DAVID A. BUTLER SR.
1311
6/4/17
LICENSED ARCHITECT

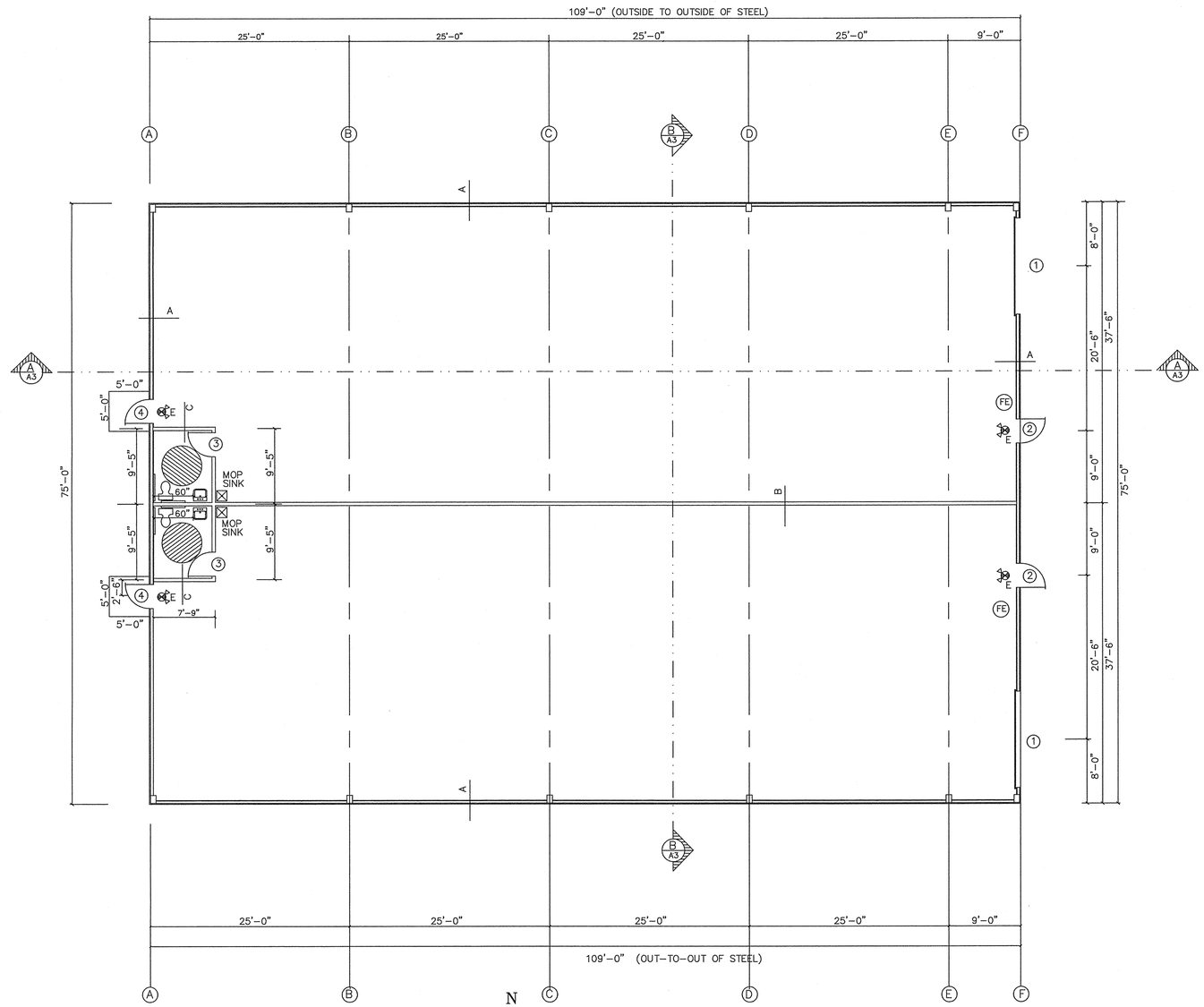
JOB NO.
DATE
DRAWN BY
REVISIONS

SITE PLAN

DAVE YOUNCE
BIXBY INDUSTRIAL PARK
BIXBY, OKLAHOMA

DAVID A. BUTLER SR.
Architect L.L.C.
17316 EAST 120TH ST. NO.
COLLINSVILLE, OKLAHOMA 74021
PHONE: 918-852-4770

C1 OF



FLOOR PLAN

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

WALL TYPES

A — METAL BUILDING EXT. WALL
(1) LAYER 5/8" TYPE "X" GYP. BD., TO
3 5/8" MTL STUDS AT 24" O.C.
TO ROOF WITH 3 1/2" BATT, 4" FIBER
INSUL BEHIND EXT MTL. (1) HR FIRE RATING.

B — (2) LAYERS 5/8" TYPE "X" GYP. BD. TO
EACH SIDE OF 3 5/8" MTL STUDS, 24" O.C.
STAGGER JOINTS 24" O.C. EACH LAYER
AND SIDE. EXTEND WALL TO METAL
ROOF DECK. WITH 3 1/2" BATT INSUL.
(2) HR FIRE RATING.
TYPE "X" GYP. BOARD IS FIRE RESISTANT.

C — (1) LAYER OF 5/8" GYP. BD. TO EACH SIDE
OF 3 5/8" MTL. STUDS, 24" O.C. WITH
3 1/2" BATT INSUL.
(1) HR FIRE RATING.

LEGEND

OFFICE	ROOM NAME
3	DOOR NUMBER
A	WALL TYPE
FE	FIRE EXTINGUISHER & BRACKET BY OWNER
E	EMERGENCY LIGHT ON EXIT SIGN

NOTES:

1. METAL STUD WALLS ARE DIMENSIONED TO THE CENTERLINE OF THE WALL.

OPENINGS

1	12'x14' O.H. DOOR
2	3070 TEMP GL., EXIT DOOR W/PANIC HDWE
3	3070 INT
4	3070 EXIT DOOR W/PANIC HDWE

JOB NO.
DATE
DRAWN BY
REVISIONS

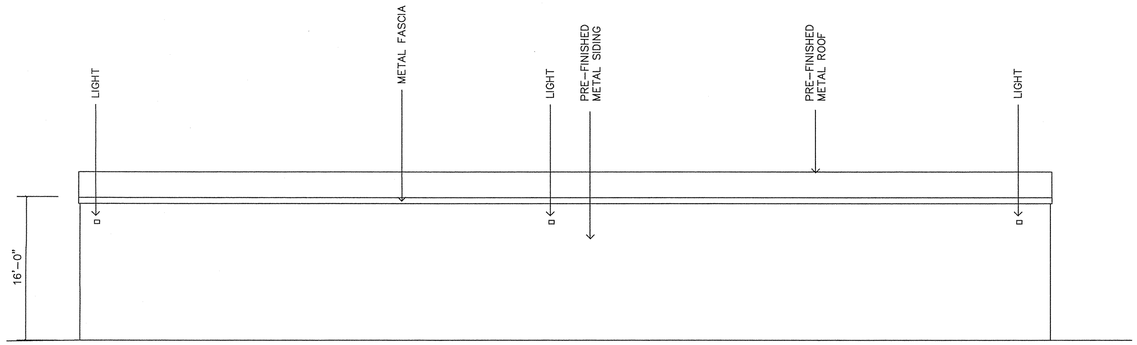
FLOOR PLAN

DAVE YOUNCE
BIXBY INDUSTRIAL PARK
BIXBY, OKLAHOMA

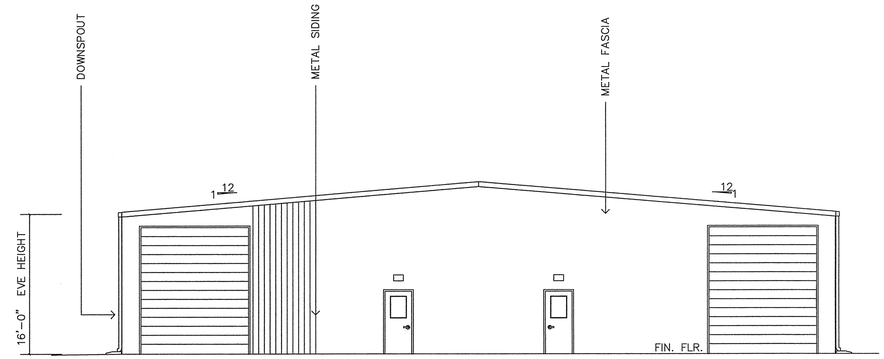
DAVID A. BUTLER SR.
Architect L.L.C.
17316 EAST 120TH ST. NO.
COLLINSVILLE, OKLAHOMA 74021
PHONE: 918-852-4770

STATE OF OKLAHOMA
DAVID A. BUTLER SR.
9311
LICENSED ARCHITECT

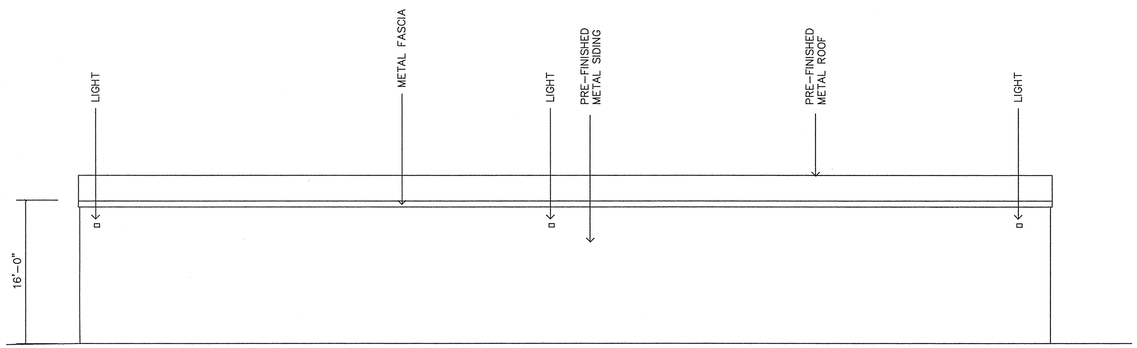
A1 OF



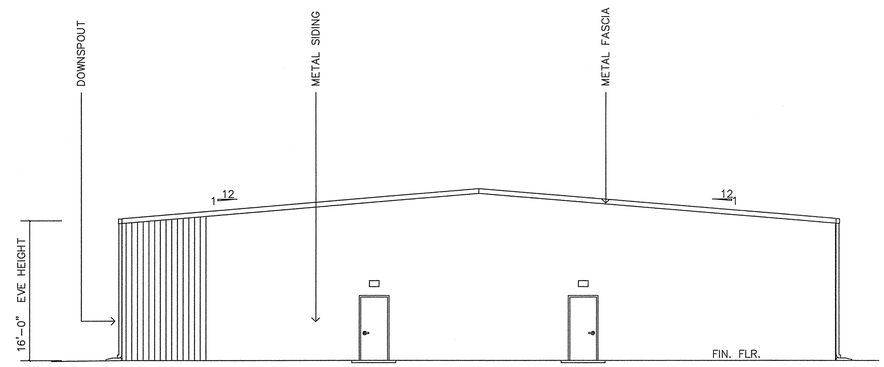
1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

JOB NO.
DATE
DRAWN BY
REVISIONS

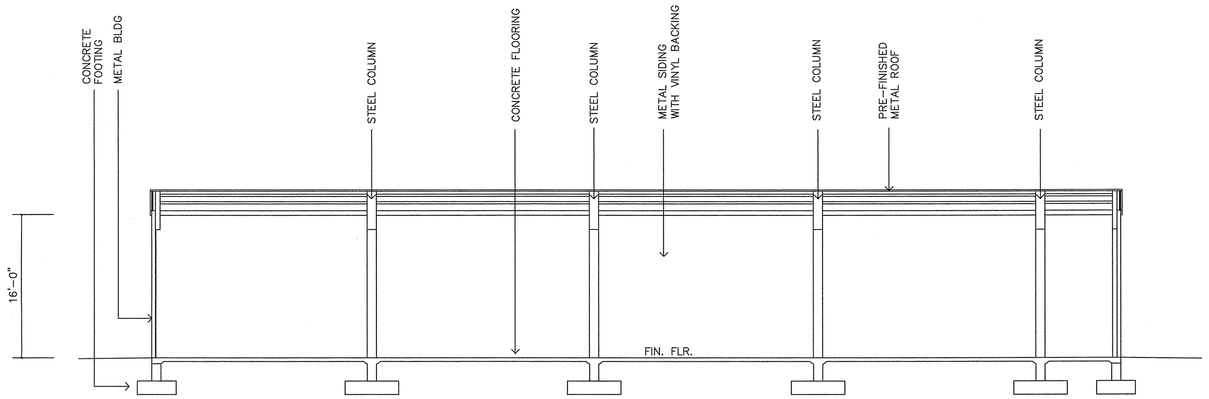
ELEVATIONS

DAVE YOUNCE
BIXBY INDUSTRIAL PARK
BIXBY, OKLAHOMA

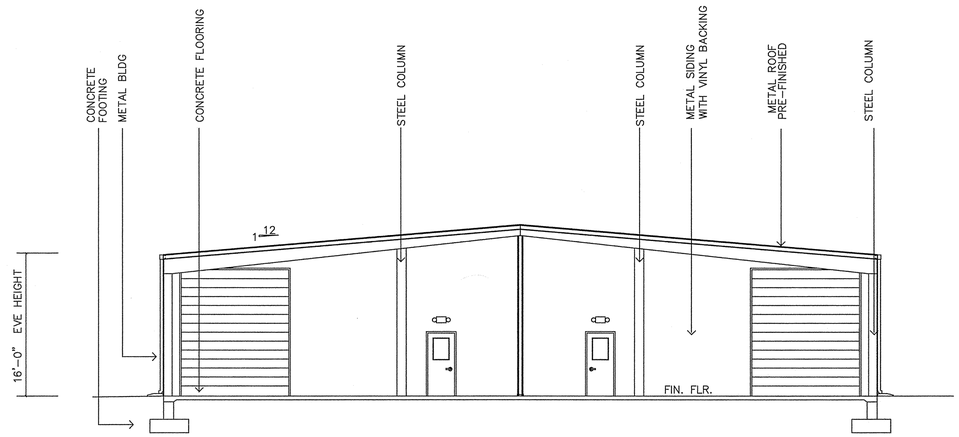
DAVID A. BUTLER SR.
Architect L.L.C.
17316 EAST 120TH ST. NO.
COLLINSVILLE, OKLAHOMA 74021
PHONE: 918-852-4770

STATE OF OKLAHOMA
DAVID A. BUTLER SR.
1311
LICENSED ARCHITECT

A2 OF



2 SECTION A–A
SCALE: 1/8" = 1'-0"



1 SECTION B–B
SCALE: 1/8" = 1'-0"

BUILDING DESIGN DATA

2016 INTERNATIONAL BUILDING CODE

PEAK VELOCITY RELATED ACCELERATION: AV less than 0.10
PEAK ACCELERATION: Aa less than 0.10
SEISMIC HAZARD EXPOSURE GROUP: GROUP = 1
SEISMIC PERFORMANCE CATEGORY: B
SOIL PROFILE TYPE: UNKNOWN (S4), SITE COEFFICIENT = 2.0

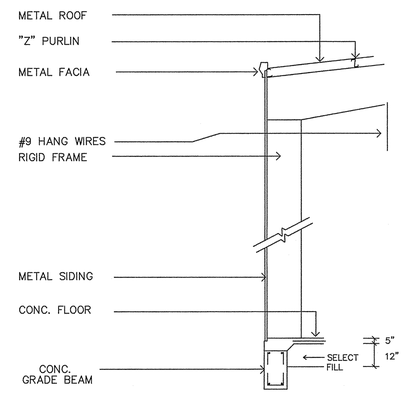
BASIC STRUCTURAL SYSTEM, SEISMIC–RESISTING SYSTEM:
ORDINARY MOMENT FRAME OF STEEL,
RESPONSE MODIFICATION FACTOR: R = 4.5
DEFLECTION AMPLIFICATION FACTOR: Cd = 4.0
ANALYSIS PROCEDURE: EQUIVALENT LATERAL FORCE PROCEDURE

SNOW LOAD DATA
GROUND SNOW: Pg = 10.0 PSF
EXPOSURE FACTOR: Ce = 0.9
IMPORTANCE FACTOR: I = 1.0
ROOF SNOW: Psf = 6.3

WIND LOAD DATA
VELOCITY: MPH = 90
EXPOSURE: B
IMPORTANCE FACTOR: I = 1.0

LIVE LOAD = 20.0 PSF (REDUCIBLE)
BUILDING SYSTEM DEAD LOAD (3 PSF)
COLLATERAL LOAD = 3 PSF

SPECTRAL RESPONSE COEFFICIENT, SS .... =0.171
SPECTRAL RESPONSE COEFFICIENT, S1....= 0.076
SITE CLASS B



3 WALL SECTION
NO SCALE

GENERAL NOTES:

1. PAINT – SHERWIN WILLIAMS – PRO MAR 400
   LATEX SEMI–GLOSS – ANTIQUE
   WHITE. PRODUCT #B31W404
2. VINYL COMPOSITION TILE – USE
   AZROCK ITEM NO. V824–2 OR ARMSTRONG
   #51858
3. NO KEYED LOCKS ON EGRESS SIDE OF EXIT DOORS.
4. WHEN ERECTING BUILDING, REFER TO STEEL BUILDING COMPANY'S STANDARD ERECTION MANUAL FOR SECTIONS AND DETAILS.
5. WHEN INSTALLING DECK, REFER TO PRODUCT INFORMATION MANUAL.
6. REFER TO STEEL BUILDING CALCULATIONS FOR COLUMN REACTIONS AND FRAME REACTIONS.

JOB NO.
DATE
DRAWN BY
REVISIONS

SECTIONS

DAVE YOUNCE
BIXBY INDUSTRIAL PARK
BIXBY, OKLAHOMA

DAVID A. BUTLER SR.
Architect L.L.C.
17316 EAST 120TH ST. NO.
COLLINSVILLE, OKLAHOMA 74021
PHONE: 918-852-4770

STATE OF OKLAHOMA
DAVID A. BUTLER SR.
1311
6/4/17
LICENSED ARCHITECT

A3 OF

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, October 16, 2017

RE: **PRELIMINARY PLAT *WINDRUSH:*** Applicant, JR Donelson
Discussion and recommendation of the Preliminary Plat for *WINDRUSH*, Zoning: CS:BXPUD-18.08 WINDRUSH, 8.19 Acres, 17 Lots, 3 Blocks, in Section 12, T17N, R13E
Property Located: South of 131st Street and west of Mingo Road in Bixby, OK

REQUEST: Approval of the Preliminary Plat for Windrush

EXISTING ZONING: CS:BXPUD-17.08 COMMERCIAL SHOPPING & PUD

EXISTING LAND USE: UNDEVELOPED

PROPOSED: NO CHANGE IN COMP PLAN

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

STR: Section 12, Township 17, Range 13

LOT SIZE: 8.19 Acres

LOTS: 3 BLOCKS, BLOCK 1(12 LOTS), BLOCK 2 (4 LOTS), BLOCK 3 (1 LOT)

PROPOSED USE: Residential, Commercial-Retail, Office

PUBLIC INPUT: None

BACKGROUND INFORMATION: This plat is comprised of two development areas, Development Area A (Block 3) is a rectangular parcel (420 feet by 510 feet or 3.016 acres) dedicated to retail and office space with two primary accesses, 131 Street and Mingo Rd. Development Area B is approximately 5.9 acres dedicated to Single-family Residential. City Council approved the PUD BXPUD-17.08 on August 28, 2017 (Ordinance 2226).

DEVELOPMENT AREA A (Business): BLOCK 3-3.016 Acres
DEVELOPMENT AREA B (Residential): BLOCK 1 & 2-5.914 Acres

SURROUNDING ZONING AND LAND USE:
North: (AG) Agriculture, undeveloped
South: (RS-3) Single-Family Residential, (PUD-78) PLATTED AS WILLOW CREEK
East: (CS) Commercial Shopping, (OL) Office Low Intensity, 2 undeveloped lots, AG USE-possible Mini-storage coming through Tulsa County
West: (CS) Commercial Shopping, CHURCH USE, (RS-3, RM-2:PUD78) Platted as Single-family Residential, WILLOW CREEK

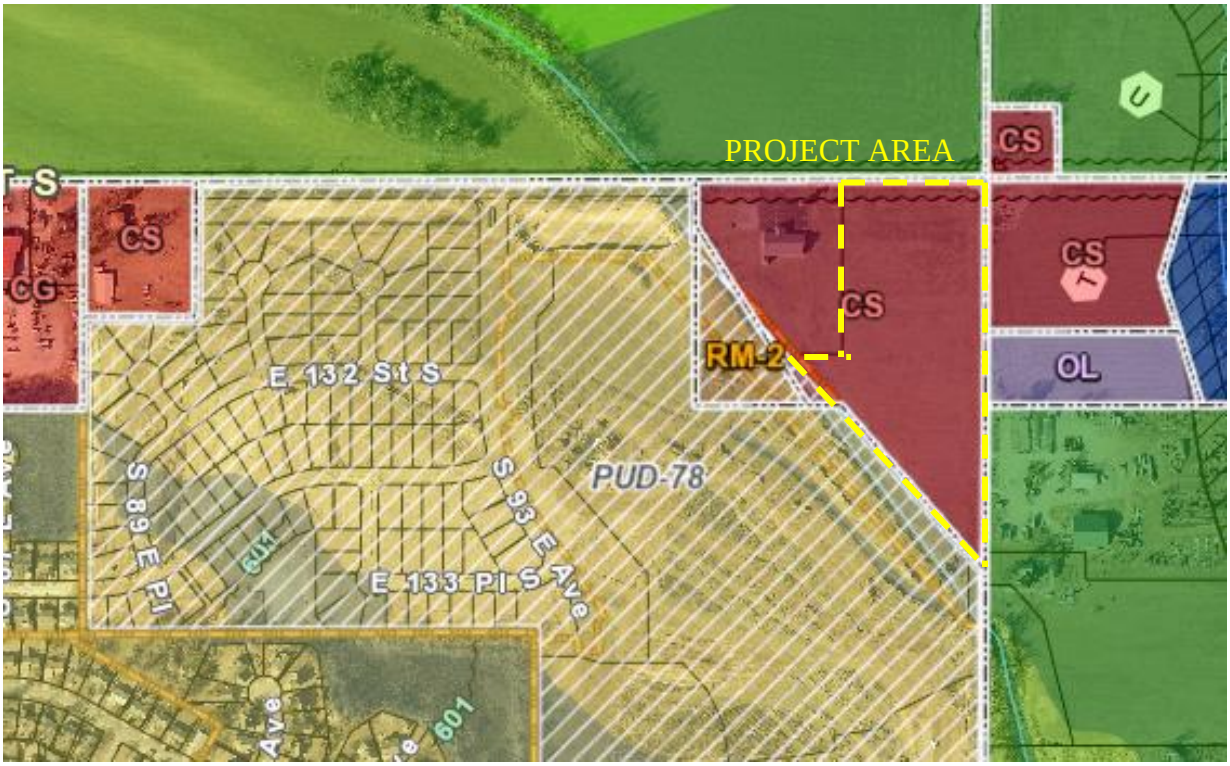
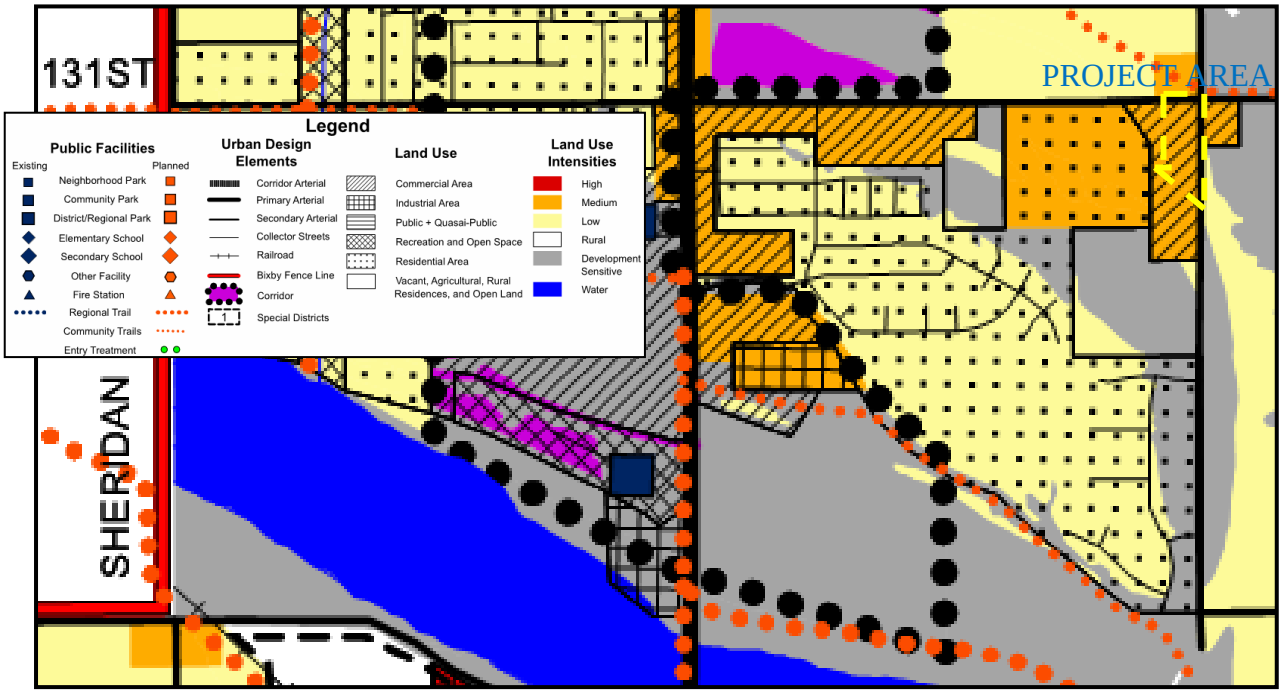


Figure 1. ZONING MAP

COMPREHENSIVE PLAN:
Land Use Intensities: MEDIUM
Land Use: COMMERCIAL AREA, RESIDENTIAL
Urban Design Elements: PRIMARY ARTERIAL



12-2-5: PRELIMINARY PLAT:

F. Planning Commission Action Taken:

1. The preliminary plat shall be reviewed by the Planning Commission for conformity with the comprehensive land use plan of the city, and for compliance with the standards, requirements, and principles hereinafter prescribed; and, shall be reviewed by the planning commission staff for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities. *The Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, continued to a certain date, or disapproved with written notice to the subdivider.*

Figure 1. VIEW LOOKING SOUTH AND WEST (MINGO AND 131ST)

Figure 2. VIEW LOOKING NORTH AND WEST (MINGO)

ATTACHMENTS:

1. Preliminary Plat

STAFF RECOMMENDATION: Staff recommends Approval of the Preliminary Plat for Windrush with the following conditions (not a complete list):

1. No comments from Public Safety
2. Engineering comments forthcoming
3. Planning Comments:
    a. Check total acreage under Location Map
    b. Discuss street naming
    c. Add Address (s) to Block 3
    d. Confirm with Engineering (Willow Creek Channel) can accept drainage
    e. Project area may be missing lines on Location Map
    f. Make property lines bolder
    g. Identify the Build line for Block 1 & 2
    h. Complete Curve and Line Data
    i. Identify Limits of No Access
    j. Identify Fence and Landscape Easement

PLAT No.

OWNER:
TONY GENOFF REVOCABLE TRUST
10498 E. 141st St. So.
BIXBY, OKLAHOMA 74008
CONTACT: TONY GENOFF
PHONE: 918-625-3944

ENGINEER/SURVEYOR:
JR DONELSON, INC.
12820 SO. MEMORIAL DR., OFFICE 100
BIXBY, OKLAHOMA 74008
PHONE: 918-394-3030
C.A. NO. 5611 EXP. 6-30-19

PRELIMINARY PLAT

WINDRUSH

A TRACT OF LAND SITUATED IN THE NE/4 OF THE NE/4
IN SECTION 12, T-17-N, R-13-E, TULSA COUNTY, OKLAHOMA

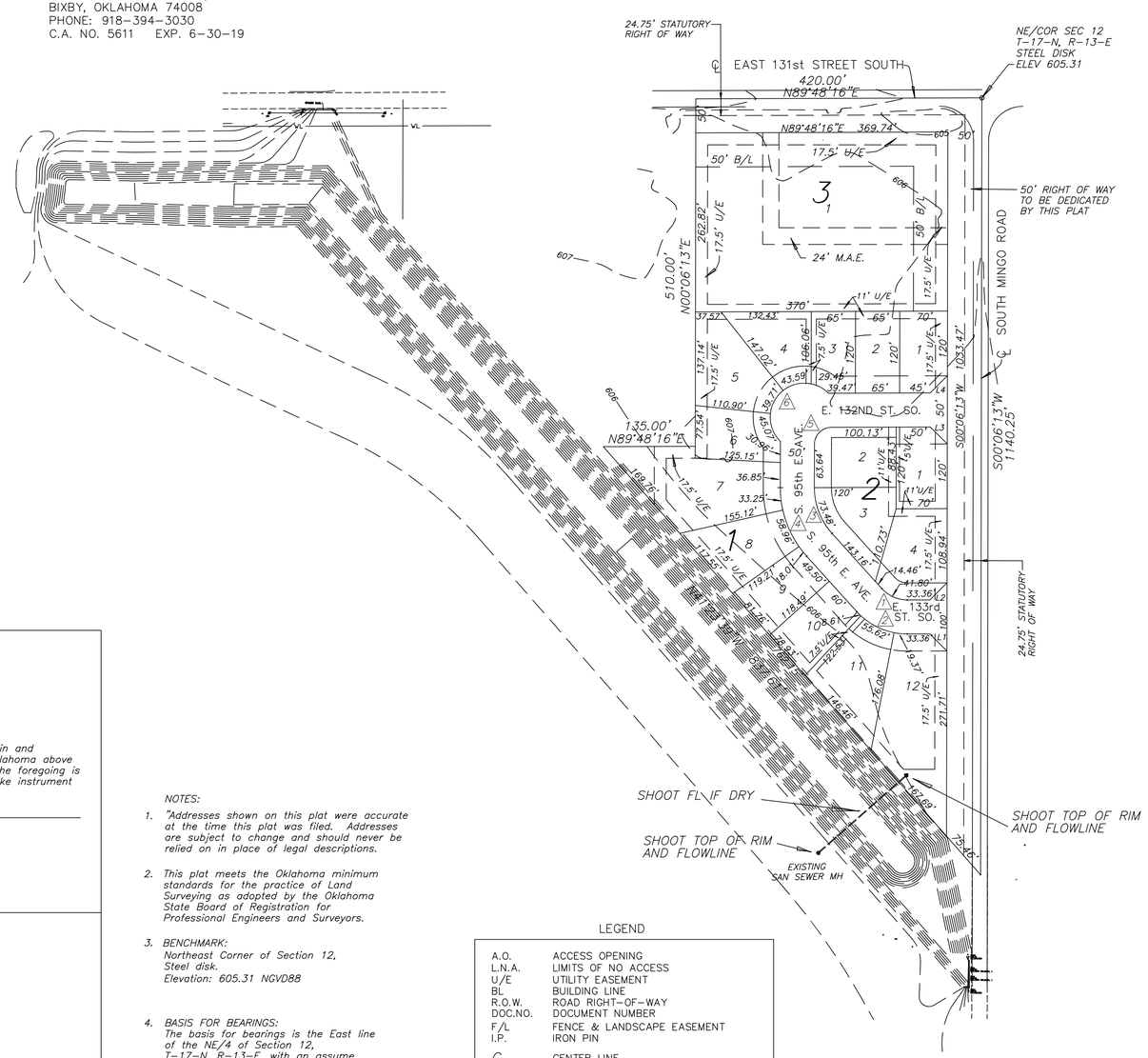
P.U.D. No. BXPUD-17.08

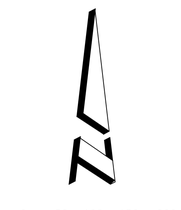
FINAL PLAT
CERTIFICATE OF APPROVAL

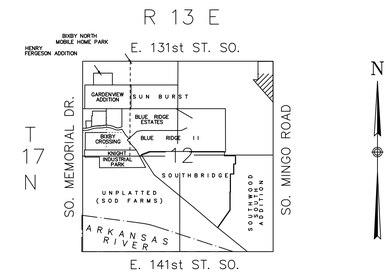
I Hereby certify that this plat was approved by the City Council of the City of Bixby on _____
By: _____
Mayor - Vice Mayor

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

By: _____
City Manager - City Clerk







LOCATION MAP

SCALE: 1"= 2000'

LOTS: 17
ACRES: 5.19 acres
DATE: June 1, 2017
FILE: C:\GENOFF\WINDRUSHPRELIM070717.DWG

LOT ADDRESSES

LOT	BLOCK	ADDRESS	AREA sf	LOT	BLOCK	ADDRESS	AREA
1	1	9505 E. 132nd ST. So.		1	2	9504 E. 132nd ST. So.	
2	1	9503 E. 132nd ST. So.	7800	2	2	13202 S. 95th E. Ave.	
3	1	9501 E. 132nd ST. So.		3	2	13214 S. 95th E. Ave.	
4	1	9499 E. 132nd ST. So.		4	2	9505 E. 133rd ST. So.	
5	1	13201 S. 95th E. AVE.					
6	1	13205 S. 95th E. AVE.		1	3	9501 E. 131st ST. So.	
7	1	13209 S. 95th E. AVE.					
8	1	13213 S. 95th E. AVE.					
9	1	13217 S. 95th E. AVE.					
10	1	13221 S. 95th E. AVE.					
11	1	9502 E. 133rd ST.SO.					
12	1	9504 E. 133rd ST.SO.					

CERTIFICATE

STATE OF OKLAHOMA } SS
COUNTY OF TULSA

I, Pat Key, Tulsa County Clerk, in and for the County and State of Oklahoma above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____
Pat Key, Tulsa County Clerk

_____
Deputy

NOTES:

1. *"Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied on in place of legal descriptions.*
2. *This plat meets the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Surveyors.*
3. *BENCHMARK:*
   Northeast Corner of Section 12,
   Steel disk.
   Elevation: 605.31 NGVD88
4. *BASIS FOR BEARINGS:*
   The basis for bearings is the East line of the NE/4 of Section 12, T-17-N, R-13-E, with an assume bearing of S 00°06'13"W.
5. *3/8" IRON PINS WERE EITHER FOUND OR SET AT EACH PROPERTY CORNER.*

LEGEND

A.O.	ACCESS OPENING
L.N.A.	LIMITS OF NO ACCESS
U/E	UTILITY EASEMENT
BL	BUILDING LINE
R.O.W.	ROAD RIGHT-OF-WAY
DOC.NO.	DOCUMENT NUMBER
F/L	FENCE & LANDSCAPE EASEMENT
I.P.	IRON PIN
℄	CENTER LINE
BL/UE	BUILDING LINE AND UTILITY EASEMENT
SW	SOUTHWEST
MAE	MUTUAL ACCESS EASEMENT

LINE DATA

No.	DELTA	LENGTH
L1		35.19'
L2		35.36'
L3		35.26'
L4		35.45'

△ CURVE DATA

No.	RADIUS	DELTA	LENGTH
1	50'		
2	100'		
3	100'		
4	150'		
5	25'		
6	50'		

WINDRUSH
Preparation date: July 28, 2017
SHEET 1 OF 3

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

WINDRUSH

(PUD BXPUD–17.08)

KNOW ALL MEN BY THESE PRESENTS:

NOW THEREFORE, the Undersigned, Tony Genoff Revocable Trust, being the owner in fee simple of the real estate and being situated in the City of Bixby, Tulsa County, State of Oklahoma, and described as follows:

A tract of land situated in the Northeast Quarter of the Northeast Quarter (NE/4 NE/4) of Section 12, T–17–N, R–13–E, of the Indian Meridian, Tulsa County, Oklahoma, being more particularly described as follows, to–wit:

Beginning at the Northeast corner of said Section 12, thence S 00°06'13"W and along the east line of said Section 12 a distance of 1140.25 feet, thence N 41°23'39"W a distance of 837.61 feet, thence N 89°48'16"E a distance of 135.00 feet, thence N 00°06'13"E a distance of 510.00 feet to a point on the north line of said Section 12, thence N 89°48'16"E and along the north line of said Section 12 a distance of 420.00 feet to the point of beginning.

and the Undersigned Owner has caused the described realty to be surveyed, staked, platted and subdivided into lots, blocks and streets in conformity with the accompanying plat and have designated the same as "WINDRUSH", an Addition to the City of Bixby, Tulsa County, State of Oklahoma. The Undersigned Owner dedicates, grants, donates, and conveys to the public the streets as shown on this plat and do hereby guarantee clear title to all land that is dedicated for the purpose of providing an orderly development of the entire tract.

"Tony Genoff Revocable Trust" shall be referred to in this Deed of Dedication as "Owner\Developer".

"Successors", as used herein, shall mean Property Owners Association and/or the individual lot owner.

SECTION I. PUBLIC COVENANTS

Now, therefore, the Undersigned Owner\Developer hereby dedicates, grants, donates and conveys to the public the streets rights–of–way depicted on the accompanying plat and do hereby guarantee clear title to all land that is so dedicated. The Owner\Developer does further dedicate for the public use the easements and rights of way as shown for the several purposes of constructing, maintaining, operating, repairing, and removing or replacing any and all public utilities, including storm and sanitary sewers, telephone lines, power lines and transformers, gas lines and water lines, and cable television lines, together with all fittings and equipment for each of such facilities, including the poles, wires, conduits, pipes, valves, meters and any other such appurtenances thereto with the right of ingress and egress to and upon such easements and rights of way for the uses and purposes aforesaid; provided, however that the Owner\Developer hereby reserves the right to construct, maintain, operate, lay and re–lay water lines and sewer lines together with the right of ingress and egress over, across and along all of the utility easement areas as shown on the plat for the purpose of furnishing services to the area included within the plat.

The Undersigned Owner\Developer does hereby relinquish the rights of ingress and egress to the above described property within the bounds designated as "Limits of No Access" (LNA), and shown on the plat, except as may be hereafter released, altered, or amended by the City of Bixby and approved by the Bixby Planning Commission or its successors, or as otherwise provided by the Statutes and Laws of the State of Oklahoma pertaining thereto. The foregoing covenant shall be enforceable by the City of Bixby, Oklahoma or its successors, and the owners of each lot agrees to be bound thereby.

FURTHER, the Owner\Developer, for the purpose of providing and orderly development of the property above–described, (hereinafter referred to as WINDRUSH), and for the purpose of insuring adequate restrictions for the mutual benefit of the undersigned Owner\Developer, its successors, grantees and assigns, does hereby impose the following restrictions and covenants, which shall be enforceable by the lot owners within WINDRUSH.

A. Water and Sewer Service

In connection with the provisions for water and sanitary sewer services, all of the Lots in WINDRUSH are subject to the following covenants and restrictions, to–wit:

1. The owner of each lot shall be responsible for the protection of the public water mains and of the public sanitary sewer facilities located in their lot and shall prevent the alteration of grade or any construction activity which may interfere with said public water main, public sanitary sewer main, or storm water. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of a public water main or sewer main, or any construction activity which would interfere with public water and sewer mains, shall be prohibited.

2. The City of Bixby, or its successors, will be responsible for ordinary maintenance of public water main, or public sanitary sewer main, but the owner of each lot will pay for damage or relocation of such facilities cause or necessitated by acts of the owner or his agents or contractors.

3. The City of Bixby or its successors through its proper agents and employees shall at all times have right of access with their equipment to all such easement–ways shown on said plat, or provided for in this deed of dedication for the purpose of installing, maintaining, removing, or replacing any portion of said underground water and sewer facilities.

4. All water and sanitary sewer lines shall be maintained in good repair by the utility contractor in accordance with the terms and conditions of the Maintenance Bond of which the City of Bixby is the beneficiary. If any repair issues arise, the Developer shall assist the City of Bixby in coordination and facilitation with the appropriate contractor.

5. The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Bixby or it successors, and the owner of each lot agrees to be bound hereby.

6. Waterlines less than 4" in diameter and sanitary sewer lines less than 8" in diameter are private service lines and the ownership, maintenance, repair, removal and/or replacement shall be the responsibility of the property owners served by said service lines.

B. Electric, Telephone, Cable Television and Natural Gas Service.

In connection with the installation of underground electric, telephone, cable television and natural gas services, all lots are subject to the following:

1. Street light poles or standards may be served by underground cables and elsewhere throughout said addition, all supply lines including electric, telephone, cable television and gas lines, shall be located underground, in the easement ways dedicated for the general utility services and in the rights–of–way of the public streets as depicted on the accompanying plat. Service pedestals and transformers, as sources of supply of secondary voltages, may be located in such easement ways.

2. Telephone lines and cable television cables, underground service cables and gas service lines may be run from the nearest service pedestal, transformer or nearest gas main to the point of usage determined by the location and construction of such structure as may be located upon the lot; provided that upon the installation of such service cable or gas service line to a particular structure, the supplier of electric service, telephone service, cable television service, or gas service line to a particular structure, the supplier of the service shall thereafter be deemed to have a definitive, permanent, effective and non–exclusive right–of–way easement on each lot covering a five foot strip extending 2.5 feet on each side of such service cable or line extending from the gas main, service pedestal or transformer to the service entrance on the structure.

3. The supplier of electric, telephone, cable television and natural gas services, through their proper agents and employees, shall at all times have the right of access to all easement ways shown on the plat, or provided for in this deed of dedication for the purposes of installing, maintaining, removing, or replacing any portion of said underground electric, telephone, cable television or gas facilities installed by the supplier of the utility service.

4. The owner of each lot shall be responsible for the protection of the underground electric, telephone, cable television and natural gas facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric, telephone, cable television or natural gas facilities. Each supplier of service shall be responsible for ordinary maintenance of underground electric, telephone, cable television or natural gas facilities, but the owner will pay for damage or relocation of such facilities caused or necessitated by the acts of the owner or its agents or contractors.

5. The foregoing covenants concerning underground electric, telephone, cable television and natural gas facilities shall be enforceable by the supplier of electric, telephone, cable television or gas service, and the owner of each lot agrees to be bound hereby.

C. The Undersigned Owner\Developer will do the following: All streets shall be private, graded, base material applied and surface paved in accordance with the current Engineering Design Standards of the City of Bixby to include curbs and gutters, street name signs in place, visual screens established, utilities and street lights installed, drainage structures constructed in accordance with the approved plans on file in the office of the City Engineer by the Owner\Developer, and in compliance with the Engineering Design Standards of the City of Bixby. Interior sidewalks shall be constructed at the time of the construction of the lot improvements. The streets and storm sewers are private and shall be maintained in good repair by the Owner\Developer or Property Owners Association after the City's written acceptance of the construction, and all other improvements shall be maintained in good repair by the Owner\Developer for a period of One (1) year after the City's written acceptance of the construction.

D. Paving and Landscaping Within Easements.

The owner of a lot shall be responsible for repair of damage to the properly–permitted landscaping and paving occasioned by the necessary installation of, or maintenance to, the underground water, sewer, storm water, gas, communication, cable television, or electric facilities within the easements depicted on the accompanying plat, provided however, that the City of Bixby or the supplier of the utility service shall use reasonable care in the performance of such activities.

E. Storm Sewer

1. The City of Bixby, or its successors, through its proper agents and employees, shall at all times have right of access with their equipment to all public storm sewer infrastructure located in the South Mingo Road and 131st Street South rights–of–way to be dedicated, as shown on the plat for the purpose of installing, maintaining, removing or replacing any portion of the public storm sewer infrastructure.

2. The Owner\Developer or its successors, shall be responsible for ordinary maintenance of the private storm sewer system, but the owner of each lot will pay the Owner\Developer for damage or relocation of such system caused or necessitated by acts of the owner of each lot or its agents or contractors.

SECTION II. PUD DEVELOPMENT STANDARDS

A. WINDRUSH

Development Area 'A'

Gross Land Area:
Gross: 3.016 acres 31,376.96 sf

Permitted Uses:
Uses in the Development Area: 1,4,5,10,11,12,13,14,15,19

Minimum Lot Width:	100 feet
Minimum Lot Size:	26,200 sf
Maximum Building Height:	35 feet
Minimum Setbacks	
From the centerline of South Mingo Road	100 feet
From the centerline of East 131st St. So.	100 feet
From the south property line	15 feet
From the west lot line	18 feet

Facade Materials: Masonry units, EFIS/stucco, NicheBoard

Other Bulk and Area Requirements:	As provided within an CS District
Off–street parking:	As required by the applicable Use Unit of the City of Bixby Zoning Code

On–site Mutual Access is part of this plat.

Development Area 'B'

Gross Land Area:
Gross: 5.914 acres 257,613.84 sf

Permitted Uses:
Uses in the Development Area: 6

Minimum Lot Width:	60 feet
Minimum Lot Size:	6850 sf
Maximum Building Height:	35 feet
Minimum Setbacks	
The front building line	25 feet
The side yard setback	5 feet
The rear yard setback	20 feet
The corner lot setback	15 feet

Facade Materials: Masonry units, EFIS/stucco

Minimum house size:	1600 sf
Maximum number of stories:	2
Livability Space:	4000 sf
Land area per dwelling unit:	8400 sf
Other Bulk and Area Requirement:	As provided within an RS–3 District
Off–Street parking:	As required by the applicable Use Unit of the City of Bixby Zoning Code.

B. TRASH, MECHANICAL AND EQUIPMENT USE

1. There shall be no storage of recyclable materials trash or similar material outside a screened receptacle. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

C. LIGHTING

1. Lighting used to illuminate the Lots in Development Area 'A' of the PUD, shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light–producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas. No light standard or building–mounted light shall exceed 20 feet or the height which complies with the standard stated in the preceding sentence, whichever is lower.

D. SCREENING

1. A 6'–0" wooden privacy fence will be constructed between the two Development areas, when a building permit is issued for a commercial structure in Development Area 'A'. An 8'–0" masonry privacy fence will be required, between the two Development Areas, if there is a 24 hour use in Development Area 'A'.

E. SIGNS:

1. All signs shall comply with the setback, height, size and other requirements of the Bixby Zoning Ordinance. The subdivision identification sign will be incorporated into the entrance gates/fencing.

2. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited, except as may be permitted by the Bixby Planning Commission as part of the approved detail sign plan.

F. STANDARD REQUIREMENTS:

1. The standard requirements of the City of Bixby Fire Marshall, City Engineer, and City Attorney shall be met as a condition of approval.

G. ACCESS AND CIRCULATION:

1. Vehicular access shall be derived from South Mingo Road and East 131st Street South. Interior vehicular access in Development Area 'A', shall be derived from private drive lanes. These drive lanes in Development Area 'A', will be included in a Mutual Access easement, which will be part of the platting process.

The interior vehicular access in Development Area 'B', shall be public streets, accessed from South Mingo Road. These curbs, gutters, base and paving materials of the streets shall be of a quality and thickness meeting the City of Bixby standards for public streets. Access includes ingress and egress.

H. UTILITIES and DRAINAGE:

1. Utilities are either available at the development boundaries or will be provided by customary extension adjacent to the Site. Storm water drainage will be collected and routed to the west into the storm water channel. Storm water will not be diverted into adjacent properties and the discharge will not create erosion issues.

I. PLATTING AND RESTRICTIVE COVENANTS; ENFORCEMENT

1. Site will follow the Bixby Subdivision Regulation procedures for property platting. Restrictive covenants will be adopted and recorded for the lots. Owners of the respective lots will be required by the covenants to keep and maintain the lots in a clean and professional manner (the 'maintenance covenant'). The Maintenance Covenant will be enforced by the owners' association for each lot.

SECTION III.
PRIVATE BUILDING AND USE RESTRICTIONS

WHEREAS, the Owner\Developer desires to establish restrictions for the purposes of providing for the orderly development of the subdivision and conformity and compatibility of improvements therein.

THEREFORE, the Owner\Developer does hereby impose the following restrictions and covenants which shall be covenants running with the land, and shall be binding upon the Owner\Developer, its successors and assigns, and shall be enforceable as hereinafter set forth.

A. Architectural Design Committee – Plan Review

1. No building, Improvements, concrete driveway, fence, wall or free standing mailbox shall be erected, placed or altered on any lot in the subdivision until the plans and specifications have been approved in writing by the Owner/Developer or his successors, which are hereinafter referred to as the "Architectural Design Committee". For each building, the required plans and specifications shall be submitted in duplicate and include a site plan with drainage concept, floor plan, exterior elevations, exterior materials. In the event the Architectural Design Committee fails to approve or disapprove plans and specifications submitted to it as herein required within 14 days after submission, or in the event no suit to enjoin the erection of the building or structure or the making of an alteration has been commenced prior to the 30th day following completion thereof, approval of the Architectural Design Committee shall not be required and this covenant shall be deemed to have been fully complied with.

2. The Architectural Design Committee's purpose is to promote good design and compatibility within the subdivision and in its review of plans or determination of any waiver as hereinafter authorized may take into consideration the nature and character of the proposed building or structure, the materials of which it is to be built, the availability of alternative materials, the site upon which it is proposed to be erected and the harmony thereof with the surrounding area. The Architectural Design Committee shall not be liable for any approval, disapproval or failure to to approve hereunder and its approval of building plans shall not constitute a warranty of reponsibility for building methods, materials, procedures, structural design, grading or drainage or code violations. The approval or failure to approve building plans shall not be deemed a waiver of any restriction. Nothing herein contained shall be deemed to prevent any lot owner in the subdivision from prosecuting any legal action relating to improvements within the subdivision which they would otherwise be entitled to prosecute.

3. The Architectural Design Committee's objective is to advance the harmonious use of landscaping, fencing, hardscaping, landscape lighting and other landscape design items to promote compatibility and conformity within the Subdivision. The Architectural Design Committee reserves the authority to review, approve, modify or reject the type of landscaping or landscape design items which may be placed in public view by any lot owner and determined in the discretion of the Architectural Desingn Committee to be incompatible with the overall landscape design standards of Somerset.

4. The powers and duties of the Architectural Design Committee shall, on the 1st day of January, 2020, be deemed transferred to the homeowners' association provided for in Section IV., or upon written assignment to the homeowners' association by the Architectural Design Committee, whichever event first occurs, and thereafter the foregoing powers and duties shall be exercised by the board of directors of the homeowners' association.

5. The Architectural Design Committee reserves the right in their sole discretion and without joinder of any owner at any time so long as Tony Genoff Revocable Trust, is the owner of any lot or part thereof to amend, revise or abolish any one or more of the above covenants and restrictions by instrument duly executed and acknowledged by them as Architectural Design Committee and filed in the County Clerk's office in the Courthouse of Tulsa County, Oklahoma.

B. Floor Area of Dwelling

1. Single Story. A single story dwelling shall have at least 2,100 square feet of finished heated living area:

2. Two Story and Story–and–a–half. If a dwelling has two levels or stories immediately above and below each other measured vertically and all such levels or stories are above the finished exterior grade of such dwelling, then such dwelling shall have at least 1,500 square feet of finished heated living area on the first story or level and shall have a total of the various levels or stories of at least 2,600 square feet of finished heated living areas.
3. Computation of Living Area. The computation of living area shall not include any basement, garage, or attic area used for storage. All living area measurements shall be taken to outside of frame line.

C. Garages / Driveways

Each dwellling shall have an attached garage providing space for a minimum of two (2) automobiles and a maximum of three (3) automobiles for (3) three car garages. Garages shall be enclosed and carports are prohibited. Glass in garage doors is prohibited. Concrete driveways shall not exceed the overall width of the garage. Driveways extensions wider than the overall width of the garage are not permitted.

D. Foundations

Any exposed foundation shall be of brick, stone or stucco. No stem wall shall be exposed.

E. Masonry

The first story exterior walls of the dwelling erected on any lot shall be 100% brick, stone, or stucco (for calculation of masonry area required windows and doors are excluded), to the first floor wall height plate line.

F. Windows

Aluminum windows with a mill finish are not permitted.

G. Roof Pitch

1. No dwelling shall have a roof pitch of less than 8/12 over 75% of the horizontal area covered by roof and no roof shall have a pitch of less than 4/12.

2. Waiver. The Architectural Design Committee may waive, in the particular instance, upon written request, the foregoing restrictions to permit a dwelling having a flat roof over more than 25% of the horizontal area covered by roof; PROVIDED the waiver, to be effective, must be in writing, dated, and executed by the committee.

H. Roofing Materials

Roofing shall be "TAMPCO" Heritage II (color – Oxford Gray), self–sealing composition roofing shingles. Provided however, in the event that such roofing should hereinafter not be reasonably available, alternative roofing of comparable quality shall be permitted upon the determination of the Architectural Design Committee that the proposed alternative is of comparable or better quality and of a design and color which is compatible with the roofing first above described.

I. Vents & Chimney Caps

1. All exposed sheet metal flashings, vent pipes and chimney caps shall be painted.

2. All non–masonry fireplaces shall use the uniform terminator cap design designated by the owner/developer of WINDRUSH.

J. On–site Construction

No existing or off–site built structure shall be moved onto or placed on any lot.

K. Outbuildings

Outbuildings are prohibited.

L. Swimming Pools

Above ground Swimming Pools are prohibited.

M. Fencing

1. Fencing shall be in accordance with the City of Bixby Zoning Code. Interior fencing or walls shall not extend beyond the building lines of the lot and, if a residence is built behind the front building line of a lot, fencing may not extend in front of the residence, provided however, on corner lots fencing may extend to the side yard lot line. Plastic fences and ornamental picket fences are prohibited: chain link, barbed wire mesh and other metal fencing are prohibited. No fence shall exceed six feet in height. Fence facing the street and installed in side yards between homes shall be alligned with existing fences on adjoining lots where possible. The good side shall face the street. Other types of fencing constructed of wrought iron, brick, or stone may be permitted if pre–approved by the Architectural Design Committee.

2. Standard privacy fences constructed of wood post, rails and pickets with "dog ear" top design shall be permitted in Windrush. Fences shall not exceed six feet in height.

N. Perimeter Fencing

The Owner/Developer herein establishes and reserves for subsequent conveyance to the homeowners' association to be formed pursuant to Section IV. a perpetual exclusive easement to erect and maintain entry wall signage, fencing, walls and landscaping along the boundaries of the subdivision adjacent to East 131st Street South and South Mingo Road within the "Fence & Landscape Easement", as depicted on the accompanying plat.

O. Antennas

Exterior television, CB Radio or other type of antenna including satellite dishes shall be prohibited with the following exception. Small satellite dishes which do not exceed 18 inches in diameter shall be allowed so long as the dish is installed on the back or side of the dwelling and out of public view as much as possible from any street within the subdivision.

P. Lot Maintenance

Each lot shall be maintained in a neat and orderly manner free of clutter, trash, and other debris. Grass and landscaping shall be maintained on a regular basis.

Q. Recreational Vehicles/Trailers

Boats, trailers, campers, motor homes and similar recreational vehicles and equipment shall not be stored on any lot except within an enclosed garage.

R. Inoperative Vehicles/Machinery/Landscape Equipment

No inoperative vehicles or equipment of any kind shall be stored on any lot except within an enclosed garage.

S. Trash Containers

Trash containers, except during periods of collection, shall be stored out of view from the public and from the adjoining property owners. No exposed garbage cans, trash can or any trash burning apparatus or structure shall be placed on any lot.

T. Mailboxes

Mailboxes shall conform in design to that specific design as designated by the WINDRUSH Architectural Design Committee. NO EXCEPTIONS.

U.. Animals

No animals, livestock or poultry of any kind may be maintained, bred, sold or kept except that two dogs, two cats or other household pets may be kept provided that they are not used for commercial purposes.

V. Noxious Activity

No noxious or offensive trade or activity shall be carried out upon any lot nor shall anything be done thereon that may be or my become an annoyance or nuisance to the neighborhood.

W. Signage

No sign of any kind shall be displayed to the public view on any lot except one sign of not more than 6 square feet advertising the property for sale or real estate signs used by a builder to advertise the property during the construction and sales period.

X. Outside Storage and Materials

No lot shall be used for the storage of construction materials for a period of greater than 30 days prior to the start of construction and all construction shall be completed within 9 months thereafter. Each lot shall be maintained in a neat and orderly manner. Once construction and landscaping is completed, no outside storage is permitted.

Y. Landscaping

1. All open lot areas shall be sodded and the front of each residence professionally landscaped within 30 days of completion of home. Plant material shall be sufficient in size, quantity and spacing to achieve a full foundation planting across the entire front elevation of the home.

2. The owner of each lot shall be required to install a minimum of one (1) tree in the front yard (minimum size 2" diameter).

3. The use of artificial or manmade plant material is prohibited. Without the approval of the Architectural Design Committee, ornamental landscape design items are prohibited, other than one bench located upon the front porch attached to the residence. Seasonal and holiday exterior decorations may be used if timely and seasonally displayed. Other types of ornamental landscape design items may be permitted with pre–approval of the Architectual Design Committee.

Z. The owner\developers of WINDRUSH reserve the right in their sole discretion and without joinder of any owner at any time so long as it is the owner of any lot or part thereof to amend, revise or abolish any one or more of the above Section III covenants and restrictions by instrument duly executed and acknowledged by them as developers and filed in the County Clerk's office in the Court House of Tulsa County, Oklahoma.

SECTION IV. PROPERTY OWNERS ASSOCIATION

A. Property Owners Association: Tony Genoff Revocable Trust, has formed the WINDRUSH PROPERTY OWNERS ASSOCIATION, INC. (hereinafter referred to as the "Association") a non–profit entity established pursuant to the Business Corporation Act of the State of Oklahoma and formed for the general purposes of maintaining the common open areas and for enhancing the value, desirability and attractiveness of WINDRUSH. The creation of this Association shall be completed at the sole discretion of the Tony Genoff Revocable Trust. However, the same shall be no later than the last day of construction of the last home in WINDRUSH.

B. Membership: A lot owner automatically becomes a member of the WINDRUSH PROPERTY OWNERS ASSOCIATION at the time he/she/they takes ownership of a lot. WINDRUSH PROPERTY OWNERS ASSOCIATION will establish the annual dues per lot. The annual dues shall be paid the 1st day of each calendar year.

C. Covenant for assessments: The homeowner, and each subsequent owner of a lot or portion thereof, by acceptance of a deed therefor, is deemed to covenant and agree to pay the Association an annual assessment as established by the board of directors. No vacant lot will be assessed, unless through a written consent of the owner. Annual assessment rates shall be established each year by the assent of 51% of the Lot owners within the subdivision. Annual assessments together with 10% interest, costs and reasonable attorney's fees shall be continuing lien on the lot and the personal obligation of the ownership of the lot at the time of assessment.

D. Payment of Assessments.
Each lot owner by acceptance of a deed to a lot or lots, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay the Association, Except for the Owner\Developer: (a) initial assessments; (b) monthly, quarterly or annual maintenance assessments; and (c) special assessments for capital improvements. Such assessments shall be established and collected as determined by the Association. The annual and special assessments, together with interest, costs and reasonable attorneys' fees, should be charged on each lot and shall be a continuing lien upon the lot against which the assessment is made. Each assessment, together with interest, cost and reasonable attorneys' fees, shall be the personal obligation of the owners of the lot at the time when the assessment became due. The personal obligation for delinquent assessments shall not pass through the successors–in–title unless expressly assumed by them. The Association shall fix the regular monthly, quarterly or annual assessments according to the provisions of the By–Laws and Certificate of Incorporation of the Association. In addition to the regular monthly, quarterly or annual assessments, authorized above, the Association may levy, in any assessment period, a special assessment applicable to the period only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, maintenance, repairs or replacement of a capital improvement.

E. Delinquent Assessments.
Any assessment which is not paid when due shall be delinquent and shall constitute a lien on the lot against which the assessment is made. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of interest per annum as set by the Board Directors from time to time, but not to exceed the maximum rate of interest allowed by law, and the Association may bring an action at law against the owner personally obligated to pay the same or foreclose its lien against the lot, or both, and interest, costs and reasonable attorneys' fees for any such action shall be added to the amount of the assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non–use or abandonment of such owner's lot.

F. Lien.
The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any lot shall not affect the assessment lien; provided, however, the sale or transfer of any lot pursuant to mortgage foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such assessment as to payments which become due prior to such sale or transfer. No sale or transfer shall relieve the lot from the lien for assessments thereafter becoming due.

SECTION V. ENFORCEMENT, AMENDMENT, ETC.

A. Duration, Amendment and Severability.

1. Duration. These restrictions shall remain in full force and effect until January 1, 2026, and shall automatically be extended thereafter for successive periods of ten (10) years each unless terminated or amended as hereinafter provided.

2. Amendment or Termination. The private covenants and restrictions contained in this Deed of Dedication may be amended, modified, changed or canceled by a written instrument signed and acknowledged by the owners of two–thirds (2/3) of the lots in WINDRUSH. Provided, however, so long as the Owner\Developer, or any or any equity majority owned by a current shareholder of Owner, owns a lot in WINDRUSH, the Owner retains the right, IN ITS SOLE DESCRETION, to: (i) veto any proposed amendments and (ii) amend, in its discretion, any covenant or term contained herein (other than all of Sections I, all of Sections II).

3. Severability. Invalidation of any restriction set forth herein, or any part thereof, by an order, judgement or decree of any court or otherwise, shall not invalidate or affect any of the other restrictions of any part thereof as set forth herein, which shall remain in full force and effect. Any successor(s) in title to the lots within WINDRUSH, to enforce any given restriction or covenant or condition at any time, or from time to time, shall not be deemed to be a waiver or relinquishment of any right or remedy, nor a modification of these restrictions and protective covenants.

4. Enforcement: Enforcement to restrain violation of the covenants or to recover damages shall be by proceedings at law in a court of competent jurisdiction or in equity against any person or persons violating or attempting to violate and covenant herein, and may be brought by the Owner or Owners of any lot or having any interest therein, whether acting jointly or severally. The owner\developer or WINDRUSH Property Owners Association, Inc. shall not be obligated to enforce any covenant or restriction through legal proceedings.

SECTION VI. SURFACE DRAINAGE

Surface Drainage. Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from public streets and easements. No property owner shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. No property owner shall modify or change the direction of drainage of surface stormwater from the original approved construction plans on file at the City of Bixby. The property owner shall prevent the alteration of grade within all easement areas from the original contours (finish grade) and shall prevent any construction activity which may interfere with such public water mains, valves, storm sewers, and or public sanitary sewer facilities. The covenants set forth in this paragraph shall be enforceable by any affected property owner and by the City of Bixby, Oklahoma.

As owner we hereby certify that we have caused the land described in this plat to be surveyed, divided, mapped, granted, donated, conveyed, dedicated and access rights reserved as represented on the plat.

In witness whereof the Owner\Developer have executed this Deed of Dedication on this_____ day of _____, 20____.

Tony Genoff Revocable Trust

_____
Manager

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

Before me the undersigned, a Notary Public in and for said County and State, on this _____day of_____, 20____, personally appeared _____ _____to me known to be the identical person who subscribed the name thereof to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed for said limited liability company, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

_____
Notary Public

My commission expires:_____

SURVEYORS CERTIFICATE

I, Charles K. Howard, a Registered Land Surveyor in the State of Oklahoma, hereby certifies that I have fully complied with the requirements of this regulation and the subdivision laws of the State of Oklahoma governing surveying, dividing and mapping of the land; that the plat, WINDRUSH is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it; and, that the plat represents a survey made under my direct supervision.

WITNESS my hand and seal this _____day of_____, 20___.

_____
Charles K. Howard, RLS #297
CA 5611 Exp. 6–30–19

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____day of_____, 20___, personally appeared Charles K. Howard, to me known to be the identical person who executed the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under me hand and seal the day and year last above written.

_____
Notary Public

My Commission expires:_____

WINDRUSH
Preparation date: August 11, 2017
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