

BIXBY PLANNING COMMISSION

MEETING MINUTES OF THE REGULARLY SCHEDULED MEETING

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

TUESDAY, NOVEMBER 14, 2017 ~ 6:00 PM

CALL TO ORDER TIME: 6:07 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		

MR WHISMAN-CHAIR, recognized Mr. Paul Wizikowski from Leadership Bixby was participating as an intern for Planning Commission.

CONSENT AGENDA

(MR WHISMAN-CHAIR) "MARCAE' CAN YOU PLEASE PRESENT THE CONSENT AGENDA?"

Marcae' presentation of the consent agenda

1. Approval of Minutes: Regularly Scheduled Planning Commission Meeting ~ October 16, 2017
2. Approval of 2018 Planning Commission Calendar of Scheduled Meetings

2. Approval of 2018 Planning Commission Calendar of Scheduled Meetings				
1. CONSENT MOTION: JEROD HICKS		SECOND: TOM HOLLAND		
2. CONSENT MOTION: TOM HOLLAND		SECOND: JEROD HICKS		
MOTION/NOTES: Mr. Holland asked Marcae to add comments to the October Meeting Minutes regarding to right of Planning Commission to review screening within a future site to the review process.				
Planning Commission 5-0-0, 5-0-0	1. Yes	2. Yes	No	No
Chris Cloyde	Y	Y		
Tom Holland	Y	Y		
Jerod Hicks	Y	Y		
Joshua Nave	Y	Y		
Lance Whisman	Y	Y		

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.

AGENDA – Bixby Planning Commission, Tuesday, November 14, 2017

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PUBLIC HEARINGS

3. **REZONING BXZO-17.04 CASH:** Applicant, Cash Stevenson

Discussion and recommendation of a rezoning request from IL (INDUSTRIAL LIGHT) to CS (COMMERCIAL SHOPPING), in part of Block 18 and Block 19 of Midland Addition, Plat No. 112, part of the previously platted Midland Valley Railroad and part of City of Bixby Right of Way, in Section 24, Township 17, Range 13, property located: 101 E Dawes, east of Armstrong Street between Needles and Dawes in Bixby, OK

NO. 3 PRESENTATION FROM STAFF~Marcae' Hilton, City Planner

(MARCAE) THIS ITEM WILL GO TO CITY COUNCIL ON DECEMBER 11, 2017

THE APPLICANT IS PRESENT AND IS IN AGREEMENT WITH STAFF COMMENTS.

(MR WHISMAN-CHAIR) IS ANYONE HERE TO SPEAK ON THIS ITEM? Only the applicant

(MR WHISMAN-CHAIR) THE PUBLIC HEARING PORTION IS CLOSED.

(MR WHISMAN-CHAIR) ARE THERE ANY COMMENTS FROM PC?

DO WE HAVE A MOTION?

3. MOTION: JOSH NAVE		SECOND: CHRIS CLOYDE	
MOTION/NOTES: The City Attorney, Tammy Ewing, added language stating the sale of transfer of title to anyone of 101 E Dawes, will trigger compliance with zoning code requirements, Mr. Cash has lived in Downtown Bixby for over 17 years.			
No. 3 Planning Commission 5-0-0		Yes	No
Chris Cloyde		Y	
Tom Holland		Y	
Jerod Hicks		Y	
Joshua Nave		Y	
Lance Whisman		Y	

4. **PUD BXPUD-17.12 (Major Amendment to PUD 29A):** Applicant, Chris Campbell

Discussion and recommendation of a Major Amendment to Planned Unit Development (PUD 29A:CS) to allow a drive-through restaurant use in the south end of 12345 S. Memorial, no requested change in the present zoning (COMMERCIAL SHOPPING), in Section 01, T17N, R13E, property located: 12345 S. Memorial Dr., north of 124TH & east of Memorial Dr. in Bixby, OK

NO. 4 PRESENTATION FROM STAFF~Marcae' Hilton, City Planner

(MARCAE) THIS ITEM WILL GO TO CITY COUNCIL ON DECEMBER 11, 2017

THE APPLICANT IS PRESENT AND IS IN AGREEMENT WITH STAFF COMMENTS

(MR WHISMAN-CHAIR) IS ANYONE HERE TO SPEAK ON THIS ITEM? Only the applicant

(MR WHISMAN-CHAIR) THE PUBLIC HEARING PORTION IS CLOSED.

(MR WHISMAN-CHAIR) ARE THERE ANY COMMENTS FROM PC?

DO WE HAVE A MOTION?

4. (1 st) MOTION: Chris Cloyde	SECOND: None-motion died due to lack of second
4. (2 ND) MOTION: Tom Holland	SECOND: Josh Nave

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PC COMMENTS/NOTES: Chris Campbell (applicant) gave a report on the proposed use stating it was a flexible use and the tenant was Angela Ellis with Sugar Rush bakery. Tom Holland stated he had concerns regarding the exit to the south (headlights from outbound vehicles would shine directly into house south of the property facing north, car lights, sound, hours) Mr. Holland also reminded the PC the property to the south is a residential zoning and use. Chris noted the drive thru already exists.

Angela Ellis-proposed tenant-stated she has been in business as a caterer for over 3 years and is planning to have a full time bakery. She also has a nonprofit called Life's Food. Angela stated the hours of operation were from 6:00 AM to 3:00 PM, with a drive thru use as well as a full service restaurant serving soups, sandwiches and salads.

PC discussion: Tom Holland suggested there be a limit on the hours of operation, Chris Cloyde suggested no change in the time, and Josh Nave opposed a time change. Chris commented it was complicated to change time on window hours separate from hours of operation. Jared Hicks asked if Tom was asking the tenant to barricade the for drive thru? Tom stated no, just a matter of time management and spoke about the intercom system possibly being considered a nuisance to the surrounding residents and wanted to protect them from any infringement. Jerod Hicks asked if no menu and no microphone was an option. Tom stated sound was the issue. And asked if a drive thru window without an audible enhancement was optional. Angela stated she had planned to place the speaker west away from residences. Chris Cloyde asked about stacking being an issue. Lance Whisman asked about ordering before the got to the window. Angela confirmed it was preferred. A motion was made after a long discussion regarding the drive thru use and hours of operation. Josh summarized the comments: 1-change the hours of operation, 2-change/limit speaker use, 3-approve as is.

(1st) MOTION: Move to approve per staff recommendation and with the menu and audible system places as far west as possible with speaker directed westward, no speaker use on the south eastern side of building, no drive thru use after 8:00PM Chris Cloyde asked to remove the sunset on drive thru. Motion failed due to lack of second.

(2nd) MOTION: Move to approve per Staff recommendation and with the conditions:

- No speaker use on the south end of the building or on the south 140' of the east side of the building/property
- No drive-thru service after 8:00 PM (to potentially reduce disturbances to public/residences)
- Menu boards and audible speaker systems shall be placed, as far west as possible, with speaker directed westward

No. 4 Planning Commission Members 5-0-0	Yes	No
Chris Cloyde	Y	
Tom Holland	Y	
Jerod Hicks	Y	

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Joshua Nave	Y	
Lance Whisman	Y	

ADJOURNMENT TIME: 7:29 PM

APPROVED BY:



 Chair
Marc'ae' Hilton, Jason Mohler
 City Planner/Recording Secretary

11-29-17

 Date

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.

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BIXBY PLANNING COMMISSION

AGENDA

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

TUESDAY, NOVEMBER 14, 2017 ~ 6:00 PM

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes: Regularly Scheduled Planning Commission Meeting ~ October 16, 2017
2. Approval of 2018 Planning Commission Calendar of Scheduled Meetings

PUBLIC HEARINGS

3. **REZONING BXZO-17.04 CASH:** Applicant, Cash Stevenson
Discussion and recommendation of a rezoning request from IL (INDUSTRIAL LIGHT) to CS (COMMERCIAL SHOPPING), in part of Block 18 and Block 19 of Midland Addition, Plat No. 112, part of the previously platted Midland Valley Railroad and part of City of Bixby Right of Way, in Section 24, Township 17, Range 13, property located: 101 E Dawes, east of Armstrong Street between Needles and Dawes in Bixby, OK
4. **PUD BXPUD-17.12 (Major Amendment to PUD 29A):** Applicant, Chris Campbell
Discussion and recommendation of a Major Amendment to Planned Unit Development (PUD 29A:CS) to allow a drive-through restaurant use in the south end of 12345 S. Memorial, no requested change in the present zoning (COMMERCIAL SHOPPING), in Section 01, T17N, R13E, property located: 12345 S. Memorial Dr., north of 124TH & east of Memorial Dr. in Bixby, OK

ADJOURNMENT

Posted By: Marcae' Hilton 
Date: November 9, 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.

PUBLIC NOTICE

THE SCHEDULE OF REGULAR MEETINGS FOR CALENDAR YEAR 2018 OF THE BIXBY PLANNING COMMISSION, IN AND FOR THE CITY OF BIXBY, OKLAHOMA

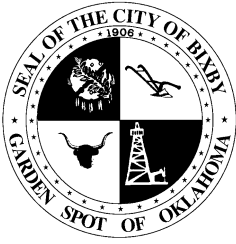
Public Notice is given and filed with the Bixby City Clerk that, for Calendar Year 2018, except as otherwise noted below, the Bixby Planning Commission of the City of Bixby, Oklahoma will hold its regular monthly meetings on the Third Monday of each month. These regular meetings will be held at 6:00 P.M. in the City Council Chambers of the Bixby Municipal Building, located at 116 West Needles Avenue, in the City of Bixby, Oklahoma. (Authority: Title 25 Oklahoma Statutes, Section 311(A).)

REGULAR MEETING DATES & APPLICATION DEADLINES

1. Meetings will begin at 6:00 PM
2. Third Monday of every month*
*If there is a City Holiday or otherwise designated
3. The due date for applications will be six (6) weeks prior, on Tuesday

MONTH	DATE	DAY OF WEEK	APPLICATION DUE DATE
January	16	*Tuesday	Tuesday, December 5, 2017
February	20	*Tuesday	Tuesday, January 9, 2018
March	19	Monday	Tuesday, February 6, 2018
April	16	Monday	Tuesday, March 6, 2018
May	21	Monday	Tuesday, April 10, 2018
June	18	Monday	Tuesday, May 8, 2018
July	16	Monday	Tuesday, June 5, 2018
August	20	Monday	Tuesday, July 10, 2018
September	17	Monday	Tuesday, August 7, 2018
October	15	Monday	Tuesday, September 4, 2018
November	13	*Tuesday	Tuesday, October 2, 2018
December	17	Monday	Tuesday, November 6, 2018
January (2019)	21	*Tuesday	Tuesday, December 4, 2018

6:00 P.M. in the City Council Chambers
Bixby Municipal Building
116 West Needles Avenue, City of Bixby, Oklahoma 74008



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: Tuesday, November 14, 2017 (Regularly Scheduled Meeting)

Request: **ZONING:** Discussion and recommendation of a rezoning request from IL (INDUSTRIAL LIGHT) to CS (COMMERCIAL SHOPPING), in part of Block 18 and Block 19 of Midland Addition, Plat No. 112, part of the previously platted Midland Valley Railroad and part of City of Bixby Right of Way, in Section 24, Township 17, Range 13, property located: 101 E Dawes, east of Armstrong Street between Needles and Dawes in Bixby, OK

REQUEST: Zoning Change

EXISTING ZONING: IL (INDUSTRIAL LIGHT)

REQUESTED ZONING: CS (Shopping Center District)

LOCATION: 101 E Dawes, east of Armstrong Street between Needles and Dawes in Downtown Bixby, OK

PLAT: Midland Addition, Plat No. 112, filed June 30, 1911

STR: Section 24, T17N, R13E

LOTS: Part of

EXISTING USE: Outdoor Storage, Single-family Residence, Office

PROPOSED USE/DETAILS: The applicant, Cash Stephens and the Right of Way owners (City of Bixby) requests the zoning change from IL to CS. Currently, the parcels are used for Outdoor Storage (Use Unit 16), Single-family residential (Use Unit 6), and Office (Use Unit 11). Mr. Stephens will remain living in the residence and operating the storage as a [Lawfully Nonconforming Use](#)* until time of sale. At time of sale, the Use Unit 16 will no longer be allowed. A **Zoning Clearance Permit** will be required for any new use. Mr. Cash plans to sell the property in the future and understands the use Mini-storage ([Use Unit 16](#)) would not meet the intent of the [ARTICLE H. CENTRAL BUSINESS DISTRICT](#)...the purpose of promoting the redevelopment and expansion of existing businesses in the downtown shopping district, and to encourage and attract a variety of new retail, service and higher density residential uses, and to create an area to provide residential, commercial and public attractions of educational, scientific, and cultural significance as stated in the approved and adopted central business district. (Ord. 814, 5-8-2000)

***11-11-6: STRUCTURAL NONCONFORMITIES:** 🌐

A structure, lawfully existing at the effective date hereof or amendment of this title, but which would be prohibited by the terms of this title by reason of restriction on floor area, density, intensity, height, yards, its location on the lot, or other requirements concerning the structure, shall be deemed nonconforming and may continue...

SURROUNDING ZONING AND LAND USE:

North: CG (Commercial General), IL (Industrial Light)

West: CH (Commercial Heavy)

South: CH (Commercial Heavy)

East: RS-3 Single-family Residential, IL (Industrial Light)



PREVIOUS/RELATED CASES: Staff was unable to find any Special Exception or zoning case for this property.

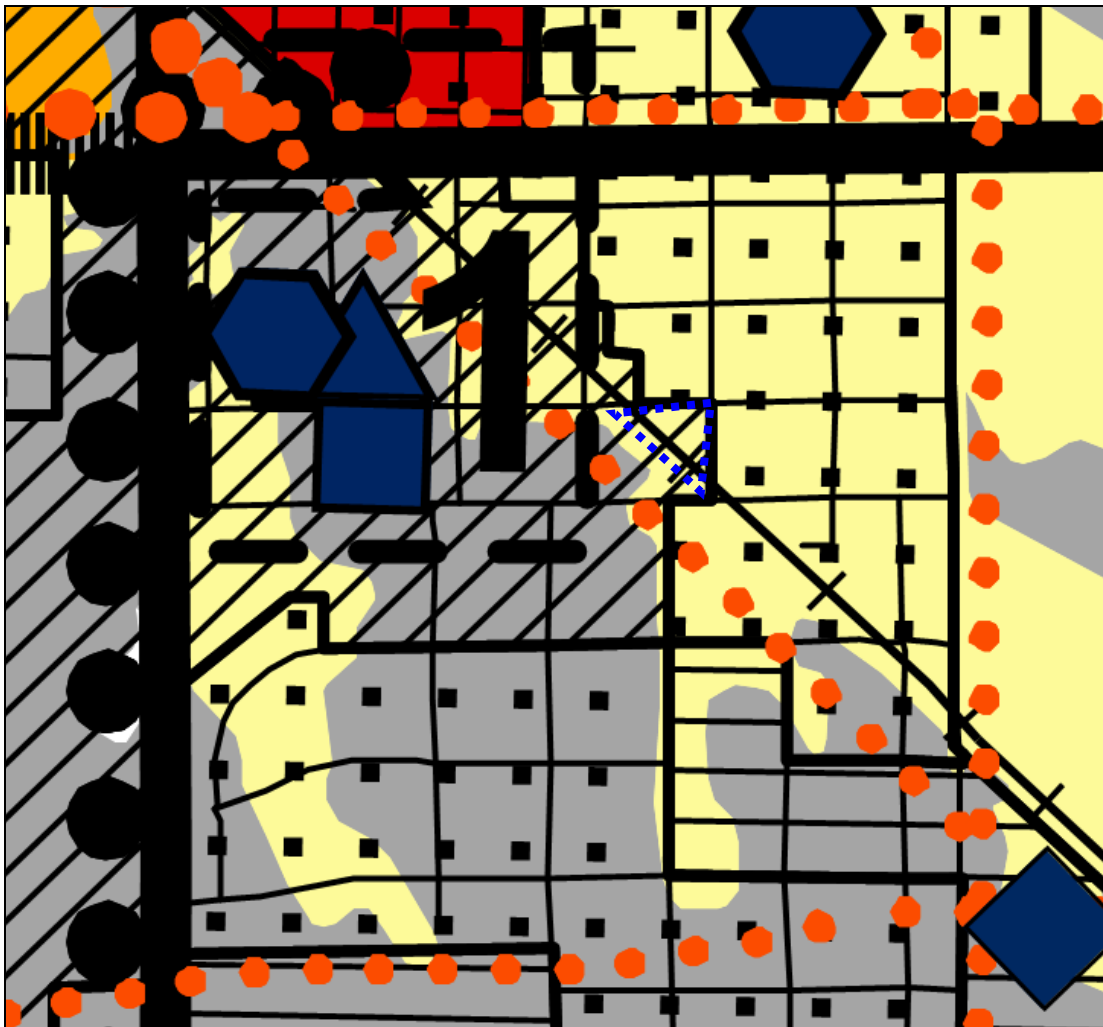
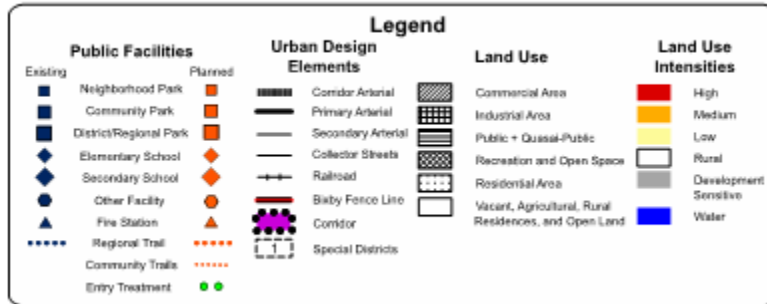
COMPREHENSIVE PLAN:

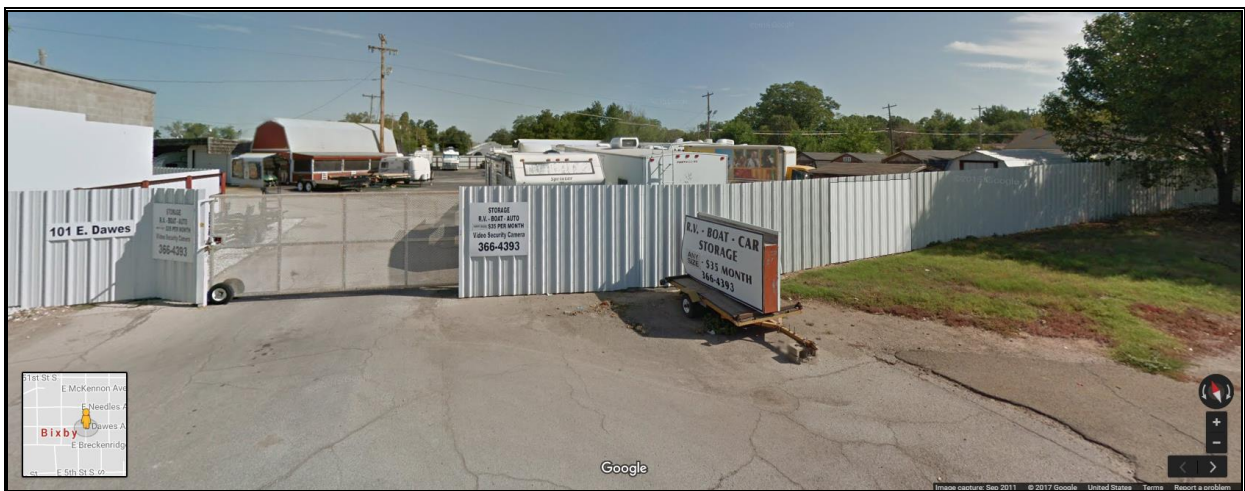
Land Use Intensities: LOW

Land Use: COMMERCIAL AREA

Urban Design Elements: PLANNED REGIONAL TRAIL

Public Facilities: NEAR PUBLIC FACILITIES







ATTACHMENTS:

1. Case Map

STAFF RECOMMENDATION: Staff recommends conditional Approval of BXZO-17.04 CASH with the following comments (not a complete list):

1. Mr. Stephens will be allowed to remain living in the residence and operating the storage as a [Lawfully Nonconforming Use](#)* until time of sale.
2. At time of sale, the Use Unit 16 will no longer be allowed.
3. A **Zoning Clearance Permit** will be required for any new use.
4. The property can be maintained but not changed in any way or it will lose its nonconforming status.
5. Mr. Cash plans to sell the property in the future and understands the use Mini-storage ([Use Unit 16](#)) would not meet the intent of the [ARTICLE H. CENTRAL BUSINESS DISTRICT](#).
6. All future development will follow current adopted zoning ordinances and guidelines, not limited to Article H. Central Business District.

11-7H-1: PURPOSES:

There is hereby created a central business district for the purpose of promoting the redevelopment and expansion of existing businesses in the downtown shopping district, and to encourage and attract a variety of new retail, service and higher density residential uses, and to create an area to provide residential, commercial and public attractions of educational, scientific, and cultural significance as stated in the approved and adopted central business district. (Ord. 814, 5-8-2000)

11-7H-2: LOCATION:

The central business district as herein created is defined as follows: The "downtown area" of Bixby, to include the areas adjoining Needles, Dawes, and Breckenridge Avenues, up to and including the alleys north of and parallel to Needles Avenue and south of and parallel to Breckenridge Avenue, from Memorial Drive to Riverview Road, shall be known as the "central business district". (Ord. 2091, 9-10-2012)

11-7H-3: EXEMPTIONS:

Residential zoning districts; planned unit developments (PUDs); specific use permits; and other zoning classifications or districts with restrictive covenants and/or development text when determined at the time of zoning approval to meet the central business district guidelines. (Ord. 814, 5-8-2000)

11-7H-4: ISSUANCE OF BUILDING PERMIT:

Prior to the construction or reconstruction of any structure, exterior remodeling, or any proposed construction requiring the issuance of a building permit, other than interior construction or remodeling or a small job

permit, a site plan shall be submitted as set forth in subsection [11-9-0E](#) of this title and shall be subject to the central business district development minimum standards, as hereinafter set forth. (Ord. 2107, 1-14-2013)

11-7H-5: DEVELOPMENT MINIMUM STANDARDS:

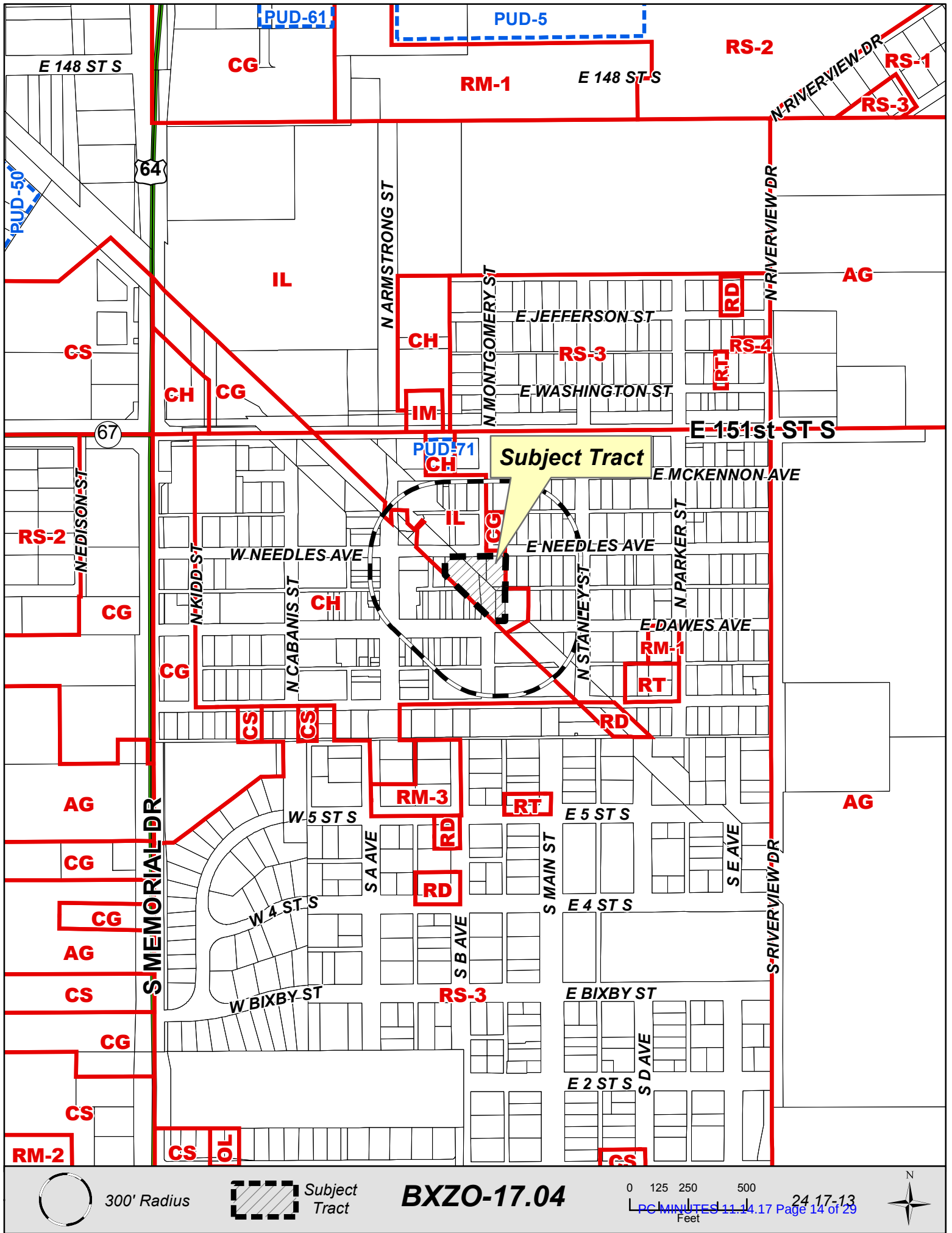
A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.

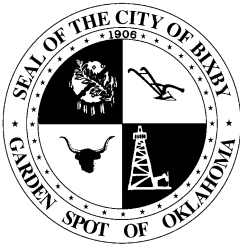
B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the city council reduce or waive the requirement altogether.

C. The city planner may refer a proposed structure to the city council for approval if determined to be of exceptional character, iconic, or potentially offensive. (Ord. 2107, 1-14-2013)

11-7H-6: SITE PLAN APPROVAL REQUIRED:

A site plan is hereby required. The site plan shall demonstrate compliance with the central business district development minimum standards and the requirements of this title. The information required to be included in the site plan shall be as set forth in subsection [11-9-0E](#) of this title. Maintenance of the site in substantial compliance with the approved site plan shall be a condition of continued occupancy. (Ord. 2091, 9-10-2012)





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: Tuesday, November 14, 2017

RE: **PLANNED UNIT DEVELOPMENT (PUD):**BXPUD-17.12 (Major Amendment to PUD 29A): Applicant, Chris Campbell
Discussion and recommendation of a Major Amendment to Planned Unit Development (PUD 29A:CS) to allow a drive-through restaurant use in the south end of 12345 S. Memorial, no requested change in the present zoning (COMMERCIAL SHOPPING), in Section 01, T17N, R13E, property located: 12345 S. Memorial Dr., north of 124TH & east of Memorial Dr. in Bixby, OK

REQUEST: RECOMMENDATION OF APPROVAL FOR PROPOSED AMENDMENT TO SUPPLEMENTAL ZONING (PUD) PLANNED UNIT DEVELOPMENT DISTRICT OF THE CITY OF BIXBY, OKLAHOMA,

EXISTING ZONING: (CS) COMMERCIAL SHOPPING

REQUESTED ZONING: NO CHANGE IN (CS) COMMERCIAL SHOPPING

REQUESTED CHANGE: MAJOR AMENDMENT TO PUD 29A:CS, FOR DRIVE-THROUGH RESTAURANT USE IN THE SOUTH END OF 12345 S MEMORIAL

EXISTING LAND USE: STRIP SHOPPING CENTER

PROPOSED: DRIVE-THROUGH RESTAURANT USE

LOCATION: 12345 S. Memorial Dr., north of 124TH & east of Memorial Dr.

STR: Section 01, Township 17, Range 13

LOT SIZE: 5 acres, more or less

PUBLIC INPUT: As of 11.9.17, Staff has received 1 call from neighbor on the south

BACKGROUND INFORMATION: This PUD AMENDMENT specifically requests changes to Development Area A (Page 2 of PUD 29). The applicant requests the PUD allow Use Unit 12 (Restaurants) anywhere in Development Area A. Staff believes the proposed PUD amendment meets the requirements of the Zoning Regulations and Land Use objectives per Ordinance 272, 4-2-1974: 11-71-2: 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: 3.41 Acres

Permitted Uses: N/C 11, 12, 13, 14, 15

PUD 29: The permitted usesNeither outside sales nor storage will be permitted.

Restaurants as permitted in Use Unit 12 will be allowed **in the northern 140 feet of the west 280 feet of said development area...**

BXPUD-17.12 MA2 PUD 29: The permitted uses....Neither outside sales nor storage will be permitted. Restaurants as permitted in Use Unit 12 will be allowed. (~~in the northern 140 feet of the west 280 feet of said development area~~)

PUD REQUIREMENTS

	CS	BXPUD-17.12 MA2 PUD 29
Maximum Floor Area:	N/A	N/C 30,000 sq. ft.
Lot Width (minimum feet):	150 ft.	N/A 401.74 ft. tl.
Building Height	70 ft. (5*)	N/C 1 story/25 ft.
Setback from Memorial (Arterial)	50 ft.	N/C 115 ft.
Setback from 124 th Street	50 ft.	N/C 50 ft.
Setback from north boundary	10 ft.	N/C 25 ft.
Setback from residential boundary	10 ft.	N/C 45 ft.
Setback from common boundaries in PUD	N/A	N/C 5 ft.
Parking Ratio office/commercial		N/C 1/225 s.f.
Parking Ratio restaurant		N/C 1/100 s.f.
Minimum Lot Size	N/A	N/C 26,200 sq. ft.
Minimum Landscaped Area		N/C 15% of Net Area
Building Design Limitations:	N/A	N/C
Operational Limitations:	N/A	N/C

*stories

N/A-Not Applicable, N/C-No Change

PER ERIKENYART STAFF REPORT PREVIOUS/RELATED CASES: (Not a complete list; Minor Architectural Committee and Planning Commission approvals of signage for this shopping center are not included here):

PUD 29 – The Boardwalk on Memorial: Part of the subject property, Lots 1 and 2, Block 1, *Gre-Mac Acres* – PC Recommended Approval 05/20/2002 and City Council Approved CS and OL zoning and PUD 29 06/10/2002 (Ordinance # 850, evidently dated 06/11/2001 in error).

PUD 29A – The Boardwalk on Memorial: Request for Major Amendment to PUD 29, known as PUD 29A, which expanded the original PUD and underlying CS zoning to an unplatted area to the north of Lots 1 and 2, Block 1, *Gre-Mac Acres* – PC Recommended Approval 03/17/2003 and City Council Approved 04/28/2003 (Ordinance # 867).

Preliminary Plat of The Boardwalk on Memorial: Request for Preliminary Plat approval for subject property – Recommended for Approval by PC 04/21/2003 and Approved by City Council 04/28/2003.

Final Plat of The Boardwalk on Memorial: Request for Final Plat approval for subject property – Recommended for Approval by PC 11/21/2005 and Approved by City Council 11/28/2005.

“Minor Amendment PUD 29b to PUD 29, 29a”: Request for Planning Commission approval of the first Minor Amendment to PUD 29A (could have been called “Minor Amendment # 1) to approve a drive through bank window on the south side of the building for *Grand Bank* – PC Approved 02/22/2005.

AC-07-08-01 – Request for Architectural Committee approval of a masonry archway over an internal access drive on the north side of the subject property – AC Approved 08/20/2007.

“PUD 29A Minor Amendment # 1 [2]”: Request for Minor Amendments to PUD 29A to (1) Remove restrictions from east-facing signs and (2) Increase maximum display surface area for wall signs from 2 square feet per lineal foot of building wall to 3 square feet per lineal foot of building wall as permitted by the Zoning Code – Planning Commission Conditionally Approved 11/19/2007. Should have been called “Minor Amendment # 2.

AC-07-10-11 & AC-07-10-13: Request for Architectural Committee approval of two (2) wall signs for subject property for *The Eye Center South Tulsa* – Tabled by AC 10/15/2007 pending resolution of outstanding PUD zoning issues and Approved by AC 12/17/2007 after the Minor Amendment was approved.

BL-373 – William Wilson for Boardwalk on Memorial I, LP: Request for Lot-Split approval to separate the east approximately 472’ from the balance of the subject property – Pending PC consideration 01/19/2010.

SURROUNDING ZONING AND LAND USE:

North: (CS:PUD 81) Commercial Shopping, Mixed Use Development

South: (RS-1) Single-Family Residential, *Gre-Mac Acres*

East: (CS) Commercial Shopping, (OL) Office Low Intensity, future Mini-storage site

West: (CG) Commercial General, (Undeveloped)

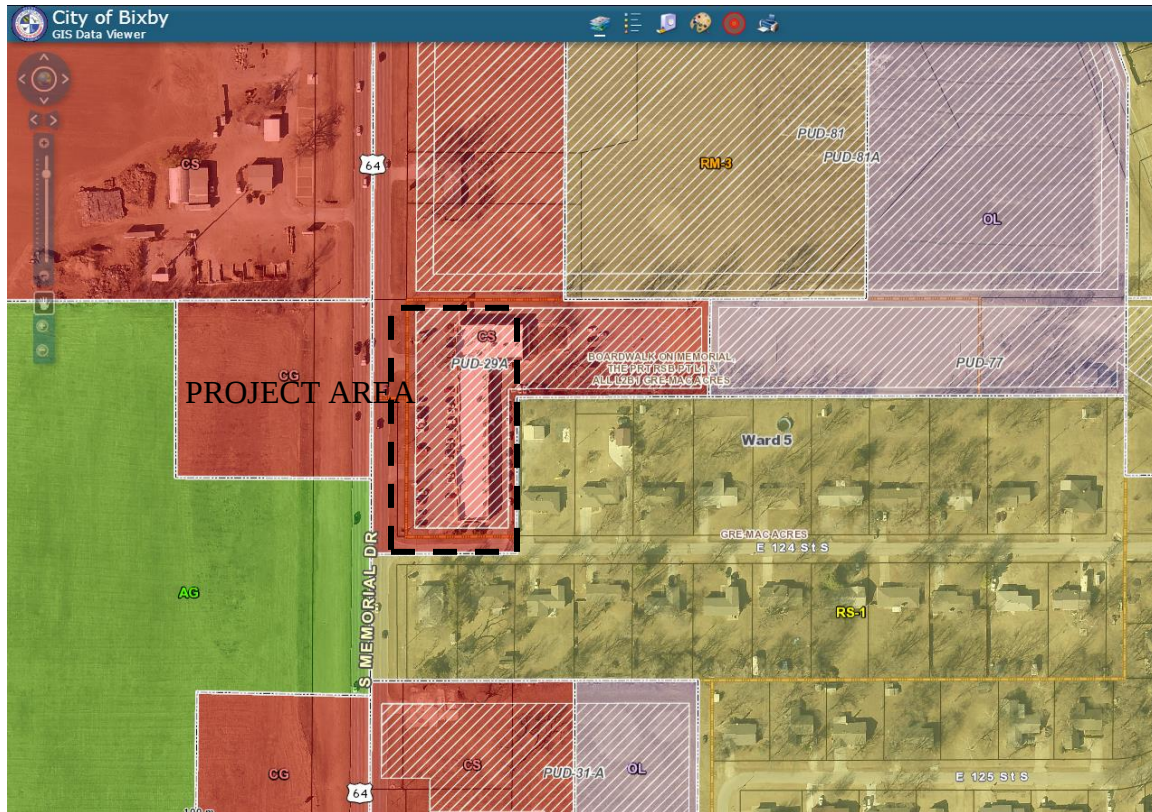


Figure 1. ZONING MAP

COMPREHENSIVE PLAN:

Land Use Intensities: MEDIUM

Land Use: RESIDENTIAL AREA

Urban Design Elements: PRIMARY ARTERIAL

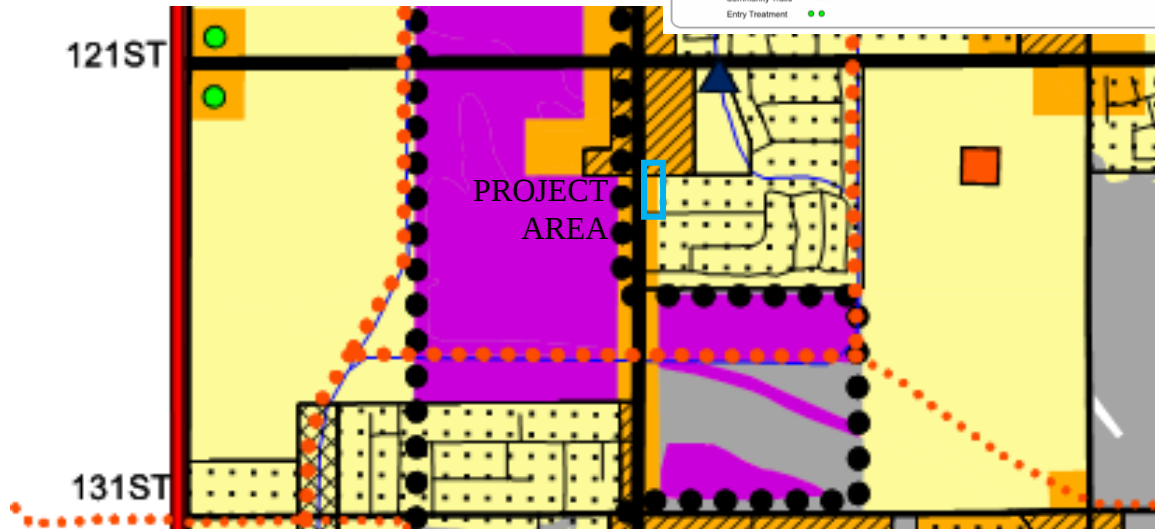


Figure 1. AERIAL VIEW



Figure 2. VIEW LOOKING EAST



Figure 3: VIEW WITH LOCATION MARKED BY ARROW



Figure 4: VIEW OF BOARD WALK APARTMENTS EARLY 2017



Figure 5: BOARD WALK APARTMENTS



Figure 6: VIEW LOOKING NORTH ON MEMORIAL

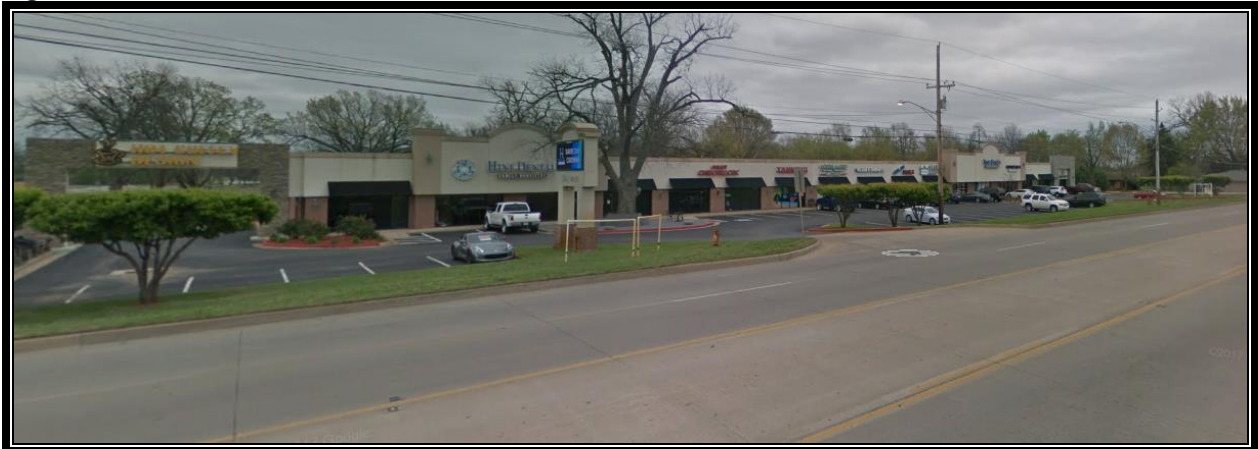


Figure 7: VIEW OF BACK SIDE OF PUD 29A FROM E 124TH STREET



ATTACHMENTS:

1. AMENDMENT PAGE FOR PUD 29A (BXPUD-17.12)
2. APPROVED PUD 29A
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 No. 2 BXPUD-17.12 A MAJOR AMENDMENT TO PUD 29A with the following conditions (not a complete list):

- All requested Planning Commission (PUD changes) shall be corrected before submittal to City Council

12345 S Memorial LLC

PUD 29-A

Minor Amendment

October 9th, 2017

This Planned Unit Development was approved by the Bixby City Council in April of 2003 and contains 3.074 acres in Development Area A.

The request of this minor amendment is to redact a portion of the Permitted Uses section to allow for consistency of use across the entire development.

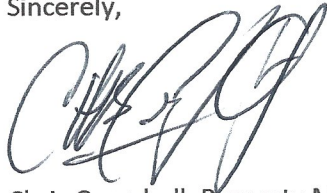
We are requesting that part of the line that states "Restaurants as permitted in Use Unit 12 will be allowed in the northern 140 feet of the west 280' of said development area" be redacted to "Restaurants as permitted in Use Unit 12 will be allowed." ~~in the northern 140 feet of the west 280' of said development area~~

12345 S. Memorial LLC currently has a bakery and coffee shop that would like to occupy spaces 116-117 on the south end of the development. Removing this exclusion would allow for this new tenant and consistency of use in the development.

Please call or email if there are any questions concerning the above request.

Thanks for your help and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Campbell', is written over a horizontal line.

Chris Campbell, Property Manager of 12345 S Memorial LLC

9182376880

12345SMemorial@gmail.com

II. PUD Development Standards

Development Area A

Net Land Area:	3.41 Acres 148,535 sq. ft
Permitted Uses:	The permitted uses shall be limited to the uses included within <u>Use Unit 11. Offices and Studios</u>, <u>Use 13 Convenience Goods and Services</u>, <u>Use Unit 14. Shopping Goods and Services</u>, and the Trade and Service establishments from <u>Use Unit 15. Other Trades and Services</u>, as listed on page 6. Neither outside sales nor storage will be permitted. Restaurants as permitted in Use Unit 12 will be allowed in the northern 140 feet of the west 280' of said development area. No Adult Entertainment Establishments will be permitted.
Maximum Floor Area:	30,000 sq. ft.
Maximum Building Height:	1 story/ 25 ft.
Minimum Building Setbacks:	
From centerline of 124 th Street	50 ft.
From centerline of Memorial Drive	115 ft.
From north boundary	25 ft.
From residential boundary	45 ft.
From common boundaries within PUD	5 ft.
Parking Ratio:	1 per 225 s.f. for office and commercial use 1 per 100 s.f. for restaurant use
Minimum Landscaped Area:	15% of net area
Building Design Limitations:	
The buildings shall be constructed in substantial accordance with the Corridor Appearance District. The developer anticipates the use of masonry exterior walls. Parapet walls will screen mechanical units on the top of the building from the neighboring residences to the east.	
Operational Limitations:	
Business hours shall be limited to the period of 6:00am to 10:00pm	
Restaurant patrons shall not be seated outdoors after 9:00pm and indoors after 10:00pm	
Alcoholic beverages shall not be served after seating hours.	
Noise levels for outside dining area shall be kept to a minimum.	



City of Bixby, Tulsa County, Oklahoma
Planned Unit Development Number 29-A

Expansion of
Planned Unit Development Number 29

Marked Act
Coffis

February 2003



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I. Development Concept

Mr. Bill Wilson and Mr. Bob Clay propose to develop the northeast corner of the intersection of East 124th Street South and South Memorial Drive. They are committed to the development of a neighborhood establishment of high quality commensurate with the high quality of both residential and commercial properties existing in the area. Design consideration has been given to the achievement of an attractive facility, including streetscape, with appropriate screening and buffering of the adjoining subdivision.

The site is comprised of Lots 1 and 2 in Block 1 of Gre-Mac Acres and 3.9 acres of unplatted property adjacent to the north side of Gre-Mac Acres. The site has 405 ft. of frontage on South Memorial Drive and 192.2 feet of frontage on 124th Street. Lot 1 is presently zoned CS Commercial Shopping District and Lot 2 is OL Office Low-Density District. This underlying zoning was spread across both lots with the approval of PUD 29. The CS zoning allows various commercial uses while the OL zoning limits the density. PUD 29 was approved by the Bixby Planning Commission on May 22, 2002 and also by the Bixby City Council on June 10, 2002. This zoning will not be changed.

With this amendment, the PUD will be increased to cover the unplatted property. An application to rezone the western 300 feet of the 3.9 acres to CS Commercial Shopping District with the balance being changed to OL Office Low-Density District is concurrently herewith requested.

A request will be made to vacate the existing easement found across the north boundary of the two lots. The sanitary sewer manhole and line located inside the existing easement will be relocated to the east allowing the proposed construction. At the time of platting, the developer will grant any easement required by the City of Bixby.

As consistently encouraged by Planning Commission and City Council policy, this planned unit development is submitted to permit the development of the proposed facility subject to appropriate development standards, including setbacks, landscaping, screening, building design limitations and site plan review not customarily imposed or achieved by conventional rezoning and development.

II. PUD Development Standards

Development Area A

Net Land Area: 3.41 acres
148,535 sq.ft.

Permitted Uses: The permitted uses shall be limited to the uses included within Use Unit 11. Offices and Studios, Use 13. Convenience Goods and Services, Use Unit 14. Shopping Goods and Services, and the Trade and Service establishments from Use Unit 15. Other Trades and Services, as listed on page 6.

Neither outside sales nor storage will be permitted. Restaurants as permitted in Use Unit 12 will be allowed in the northern 140 feet of the west 280' of said development area.

No Adult Entertainment Establishments will be permitted.

Maximum Floor Area: 30,000 sq. ft.

Maximum Building Height: 1 story/ 25 ft.

Minimum Building Setbacks:

From centerline of 124 th Street	50 ft.
From centerline of Memorial Drive	115 ft.
From north boundary	25 ft.
From residential boundary	45 ft.
From common boundaries within PUD	5 ft.

Parking Ratio: 1 per 225 s.f. for office and commercial use
1 per 100 s.f. for restaurant use

Minimum Landscaped Area: 15 % of net area

Building Design Limitations:

The buildings shall be constructed in substantial accordance with the Corridor Appearance District. The developer anticipates the use of masonry exterior walls. Parapet walls will screen mechanical units on the top of the building from the neighboring residences to the east.

Operational Limitations:

Business hours shall be limited to the period 6:00 a.m. to 10:00 p.m.

Restaurant patrons shall not be seated outdoors after 9:00 p.m. and indoors after 10:00 p.m.

Alcoholic beverages shall not be served after seating hours.

Noise levels for outside dining area shall be kept to a minimum.

Any outdoor music must be limited to background music only, no loud event music will be permitted. ✓

Lighting: Parking area lighting shall be a maximum height of 12 feet and limited to shielded fixtures designed to direct light downward and away from residential properties.

Signs: Two Aggregate signs, in accordance with the Bixby Zoning Code, for the proposed center will be constructed as shown on the Conceptual Site Plan. The sign shall be limited to 25 ft. in height and 150 sq. ft. of surface area per side, according to Code. Wall signs will be based on the 2 sq. ft. per lineal foot of wall, with no signs on the east or south facing walls. *ok 1 per 150'*

Development Area B

Net Land Area: 1.54 acres
67,213 sq.ft.

Permitted Uses: The permitted uses shall be limited to the uses included within Use Unit 11. Offices and Studios and the Trade and Service establishments from Use Unit 15. Other Trades and Services, as listed on page 6.
Neither outside sales nor storage will be permitted.

Maximum Floor Area: 25,000 sq. ft.

Maximum Building Height: 1 story/ 25 ft.

Minimum Building Setbacks:

From north boundary	15 ft.
From east boundary	17.5 ft. ✓
From south boundary	20 ft. ✓
From common boundaries within PUD	5 ft. ✓

Parking Ratio: As required within the applicable use unit

Minimum Landscaped Area: 15 % of net area

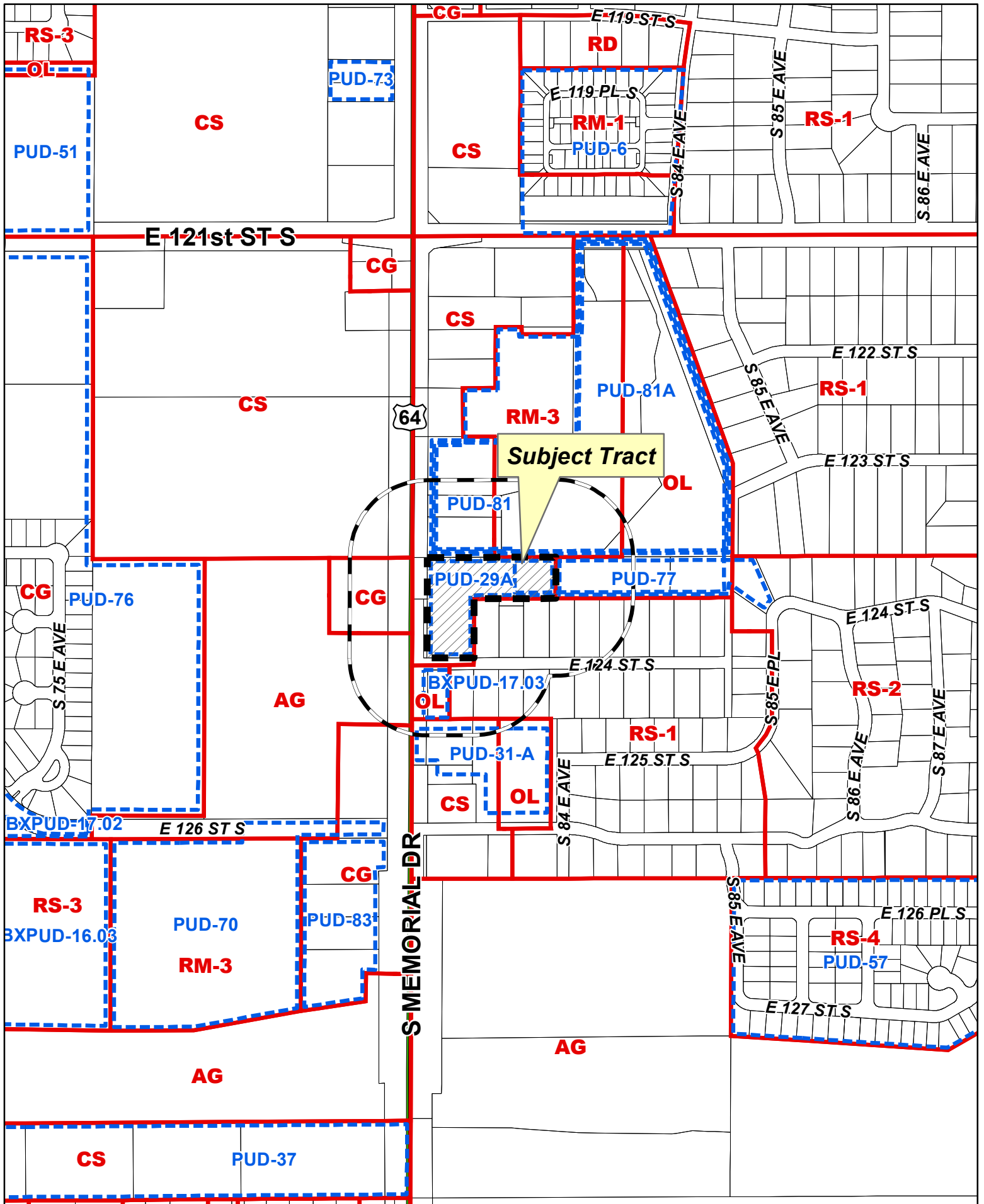
Operational Limitations:

Business hours shall be limited to the period 6:00 a.m. to 10:00 p.m.

Lighting: Parking area lighting shall be a maximum height of 12 feet and limited to shielded fixtures designed to direct light downward and away from residential properties.

III. Landscaping and Screening Wall

Landscaping and screening within the development will be in substantial accordance with the requirements of the landscaping and planned unit development chapters of the Bixby Zoning Code and have been designed to achieve an attractive streetscape and appropriate buffering from nearby residential areas. The landscaped area shall not be less than 15% of the net lot area. A six-foot masonry wall having an exterior finish similar on both sides shall



Subject Tract

S MEMORIAL DR



300' Radius



Subject Tract

BXPUD-17.12

0 125 250 500
Feet

01-17-13
PC MINUTES 11-14-17 Page 29 of 29

