

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1577
Wednesday, October 16, 1985, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Kempe, Chairman	Frank	Linker, Legal
Connery	Higgins	Gardner	Counsel
Draughon	Harris	Setters	
Paddock, Secretary	Young		
VanFossen			
Wilson, 1st Vice-Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 15, 1985 at 12:37 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice Chairman Wilson called the meeting to order at 1:30 p.m.

MINUTES:

Approval of Minutes of October 2, 1985, Meeting No. 1575:

On **MOTION** of **WOODARD**, the Planning Commission voted **6-0-1** (Carnes, Draughon, Connery, Wilson, Woodard, VanFossen, "aye"; no "nays"; Paddock, "abstaining"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Minutes of October 2, 1985, 1985, Meeting No. 1575.**

REPORTS:

Report of Receipts and Deposits:

On **MOTION** of **CARNES**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the Report of Receipts and Deposits for the month ended September 30, 1985.

Chairman's Report:

Ms. Wilson reported on her attendance at the TMATS Policy Committee meeting to review the Creek Expressway. Ms. Wilson gave a general review of that meeting and read the statement she made on behalf of TMAPC: "The TMAPC, as keeper of the Comprehensive Plan of which the City/County Major Street and Highway Plan is an integral part, has chosen to abstain from the vote on the proposed Creek alignment at the TMATS Policy Committee meeting. Since the TMATS Policy Committee's recommendation will be forwarded to the Planning

Chairman's Report (cont'd)

Commission for consideration, only in the event there is a proposed change in the Major Street and Highway Plan, then the TMAPC will call a public hearing on this matter. The Planning Commission respectfully reserves their comments and decision until after first receiving citizen input at the public hearing."

Ms. Wilson proceeded by asking Mr. Linker how the TMAPC got on the Policy Committee. Neither Mr. Linker nor Mr. Gardner was sure exactly how TMAPC became members of that committee. Mr. Gardner stated that, because TMAPC has to hear an item and pass on the item, some committees wished to consider the Planning Commission as a part of their committee so TMAPC could be in on the original conception of an item. Mr. Gardner continued by stating that, in the past, he believed the Policy Committee has always had a TMAPC representative and it was just a matter of who the Planning Commission Chairman chose to go on behalf of the TMAPC. Ms. Wilson stated she thought the only authorized representative at the TMATS Policy Committee are the Planning Commission Chairman or a Planning Commissioner who is appointed by the Chairman.

Ms. Wilson asked the Commission members having questions on the Creek Expressway study to give them to Bob Paddock and they will be consolidated before addressing the issue with Tom Kane at INCOG. Mr. Paddock stated he has spoken with Mr. Kane who has offered data to TMAPC should it be needed before the public hearing.

Director's Report:

Mr. Gardner stated the requested date for a public hearing to amend the Major Street and Highway Plan is November 20, 1985. Prior to that date, the Comprehensive Plan Committee would have to meet to review and make recommendations for consideration by the TMAPC.

Mr. Paddock inquired as to the proposal not only being a revision to the existing Major Street and Highway Plan, but in some aspects there are to be additions to the Plan (i.e. spurs and extensions of Mingo Valley Expressway into Broken Arrow, and the Creek to the Turner Turnpike). Mr. Gardner stated each modification, whether taking away or adding to, require an advertised public hearing, as the advertisement states specifically the action to be taken.

REVISED PRELIMINARY & FINAL APPROVAL:

Ivy Lane Estates (1864) East 209th & South 103rd East Avenue (AG)

Mr. Wilmoth advised that both the preliminary and final were ready for approval, and that all letters of release were in order. Therefore, Staff recommends APPROVAL of the Preliminary and Final Release, subject to the following conditions:

Ivy Lane Estates (cont'd)

- 1) Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee, if underground plant is planned. Show additional easements as required. Existing easement should be tied to or related to property and/or lot lines. (Overhead service preferred by East Central Electric.)
- 2) Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit, where applicable), subject to criteria approved by City Commission.
- 3) Show number of lots and acres on face of plat. Also identify the adjacent land as "unplatted".
- 4) Show existing roadway dedications on 209th as directed by County Engineer. Also verify that there are no utilities under the actual roadway where the utility easement overlaps the road dedication.
- 5) All Subdivision Regulations shall be met prior to release of final plat.

Mr. Draughon stated he would be abstaining from the vote as he felt uneasy with the statement of the applicant not being able to obtain permission of several other owners to which the applicant sold land, to be included in the plat. Mr. Wilmoth commented the owner of the land had sold off several tracts and dedicated one of the streets by separate instrument. Mr. Wilmoth continued by stating he thought that, due to a financial problem, the applicant had to sell more, and since he had sold several tracts he could not speak for those tracts.

On **MOTION** of **CARNES**, the Planning Commission voted **6-0-1** (Carnes, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Revised Preliminary Plat of Ivy Lane Estates**, subject to the stated conditions.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-1** (Carnes, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Final Plat of Ivy Lane Estates**, subject to the stated conditions.

PRELIMINARY APPROVAL:

Faith Fellowship

North of NE/c 101st & South 177th East Avenue

Mr. Wilmoth advised a withdrawal of this case was requested due to annexation by the City of Broken Arrow. The applicant has requested a refund of all but \$50.00 of the fee (\$252.00 refund amount), as Staff only took it as far as the TAC meeting.

Faith Fellowship (cont'd)

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the Withdrawal of the Preliminary Approval of the plat for Faith Fellowship and issue a refund in the amount of \$252.00.

Eleventh Street Storage Center (694) NE/c East 11th & South Mingo Road

Mr. Wilmoth advised the applicant requested a continuance on his Board of Adjustment application, so this application needs to be continued also. The applicant is requesting a continuance to November 6, 1985.

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **CONTINUE Consideration of the Preliminary Approval of the plat for Eleventh Street Storage Center** until Wednesday, November 6, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Item #10, Preliminary Approval for Stonecreek III, and Item #14, Continued Zoning Public Hearing Z-4900-SP-3, were presented together as they both cover the same location: Northeast Corner of East 73rd and South Mingo Road. The zoning case was heard first, followed by the Preliminary Approval of the Plat.

Application No.: **Z-4900-SP-3** Present Zoning: **CO**
Applicant: **Gunderson (Federal Joint Venture)** Proposed Zoning: **Unchanged**
Location: **NE corner of 73rd & Mingo**

Date of Hearing: **October 16, 1985 (cont'd from 9/25/85)**
Presented to TMAPC by: **Roy Johnsen, 324 Main Mall, #900** (585-5641)

Staff Recommendation:

The applicant is requesting approval for a Federal Express Building which will be used as an office and mail distribution center. The building will have a total area of 37,400 square feet, of which 4800 square feet will be offices. A retail shopping area has been developed to the north and west across Mingo, and an apartment complex exists south of 73rd. The Plan includes a Text, Detail Landscape Plan, and an Artist's Rendering of what the visual appearance of the exterior of the building will be from the corner of Mingo and 73rd. The Plan also includes sight line studies from the apartment buildings south of 73rd, which indicate the proposed 8 foot tall fence will screen the view from the south of all but that portion of the Federal Express Building above the overhead doors. All loading and unloading of vehicles (50 vans), will be conducted within the building. One large truck will load and unload from

Z-4900-SP-3 (continued)

the east end of the building and make daily trips in and out of the complex. The south boundary of the property along 73rd will be heavily landscaped per the submitted Detail Landscape Plan which is made a condition of approval of the Corridor Site Plan.

A previous Staff recommendation, dated September 25, 1985, is superceded by this report and Staff can now find that the proposed use is, in fact, consistent with the intent of the CO Chapter of the Zoning Code and compatible with existing adjacent land uses. The Corridor Site Plan is recommended for approval for the specific use as defined by the Artist's Rendering, Site Plan (Plot Plan and Sight Line Studies), and Detail Landscape Plan. All primary uses will be confined to the interior of the building, and outside storage of vehicles, if any, will be conducted on the north side of the building. The north side of the building will also be screened by a 7' tall wood/link screen fence, and vehicle fueling and wash areas will be confined to the rear of the north part of the site.

Based on a more thorough understanding of the intended use and submitted plans and text, Staff finds that the proposed Corridor Site Plan and Detail Landscape Plan is: (1) Consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; (4) properly related to adjacent development as to its accessibility, circulation, and functional relationship of uses; and (5) consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Therefore, Staff recommends APPROVAL of Z-4900-SP-3 Corridor Site Plan and Detail Landscape Plan subject to the following conditions:

(1) That the Corridor Site Plan, Artist's Rendering, and Detail Landscape Plan received October 10, 1985 be made conditions of approval unless modified herein.

(2) Development Standards:

Net Area: 2.89 acres

Permitted Uses: Courier/mail service (any change of the principal use or any material change in the exterior operational or exterior physical characteristics of the use shall require the approval of the TMAPC upon review of an amended site plan and/or amended development standards).

Maximum Building Area: 37,400 sf

Office Area 4,800 sf

Operations Area 32,600 sf

Maximum Land Coverage of Buildings: 30%

Maximum Building Height: 18.5'

Z-4900-SP-3 (continued)

Minimum Building Setback:	
from Centerline Abutting Arterial Public Street	100'
from Centerline Abutting Non-Arterial Public Street	80'

Minimum Building Setback from Other Boundaries:	
Accessory Buildings	10'
Principal Building	50'

Minimum off-Street Parking Spaces,
Exclusive of Interior Spaces: 87 spaces

- (3) That the exterior building facades shall be sandblast finish concrete with 1.5" reveals at approximately 18" on center vertically.
- (4) Signage shall be subject to a Detail Sign Plan to be approved by the TAMPC prior to installation with one monument sign on Mingo not exceeding 64 square feet of display area and one wall sign not exceeding 32 square feet in display area.
- (5) Landscaping and screening shall be installed prior to issuance of an Occupancy Permit in accordance with the Detail Landscape Plan as approved by the Commission in conjunction with the Corridor Site Plan.
- (6) That all exterior lighting shall be directed downward and away from abutting residential areas and that light standards shall not exceed 20' tall.
- (7) That the Corridor Site Plan Text, including but not limited to perimeter landscaping and screening, courier vehicle specifications and overnight parking, enclosure requirement, prohibition of outside storage, utilities, and air conditioning equipment shall be made a condition of approval.
- (8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TAMPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval making the City of Tulsa beneficiary to said Covenants.

Comments & Discussion:

Mr. Frank stated the Staff's first impression was that the building was to be used as a warehouse, and he has since talked with the applicant and Mr. Johnsen and has been advised that it will not be used as much for a warehouse as a mail service. In reply to Ms. Wilson, Mr. Frank advised the outside uses have been defined in the text of the Staff recommendation. Mr. VanFossen asked if a determination had been made in regard to what Use Unit this would come under. Mr. Frank advised Staff would not consider this any higher than a Use Unit 15, Office Warehouse, which would be permitted as medium intensity. Mr. Gardner stated 15

Z-4900-SP-3 (continued)

could be stipulated but Staff wanted it defined in their recommendation so it would be more restrictive than just any use under 15.

Applicant's Comments:

Mr. Roy Johnsen, representing Federal Express, agreed with stating the specific uses, and this was a restriction they were prepared to accept. Mr. Johnsen explained the operation and set up of the Federal Express system regarding the pick up and delivery by the trucks and vans. Mr. Johnsen asked that the Commission go with the Staff recommendation for approval.

Mr. VanFossen asked if the parking of the vans inside would be through a series of overhead doors. Mr. Johnsen advised there would be a series of three doors on the south side. In reply to a question from Mr. VanFossen regarding berms, Mr. Johnson referred to a document called Perimeter Landscaping and Screening, which includes a Landscape Plan, a Site Plan and a Line of Sight Profiles. These documents indicate that the landscaping, berming and screening shall be installed prior to the issuance of an Occupancy Permit. Mr. Johnsen further stated that Staff has incorporated these submittals in their recommendation.

Ms. Wilson asked Mr. Johnsen if he would object to adding a 9th condition directing that all primary uses would be confined to the interior of the building and outside storage of vehicles, if any, would be conducted on the north side of the building. Mr. Johnsen stated he had no objection to adding this condition.

TMAPC ACTION: 7 members present

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to APPROVE the Corridor Site Plan and the Detail Landscape Plan for Z-4900-SP-3, subject to the conditions recommended by Staff, and adding condition #9 directing that all primary uses would be confined to the interior of the building and outside storage of vehicles, if any, would be conducted on the north side of the building.

PRELIMINARY APPROVAL:

Stonecreek III (784)

NE/c East 73rd & South Mingo Road

(C0)

Mr. Wilmoth stated the controls and discussion were covered in the Site Plan Review and the conditions in the Preliminary Plat refer back to the Site Plan Review.

Stonecreek III (cont'd)

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Preliminary Plat for Stonecreek III**, as recommended by Staff.

Legal Description:

A part of the US Government Lot 1 of Section 7, T-18-N, R-14-E of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows: Commencing at the northwest corner of Section 7, T-18-N, R-14-E, Tulsa County, Oklahoma said point also being the northwest corner of US Government Lot 1 of Said Section 7; thence South 0° 00' 00" West along the west line of said Section 7 a distance of 702.80' to the point of beginning; said point also being the southwest corner of "East Pointe Center", an addition to the City of Tulsa, Tulsa County, Oklahoma according to the official recorded plat thereof; thence South 89° 45' 58" East along the south line of said "East Pointe Center", a distance of 309.90' to the southeast corner of said "East Pointe Center"; thence continuing South 89° 45' 58" East a distance of 199.12' to a point; thence South 45° 00' 00" East a distance of 168.05' to a point on the northerly right-of-way line of South 99th East Avenue; thence South 45° 00' 00" West along said northerly right-of-way line a distance of 43.80' to a point of curve to the right having thence along said northerly right-of-way line on said curve to the right having a central angle of 45° 00' 00", a radius of 335.00', an internal tangent bearing of South 45° 00' 00" West, an arc distance of 263.11' to a point on the north right-of-way line of East 73rd Street South; thence North 90° 00' 00" West along said north right-of-way line a distance of 360.00' to a point on the west line of said Section 7; thence North 0° 00' 00" East along the west line of said Section 7 a distance of 250.00' to the point of beginning; containing 138,380.11 square feet or 3.1768 acres.

When the street right-of-way along the west line of the above described tract is dedicated to the public, the remaining portion/net tract will contain 125,692.07 square feet or 2.8855 acres.

FINAL APPROVAL AND RELEASE:

Darlington South (PUD 350) (2283) 93rd & South Darlington Avenue (RS-3)

Mr. Wilmoth advised that all the letters had been received and Staff recommended APPROVAL.

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Final Release of Plat for Darlington South**.

LOT SPLITS FOR WAIVER:

L-16547 R. Hyde (3492)

2938 West Skelly Drive (CS)

This is a request to split the remainder of AMENDED HYDE ADDITION into three lots to separate the three existing uses on the property. The west 208.72' has already been split off for Ken's Pizza, #13244, and is not part of this request. The split lines will create tracts with 200' of frontage containing an existing used car sales lot and the remainder with over 477' of frontage containing an existing residence. No changes in access are proposed. The car sales has access to the service road through the service station property. Access points were established in the platting procedure and in conjunction with the State Highway Department. No changes in use are proposed. The BOA approved the car sales on an 80' x 200' tract, which is included within the 100' lot. No expansion beyond the limits of the Board approval are contemplated. The "unplatted", 29' wide strip of land was not needed for right-of-way and has been returned to the abutting owner. This split will tie the pieces together. The ONLY waiver requested is the lot frontage of 100' in the CS District. Since this is a service road, Staff has no objection to the split as submitted subject to approval of the BOA as to lot frontage.

Stormwater Management advised that onsite detention would be required for new development. There were no objections to the split as presented. Traffic Engineer advised that the access agreement between the car lot and service station should be filed of record and a copy provided for the file.

The TAC recommended APPROVAL and Staff agrees, subject to the following conditions, (the applicant was present and had no objections to these conditions):

- 1) Board of Adjustment approval of 100' lot frontage.
- 2) Drainage plan approval, including stormwater detention for any new construction.
- 3) Provide mutual access easement between service station and car lot. File of record and provide copy for the TMAPC file.

On **MOTION** of **CARNES**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson; Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Lot Split for Waiver for L-16547 Hyde**, subject to conditions recommended by Staff.

LOT SPLITS FOR DISCUSSION:

L-16556 R. Sipes (2593)

NW/c 51st & South Mingo Road

In the opinion of the Staff, the lot split meets the Subdivision and Zoning Regulations, but since the lot is irregular in shape, notice has been given to the abutting owner(s). Approval is recommended. In reply to Mr. Draughon, Mr. Wilmoth explained the irregular lot line on Tract III was to accommodate sewer requirements.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Lot Split** for **L-16556 R. Sipes**, as recommended by Staff.

OTHER BUSINESS:

PUD #357-A

South & East of the SE/c of South Quincy & East 71st Street

Staff Recommendation - Detail Landscape Plan Review

The subject PUD has been approved for development of a shopping center and office area. It has a gross area of 8.48 acres and underlying zoning of CS and RM-1. The approved PUD requires 15% of the net area be devoted to landscaped open space and screening fence where the area abutts residential development, plus berming and a 3' screening fence along the east side of South Quincy. The applicant has now requested approval of the Detail Landscape Plan for the "Shopping Area" of the PUD which has a net area of 5.03 acres. A 6' screening fence is shown along the east boundary and a 3' screening fence will be constructed along the top of the berm along South Quincy Avenue. The Plan shows the required detail of the planting design and location, type and size, and the various planting schemes. The proposed landscaped area meets the requirements of the PUD; therefore, the Staff recommends APPROVAL of the Detail Landscape Plan, as submitted. Ms. Wilson confirmed this was for review of the shopping area only.

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Detail Landscape Plan** for the shopping area of **PUD #357-A**, as recommended by Staff.

Staff Recommendation - Detail Site Plan

The subject tract has a gross area of 5.376 acres and OL underlying zoning. The PUD has been approved for a three story office building over a one story parking garage, and OL uses to include beauty and barber shops. The submitted Site Plan exceeds the approved maximum floor area of 93,500 square feet and proposes 99,465 square feet. The requested area would exceed the maximum .4 FAR by .025. The approved parking area requirements are one space for each 300 gross square feet of floor area and the proposed 324 spaces calculates to only one space for each 307 square feet. If the developer wishes to use this space for occupancy other than general office, such as medical or similar uses, one space per each 250 square feet would be required. Reducing the building area to the approved maximum square footage, would provide a parking ratio of one space for each 288 square feet, which would meet general office parking requirements. It would also appear that the required 35' building line from the west half of the south boundary is encroached upon by the third floor which measures only 25' from that boundary (the second and third floors are cantilevered beyond the first.) Staff will discuss this item further at the meeting.

A concern of the TMAPC and City Commission related to approval of the original PUD was drainage. An approval condition of the PUD was that Stormwater Management concur in the design and construction of the screening fence, and that they also inspect the site and review the specific drainage plans proposed by the developer.

The Staff would recommend APPROVAL of the Detail Site Plan, subject to the following conditions:

- 1) That the applicant's Outline Development Plan and Text be made a condition of approval, excepted as noted herein, and all conditions of the approved PUD be met.

2) **Development Standards:**

Land Area (Gross):	234,164.91 sf	5.376 acres
Permitted Uses:	Principal and accessory uses permitted by right In an OL District plus barber/beauty shops.	
	Approved	Submitted
Maximum Building Floor Area:	93,500 sf	99,465 sf*
	.4 FAR	.425 FAR
Minimum Building Setbacks:		
from Centerline of Lewis	200'	215.43'
from North Boundary	20'	
West half		36.19'
East half		24.3'

PUD #373 (cont'd)

from South Boundary		
West half	35'	25' **
East half	100'	125.28'
from East Boundary	225'	234'
Minimum Off-Street Parking: ***	1 space/300 gross sf for general office	1 space/307 gross sf for general office
Minimum Landscaped Open Space:	20%	20%

* This FAR exceeds the maximum .400 allowable.

** Third floor encroaches.

*** General office must provide one space for each 300 gross square feet and medical or similar uses must provide one space for each 250 gross square feet. The applicant has indicated that the net useable square footage in the building is 84,840 square feet. The first floor has a large atrium area. A total of 324 spaces is shown, 313 spaces are required for 93,500 square feet.

- 3) Signage shall be limited to one ground identification sign not exceeding 8' in height or 32 sf of display surface area and illumination, if any, shall be by constant light.
- 4) That a Detail Landscape Plan shall be approved by the TMAPC and installed prior to issuance of an Occupancy Permit, including screen fencing along the north (west half), south and east boundaries. All parking lot lighting shall be directed downward and away from abutting residential areas.
- 5) That a crash gate shall be installed at the west end of East 52nd Street.
- 6) That Stormwater Management Department shall give special review to the proposed drainage improvements and detention areas, plus review and approval of the design and construction of the screening fences along the project boundaries.
- 7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.
- 8) That the applicant shall be required to submit a revised Detail Site Plan, which is in accordance with the originally approved conditions of the PUD and conditions for approval of the Detail Site Plan imposed by the TMAPC to show the required number of parking spaces and other changes as might be approved by the Commission.

PUD #373 (cont'd)

Comments & Discussion:

Based on the uniqueness of the building designs, Staff addressed questions from various Commission members to clarify floor area of the building and the setback requirements, as well as how the determination for setbacks was made in regard to the cantilevered stories. Mr. Gardner advised that TMAPC could make an interpretation on the question of whether a minor amendment was needed to address the setback issue. A unique feature affecting the square footage is an atrium and discussion followed regarding BOA involvement in this case on possible exceptions and/or variances to the FAR and TMAPC approvals on the square footage requirements.

Applicant's Comments:

Mr. Blain Deem, 4444 East 66th Street, discussed with the Commission the square footage of the atrium and stated that, if this amount is deducted from the total footage, the figures would meet the requirements and be in compliance. Mr. Deem also reviewed the south setback on a revised drawing which also provided more parking.

Ms. Wilson asked if the idea of the atrium was an afterthought, and Mr. Deem advised the atrium was a part of the original design, but it was not considered a part of the total footage when the building was designed. Mr. Carnes advised that lending and financial institutions do not usually look at atriums when considering the square footage, and Mr. Gardner added that the BOA usually follows this same procedure. Mr. VanFossen then asked if the revised parking plan was being submitted as the plan that Mr. Deem intended to use, regardless of what takes place with reference to square footage. Mr. Deem confirmed that it was a new plan that increased parking spaces from 324 to 352. Ms. Wilson asked if Staff would be agreeable to the new proposal on the parking. Mr. Gardner commented if they provide the additional parking, it would just mean they would have excess parking, if the BOA finds that the atrium footage would not count in the total footage. Ms. Wilson stated that the total on the Staff recommendation referring to parking spaces could be changed to 352 and note that it was revised at the TMAPC hearing. Mr. Gardner stated agreement and commented that the approved footage should be left as is until the applicant obtains BOA approval for the atrium; then a minor amendment can be submitted.

Based on the elevations presented in this particular case, Mr. Paddock stated for the record that the TMAPC feels the proposed building setbacks, as discussed today, meet the approved requirements of the PUD. Mr. Paddock also added that, as suggested by Mr. Gardner, the straight North/South line method be used in lieu of the radius method in determining whether a 35' or 100' setback was provided. This would mean that the cantilevered third floor would be more than 100' from the east half of the south boundary. Mr. Paddock presented these thoughts as a motion.

PUD #373 (cont'd)

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the use of the straight North/South line in determining elevations and setbacks, therefore allowing the submitted building setbacks to meet the requirements of the PUD.

Mr. VanFossen next made a motion to approve the Detail Site Plan subject to the listed eight conditions plus the addition of #9 requiring the submission of the revised parking requirement as discussed at this hearing. Before voting, Mr. Paddock asked Legal to comment on the extent of the TMAPC authority if they approved this case based on the submission by the applicant on the FAR. Mr. Linker stated agreement with Mr. Gardner that TMAPC could not permit anything that exceeds what the underlying zoning would allow, which is .4 FAR for an OL PUD. Mr. Gardner explained that it gets to be a technical point in the sense that, if the BOA grants the variance, they are making the finding that the atrium footage does not count in the total footage, which means the applicant is still in compliance. Mr. Paddock followed by asking, if the motion is adopted to approve the PUD with the interpretation on the setbacks and the provision regarding the parking spaces, and the BOA grants the variance, would the applicant have to come back to the TMAPC for further approval. Mr. Gardner stated yes, and suggested that it be handled as a minor amendment, which could be submitted in the terms of a letter which can then be handled as an administrative item. In response to a comment by Mr. Connery, Mr. Gardner advised that if the BOA makes the finding to allow discounting the footage of the atrium from the gross floor area, they would likely restrict the use of that area to an atrium only.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Detail Site Plan for PUD #373**, subject to the conditions recommended by Staff, plus the addition of condition #9 requiring the submission of the revised parking plan as presented at this TMAPC meeting and subject to the interpretation of the southern boundary setback as noted above.

PUD #215-5

Lot 1, Block 1, Southfield Estates Second Addition

Staff Recommendation -

Minor Amendment to Locate Subdivision Identification Sign

The applicant is requesting a minor amendment to locate a subdivision identification sign at the entrance to Southfield Estates Second Addition. The sign will be located at the southeast corner of East 81st

PUD #215-5 (cont'd)

Street and South 76th East Avenue. The sign will be built according to the submitted drawing and must be located in accordance with the drawing, specifically, more than 60' from the centerline of East 81st and more than 25' from the centerline of South 76th East Avenue.

The Staff review of this request indicates that it is minor in nature. Therefore, the Staff recommends APPROVAL of the requested minor amendment to permit the subdivision identification sign per the submitted plan and subject to the following conditions:

- 1) That the sign be located a minimum of 60' from the centerline of East 81st Street and to be off the 50' half street right-of-way, and the additional 10' utility easement.
- 2) That the sign be located a minimum of 25' from the centerline of South 76th East Avenue.
- 3) That illumination, if any shall be by constant light.

Comments & Discussion:

Ms. Wilson inquired as to who was putting up the sign and was advised the homeowners' association was coordinating this with the developer. Staff assured they would clarify for the applicant all the restrictions and allowances of the code and Staff's recommendation, and make sure the applicant understands he would have to obtain a permit, from the Building Inspector, for this sign.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Kempe, Higgins, Harris, Young, "absent") to **APPROVE** the **Minor Amendment to PUD #215-5**, subject to the conditions recommended by Staff.

PUD #346-1

SE/c of East 88th Street South & South Lewis Avenue

Staff Recommendation - Minor Amendment

The subject tract is 4.7 acres in size and located one-fourth mile north of the northeast corner of East 91st Street and South Lewis Avenue. The approved PUD includes a ten story elderly residential project which is now under construction, with a separate one story activity building and freestanding restaurant building. The approved Detail Site Plan indicated that 171 apartment units with 169 parking spaces would be constructed. The requested minor amendment indicates that only 133 units will be constructed and the applicant is requesting that only 153 parking spaces will be required. This means that 38 fewer units will be built and the associated parking will be reduced 16 units. No other changes are proposed in the approved Detail Site Plan.

PUD #346-1 (cont'd)

The Staff review of this request indicates that it is minor in nature; therefore, Staff recommends APPROVAL to reduce the number of living units from 171 to 133 and the required parking from 169 to 153, as requested.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Kempe, Higgins, Harris, Young, "absent") to APPROVE the Minor Amendment to PUD #346-1, as recommended by Staff.

PUD #367

NW/c of South 108th East Avenue & East 33rd Street South

Staff Recommendation - Detail Landscape Plan Approval

The subject tract is 11.22 acres (net) in size and is located at the northwest corner of South 108th East Avenue and East 33rd Street South. The development was approved by the TMAPC in June 1984 to allow a total of 216,000 square feet of office, warehouse and storage, convenience goods and services, including restaurant and display, sales and service uses. The development is arranged into three separate buildings and is abutted to the north by mini storage use, to the east by an apartment complex, to the south by a developed single family neighborhood, and to the west by the Mingo Valley Expressway. The applicant has received Detail Site Plan approval and is now requesting Detail Landscape Plan approval prior to occupancy.

After review of the applicant's submitted Detail Landscape Plan, Staff finds the submittal to be consistent with the original landscape plan submitted with the PUD. Also, sufficient landscaping has been provided along the south boundary to allow visual separation from the residential area. The plan does meet the required 10% minimum internal open space and does list specific tree and shrub types, as well as sizes.

Based on the above findings, Staff recommends approval of the Detail Site Plan for PUD #367 as submitted.

On MOTION of VANFOSSEN, the Planning Commission voted 6-0-0 (Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Kempe, Higgins, Harris, Young, "absent") to APPROVE the Detail Landscape Plan for PUD #367, as recommended by Staff.

First Vice Chairman Wilson reminded the Commission there would be no TMAPC meeting on October 30, 1985. Mr. Paddock advised the Commission he had visited with Code Enforcement regarding the possible violation by Reliance Wine & Spirits on 31st Street. According to the file, there had been an investigation, but no violation was cited. Based on the input given by Mr. Paddock, Code Enforcement was going to reinvestigate the matter and will relate their findings to the TMAPC.

There being no further business, First Vice Chairman Wilson declared the meeting adjourned at 3:40 p.m.

Date Approved November 6, 1985

Cherry Kempe
Chairman

ATTEST:

AB Paddock
Secretary

