

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1647  
Wednesday, **April 22, 1987**, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Kempe	Gardner	Counsel
Draughon	Rice	Setters	
Paddock, 1st Vice- Chairman		Lasker	
Parmeale, Chairman		Compton	
Selph (designee)		Matthews	
VanFossen, Secretary			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, April 21, 1987 at 10:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmeale called the meeting to order at 1:34 p.m.

**MINUTES:**

**Approval of Minutes of April 8, 1987, Meeting #1645:**

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-1** (Carnes, Doherty, Paddock, Parmeale, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the **Minutes of April 8, 1987, Meeting No. 1645.**

**REPORTS:**

**Report of Receipts & Deposits for the Month Ended March 31, 1987:**

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Paddock, Parmeale, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the **Report of Receipts & Deposits for the Month Ended March 31, 1987.**

**Chairman's Report:**

Chairman Parmele advised that the lot split for L-16845 Roland, approved by the TMAPC at last week's meeting, had an incorrect address on the agenda. According to Legal, this error would violate the Open Meeting Law; therefore, the action taken would be void. Chairman Parmele advised that this item would be reset on the TMAPC agenda for May 6, 1987. However, the lot split would still go to the Board of Adjustment on April 30th, and any action taken would be subject to the TMAPC approval of the lot split.

Ms. Helda Zimbler (11108 East 68th Street South) stated that she was not aware of the lot split presentation to the TMAPC, and she contacted many city agencies to register a complaint. Chairman Parmele assured Ms. Zimbler that Staff would advise the BOA of Legal's opinion as to the effect of the typographical error on the TMAPC agenda.

**Committee Reports:**

Mr. Paddock advised the Rules & Regulations Committee would be meeting this date for further consideration of the proposed Neighborhood Conservation Commission Historic Preservation (HP) Zoning Ordinance.

**Director's Report:**

Mr. Jerry Lasker updated the Commission on the status of the INCOG Work Program and Budget for Fiscal Year 1987-88. In reply to Chairman Parmele, Mr. Lasker stated the TMAPC would be given an opportunity to review this program. As requested by Mr. Paddock, Mr. Lasker briefed the Commission in regard to the status of the Environmental Impact Study contract on the Creek Expressway.

Mr. Lasker introduced Ms. Dane Matthews who presented the TMAPC members with a report on Citizen Participation: Review and Recommendations. Ms. Matthews stated this did not require TMAPC action but she suggested the members review it over the next few weeks and call Staff if they had any comments or suggestions. She requested that, although a public hearing was not required, this be placed on a future TMAPC agenda to offer a public report. Ms. Matthews added that this report has also been forwarded to the BOA members and the Citizen Planning Team officers.

ZONING PUBLIC HEARING:

Application No.: **Z-6156 & PUD 428** Present Zoning: AG  
Applicant: **Norman (Garnett Church of Christ)** Proposed Zoning: RS-3  
Location: West of the SW/c of East 31st Street & South 121st East Avenue  
Size of Tract: 4.65 acres  
Date of Hearing: April 22, 1987  
Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Relationship to the Comprehensive Plan: Z-6156

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3 District is in accordance with the Plan Map.

Staff Recommendation:

**Site Analysis:** The subject tract is 4.65 acres in size and is located west of the southwest corner of East 31st Street South and South 121st East Avenue. It is nonwooded, slopes slightly south and west, vacant, and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north by both vacant property being used as a park and property being used for church purposes, zoned RS-3 and AG; on the east and south by single-family dwellings zoned RS-3; and on the west by a church and related activities zoned AG.

**Zoning and BOA Historical Summary:** The Board of Adjustment denied a principal use variance for multi-family use on the subject tract and in earlier action approved this tract and the balance of the 40 acre tract for church and related activities.

**Conclusion:** The requested RS-3 zoning is consistent with the surrounding zoning patterns and the Comprehensive Plan.

Therefore, Staff recommends APPROVAL of RS-3 zoning as requested.

Staff Recommendation: PUD, Detail Site Plan and Detail Landscape Plan

The subject tract is located east of the southeast corner of East 31st Street and South Garnett Road. This tract has a gross area of approximately 4.7 acres and is a part of a 40 acre tract which has been developed for church and related uses. The proposed residential development will consist of 40 one-bedroom living units designed for persons 65 years of age or older, plus a community building which includes meeting, social and related services for residents. The living units will be clustered around an interior circular parking area in 5 one story buildings of 8 units each. Access to the development will be from East

31st Street. Staff believes that consideration should be given to providing an alternate point of emergency access for those times when the primary and only point of access from East 31st may be obstructed. The residential density of the proposed development can be achieved by granting a special exception under the PUD for duplex density at 8.7 units per acre as provided by the Zoning Code. The project interior will be extensively landscaped and a landscape buffer of trees will be provided along a part of the east boundary.

Staff review of PUD 428 finds that it 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 and; (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 428 and the Detail Site Plan as follows:

1) That the applicant's Outline Development Plan, Text, and Detail Site Plan be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area (Gross):	204,420 sf	4.69 acres
(Net):	202,420 sf	4.65 acres

Present Zoning:	AG
Proposed Zoning:	RS-3

Permitted Uses: Multi-family elderly housing units with a community center building and related recreational and service facilities. Density achieved by special exception for duplex uses.

Maximum Number of Dwelling Units: 40

Maximum Building Height: 18'

Minimum Off-Street Parking: .75 spaces per dwelling unit

Minimum Building Setbacks:

from West Boundary	82'
from South Boundary	88'
from East Boundary	30'
from North Internal Boundary	30'

Minimum Landscaped Open Space: As shown on the submitted Detail Landscape Plan

3) That all trash, mechanical and equipment areas shall be screened from public view. The "dumpster" shown on the Plan shall be enclosed by a 6' screening fence. The existing 6' screening fence along the east and south boundaries shall be maintained by owners of the proposed development as a condition of PUD approval.

- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code. Signs shall be limited to one project identification sign at the East 31st Street entrance not taller than 6' with a maximum display surface area of 32 square feet.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit.
- 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 8) That approval of the Detail Site Plan by the TMAPC is conditioned upon approval of PUD 428 by the City Commission.
- 9) 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 City of Tulsa beneficiary to said Covenants.

**Detail Landscape Plan:** The proposed Plan includes extensive landscape treatment of the interior areas of the site and areas which abut the buildings. Also included is a buffer of tree plantings along part of the eastern boundary. A schedule of plantings identifies the various types of trees and shrubbery, sizes, and locations.

Staff recommends **APPROVAL** of the Detail Landscape Plan as submitted, subject to the landscaping materials being maintained and replaced as needed as a continued condition of the granting of an Occupancy Permit, and being installed prior to granting the Occupancy Permit. Approval of the Detail Landscape Plan is subject to approval of PUD 428 by the City Commission.

**Comments & Discussion:**

Mr. Doherty, confirming with staff that .75 parking spaces per unit was the minimum, inquired if they considered this to be adequate for the proposed facility. Mr. Gardner stated that research on this determined .75 to be adequate. Mr. Doherty inquired where the overflow parking would go for special holiday visits, etc. Mr. Gardner deferred this to the applicant for reply, but pointed out that there were plenty of additional areas within this five acre site that could be paved for parking, and that Staff did not anticipate this to be a problem. Mr. VanFossen stated surprise as to the PUD aspects in RS-3 zoning. Mr. Gardner advised that the ordinance permits any type of residential use within a residential district, except mobile homes. In reply to Mr. Paddock, Mr. Gardner commented as to the possible access points for emergency vehicles.

Applicant's Comments:

Mr. Norman advised he was now representing the Garnett Church of Christ Housing Foundation, Inc. but had not been involved with the BOA presentation application on this project. He commented as to the time element involved with regard to the funding; therefore, the simultaneous presentation of the PUD and Detail Site and Landscape Plans. Using an aerial photograph, Mr. Norman reviewed the subject tract in relation to the surrounding areas, pointing out the existing bus barn and storage area. He advised the only access proposed to the development was a private road off of 31st Street; however, Staff and TAC requested a second point of access, which was currently being reviewed with the Fire Marshall's office. Mr. Norman reviewed the PUD text as to the development standards for the proposed structures. Reiterating the time element involved, Mr. Norman requested the TMAPC expedite this to the City Commission and advised the applicant would take responsibility for notification of the City Commission hearing.

In reply to Mr. Paddock, Mr. Norman clarified the existing structures on the subject tract. Ms. Wilson inquired as to the existing fences along the east and south boundaries to clarify if these fences were on the church property. Ms. Wilson asked how large the units would be, and Mr. Norman informed that they would essentially be comparable to an efficiency apartment (approximately 400 square feet). Mr. Norman added that some of the units were designed for the handicapped.

Mr. VanFossen pointed out that the development standards did not indicate anything as to the church ownership and continued maintenance by the church and he inquired if there was something that could be inserted that would restrict this to ownership by the church for the intended purpose. Mr. Gardner advised that part of the ordinance amendment on special housing specifically addressed the design aspects of such a facility, i.e. limited parking, the small units, etc. Mr. Norman explained that this project would be owned by the Garnett Senior Housing Foundation, Inc., and advised that they had planned to include a restrictive covenant that occupancy should be limited to persons 65 years of age or older. Mr. Linker was asked to respond and he advised that the TMAPC could make this a part of the PUD, and he agreed with Mr. Norman that, in a zoning matter, the ownership should not be limited.

In reply to Mr. Doherty, Mr. Norman clarified that only one partner of a married couple must be 65 to qualify, not both. In regard to imposing Limits of No Access (LNA) on 32nd Street, Mr. Doherty commented this appeared to enhance the difficulty and dangers of a long driveway. Mr. Norman stated that the Fire Marshall's office did not show any serious concern for one story buildings laid out as proposed with other accesses available. Mr. Norman stated that he had no objection to a requirement should the Fire Marshall deem that a second point of access was necessary to provide an internal access, and he requested that the TMAPC leave this to a final determination by the Fire Marshall, rather than impose a

condition in the PUD. Mr. Norman mentioned that the applicant was being required, as a part of the plat, to dedicate an overland drainage easement. Discussion followed as to the drainage easement and its affect, if any, on an access point. In response to Mr. Draughon, Mr. Norman reviewed the Department of Stormwater Management (DSM) comments.

Mr. Norman stated that he had just been advised that the HUD regulations indicate 62, not 65, as the age in determining "elderly" eligibility for this type housing project. Mr. VanFossen inquired of Legal if the wording "elderly" as used in the Staff recommendation was satisfactory to cover this. Mr. Norman requested that the wording be amended to state "62 years of age or older". Mr. Linker advised that, to have any chance of enforcing something like this, the Commission should arrive at a specified age minimum. Mr. Norman requested the Commission consider this to be the applicant's voluntary amendment, and not a requirement by the TMAPC.

Mr. Paddock asked if it WAS correct to assume that this was going to be for ambulatory people, with an exception for some limited handicapped. Mr. Norman confirmed there would be five units provided for the handicapped. Ms. Wilson inquired if the church was going to drive over to pick up the residents for church attendance or would these people be walking across to the church. Mr. Norman stated there could be a provision for pedestrian access as it was their intention that it not be necessary to drive out onto 31st Street. Ms. Wilson agreed that this should be taken into consideration.

Interested Parties:

Address:

Mr. C.G. Thomas	12012 East 33rd Place	74146
Ms. Carolyn Jones	12015 East 33rd Place	"
Mr. Charles Sevy	12011 East 33rd Place	"
Mr. Steve Miller	3204 South 121st East Avenue	"
Mr. David Brown	2728 South 117th East Avenue	"
Ms. Becky Reese	12007 East 33rd Place	"

Mr. C.G. Thomas, a resident in this area for 20 years, commented that when the church was proposed and reviewed with the neighborhood, there was no mention of this housing development. He stated concerns about any additional traffic, due to the existing traffic problems generated from the numerous apartment dwellings in this area, and the fact that 31st was only two lanes. He objected to this HUD development as he felt there was enough HUD housing around Tulsa.

Ms. Carolyn Jones advised that, as her house backs up to the church property, she was concerned about the drainage as she currently has a water problem on her property, which indicates drainage flowed to the south, not to the east. She also voiced concerns as to any more traffic on 31st Street, and advised of some of the existing traffic problems caused by the church traffic and parking for the soccer field across the church.

Mr. Charles Sevy stated concern about the building of non-tax producing property; therefore, he objected to the project.

Mr. Steven Miller stated objections to the rezoning due to the traffic problems along 31st Street. He reiterated the residents had no idea this project was proposed when they built the church. In reply to Mr. Paddock, who reviewed the 1985 traffic count figures, Mr. Miller stated he did not believe the traffic problems were only at rush hours, but was an all day long problem.

Mr. David Brown, Chairman of the District 17 Citizen Planning Team, advised that the traffic problems were the main topic of concern with those he spoke with in this district. He pointed out that 31st Street is four laned at the intersection and bottlenecks to two lanes near the church. Mr. Brown echoed the problems on the weekends associated with the soccer fields and church activities. He mentioned the fire station across from the church property and commented that there were times of the day that an emergency vehicle would not be able to get into this property without a lengthy delay. He stated that, at the very least, there should be a second access to the area. Mr. Brown advised the Citizen Planning Team members and other citizens he talked with had no objection to the rezoning, but they were reluctant to talk about the housing project because they had not seen it. Mr. Brown informed that he had checked the CIP project list as to the widening of 31st Street along this area, and this project had a ranking 82. Therefore, he did not see an immediate solution to the traffic problems and this development would be worsening the existing situation.

Mr. Draughon, as a resident in this district, confirmed that the comments made by Mr. Brown as to the traffic situation along 31st were not an exaggeration. He added that the 1987 traffic counts were possibly two or three times greater than those referred to of 1985.

Ms. Becky Reese echoed the concerns as to the traffic in the 121st and 31st Street area. She also mentioned, in regard to the drainage, that the area just south of the subject tract was designated a flood zone.

Applicant's Rebuttal:

Mr. Norman pointed out that the Interested Parties had not offered any specific criticism as to the development standards of this project. He pointed out that most of those who spoke lived to the south of the development, which was the area where there would be an 88' setback. Mr. Norman mentioned the standards of this project indicated very low intensity. In regard to the existing traffic problems, Mr. Norman stated the park area to the north was a major contributor and any traffic generated by an elderly project was likely to be during off peak periods. He commented that the nature of this development was compatible with the residential uses to the south and east; therefore, he requested approval of the application as recommended by Staff.

In reply to Mr. Woodard, Mr. Norman clarified the funding of this project through HUD. Mr. Woodard commented that he understood that this type of development should provide 10% of the accommodations for the handicapped. In reply to Mr. Doherty, Mr. Norman explained that the bus "barn/shop" was a part of the property owned by the Garnett Church of Christ, which would present no problem as far as easements for drainage were concerned. Mr. Doherty stated that he had a problem with only one access to the development, especially after hearing about the traffic situation along 31st, and he suggested an access be provided on the west side.

Mr. VanFossen agreed with Mr. Doherty as to the traffic concerns and an additional access, as it appeared the only access for the elderly to get from the development to the church would be to pull out left onto 31st and then left again into the church parking lot. Mr. Norman agreed that it would be appropriate to provide pedestrian access. Mr. VanFossen stated he felt there should be an access by road to the main church facility.

Mr. Carnes stated he had a problem with the setback of only 30' from the residents on the east. Mr. Norman advised that 30' was more than required by the RS-3 zoning, and a screening fence would be provided. In reply to Mr. Carnes, Mr. Norman stated that the entire church property was currently zoned AG. In response to Mr. Draughon, Mr. Norman and Staff verified that 51 notices were mailed out on this application.

In reply to Mr. Doherty, Mr. Gardner reviewed the history of the "bus barn" church tract. Mr. Paddock commented that the wording should be consistent, i.e. senior citizen versus elderly. Ms. Wilson inquired as to the intended use of the vacant land just north of the proposed development. Mr. Norman stated the configuration of the proposed use was to meet access requirements for a plat, and the remainder of the property was still available for future expansion of the church facility. In further response to Ms. Wilson, Mr. Norman stated there were no topographic reasons affecting the chosen location of the project.

Review Session:

Mr. VanFossen stated that, based on his experience with other church related retirement communities, he believed the proposed use was excellent. Therefore, he moved approval of the zoning request and the PUD as presented by Staff, but modified so as to include the 62 year age minimum and access by road directly to the main church facility to the west, and approval of the Site Plan and Landscape Plan as presented. Mr. Doherty commented that the Commission would be hard pressed to deny the RS-3 zoning given the zoning patterns in the area. He added that it was in the best interest of the surrounding neighborhoods that a PUD of this nature was placed on top of the zoning, and he felt this was a chance for the TMAPC to do some good planning to enhance the land use. Mr. Carnes stated he would be opposing the motion as he preferred a plan that brought the applicant and neighborhoods together.

**TMAPC ACTION: 9 members present**

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-2-0** (Draughon, Doherty, Parmele, Paddock, Selph, VanFossen, Woodard, "aye"; Carnes, Wilson, "nay"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE Z-6156 Norman (Garnett Church of Christ)** for RS-3 zoning and **PUD 428**, subject to the conditions as recommended by Staff with the following modifications: a minimum 62 year age limit, and provision for pedestrian and vehicular access directly to the main church facility to the west; and to **APPROVE the Detail Site Plan and Detail Landscape Plan for PUD 428**, as recommended by Staff.

**TMAPC ACTION: 9 members present**

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Draughon, Doherty, Parmele, Paddock, Selph, VanFossen, Woodard, "aye"; Carnes, Wilson, "nay"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE the Early Transmittal of the TMAPC Minutes on Z-6156 and PUD 428 Norman (Garnett Church of Christ)**, with the stipulation that the applicant will be responsible for notifying the Interested Parties who spoke of the upcoming City Commission hearing date.

**Legal Description:**

All that part of the NE/4 of the NW/4, Section 20, T-19-N, R-14-E of the IBM, Tulsa County, Oklahoma according to the official US Government Survey thereof; more particularly described as follows, to-wit: BEGINNING at a point in the east boundary of said NE/4 of the NW/4 50.00' from the northeast corner thereof (northwest corner of Block 8, Briarglen Extended, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat); thence S 00°01'51" E along the east boundary of said NE/4 of the NW/4 (west line of Block 8 and Lots 1 through 10, Block 4, Briarglen Extended, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat) a distance of 1,269.23' to the southeast corner of said NE/4 of the NW/4; thence N 89°43'12" W along the south boundary of said NE/4 of the NW/4 (north line of Lots 12 through 17, Block 4, Briarglen Extended, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat) a distance of 377.00'; thence N 00°01'51" W a distance of 450.00'; thence S 89°43'12" E a distance of 337.00' to a point 40.00' from the east boundary of said NE/4 of the NW/4; thence N 00°01'51" W parallel to and 40.00' from the East boundary of said NE/4 of the NW/4 a distance of 819.25' to a point 50.00' from the north boundary of the said NE/4 of the NW/4; thence S 89°41'45" E parallel to and 50.00' from the north boundary of said NE/4 of the NW/4 a distance of 40.00' to the POB; containing 202,417 square feet or 4.64685 acres, more or less.

\* \* \* \* \*

Application No.: PUD 429 (Related Item Z-6145) Present Zoning: OM  
Applicant: Posten (Quik Trip) Proposed Zoning: CS (pending)  
Location: NW/c of East 71st Street & South Canton  
Size of Tract: 1.4 acres, approximate

Date of Hearing: April 22, 1987  
Presentation to TMAPC by: Mr. Ed Posten, QT Corp., 901 North Mingo (836-8551)

Staff Recommendation: PUD, Phase I Detail Site Plan, Detail Landscape Plan,  
Detail Sign Plan, Deeds of Dedication & Request to  
Waive Platting Requirement

The subject tract has a net area of 1.4 acres and is located at the northwest corner of East 71st Street and South Canton Avenue. The TMAPC recommended approval of CS zoning 8:0:0 on the subject tract on February 11, 1987 per Z-6145. The City Commission approved CS zoning 5:0:0 on March 24, 1987; however, withheld publication of the rezoning ordinance pending submission of a PUD. The applicant is also submitting the required Detail Site Plan, Detail Landscape Plan, and Detail Sign Plan with the initial PUD for Phase I in order to "fast-track" the project. The applicant proposes to develop a 3200 square foot convenience store on the site with four gasoline pump islands in the first phase. Authorization of an additional 4,500 square feet of floor area is requested for later development. The onsite storm water detention for the project is proposed to be underground and connected to an existing storm sewer on the west side of Canton.

Based on TMAPC and City Commission approval of Z-6145, and the City Commission's request that the applicant file PUD 429, suggested development standards are as follows:

- 1) That the applicant's Outline Development Plan and Text, and Phase I Detail Site Plan be made a condition of approval, unless modified herein.
- 2) **Development Standards:** Phase I and II  
Land Area (Net): 60,000 sf 1.38 acres  
Permitted Uses: Use Unit 11 excluding funeral homes; Use Unit 12 excluding bars, taverns, night clubs and dance halls; Use Unit 13; Use Unit 14; and Use Unit 16 for gasoline sales only.  
Maximum Building Height: One Story or 26'  
Maximum Building Floor Area: 7,700 sf total  
Phase I 3,200 sf  
Phase II 4,500 sf

PUD 429 Posten (Quik Trip) - Cont'd

Minimum Off-Street Parking  
Phase I 23 spaces and as required by the applicable Use Units.  
Phase II As required by the applicable Use Units.

Minimum Building Setbacks:  
from C/L of East 71st 110'  
from C/L of South Canton 55'  
from West Boundary 15'  
from North Boundary 25'

Minimum Landscaped Open Space: 20% of the net site for Phase I \*

\* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. A 10' landscaped buffer shall be maintained along the south and east boundary with a buffer strip along the east and north side of the building as shown on the Outline Development Plan for Phase I.

- 3) That all trash, mechanical and equipment areas shall be screened from public view.
- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit. TMAPC approval of the Phase I Plan is conditioned upon City Commission approval of PUD 429.
- 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 8) Approval of the Phase I Detail Site Plan submitted to the TMAPC prior to issuance of a Building Permit is conditioned upon approval of PUD 429 by the City Commission.
- 9) 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 City of Tulsa beneficiary to said Covenants.
- 10) TMAPC approval of a Detail Site Plan, Detail Landscape Plan and Detail Sign Plan is required for Phase II construction prior to issuance of a Building Permit, or any change in Use Units for Phase I.

**PUD 429 Posten (Quik Trip) - Cont'd**

- 11) The convenience store, as shown on the Phase I Outline Development Plan and Detail Site Plan shall be constructed and in place prior to any other construction on the site as a condition of approval on PUD 429.
- 12) Portions of the site which are graded, but not paved shall be grassed to prevent erosion by wind or water. All parking areas or drives must be hard surface, dust free material as required by the Zoning Code.
- 13) All building facades exposed to public view shall be finished with materials comparable to front building elevations.

**Detail Landscape Plan - Phase I:** A slightly raised greenbelt is to be constructed along East 71st Street and South Canton with a 10' wide minimum landscape buffer on the site. The buffer plantings will include a mixture of evergreen, lawn and shrubbery, sodded areas, and wooden/vinyl edging along the planted areas. The area behind the building will be a 37'2" greenbelt area with plantings and trees, and similar landscape treatment will be installed along the 68' wide strip east of the Phase I building. A total of 20% of the net site is required in accordance with the submitted Outline Development Plan/Detail Site Plan, to be landscaped open space. The proposed Detail Landscape Plan should be approved as submitted as a condition of approval of PUD 429.

NOTE: Additional landscaped open areas should be required in conjunction with Phase II development consistent with landscape requirements for Phase I.

**Detail Sign Plan:** The proposed Detail Sign Plan indicates various types of signs and logos to be displayed on the awning over the gasoline pumps, and at 3 locations along the front of the building. The awning over the pump islands will have a 2'5" tall x 11'4" long Quik Trip sign on the east elevation plus a QT logo button sign 3'3-3/4" tall x 4'1-1/2" long at the east end of the south elevation. A 49' wide x 5' tall back lighted red fascia across the top center portion of the convenience store will have a Quik Trip sign 3'3-1/2" tall x 16'4" long. To the left and right of the building entrance, a QT logo 5' wide x 4' tall will be placed on each wall. Staff notes that the proposed wall signs would exceed the signage display surface area of two square feet per lineal feet of wall permitted in a PUD. The 100' long building would permit 200 square feet of signage; 285 square feet is proposed. The ground sign for the convenience store is located at the southwest corner of the property and is 8' wide x 22' tall. Inspection of a similar store and sign installation at 48th and Yale indicates that the proposed sign has a flashing feature which is not permitted by the PUD Chapter of the Zoning Code.

It is noted that although the requested signage, except as noted above, is in accordance with the PUD Chapter of the Zoning Code for signs in a CS District, signs on abutting properties have been restricted to ground or monument signs no taller than 8'. Requests for ground signs of the type proposed have been consistently denied by the TMAPC on abutting development in PUD's.

**PUD 429 Posten (Quik Trip) - Cont'd**

If the TMAPC is supportive of the elements of the Detail Sign Plan which are in accordance with the Zoning Code as submitted, these could be approved as being in compliance with the PUD Chapter of the Zoning Code. A further suggested condition of approval is that all signs shall be permitted to be only internally lighted and nonflashing, and that no flags, banners, or other promotional or temporary signage be permitted.

Staff would note that the wall signage and ground signs as proposed which are not in accordance with the PUD Chapter of the Zoning Code should be denied and the appropriate relief sought from the Board of Adjustment.

Staff would note that the applicant has filed a BOA application which requests variances to the Zoning Code to address display surface area of wall signs and the flashing element of the ground signs.

**Deeds of Dedication:** The subject tract is located at the northwest corner of East 71st Street and South Canton. CS zoning, per Z-6145, has been approved by the City Commission pending approval of PUD 429. Phase I of the proposed development will be a 3,200 square foot Quik Trip convenience grocery store. The applicant is fast-tracking this application and PUD 429, waiving of the requirement to plat, and related information are simultaneously placed on this agenda.

Staff recommends APPROVAL of the Deeds of Dedication for PUD 429 subject to approval by the City Legal Department and subject to City Commission approval of PUD 429.

**Waiver Request (Section 260):** This is a request to waive plat on the south 200' of Lot 1, Block 2 of the above subdivision. A Quik Trip Store is planned on the site, utilizing existing access point as platted. Right-of-way has already been provided by previous platting and improvements are in or are available. Since the property is already platted staff has no objection to waiver as requested, noting that Section 260 provisions of the code will be met, with the following conditions:

- (a) Grading and/or drainage plan approval through the permit process by Department of Stormwater Management. (PFPI and Watershed Development Permit required).
- (b) Utility easements if needed.
- (c) PUD conditions to be filed by separate instrument, as per PUD.

Water Department advised that they have a 12" water line 5' from the south property line within the 15' easement. The sign must be moved to avoid drilling into the line; recommended that it be moved completely off easement. If within easement, a license agreement for the sign will be required.

TAC also requested language be provided in the separate instrument relating to landscape repair and replacement within the easements. Traffic Engineering advised access to 71st is alright as shown, but will be "right turn only".

**PUD 429 Posten (Quik Trip) - Cont'd**

The TAC voted to recommend **approval** of the request, noting Section 260 will be met upon completion of the following conditions:

- (a) Grading and drainage plan approval through the permit process, including PFPI and Water Department Permit.
- (b) Utility easements if required.
- (c) PUD conditions filed by separate instrument, including language relating to landscape replacement.

Comments & Discussion:

Mr. Paddock inquired as to why the City Commission requested the PUD, while the TMAPC approved the zoning without the PUD. Mr. Gardner replied that he felt the City Commission was wanting to assure that what was built on the property was, in fact, what was presented.

Applicant's Comments:

Mr. Posten stated that the PUD was precisely the same as that presented to and approved by the TMAPC at the zoning hearing, with the exception that the pole sign was moved 15' to get off a utility easement. He agreed with Mr. Paddock as to being curious about the City's request for a PUD. In reply to Chairman Parmele, Mr. Posten confirmed the applicant requested an early transmittal of these minutes to the City Commission.

**TMAPC ACTION: 9 members present**

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE PUD 429, and the Detail Site Plan, Detail Landscape Plan, Detail Sign Plan, Deeds of Dedication and Plat Waiver Request for PUD 429**, as recommended by Staff.

**Legal Description:**

The south 200.00' of Lot 1, Block 2, BURNING HILLS, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows, to-wit: Beginning at the southwest corner of said Lot 1, Block 2; thence north 0°00'17" east a distance of 200.00' to a point; thence south 89°49'53" east a distance of 300.01' to a point on the east line of said Lot 1, Block 2; thence south 0°00'22" west a distance of 200.00' to the southeast corner of said Lot 1, Block 2; thence north 89°49'38" west a distance of 300.00' to the POB.

## OTHER BUSINESS:

**PUD 230-1:** North of the NE/c of South 102nd East Avenue and East 41st Street

### Staff Recommendation: Minor Amendment to Detail Sign Plan

The subject tract has underlying zoning of OL and is located north of the northeast corner of South 102nd East Avenue and East 41st Street. The tract has been developed for principal and accessory uses as permitted in an OL District including barber and beauty shops. Development Area B of PUD 230 has been platted as Lot 1, Block 2 of the Bishop Acres Addition.

PUD 230 permits one ground sign in Area B to be a maximum of 4' tall with a maximum display surface area of 32 square feet. The OL District of the Zoning Code permits signs to be a maximum of 20' tall and a display surface area not greater than 150 square feet.

The proposed sign will be 28' tall and the face of the sign will be 7' wide with an area of 196 square feet. If the sign height were reduced to 20' to be in compliance with the Zoning Code, the face of the sign would also be reduced to 140 square feet.

Staff recommends **APPROVAL** of the Amended Detail Sign Plan subject to the sign height being reduced to a maximum of 20' and subject to the location of the sign not obstructing the parking lot area and not occupying any required parking spaces. If the applicant wishes to pursue approval of the requested 28' tall sign, approval from the Board of Adjustment (BOA) would be required.

It is also possible that if the Building Inspector determined the 26' tall sign has a display surface area of 196 square feet, BOA approval of a variance to exceed 150 square feet in an OL District would also be required.

### Applicant's Comments:

Mr. Bob Dale of Craig Neon (1889 North 105th East Avenue) represented the applicant and requested approval of this application to replace an existing sign, subject to BOA approval of a height variance to allow the 28' sign.

### Comments & Discussion:

Chairman Parmele confirmed with Staff that the Commission could approve subject to BOA approval of a variance to the Zoning Code, or they could approve per the Zoning Code. Mr. Frank advised that, should the TMAPC deny the request, the application would be stopped and BOA approval would be a mute issue. Discussion followed as to the sign height and color, with several of the Commission members opposing the 28' height.

**TMAPC ACTION: 9 members present**

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **2-7-0** (Parmele, VanFossen, "aye"; Carnes, Draughon, Doherty, Paddock, Selph, Wilson, Woodard, "nay"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the Minor Amendment to the Detail Sign Plan on PUD 230-1 for a 28' height, subject to Board of Adjustment approval.

That motion failing, Mr. Doherty moved for approval of the Minor Amendment with a 20' height maximum.

**TMAPC ACTION: 9 members present**

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the **Minor Amendment to the Detail Sign Plan for PUD 230-1**, with a 20' height restriction, as recommended by Staff.

\* \* \* \* \*

**PUD 417-1:** NW/c of East 19th Street and South Wheeling being Development Area "B".

**Staff Recommendation: Minor Amendment, Amended Detail Site Plan and Amended Detail Landscape and Fence Plan**

Development Area "B" is located at the northwest corner of South Wheeling and East 19th Street and is part of a 26.32 acre PUD approved by the TMAPC in May 1986 for hospital and accessory uses. The TMAPC approved the Initial Detail Site, Landscape, and Fence Plan on September 24, 1986.

**Minor Amendment and Amended Detail Site Plan:** The applicant, St. John Medical Center, proposes to construct one level of parking below ground level with access from the original surface parking lot located at the northwest corner of South Wheeling and East 19th Street. Ingress and egress from the parking facility will continue to be from East 19th Street. The number of parking spaces will be increased from 102 to 201 spaces. "Exhibit D" of the Detail Site Plan shows that the elevation of the surface level parking area will be increased 2'. Amendments to the building setback requirements from the north and west boundary of Area "B" are also being requested to accommodate the construction of the underground and surface level parking structure. The approved and existing uses of Area "B" require a total of 410 parking spaces which are located throughout PUD 417. A concentration of parking resources in the south and more developed part of the St. John Complex should improve traffic patterns and lessen their impact on residential uses remaining in the abutting areas. Only minor changes in the Detail Landscape Plan are proposed.

**PUD 417-1 Minor Amendment, etc. - Cont'd**

Review of the applicant's proposal indicates that it is minor in nature, and notice of this request has been given. Therefore, Staff recommends **APPROVAL** of the PUD 417-1 Minor Amendment and Amended Detail Site Plan building setbacks as follows:

- 1) From the centerline of South Wheeling from 183' to 50' for the parking structure only.
- 2) From the east 223' of the north boundary from 70' to 15' for the parking structure only.
- 3) That the maximum building height within the east 154' be established at 2' to permit the east wall of the parking structure to be constructed slightly above grade.
- 4) That the submitted Amended Detail Site Plan become a condition of approval and Plans approved September 24, 1986 by the TMAPC continue to be a condition of approval unless revised herein.

**Amended Detail Landscape and Fence Plan:** Minor modifications will be required to the original Detail landscape Plan to eliminate two small landscaped parking islands in the center of what was previously the surface level parking area and also to eliminate two trees from the northwest and northeast corners of the parking area. The original Plan included 22% of landscaped area and the Amended Plan will continue to far exceed the 15% minimum requirement. A 6' screening fence will continue to be a requirement along the north boundary of Area "B" and a 3' screening fence/wall will be constructed along the South Wheeling (east) boundary. The 3' screening wall will be changed from cedar to a masonry wall with a plaster finish.

Staff recommends **APPROVAL** of the Amended Detail Landscape Plan and Detail Fence Plan per PUD 417-1 as submitted. It is noted that all trash, mechanical, and equipment areas shall be screened from public view and any roof-mounted equipment shall be screened from public view of persons standing on ground level in adjacent residential areas. Required landscaping shall be installed prior to issuance of an Occupancy Permit and maintained and replaced as needed as a continued condition of granting said permit.

**Applicant's Comments:**

Mr. Charles Norman (909 Kennedy Building) advised he was in agreement with the Staff recommendation, and he briefed the Commission on the particular amendments to the Detail Site Plan, stating that the Landscaping and Fence Plans remained basically the same. Mr. Norman pointed out there are now approximately 100 additional parking spaces available.

**TMAPC ACTION: 9 members present**

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Doherty, Paddock, Parmele, Seiph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the **Minor Amendment, Amended Detail Site Plan and Amended Detail Landscape and Fence Plan for PUD 417-1**, as recommended by Staff.

\* \* \* \* \*

**PUD 364:** SE/c East 97th Street South and South Mingo Road

Staff Recommendation: **Detail Site Plan, Detail Sign Plan and Detail Landscape Plan**

PUD 364 is approximately 114 acres in size and is located at the northeast corner of East 101st Street South and South Mingo Road. The PUD has an underlying zoning of CS, RM-0 and RS-3, and permits a variety of uses including commercial, office, multi-family and single-family. The applicant is now requesting Detail Site Plan, Detail Sign Plan and Detail Landscape Plan approval for the single-family portion of the PUD platted as Woodbine Addition.

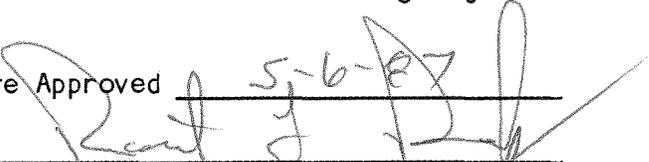
Review of the applicant's plans indicate one entrance sign approximately 8.6 square feet in display surface area mounted on a brick wall which is approximately 160 feet in length and wraps around the southeast corner of East 97th Street and South Mingo. This entrance area is referred to as Reserve A on the Woodbine Addition plat. The structure is shown to be behind the building setback line and includes four large planters and landscaping on the street sides. No lighting is shown for the sign. The landscape plan gives a schedule of plant sizes and types. The applicant has also submitted a landscape plan for the center island portion of E. 97th Street.

Therefore, Staff recommends **APPROVAL** of the Detail Sign Plan, Detail Landscape Plan and Detail Site Plan for Reserve A in PUD 364 (Woodbine Addition only) per the plans and elevations submitted.

**TMAPC ACTION: 9 members present**

On **MOTION** of **PADDOCK**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Kempe, Rice, Crawford, "absent") to **APPROVE** the **Detail Site Plan, Detail Sign Plan and Detail Landscape Plan for PUD 364**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 3:14 p.m.

Date Approved 5-6-87  
  
Chairman

ATTEST:  
  
Secretary

