

# TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2038

Wednesday, September 27, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

## Members Present

Ballard  
Boyle, 2nd Vice  
Chairman  
Carnes,  
Chairman  
Gray, Secretary  
Horner  
Ledford  
Midget, Mayor's  
Designee  
Pace

## Members Absent

Doherty  
Selph  
Taylor

## Staff Present

Gardner  
Hester  
Jones  
Matthews  
Stump

## Others Present

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, September 25, 1995 at 11:27 a.m., in the office of the County Clerk at 11:22 a.m., as well as in the Reception Area of the INCOG offices.

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

### Minutes:

#### Approval of the minutes of September 13, 1995, Meeting No. 2036:

On MOTION of GRAY, the TMAPC voted 6-0-0 (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to APPROVE the minutes of the meeting of September 13, 1995 Meeting No. 2036.

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### REPORTS:

#### Committee Reports:

#### Director's Report:

Mr. Gardner announced items on the City Council agenda for September 28, 1995.

## **PLAT WAIVER SECTION 213:**

**BOA - 17171 (Pleasant View Addition)(593)**

**(PD-4)(CD-4)**

Southeast corner of East 3rd Street & South Delaware Avenue.

Board of Adjustment (BOA) application 17171 is a request to permit multifamily use for the University of Tulsa. All necessary right-of-way appears to be existing for the abutting streets. Staff can see no benefit for the City in requiring a replat.

Based on the existing subdivision plat, Staff would recommend approval of the plat waiver for BOA-17171, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

### **Staff Comments**

Mr. Jones gave background information regarding BOA action on this tract. He informed that Ted Sack, engineer for the plat, has advised that a detailed floodplain determination is being developed and it has been approved by the City.

Mr. Boyle announced that the Kendall-Whitter Task Force voted 8-3 to request the University of Tulsa (T.U.) to apply for a PUD on this item because of their concerns over flooding that may result from development.

Mr. Jones noted that the use has already been approved by the BOA which made the approval contingent upon a specific detail plan, and T.U. cannot deviate from this plan without going through the public hearing process. He explained that this action imposes the same restrictions that a PUD would.

### **Interested Parties**

#### **Frank Wolfe**

**2807 East 1st Place 74104**

Mr. Wolfe expressed concern over providing sufficient stormwater drainage in the area. He gave a detailed explanation of flooding problems experienced on his street. Mr. Wolf urged support of a PUD for this application.

#### **Captola Thomas**

**3016 East 2nd 74104**

Ms. Thomas, who attended the Kendall-Whittier Task Force meeting earlier today, informed that this plat waiver was discussed and a vote was taken to ask the Planning Commission to delay the waiver and that a PUD be processed. She read from the BOA case report of September 12, 1995 where BOA Staff commented that a project such as this would ordinarily be required to submit a PUD. Ms. Thomas requested the delay of plat waiver in order to allow time to address stormwater problems, landscaping, abutments and traffic flow. Ms. Thomas made this request on behalf of the Kendall-Whittier Task Force.

#### **W.F. Cary**

**1147 South Evanston Avenue 74104**

Mr. Cary quoted from September 28, 1995 *The Tulsa World* article by William Raspberry *Common Enemies, Common Grounds*. He urged the Planning Commission to address the stormwater issue.

Mr. Gardner distributed information from the BOA file and the maps depicting in detail plans for this area. He pointed out that a condition of this plat waiver is to review the drainage plan. Mr. Gardner informed that the process before the BOA is similar to a PUD where the applicant presents in detail plans for their tract.

**TMAPC Action; 8 members present:**

On MOTION of BOYLE, the TMAPC voted 8-0-0 (Boyle, Ballard, Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Doherty, Selph, Taylor "absent") to APPROVE PLAT WAIVER for BOA-17171 as recommended by Staff.

Ms. Pace stated that a substantial amount of land in this area is being covered by impervious surface and the Public Works Department needs to give special attention to flooding occurring in this area. She expressed agreement with the BOA that overland flooding needs to be considered.

Mr. Ledford noted that a plat waiver does not lessen requirements of Public Works and stormwater management. He informed that the same scrutiny is afforded the plat waiver as a replat. Mr. Ledford disclosed that the PUD process does not add to that requirement. He noted that all areas of review will be addressed during the design review process prior to the issuance of a building permit.

\* \* \* \* \*

**CONTINUED LOT-SPLIT FOR WAIVER OF SUBDIVISION REGULATIONS:**

L-18127 Howard Remodeling, Inc. (W. Howard)(1893)  
2304 S. Lewis Ave. (*Continued from 9-6-95*)

(PD-6)(CD-9)  
RS-2

**Staff Comments**

Mr. Jones reminded the Planning Commission that a letter was transmitted to the Tulsa Utility Board by Mr. Doherty requesting that they waive their policy to allow the applicant to connect to the sewer via an easement across the two lots created by the lot-split. Mr. Jones informed that no response has been received as yet.

Since neither the applicant nor Mr. Doherty were present, it was the consensus of the Planning Commission to continue this item until Mr. Doherty can update them on the decision from the Utility Board.

**TMAPC Action; 8 members present:**

On MOTION of BOYLE, the TMAPC voted 8-0-0 (Boyle, Ballard, Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Doherty, Selph, Taylor "absent") to CONTINUE Lot-Split for Waiver of Subdivision Regulations L-18127 to October 11, 1995.

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## **ZONING PUBLIC HEARING:**

Application No.: **Z-6505**

Applicant: Norma Bivens

Location: 18101 East Admiral Place

Date of Hearing: September 27, 1995

Presentation to TMAPC: Norma Bivens

Present Zoning: RS-1  
Proposed Zoning: CG/IL

### **Relationship to the Comprehensive Plan:**

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Special District - Industrial Area.

According to the Zoning Matrix the requested CG or IL zoning **may be found** accordance with the Plan Map.

### **Staff Comments:**

**Site Analysis:** The subject property is 3.5 acres in size. It is non-wooded, sloping and has a single-family dwelling with accessory buildings on it.

**Surrounding Area Analysis:** The subject tract is abutted on the north by I-44, zoned RS-3; to the west by a vacant lot, zoned RS-1; to the east by a single-family dwelling, zoned IL; and to the south across E. Admiral Place by a single-family dwelling, zoned RS-1 and vacant land zoned PUD-290 and AG.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that industrial zoning has been approved to the west and east of the subject tract on the north side of Admiral Place, which shows a transition to industrial uses. Staff can support the requested IL zoning based on the Comprehensive Plan, existing land use, and past zoning patterns, but not the CG zoning.

**Conclusion:** Therefore staff recommends **APPROVAL** for IL zoning and **DENIAL** of CG for Z-6505.

### **Applicant's Comments**

Ms. Bivens explained that she has operated a small business at this location for the past sixteen years.

### **Interested Parties**

#### **Virginia Maddux**

**18005 East Admiral Place 74105**

Ms. Maddux informed that her property abuts the tract immediately west of the subject property. She was concerned over how the property between hers and Ms. Bivens may be used. Ms. Maddux presented photographs of the neighborhood and surrounding area. She pointed out that the property east of her tract has not improved since the application made April 1994. Ms. Maddux's presented photographs depicting large tankers, piles of rubble and a deteriorating fence. She noted that other residential properties in the area are well-maintained.

**Margaret Frommel****17929 East Admiral Place, Catoosa 74015**

Ms. Frommel was concerned over the type of business that would be allowed on the subject tract. She expressed concern that the property is not being maintained and she expressed concern about future maintenance.

**Applicant's Rebuttal**

Ms. Bivens noted that the property over which neighbors have expressed concern is not her property, but a strip of land between her property and Ms. Maddux. She stated that the property immediately east of Ms. Maddux is owned by Mr. Tobe who is not a part of this application, although in April of 1994, both he and Ms. Bivens attempted to rezone their properties in a joint effort, which failed.

There was discussion as to whether Mr. Tobe's property was included in the legal notice. Mr. Stump informed that the legal description used for this application was the same as was used in the April 1994 application, which included Mr. Tobe's property.

**TMAPC Review**

Mr. Midget stated that IL zoning would not be appropriate without controls; however, he noted that a PUD might be appropriate.

Responding to inquiry from Ms. Pace, Mr. Gardner informed that 90% of this mile is already zoned IL. He noted that these are the only remaining residential properties not zoned industrial.

Ms. Gray, who was the Planning Team Chair in April 1994 when this application was denied, informed that this strip of land has been maintained and she does not feel this area has changed enough to allow IL zoning next to these residences.

Mr. Boyle deemed that with a majority of IL along this mile, it would be inappropriate to not zone the subject tract IL.

Mr. Ledford deemed this area to be in transition since the entire mile is IL on the north side, except for five lots zoned RS-1.

Mr. Midget declared that the integrity of the residences should be protected.

**TMAPC Action; 7 members present:**

On MOTION of MIDGET, the TMAPC voted 3-4-0 (Gray, Midget, Pace "aye"; Boyle, Carnes, Horner, Ledford "nay"; none "abstaining"; Ballard, Doherty, Selph, Taylor "absent") to DENY IL zoning for Z-6505.

**MOTION FAILED.**

**TMAPC Action; 7 members present:**

On MOTION of BOYLE, the TMAPC voted 4-3-0 (Boyle, Carnes, Horner, Ledford, "aye"; Gray, Midget, Pace "nay"; none "abstaining"; Ballard, Doherty, Selph, Taylor "absent") to APPROVE IL zoning for Z-6505, DENY CG zoning as recommended by Staff and to amend the legal description to exclude the property immediately west of Ms. Bivens property.

**LEGAL DESCRIPTION**

A tract of land in Lot 3, Section 1, T-19-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, more particularly described as follows: Beginning at a point on the West line of Lot 3, 40.0' North of the Southwest corner of Lot 3; thence East along the line parallel to the South line of Lot 3, 40.0' equal distance North of the South line of Lot 3, a distance of 247.2'; thence North a distance of approximately 558' to a point on the South property line of Skelly Drive, said point being 100.2' South of the North line of Lot 3; thence West along the South property line of Skelly Drive a distance of 247.2' to a point on the West line of Lot 3, 100.4' South of the Northwest corner of Lot 3, thence South along the West line of Lot 3, a distance of 557.0' to the Point of Beginning.

\* \* \* \* \*

Application No.: **Z-6506**

Present Zoning: RS-2/RS-1

Applicant: TMAPC

Proposed Zoning: RS-1/RE

Location: Bounded on the west by South Utica Avenue; South Lewis Avenue on the east; East 26th Street on the north to East 31st Street on the south.

Date of Hearing: September 27, 1995

Presentation to TMAPC: Kevin Coutant

**Relationship to the Comprehensive Plan:**

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Residential.

According to the Zoning Matrix the requested RS-1 and RE zoning is in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property is approximately 180 acres in size. Most of the lots are located south of E. 26th Street S. bordering the east side of S. Utica Avenue, the west side of S. Lewis Avenue, and the north side of E. 31st Street S. It is partially wooded, rolling terrain which contains single-family dwellings primarily on large lots and is zoned RS-1 and RS-2.

**Surrounding Area Analysis:** The tract is abutted on the north and east by single-family dwellings, zoned RS-1; on the west by single-family dwellings, zoned RE; and on the south by single-family dwellings zoned RS-2.

**Zoning and BOA Historical Summary:** The area under consideration was originally zoned RS-1 and RS-2 in 1970. The lot area requirements for RS-2 is 9,000 square feet and for RS-1, 13,500 square feet. The RE zoning designation was created in 1987 which requires a minimum lot size of 22,500 SF. There are approximately 220 residential lots within the subject area, of which only about 90 lots could meet the minimum lot area for RE zoning. The largest concentrations of large lots are toward the interior of the area and near the northern boundary. Staff can support RE zoning for these areas and RS-1 for the remaining areas, where many lots are smaller than required in RE and some are smaller than required in RS-1 (see map). The major differences between RE, RS-1 and RS-2 districts are listed below:

	<u>Min. Lot Size</u>	<u>Min. Lot Width</u>	<u>Req. Front Yard</u>	<u>Req. Side Yards</u>	<u>Req. Livability Space</u>
RE	22,500 SF	150'	35'	15'/15'	12,000 SF
RS-1	13,500 SF	100'	35'	10'/5'	7,000 SF
RS-2	9,000 SF	75'	30'	10'/5'	5,000 SF

#### Interested Parties

##### **Kevin Coutant**

**320 South Boston 74104**

Mr. Coutant presented a map different from that of Staff recommendation, depicting areas of additional RE zoning. Mr. Coutant's proposal suggests rezoning some of the lots from RS-2 to RE, whereas Staff recommends rezoning those lots to RS-1. He explained that where there are blocks containing a reasonable sampling of lots of RE size, area residents wished those lots to be rezoned RE. Mr. Coutant deemed this to be appropriate in order to preserve the pattern of development in the area. He presented a map indicating lots where property owners support the RE zoning change, those with no response and those opposed. Mr. Coutant advised that approximately 70% of the neighborhood supports the rezoning as presented. He informed of efforts made to inform area residents of the application and the effect it will have on their properties. Mr. Coutant informed that the areas his map designates as RE, where Staff does not, are areas where residents generally support the RE change. He declared that this is appropriate for the preservation of the pattern of existing development.

##### **Larry Henry**

**1000 OneOk 74103**

Mr. Henry, representative for the Steve Warren Trust which owns a lot on Zunis south of 27th Street, informed that he does not oppose Staff recommendation, and acknowledged that action should be taken to preserve areas such as this. He noted that several nonconforming lots will be created by the zoning change, and he urged that a grandfathering of such lots be enstated so owners will not have to seek Board of Adjustment variance for future construction.

Mr. Gardner explained that according to the Legal Department (he referred to a memo distributed from Alan Jackere) such a lot would be required to meet 15' side yards plus livability space. He declared that it is cumbersome that livability requirements would have to be met for RE when the size of the lot that has been grandfathered might be closer to RS-1. He stated that Staff could prepare an amendment in the nonconforming chapter dealing with livability; however he was unsure about the side yard issue, which would require more study.

**Roy Johnsen****201 West 5th Street Suite 440**

Mr. Johnsen, representing the Andrews family, who reside on the southwest corner of Zunis Avenue and 30th Place (the southernmost block of the application) and who object to the proposed zoning change as presented by Mr. Coutant. However, Mr. Johnsen expressed support of Staff recommendation. He stated that there are only two ownerships in this block that would meet RE standards and none of the lots as platted would meet RE standards. Mr. Johnsen questioned whether area residents fully understand livability requirements. He referred to a letter mailed to area residents regarding RE zoning which he deemed was misleading regarding future construction and the extra burden of appearing before the Board of Adjustment. He urged consideration of RS-1 zoning for this block.

**Jim Glass****1902 East 30th Place 74114**

Mr. Glass expressed opposition to the application. He pointed out that the information mailed to him from Mr. Coutant regarding RE zoning was incorrect; therefore, he did not respond. His property is also in the southernmost lot under consideration for rezoning. Mr. Glass declared that this southernmost block and the block west of it contain much smaller lots. He declared that his block does not require rezoning; however, he would be more inclined to support Staff recommendation.

**Other Interested Parties****Nancy Stookey****1910 East 30th Street 74114****George and Eunice Nolley****2919 south Yorktown 74114****Margery F Bird****2145 East 29th Street 74114****Eilesu Surth****2202 East 26th Place 74114****Rebuttal**

Mr. Coutant informed that every attempt was made to explain the issues to area residents. He declared that it is consistent with good planning, that the designation of RE zoning is consistent with existing development and nonconforming lots should be appropriately handled by the Board of Adjustment.

**TMAPC Review**

Responding to inquiry from Ms. Pace, Mr. Gardner explained that, based on the Legal Opinion, livability space and side yard setbacks must be met. He determined that livability can be addressed in an amendment to the Zoning Code. Mr. Gardner noted that most of the lots can meet the 15' side yard requirement except for the smaller lots, which Staff is suggesting for RS-1 zoning. He explained how Staff analyzed each block to determine areas that would be well-protected from further subdividing by being zoned RS-1, where the majority of the blocks were of smaller size.

**TMAPC Action; 6 members present:**

On MOTION of GRAY, the TMAPC voted **6-0-0** (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to recommend APPROVAL of RE zoning and RS-1 zoning for Z-6506 as recommended by Staff

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(Z-6506)

Rezone from RS-2 to RS-1

All of Blocks 3 and 4 and Lots 11, 12 and 13 of Block 5 in Avalon Place Addition; and all of Blocks 3, 7, 8, 17, 18, and 19, and Lots 1-5 and 13-18 less the west 40' of Lot 13 in Block 4, Lots 1-6, Block 6 and Lots 6-11, Block 12 in Forest Hills Addition; additions to the City of Tulsa, Tulsa County, Oklahoma.

Rezone from RS-2 to RE

All of Blocks 2, 14 and 16 and Lots 6-12 and the west 40' of Lot 13, Block 4, Lots 7-16, Block 6, Lots 1 and 2, Block 9 in Forest Hills Addition an addition to the City of Tulsa, Tulsa County, Oklahoma.

Rezone from RS-1 to RE

All of Blocks 1, 5, 10, 13, 15 and 20 and Lots 3-11, Block 9, Lots 1 and 6-11 and the north 60' of Lots 2 and 15 and Lot 5 less and except that portion of the lot north of a line beginning at a point on the west line of Lot 5, 62.5' south of the NW corner of said lot and extending northeasterly to a point on the east line of said Lot 54' south of the NE corner of the lot, in Block 11 and Lots 1-5 Block 12 in Forest Hills Addition, an addition to the City of Tulsa, Tulsa County, OK.

\* \* \* \* \*



Application No.: **PUD-405-E** - Major Amendment

Applicant: Charles E. Norman

Location: Southwest corner of Memorial Drive and 93rd Street South.

Date of Hearing: September 27, 1995

Presentation to TMAPC: Roy Johnsen

The applicant is proposing a major amendment on approximately the north half of PUD-405-B to add Use Units 13, 16 and 17 to the permitted uses and change the development standards for that area. The subject tract is part of development area 1-E in the original PUD-405 and allowed only offices as principal uses and various accessory uses. PUD-405-B modified the permitted uses by adding Use Unit 14.

Since the Completion of the Creek Turnpike, commercial uses have been allowed to be added to the development areas in PUD-405 previously approved for only office uses. Also a tire and muffler store was allowed at the northwest corner of the Creek Turnpike and Memorial Drive. Staff can support adding a similar use to the subject tract, but not all uses in Use Unit 17.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD - 405-E to be: (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-405-E subject to the following conditions:

1. The development standards of PUD-405 shall be made a condition of approval, unless modified herein.

2. **Development Standards:**

Permitted Uses:	Use Units 11,13, 14, 16 and an automobile tire and wheel store and suspension and muffler repair
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Minimum Landscaped Open Space:	
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For Use Unit 11 uses	15%
For all other uses	10%

Minimum Lot Frontage on an Arterial Street	140'
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Maximum Building Height for Uses other than Use Unit 11:	35'
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Minimum Building Setbacks:	
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From Memorial Drive Right-of-way	70'
From 93rd Street Right-of-way	60'
From Other Boundaries	10'

**Maximum Signage Permitted:**

Wall Signs: As permitted by Section 1103B.2  
of the Tulsa Zoning Code

Ground Signs: Only one ground sign is permitted with a maximum display surface area of 110 SF and a maximum height of 25'

Maximum Floor Area Ratio: 0.30

3. Mutual accesses shall be provided from 93rd Street through the subject tract to the abutting lots to the south.

**Applicant's Comments**

Mr. Johnsen informed that Charles Norman, attorney for the applicant, is out of town and asked him to present the application. Mr. Johnsen expressed support of Staff recommendation.

**Interested Parties**

**Larry Heiliger**

**7439 South College Place**

Mr. Heiliger, representative for Hibdon Tire Company who has the property next to the Creek Expressway, asked if the easement in front of the properties allowing Hibdon to access 93rd Street would be preserved.

Mr. Stump explained that the next item on the agenda, corridor site plan, will be continued to ensure that there is a north/south mutual access across this development and because more lots are being added additional north/south access is being requested. He explained that this will create two north/south mutual accesses connecting to 93rd street.

**TMAPC Action; 6 members present:**

On MOTION of HORNER, the TMAPC voted 6-0-0 (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to recommend APPROVAL of PUD 405-E as recommended by Staff.

## **LEGAL DESCRIPTION**

A tract of land that is part of Lot 2, Block 4, 9100 Memorial, 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: starting at the most Easterly Southeast corner of said Lot 2; thence N 00°01'14" W along the Easterly line of said Lot 2 for 296.60' to the point of beginning; thence due W for 380.25'; thence due North for 145.97' to a point on the Northerly line of said Lot 2; thence S 84°43'14" E for 0.00' to a point of curve; thence Easterly along the Northerly line of said Lot 2 and along a curve to the left with a central angle of 7°36'13" and a radius of 1,094.00' for 145.18' to a point of tangency; thence N 87°40'33" E along said tangency and continuing along the Northerly line of Lot 2 for 214.47' to a point of curve; thence Easterly, Southeasterly, and Southerly along the Northerly and Easterly line of said Lot 2 and along a curve to the right with a central angle of 100°11'55" and a radius of 30.00' for 52.46' to the point of tangency; thence South 07°52'28" W along said tangency and along the Easterly line of said Lot 2 for 73.17'; thence S 00°01'14" E along the Easterly line of said Lot 2 for 44.36' to the point of beginning, and located on the southwest corner of East 93rd Street South and South Memorial Drive, Tulsa, Oklahoma.

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Application No.: **Z-5722-SP-7** Corridor Site Plan

Applicant: Charles Norman

Location: Southwest corner of Memorial Drive and 93rd Street South.

Date of Hearing: September 27, 1995

Chairman Carnes announced a request for continuance on this item to October 4, 1995 to allow for modifications to the site plan.

## **TMAPC Action; 6 members present:**

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to CONTINUE Z-5722-SP-7 Corridor Site Plan to October 4, 1995.

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Application No.: **PUD 306** Detail Site Plan

Applicant: Rockie Anderson

Location: Lot 1, Block 1 of the River Creek Village Addition - Northeast corner of East 101st Street South and South Delaware.

Date of Hearing: September 27, 1995

Presentation to TMAPC:

The applicant is requesting site plan approval for "Git 'n Go". The plan as submitted provides areas for gasoline sales, convenience shopping and car wash. Staff has reviewed the submitted plan and finds that it is in substantial conformance with the approved standards of the PUD with the exception of the landscaped area along 101st Street.

Therefore, Staff recommends **APPROVAL** of the request subject to the following (which has been reviewed with the applicant):

- a) Revision to the site plan to include additional landscaped area along the 101st Street frontage, providing landscaping in the street yard that generates the requirement, especially at the Delaware/101st Street intersection.
- b) Revision to the proposed curb line, terminating curbing in the 101st Street right-of-way at the transition from curb return radius to tangent and eliminating all curbing in the Delaware right-of-way.
- c) Revision to the Site Plan showing a realigned easterly access, providing a location for the proposed ground sign outside the driveway area.
- d) Details of the dumpster area showing proposed screening. Screening should be noted on the site plan.

Staff Comments

Mr. Stump informed that revisions to landscaping were received today; however, Staff has not had sufficient time to review the revisions. He asked that the Planning Commission approve the site plan and that Staff will withhold transmittal until all conditions are met.

TMAPC Action; 6 members present:

On MOTION of HORNER, the TMAPC voted 6-0-0 (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to **APPROVE** PUD 306 DETAIL SITE PLAN and withholding transmittal of the application until landscaping requirements are met as recommended by Staff.

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Application No.: **PUD 312-A** Detail Site Plan

Applicant: Ted Sack

Location: Lot 1, Block 1 of the Metroplex - West of the Northwest corner of East 51st Street South and South Garnett Road.

Date of Hearing: September 27, 1995

The applicant is requesting site plan approval for the "Garden Ridge" store. Garden Ridge sells home decorating items such as pottery, crafts, dried flowers, candles, etc. The plan as submitted shows approximately 141,700 SF of floor area on a lot of approximately 509,500 SF. The building as proposed will be 22' in height and will be concrete tilt-up with beige textured paint. A 7' high reveal will be painted orange and extends from 15' in height to the roof in a band around the building. The raised portion of the roof will be teal green as will be limited tiles in the entry area. Windows will be located on the east facing (entry side) facade only.

Staff has reviewed the request and finds it to be in substantial conformance with the requirements of the PUD. Staff would note that the 51st Street frontage (south side) and the new public road frontage (west side) may be significantly impacted by the structure, based on size, scale and proximity to the street, although it conforms to the minimum setback requirements. Landscape review will emphasize these areas as well as the Southwest corner of the site (intersection of 51st Street and the new public road; entry to the PUD) to ensure that quantity and type of material is successful in mitigating potential adverse impacts and in creating an appropriate entry to the PUD.

Staff recommends **APPROVAL** subject to the following :

- a) Revised site plan showing a location for future internal access to the north (Development Area E) should future PUD development require it. (This is only if development in Area E is compatible and warrants connection.)
- b) Removal of all existing advertising signs prior to approval of project signage. Locations of signs to be removed should be shown on the submitted sign plan.
- c) Revision to the site plan clearly labeling all areas to be landscaped.

**Note:** *Site Plan approval does not constitute Sign Plan or Landscape Plan approval.*

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to **APPROVE** the DETAIL SITE PLAN for PUD 312-A as recommended by Staff.

\* \* \* \* \*

Application No.: **PUD 179-V: Detail Site Plan**

Applicant: Thomas Williams

Location: Lot 4, Block 1 of the Randall Plaza Addition - East of the Southeast corner of South 73rd Street and Memorial Drive.

Date of Hearing: September 27, 1995

The applicant is requesting approval of a detail site plan for "Petty's Discount Cleaners". The proposed plan would place a 6,000 SF laundry/dry cleaner's on a site of 36,426 SF.

Staff has reviewed the request and finds that the site plan as submitted is in substantial conformance with the requirements of the PUD. The proposed plan was reviewed by the Board of Adjustment at their regularly scheduled meeting of September 12, 1995 where the Board granted variance allowing a cleaners of 6,000 SF.

One potential issue is the design of the front elevation of the structure. The elevation as submitted shows a "shirt front" feature at the building entry, complete with collar and buttons. Staff interprets this architectural feature to qualify as a sign based on the obvious intent to draw attention to this particular business. Section 1800 (definitions) of the code states that a sign is defined as "Any object, device, structure or part thereof used to advertise, identify, display or attract attention to an object, person, institution, organization, business, product, service, event or location ...". The area of the sign as included in the front facade currently exceeds the allowable signage for this east facing wall of the building.

Therefore, Staff recommends **APPROVAL** of the site plan subject to the following:

- a) Resizing or elimination of the "shirt front" feature. The shirt front should be reduced to fit within a 75 SF rectangle. Any other signage to be attached to this facade will have to fit within this rectangle.
- b) Elimination of the three parking spaces which are directly in line with the south end of the proposed entry drive. These spaces may pose a conflict where vehicles back out directly into the path of traffic entering from the public street.
- c) (Optional) Revising the entry alignment to show a minimum 5' separation between the access drive and the property line to the west. This realignment would provide a larger area for the placement of plant material and would help soften an area which has an existing parking lot in the parcel to the west.
- d) Site Plan should show dumpster location(s). Dumpsters should be screened from public view. Details should be included.
- e) Site Plan should show additional technical information such as required and provided parking summary; percentage of site landscaped; dimensioned typical parking spaces, travelways and sidewalks; dimensions to property lines tying down distances to building walls, paved areas, etc. Curb line should be clearly labeled in the parking area.

- f) Proposed ground sign site should be included with dimensions to verify location.

**Note:** Site plan approval does not constitute sign plan or landscape plan approval.

**TMAPC Action; 6 members present:**

On MOTION of HORNER, the TMAPC voted 6-0-0 (Carnes, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Selph, Taylor "absent") to APPROVE the DETAIL SITE PLAN for PUD 179-V as recommended by Staff

\* \* \* \* \*

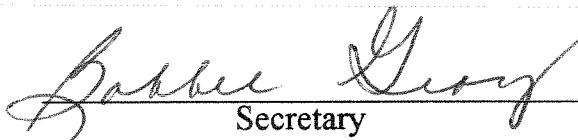
There being no further business, the Chairman declared the meeting adjourned at 3:08 p.m.

Date Approved: 10-11-95



John Horner  
Chairman

ATTEST:



Babee Gray  
Secretary

