

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2092

Wednesday, December 4, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes, Chairman
Doherty, 1st Vice Chairman
Gray
Horner
Ledford
Midget, Mayor's Designee
Pace, Secretary
Westervelt

Members Absent

Dick

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Wednesday, November 27, 1996 at 12:55 p.m., in the office of the County Clerk at 12:51 p.m., as well as in the Reception Area of the INCOG offices at 1:25 p.m..

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

Minutes:

Approval of the minutes of November 13, 1996, Meeting No. 2090:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Ballard, Boyle, Carnes, Doherty, Horner, Pace, Midget "aye"; no "nays"; Ledford "abstaining"; Dick, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of November 13, 1996 Meeting No. 2090.

Approval of the minutes of November 20, 1996, Meeting No. 2091:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-1** (Ballard, Boyle, Carnes, Doherty, Ledford, Pace, Westervelt "aye"; no "nays"; Horner "abstaining"; Dick, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of November 20, 1996 Meeting No. 2091.

REPORTS:

Director's Report:

Mr. Gardner reminded the Commission that the final audio conference session on the update of the zoning code will be held today at 3:00 p.m. Staff will tape the session if the TMAPC is not adjourned in time to attend.

SUBDIVISIONS:

Final Approval:

Metro Park South I (3294) (PD-18) (CD-5)
Northeast corner of East 61st Street South & South 118th East Avenue

Metro Park South II (3294) (PD-18) (CD-5)
North and east of the northeast corner of E. 61st Street South & South 118th East Avenue

Chairman Carnes informed the Commission that items 6 (Metro Park South I) and 7 (Metro Park South II) is stricken from the agenda because it is not ready for Final Approval.

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Change of Access on Recorded Plat:

Items 8 and 9 were heard simultaneously.

Tulsa Southeast Industrial District - Tract I (3194) (PD-18) (CD-5)
South of the southeast corner of East 54th Street South & South Mingo

Tulsa Southeast Industrial District - Tract II (3194) (PD-18) (CD-5)
South of the southeast corner of East 54th Street South & South Mingo

Staff Comments:

Mr. Jones stated that items 8 and 9 are on the same piece of property. A location map with the proposed changes was included in the agenda packets. The property is located south of the southeast corner of 54th and Mingo Road.

Mr. Jones stated there is one access point on the south part of Tract II. The proposal is to amend the existing access points and add one access point that will be shared by Tracts I and II on the north end. Twenty-five feet of the access point will be on Tract I and 15 feet on Tract II.

Mr. Jones stated that Traffic Engineering and staff have reviewed the request and recommend approval of the access change. Staff recommends approval as presented in the agenda packet.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Midget "absent ") to **APPROVE** the Change of Access on Recorded Plat of Tulsa Southeast Industrial District - Tract I and Tract II as recommended by staff.

Lot-Splits for Ratification of Prior Approval:

- L-18375 Peter Walter** (1993) 2103 East 37th Street (PD-6) (CD-9)
- L-18378 Meier Rev. Trust** (3684) 18998 East 111th Street, BA (PD-19) County
- L-18379 Murphy Bldrs.** (894) 11430 East 19th Street (PD-17) (CD-6)
- L-18381 City of Tulsa** (694) 10845 East Admiral Place (PD-5) (CD-6)
- L-18382 City of Tulsa** (3394) 13500 East 51st Street (PD-17) (CD-6)
- L-18383 City of Tulsa** (3294) 12850 East 51st Street (PD-18) (CD-5)

Staff Comments:

Mr. Jones informed the Commission that these lot-splits are for ratification of prior approval and meet Subdivision Regulations. Staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Midget "absent ") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

ZONING PUBLIC HEARING:

Application No.: PUD-553 **CH/OL to PUD (No Zoning Change)**

Applicant: Charles Norman (PD-6) (CD-4)

Location: Southwest corner East 15th Street and South Utica Avenue

Presented to TMAPC: Charles Norman

(Planned Unit Development for bank and office development.)

Staff Recommendation:

The PUD proposes to redevelop most of the block between 15th and 16th Streets and Troost and Utica Avenues for a bank, offices and a drive-in bank facility. Four existing single-family dwellings at the southwest corner of the block would not be included in the redevelopment project. The current underlying zoning is CH and OL. No change in this zoning is proposed.

A 50,000 SF office building is proposed which will at least partially be used for a bank. Most of the building would be located in the CH-zoned portion of the PUD at the corner of 15th Street and Utica Avenue. In addition, a drive-in bank facility is proposed which would be on the north portion of the tract (primarily zoned CH) west of the office building.

A six-foot masonry wall and landscaping is proposed to screen the residential development to the south and southwest of the site. No access to 16th Street is proposed and the access to Troost Avenue is across from a parking lot zoned OL. The primarily activity proposed in the OL-zoned portion of the PUD is off-street parking for the office building.

The proposal is in accordance with the recommendations for the Cherry Street Special Consideration Area, which is part of the District 6 Plan. The proposed building and parking lot location would require a variance from the BOA (BOA Case No. 17584) because they would be in the planned rights-of-way of 15th Street and Utica Avenue.

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-553 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-553 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
2. **Development Standards:**

LAND AREA (Gross)	133,198 SF
(Net)	92,998 SF

PERMITTED USES:

Offices, studios and support services as permitted in Use Unit 11, including a drive-through banking facility, off-street parking as permitted in Use Unit 10 and uses customarily accessory to permitted uses.

MAXIMUM BUILDING FLOOR AREA: 50,000 SF

MAXIMUM BUILDING HEIGHT:

Measured from the south curb line of East 15th Street at the South Utica Avenue right-of-way line: Four stories not to exceed 52 FT*

MINIMUM BUILDING SETBACKS:

From the centerline of East 15th Street:	45 FT
From the centerline of South Utica Avenue:	45 FT
From the centerline of East 16th Street:	250 FT
From the centerline of South Troost Avenue:	70 FT

OFF-STREET PARKING:

As required by the applicable use units.

MINIMUM OFF-STREET PARKING SETBACKS:

From the centerline of East 15th Street:	45 FT
From the centerline of South Utica Avenue:	40 FT
From the north-south internal boundary line:	5 FT
From the east-west internal boundary line:	10 FT
From the centerline of South Troost Avenue:	35 FT
From the centerline of East 16th Street:	35 FT

MINIMUM INTERNAL LANDSCAPED OPEN SPACE:

A minimum of fifteen per cent of the net land area shall be improved as internal landscaped open space in accord with a Landscape Plan approved by TMAPC or its designee.

SIGNAGE:

- 1) Two pedestal identification signs shall be permitted on the East 15th Street frontage and two pedestal identification signs shall be permitted on the South Utica Avenue frontage which shall not exceed 12 feet in height or 100 square feet of surface area.
- 2) Wall signs and logos shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75 percent of the frontage of the building.

LIGHTING:

Light standards within the south 225 feet of the PUD shall not exceed 15 feet in height. Light standards within the remainder of the development shall not exceed 25 feet in height. All exterior light fixtures shall be screened and shall direct light downward and away from properties to the west and south.

* Pitched roofs and architectural features may exceed 52 feet with detail site plan approval.

3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan generally in conformance with the conceptual landscape plan presented as part of the Outline Development Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
5. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. No access from the PUD directly to 16th Street is permitted.
7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
8. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
9. No Building Permit shall be issued until the requirements of Section 1170F 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 and making the City beneficiary to said covenants.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, stated he is representing Stillwater National Bank. He presented a history of Stillwater National Bank. He stated the Bank has contracted to purchase 14 separate parcels of land from six different owners.

Mr. Norman provided a brief history of the zoning surrounding the proposed site and allowable uses. He pointed out two near by areas that currently contain outdoor advertising signs. These outdoor advertising signs appear to be the maximum height permitted, which is 40 feet in height.

Mr. Norman presented photographs of the facilities currently located on the proposed site. He feels these facilities have reached their limits of economic or useful life. The buildings were constructed in the 1920's or before. The facilities on the corners of the site are constructed on the street right-of-way lines. Mr. Norman stated that the proposed building is to be built ten feet back from the right-of-way lines on both 15th Street and Utica Avenue.

Mr. Norman stated there are three, not four as mentioned by staff, homes within this block that are not included in the PUD due to these homes being located in an HP zoning district.

Mr. Norman pointed out the building that houses Mobile X-ray has three adjacent lots to the south that are zoned OL. OL zoning permits off-street parking. Of the three adjacent lots, one is a paved parking lot, the second is a single-family residence being used for storage and the third is a single-family residence which has been boarded up. The back sides of these facilities show deterioration and lack of maintenance.

Mr. Norman stated the two-story apartments have wooden additions constructed onto the building with wooden staircases. The parking area is gravel and does not conform to the current standards for off-street parking spaces. This property, located at the northwest corner of Troost and 15th Street, has 120 feet zoned CH and an additional 150 feet zoned OL. This property is for sale and is sufficient for any number of heavier uses than those which are proposed within the PUD.

Mr. Norman presented a summary of the topography of the proposed site. He stated the property slopes downward to Utica Avenue. He indicated that is a fall of 14 feet from Troost to Utica in a one-block distance. From the northwest to southeast of the property there is a 20-foot fall. He feels this presents some opportunities as well as some challenges in the development of the project. The opportunities allow the creation of a multi-level office and banking center. He feels the multi-level arrangement will prevent the three adjacent residences full-view of the bank building and complete view of the landscaping.

Mr. Norman stated that an additional ten feet of right-of-way on the south side of 15th Street will be dedicated. Currently, neither the right-of-way on 15th nor South Utica conform to the right-of-way width required for secondary arterial streets. Mr. Norman stated that T.A.C. requested the additional right-of-way on Utica.

Mr. Norman stated there is a 40 x 80 foot lot with a small house that occupies almost the entire site. The developer has contracted to purchase this lot and has agreed to give portions of this lot to the three properties to the west and north. He informed the Commission that a vacation request for the closing of this alley has been submitted as a part of the arrangement with the three properties. He feels these three properties will benefit by the removal of the small house and the conveyance of portions of the 40 x 80 foot lot, and the remainder of the alley will be granted to the three lots for continued permanent access to the rears of their properties.

Mr. Norman pointed out that the staff report does not indicate any unusual development problems relating to the proposed site. Drainage is not an issue because 90 percent of the property is already covered as indicated by the map. Mr. Norman provided copies of all the exhibits to the PUD to show the details and extensive planning that has gone into this project. Mr. Norman reviewed the site and landscaping plans.

Mr. Norman stated that the proposed project could be developed under the existing zoning. In terms of floor areas, the existing zoning could allow the development of 69,895 square feet of floor area. The developer is requesting a maximum of 50,000 square feet of floor area. A letter from Dan Tanner, Project Engineer, indicated that the size of the existing buildings located within this area of the project is 71,000 square feet of floor area. He feels this is a reduction of the intensity of the use.

In regard to landscaping, Mr. Norman feels this is the most intensively landscape project he has been associated with. He indicated modifications had been made after meeting with the Swan Lake Neighborhood Association on several occasions. The landscape plan provides a list of plant materials and trees by type, size and number that will be located within the project. He noted that special details have to be given to the landscaping for the security of the bank as well as their customers. He reviewed the landscape plan.

Mr. Norman stated he is in agreement with staff's recommendation and requested the Commission to approval the request.

Interested Parties Comments:

Tony Laizure, 1543 Swan Drive, stated he is the neighborhood association's zoning officer. He informed the Commission the Swan Lake Neighborhood Association encompasses 15th Street to 21st Street and Utica to Peoria. He stated the association is opposed to the development as it is presently proposed because it calls for the destruction of almost an entire square block in a historic residential neighborhood.

Mr. Laizure stated the neighborhood has met with bank officials on a some occasions and has tendered a compromise to them in that the neighborhood would support a single-story bank building with a drive-in facility. He stated that the neighborhood is willing to meet with the bank officials and negotiate a compromise. Mr. Laizure stated at this time the neighborhood cannot support the proposed project.

Mr. Laizure stated the neighborhood association had applied for and was granted historic preservation zoning. He pointed out the commercially-zoned properties are not within HP zoning, but the trend and desire of the neighborhood is to preserve the history and historical nature of the neighborhood. More recently, the neighborhood has applied for listing on the National Register of Historic Places. The neighborhood is confident that the listing on the National Register will be granted. This shows the desire of the neighborhood to preserve the history and architecture at the proposed location.

Mr. Laizure reminded the Commission of a previous application for a bank drive-in facility in this same area. That application went before the BOA for a variance on OL-zoned property. The BOA approved the application. The neighborhood appealed to District Court. District Court Judge Shallcross made a specific finding that the particular project would be injurious to the neighborhood and detrimental to the public welfare. He feels Judge Shallcross made this finding due to the traffic congestion that is already present at 15th and Utica. At the time, 15th and Utica was considered the seventh-most-dangerous intersection in the City of Tulsa.

Mr. Laizure expressed concerns with increase in traffic flow in the area of the bank. He stated the neighborhood feels this proposed development is inconsistent with the Comprehensive Plan for District Six. He feels there is not a demand for office space in this area.

Mr. Laizure stated that the neighborhood has not been informed or provided any information indicating the type of building material which will be used and how the facility will blend with the neighborhood.

Mr. Laizure requested the application be continued to allow time for further negotiations with the developer.

Dana Sterling, 1427 South Rockford, stated she understands that the bank use is allowed by right. She feels the bank is not on a human-scale with the surrounding neighborhood and Swan Lake. She feels when decisions are made by the business community, which individually make perfect sense, they cumulatively have a negative impact on her quality of life.

Ms. Sterling indicated the current traffic problems with drive-through facilities, using the new bagel shop as an example. She also pointed out further problems with traffic congestion, with persons lined up to use the car wash.

Ms. Sterling asked the Commission to allow the neighborhood to keep its human-scale development and not make this area like 71st and Memorial.

Sam Daniel, 1924 South Utica, Suite 1000, stated he is representing Dan Perry who owns three of the apartments. He stated he attended the Swan Lake Homeowners Association meeting and nothing was mentioned about preserving these apartments for historical purposes.

Mr. Daniel stated the apartments are three-story walk-ups that were built in the 1920's and he feels the apartments are beyond their useful life. If the apartments remain, his client will need an alley to access the apartment for maintenance purposes.

Rob Shofner, 1521 South Troost, stated he owns a 1922 American bungalow that overlooks the abandoned house next door. He is in support of the development since the trees and landscaping will be better than looking at an abandoned house.

Mr. Shofner stated that there were 22 people in attendance at the homeowners association meeting and he feels there were only two persons in opposition to the development. He feels the homeowners association board is not speaking for the entire association.

Stacey Bayles, 1532 South Troost, stated that her home is located on the northwest corner of 16th and Troost. She stated most of her concerns have already been addressed. However, she stated the plans do not provide an access on 16th and indicate an access on Troost. She is opposed to the use of Troost, a residential street, to support any additional commercial traffic from the PUD. She stated 16th and Troost already carries a high volume of traffic due to people using these streets as a shortcut to avoid the "no left turn" postings.

Ms. Bayles feels PUD-553 reflects an imbalance between 16th Street and Troost Avenue with regard to minimum building setbacks and lighting standards which have been produced. She expressed concern with the 250-foot setback that is proposed from 16th Street and that only a 70-foot setback is proposed from the centerline of Troost. She requested a 150-foot setback from the centerline of Troost and that the proposed canopy be restricted in this setback.

In regard to lighting, Ms. Bayles stated that lighting standards within the 225 feet of the 16th frontage of the PUD are proposed as not to exceed 15 feet in height. The balance of the light standards for the PUD are not to exceed 25 feet in height and no variance has been made for the Troost Avenue frontage. She feels consideration should be given to 15-foot lighting from the Troost Avenue frontage for a minimum of 50 feet.

Ms. Bayles stated that off-street parking for the PUD is addressed only as required by the applicable use unit. She stated the majority of this land area is designated as parking spaces based on the requirements of a four-story building. She feels a four-story building in this neighborhood is excessive in scale as well as in number of parking spaces required to support the tenants and customers. She stated there is a potential for loitering at the parking facility after-hours.

In closing, Ms. Bayles stated that the neighborhood recognizes the fact that the southwest corner of the intersection will be redeveloped, but feels the proposed development is too intense in tone and scale, and should more adequately integrate itself into the neighborhood complexion rather than creating a new standard.

Ms. Bayles presented letters from persons not able to attend today's meeting.

Lisa Blaylock, 1603 South Troost, presented letters opposing the project. She stated she disagrees with the development. She feels if a developer comes to an already existing neighborhood, the developer does not have the right to disrupt and decrease the quality of life for the residents.

Ms. Blaylock quoted a statement made by Mayor Savage in that "strengthening neighborhood is a top City priority." She feels there is no way to build a larger building at the corner of 15th and Utica and solve the problems that will arise around this development for residents.

Ms. Blaylock stated that access onto 15th and Utica is limited in the neighborhood by heavy traffic flow on these streets. She feels it is almost impossible and dangerous to turn left from Troost onto 15th Street. There is a rise in elevation to the west of the intersection that hampers the view of oncoming vehicles. She questioned what positive effect would an additional access on 15th between Troost and Utica have. She feels access onto Utica is limited at 16th Street due to the proximity to the intersection and will increase the traffic flow in the area.

Ms. Blaylock feels a four-story building is inappropriate in scale to this area. The existing neighborhood has accommodated development that has been small in scale and in keeping with the surrounding structures.

Ms. Blaylock requested the Commission to consider the heavy flow of traffic and traffic problems in the area before making a decision on this PUD application.

Beth Persac, 1531 South Troost, expressed concern for preserving the historical buildings. She questioned whether her lot will back up to the alley and allow her access, and the alley will only encourage bank customers to route through the neighborhood.

Ms. Persac feels the four-story building will be obtrusive and will be seen by the adjacent homes. She expressed concern of the current loitering in the area and feels the paved parking will only encourage more loitering.

Paul N. Atkins, 1638 East 17th Place, stated he is opposed to the proposed development. He feels if the building height was reduced to one story he would support the project.

Mr. Atkins expressed concern with the lighting standards and the paved parking lots. He feels this will encourage crime or skateboarding.

Joe Dennis, 1616 South Trenton, stated he has concerns with the current traffic problems and feels the proposed development will only increase the problems. He feels the possible left-turn lanes will only facilitate the traffic and not reduce the flow of traffic.

Mr. Dennis reminded the Commission of the historic nature of the neighborhood and feels the apartments at this location should be included as a part of the historical preservation.

Sue Woodward, 1728 South Quaker, signed up as an interested party, but made no comments.

Courtney Baugher, 1353 East 20th Street, signed up as an interested party, but made no comments.

Mike Iveres, 1604 South St. Louis, stated he has no problems with the bank being constructed as a four-story building. However, he feels the drive-through is not appropriate at this location due to the traffic problems at 15th and Utica.

Mike Robertson, 1552 East 15th Street, stated he is the owner of Cherry Street Print Shop located at 15th and Trenton. He feels the proposed development is beneficial for the area. The properties are for sale and the bank has taken the steps to ensure adequate parking.

Mr. Robertson feels the bank will be better than another restaurant in the area and the off-street parking problems that accompany a restaurant. Restaurants' operating hours vary from early morning to late nights and feels that a bank will have limited hours of operation.

Mr. Robertson feels the merchants on 15th Street have to co-exist with the Swan Lake Neighborhood and likewise Swan Lake Neighborhood has to co-exist with the merchants. He feels if the co-existence is not successful, the area will revert to the way it was in the 1980's.

George Conner, 1640 East 15th, stated he is the co-owner of Mobile X-ray Company, which is one of the buildings located on the proposed site. He feels the proposed development is certainly better than what the alternatives could be. He feels Stillwater National Bank is a first-class operation and will build a first-class facility.

Mr. Conner stated he has owned the x-ray building for ten years. He stated he has been approached many times by persons wanting to purchase the building for the purpose of a restaurant or a medical-type facility.

Mr. Conner feels the bank will enhance the area and will be an asset to the neighborhood and the City of Tulsa.

Gina Hitz, 4002 West 83rd Street South, stated her property located at 1639 East 16th Street, is currently under contract with Stillwater National Bank. The contract will provide access to the property owners located on Troost. She feels the developer has demonstrated a willingness to work with the neighborhood and the people most affected by the development.

Ms. Hitz stated she is in total support of the proposed development and feels the developers have presented and provided information to the homeowners and associated groups.

Paul Cury, Cury Properties, 2022 South Madison, stated he worked on the land assembly. He stated he has had discussions with the neighbors and worked with Stillwater National Bank in designing the program and plan. He stated the original reason for selecting this site was the neighborhood.

Mr. Cury feels the neighborhood is a mixed-use neighborhood with commercial and residential. He stated there are several multifamily residences spread throughout the neighborhood.

Mr. Cury stated the proposed development is a down-zoning. The PUD allows the developer to make modifications and move the facilities within the site. The proposed development will allow the office as a buffer to the residential, the retaining wall is consistent with the PUD standards and the setbacks are greater than required against neighborhood.

Mr. Cury commented the height of the building, as proposed, is due to limitations on accesses and parking. However, he feels the proposed density is significantly less than what could be achieved by another development.

Sam Daniel, 21st and Utica, signed up as an interested party, but made no comments.

Lonny Davis, 1503 East 21st Street, stated he is the attorney for property owners at 1525 and 1542 East 15th Street. He stated his clients are in support of the proposed project.

Mr. Davis stated he is also a resident of Swan Lake neighborhood and encourages the Commission to approve the proposed project. He stated he agrees with every emotional statement made today; however, the statements do not take into consideration the facts and reality. CH zoning allows almost anything to be developed at this site.

Tim Clark, 1516 South Quaker Avenue, stated he attended the meeting of the developer and the Swan Lake Neighborhood Association. He feels the meeting was a positive meeting and expressed support of the project.

Bob Stewart, 2220 East 20th Street, signed up as an interested party, but made no comments.

Nancy Gomez, 1932 East 35th Place, stated she is representing Chimi's Mexican Restaurant on 15th Street. She stated she is in support of the proposed development personally and professionally.

Ms. Gomez stated, as President of the Merchant's Association, she has polled 33 of the 50 members of the association and those 33 are in support of the proposed project as well. The proposed development is favored over the biker bars and clubs that were previously in the area.

Applicant's Rebuttal:

Charles Norman informed the Commission that he was contacted by Martin Steinbeck and he had no objections to the proposed development.

In regard to the bagel shop and car wash, Mr. Norman feels these are the types of CH developments that occur without a PUD. This is one of the reasons the drive-through facility is located 100 feet south of 15th Street to increase the off-street stacking space. Approximately 44 to 48 cars will be accommodated off the street.

Mr. Norman stated in regard to security, the bank will provide security personnel and guards to protect their customers and the bank itself. Security will be provided 24 hours a day. He stated that bank and office uses will also have limited operational hours. This will contribute less to any existing traffic conditions than other types of uses allowed.

Mr. Norman assured the Commission and Mr. Laizure that the neighborhood association will be notified and may participate in the architectural design of the building. The developer plans to make the building appropriate for the neighborhood. The design will be further discussed at the detail site plan and landscape plan review process. Mr. Norman invited the Commission to review the elevations of the building as well.

Mr. Norman stated the developer is trying to make the development consistent with two corridors, Cherry Street and the medical/office. There are other buildings in the area that are larger in height and he feels height should not be an issue.

Mr. Norman feels the proposed development has been well-designed and requested the Commission to approve the recommendations of staff.

TMAPC Comments:

Mr. Westervelt informed the Commission that he has had ex parte communication and also has normal, limited business activities with Stillwater Bank. These are not significant items and he will be voting today.

Mr. Boyle questioned what type of density is possible if the property is developed as a non-PUD since a zoning change is not requested. Mr. Stump replied the CH-zoned area is allowed to be developed from property line to property line to an unlimited height.

Mr. Boyle questioned whether the proposed development could be constructed without a PUD. Mr. Stump stated he believes with some slight modifications the proposed development could be constructed. Mr. Stump informed the Commission the drive-through facility could be allowed in either the CH- or the OL-zoned area. Mr. Stump reminded the Commission the proposed development is for office-type use in a CH-zoned area, which is significantly lower than what could potentially be located on the site.

Mr. Doherty stated the parking requirement for general office is one parking space per 300 square feet and asked what the parking requirement is for medical office. Mr. Stump replied one parking space per 250 square feet.

Mr. Doherty asked whether staff has calculated the number of parking spaces required for this size of a building. Mr. Stump replied since a detail site plan has not been provided, he has not.

Mr. Midget asked whether Mr. Norman talked with Jon Eshelman (City Traffic Engineer) in regards to the entrance at Troost and 15th Street or made any comments in regards to the entrance close to 16th Street. Mr. Norman stated that Darrell French (from Traffic Engineering) mentioned the entrance near 16th Street may have to be moved further north. Mr. Norman feels this can be easily accommodated without having to sacrifice any parking spaces. The entrance locations would be addressed at the platting process.

Mr. Midget asked whether the entrance located on Troost would serve as an entrance to the bank. Mr. Norman replied that a request to open an entrance inside the parking area was received from the Swan Lake Neighborhood Association and this is shown on the plans.

Mr. Doherty stated that Mr. Ledford's count on parking spaces, as shown on the drawing included in the agenda packets, indicated 143 spaces. He asked whether the 143 is an accurate count. Mr. Norman replied the count may be adjusted somewhat by the spacing of required handicapped sites. Mr. Norman indicated the size of the building will be regulated by subtracting the 15 per cent for landscaping, determining the size of the building and then provide the number of required parking spaces.

Mr. Doherty asked whether the footprint of the building would be reduced or the top floor removed, if necessary, to meet the parking space requirement. Mr. Norman replied the present configuration of the building is based on 12,000 square feet per floor. Mr. Norman stated there is a 5- to 10-foot of leadway within the building to adjust.

Mr. Doherty reminded Mr. Norman and the Commission that the existing outdoor advertising signs were grandfathered in and that no additional outdoor advertising signs are permitted on arterial streets in Tulsa under the current code.

Ms. Pace asked whether there was any further discussion of item 2 of the T.A.C. recommendation in regard to four lanes or left-turn lanes in the area. Mr. Norman replied he asked whether a left-turn lane would be possible. He said Mr. Eshelman indicated a left-turn lane would require at least 300 feet of right-of-way to the west to allow for the tapering. However, Mr. Eshelman indicated the impossibility of having a corresponding left-turn lane for west-bound traffic, and that it would not be feasible for an east-bound left-turn lane without a corresponding left-turn lane. Mr. Eshelman also indicated that a right-turn lane is not necessary due to the relative ease of making a right turn onto Utica for east-bound traffic on 15th Street.

Mr. Boyle questioned how long the negotiations have been going on. Mr. Laizure stated the first meeting was held approximately one month ago and the last meeting was held ten days ago.

Mr. Boyle asked whether additional meetings will be of any benefit. Mr. Laizure replied he did not know but he had requested to meet with the developer after the TMAPC to continue the negotiations.

Mr. Midget asked whether any consideration has been given to a two-story building since there are already two-story buildings in the area. Mr. Laizure replied that scaling down the size of the building will require less parking area, allow the historical buildings to remain and allow a buffer between the different zoning categories.

Mr. Boyle asked whether the property to the south of the proposed site is zoned CH and questioned the need for buffering between CH and OL. Mr. Stump replied there is additional CH-zoned property to the south. Mr. Laizure stated the purpose is to conserve and separate the historical property from the commercial.

Mr. Westervelt asked whether the developer was aware that the association still had difficulties with the application. Mr. Laizure replied the association met with the President of the bank's local branch and made it clear that the neighborhood would support a single-story bank with a drive-in facility and that the proposed project was too great in magnitude for this area. Mr. Laizure stated previous meetings were to receive information on the development.

Mr. Westervelt stated the real estate community was of the opinion that the neighborhood was in agreement with the project and he is unaware of the one-story building proposed by the neighborhood association. Mr. Westervelt commented the demand for office space is significant in this area due to this corridor having the least vacancies for office space.

Ms. Pace informed the Commission that she had ex parte conversations with Beth Persac.

Mr. Doherty questioned Mr. Coury as to the typical annual rental rate per square foot for general office. Mr. Coury feels \$15/17.00 is reasonable; others in the area could be higher. Mr. Doherty stated that due to the size, at these rates the building will not achieve cash flow. Mr. Coury replied he feels the proposed development has a different goal. The developer has paid a premium for the land to have the location and will build a quality facility that is above standard. The goal is to be an above-standard development and present an above-standard image in the market.

Mr. Midget expressed concern with possible traffic flow into the neighborhood from the Troost access. Mr. Norman replied the purpose for the Troost access is for the access to the office parking lot.

Mr. Midget asked whether any consideration had been given to a building less than four-stories in height. Mr. Norman replied that any enlargement to the footprint of the building will affect the location of the access and the number of parking spaces.

Mr. Doherty stated the Riverside Task Force developed a recommendation for neighborhood preservation and traffic flow by the cul-de-sacing of streets and not providing through-access. He asked whether this could be considered in this project or future projects. Mr. Norman replied the developer will support the closing of Troost if the six property owners affected will submit a petition to the City. However, the developer cannot allow the development to depend upon this closing.

Ms. Pace questioned the purpose for purchasing the house facing 16th Street. Mr. Norman replied the house is located on a 40' x 80' parcel of land. This parcel will be divided between the abutting property owners to provide a wider driveway in and out of the alley. Ms. Pace feels these three lots will not remain viable residential lots and asked whether the developer has given any consideration to acquiring these lots. Mr. Norman replied these lots are the HP district and are well-maintained, and the developer has decided to honor the HP district.

Mr. Boyle feels this is a solid, quality plan and blends well with the surrounding area. Some of the current properties are not attractive and Boyle feels the proposed development is an improvement.

Mr. Boyle reminded the Commission that the proposed development could be built regardless of the decision today. However, the PUD allows some control over the project in regard to the location of access, location of the facility and landscaping. He feels the PUD would be beneficial.

Chairman Carnes feels the number of parking spaces will have to be further researched as to meeting the requirements. He suggested a three-story building with an apex, alpine roof that creates a loft. This would reduce the square footage and in turn reduce the required parking.

Mr. Midget expressed again his concern with the height of the building and asked the developer to work with the neighborhood on the architectural design.

Mr. Westervelt feels the PUD will allow some control over the project. He stated he has become more comfortable with smaller floorplates, more visible open area from the streets and taller buildings rather than spreading the building out over the property. He feels the taller buildings will give the impression of open space on the ground.

Mr. Midget stated the proposed development is the classical infill project and hopes that the developer will consider the "human-scale" when considering the heights of the building.

Mr. Westervelt feels that the developer is investing large amounts of money into this development and it will be a long time until anyone sees an economic return on this property. This is a landmark situation where the developer is willing to pay an extreme premium to build a quality project that exemplifies their position as a permanent citizen of the community.

Mr. Doherty stated he has seen the area of the proposed development and has had ex parte contact with a number of the residents. He expressed concern with the "human-scale" of the project. Mr. Doherty stated he is not concerned with the height due to parking requirements limiting the height of the building.

Mr. Doherty expressed concerns with the traffic problems and asked whether Mr. Boyle would amend his motion to omit the access on Troost. Mr. Horner expressed support of the development as proposed without any changes.

Mr. Doherty asked whether the access issue has to be resolved today. Mr. Linker replied it could be addressed at the platting stage. Mr. Boyle stated he would prefer the access issue to be considered at the platting stage and encouraged everyone concerned to have specific comments at that time.

Mr. Doherty asked whether elevation review was included in the motion. Mr. Norman requested the elevation review be included in the motion. Mr. Boyle amended his motion to include elevation review.

Ms. Pace expressed the need for widening of the intersection and the right-of-way requirement for the widening. Mr. Stump replied that research has been done and the decision has been made that the cost would be too great to improve this intersection.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent ") to recommend **APPROVAL** of PUD-553 subject to the conditions as recommended by staff and review of the elevations drawings of the building during the Detail Site approval process.

Legal Description for PUD-553:

All of Lots 1 through 8, Block 2 and Lots 12 through 16, Block 2, Orcutt Addition, together with the 20' public alley adjacent to Lots 12 through 16, Block 2, less and except the North 10' of Lots 1 and 16, Block 2, Orcutt Addition, further described by metes and bounds as follows: Commencing at a point 10' South of the Northeast corner of Lot 1, Block 2, Orcutt Addition, thence S 0°0'00" W, along the Westerly right-of-way of South Utica Avenue, a distance of 390.00' to the Southeast corner of Lot 8, Block 2, Orcutt Addition; thence N 89°40'00" W along the North right-of-way of East 16th Street, a distance of 140.00'; thence N 0°0'00" E a distance of 150.00'; thence N 89°40'00" W a distance of 160.00' to the Southwest corner of Lot 12, Block 2, Orcutt Addition, thence N 0°0'00" E along the East right-of-way of South Troost Avenue a distance of 240.00' to the present right-of-way of East 15th Street; thence S 89°40'00" E parallel with said right-of-way, a distance of 300.00' to the point of beginning, and containing 92,998 square feet or 2.135 acres, and located on the southeast corner of East 15th Street and South Utica Avenue Tulsa, Oklahoma.

Application No.: PUD-468-4

(PD-18) (CD-8)

Applicant: Lee Ann Fagen

Location: Northwest of the northwest corner East 71st St. & South Mingo Rd

Presented to TMAPC: Lee Ann Fagen

(Minor Amendment to reduce required off-street parking.)

Staff Recommendation:

The applicant is seeking a minor amendment to reduce the parking requirements from the 7.5/1000 ratio to 5.9/1000 SF of gross floor area for the Sam's Club store on Lot 1 of the PUD. The applicant is seeking to amend the parking requirements to allow for alternative uses on an unpaved grassy area which was intended to accommodate 162 spaces related to expansion of the Sam's Club store by 29,080 SF. Although the expansion has not been constructed, the applicant wishes to bring the parking provisions closer to the actual demand that has historically been experienced by Sam's Club Stores in this region.

Staff has reviewed the request and finds that the current 133,420 SF building currently provides 988 spaces at a ratio of 7.41/1000. With the expansion to 162,500 SF approved by the Planning Commission on 7-31-91, 1136 parking would be required at a ratio of 6.95/1000. The applicant's proposed ratio of 5.9/1000 would require 788 spaces before the expansion and 965 spaces after expansion. The applicant's proposal indicates that the 988 parking spaces currently provided are adequate to meet current and future needs at a 5.9/1000 parking ratio.

Based on the information provided in the revised Site Plan and the current provision of parking which is in excess of the current and projected needs as well as the maximum number spaces required by the Zoning Code, staff recommends **APPROVAL** of the request to amend the parking requirement to 5.9/1000.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-1-0** (Boyle, Carnes, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; Ballard, Dick, Gray, Midget "absent ") to **APPROVE** Minor Amendment PUD-468-4 to reduce required off-street parking as recommended by staff.

Application No.: PUD-397-1

(PD-18) (CD-7)

Applicant: Jerry W. Ledford, Jr.

Location: East of the intersection of East 62nd St. and South 89th East Ave.

(Minor Amendment to increase density, adopt RS-4 development standards and reduce required rear yards.)

TMAPC Comments:

Chairman Carnes informed the Commission that a timely request for continuance to December 18, 1996 has been received.

Interested Parties Comments:

Linda McGowan, 1516 South Boston Avenue; H. W. Holt, 6215 South 89th East Avenue; and Norman Haus, 6206 South 89th East Avenue were signed up as interested parties.

TMAPC Action; 11 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-1** (Ballard, Boyle, Carnes, Doherty, Horner, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick, Gray, Midget "absent ") to **CONTINUE** the Zoning Public Hearing PUD-379-1 to December 18, 1996.

Application No.: PUD-314 Abandonment

Abandon PUD to CG

Applicant: Phil Frazier

Location: Southwest corner West Skelly Dr. and South Union (PD-8) (CD-2)

Presented to TMAPC: Phil Frazier

(Abandonment of current PUD and revert to underlying zoning of CG.)

Staff Recommendation:

The applicant is proposing to abandon PUD-314 and have the land revert to the current underlying zoning of CG. The western half of the tract was developed under the PUD restrictions for a miniature auto race car track. The track has been closed for many years and the land is now being used to store automobiles, which is not allowed by the PUD. The eastern half of the tract is vacant.

The tract was already zoned CG when PUD-314 was approved, and therefore, staff recommends **APPROVAL** of abandonment of PUD-314 without changing the underlying zoning.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard, Dick, Midget "absent ") to recommend **APPROVAL** of the abandonment of PUD-314 without changing the underlying zoning, as recommended by staff.

Legal Description for PUD-314:

A tract of land that is part of the NE/4, NE/4, Section 34, T-19-N, R-12-E, Tulsa County, Oklahoma, said tract of land being described as follows, to-wit: Starting at a point on the Easterly line of Section 34, said point being 620.00' Southerly of the Northeast corner thereof; thence Westerly and parallel to the Northerly line of Section 34 for 590.53' to the point of beginning of said tract of land; thence continuing Westerly and parallel to said Northerly line for 404.02'; thence Northwesterly along a deflection angle to the right of 14°09'36" for 132.07'; thence Southerly along a deflection angle to the left of 104°05'07" and parallel to the Westerly line of the NE/4, NE/4, Section 34 for 682.63' thence Easterly along a deflection angle to the left of 89°55'27", parallel to, and 50.00' Northerly of, the Southerly line of the NE/4, NE/4, Section 34 for 532.08'; thence Northerly along a deflection angle to the left of 90°04'21" and parallel to the Easterly line of Section 34 for 651.72' to the point of beginning of said tract of land, and a tract of land that is part of the NE/4, NE/4, Section 34, T-19-N, R-12-E, Tulsa County, Oklahoma.

Application No.: Z-6573

Applicant: Darryl Hawkins

Location: Southwest corner 4th Place and South Trenton Avenue

Presented to TMAPC: Darryl Hawkins

RM-1 to IM
(PD-4) (CD-4)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 1 - Industrial area.

According to the Zoning Matrix the requested IM zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is located on the southwest corner of East 4th Street and South Trenton Avenue and is 140' x 150' in size. It is flat, partially wooded, contains two single-family dwellings, and is zoned RM-1.

Surrounding Area Analysis: The subject tract is abutted on the northeast by a church, zoned RM-1; to the northwest by an industrial business, zoned IL; to the east by vacant property and single-family dwellings, zoned RM-1; to the south by a single-family dwelling, zoned IL; and to the west by a parking lot, zoned IM.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that several lots to the north and west of the subject tract have transitioned to industrial uses.

Conclusion: The subject property is located within an area currently developed with a mixture of commercial, industrial, and residential uses. The Comprehensive Plan encourages industrial development in this area, but the subject tract is bordered on the east by residential. Therefore, staff recommends **DENIAL** of IM and **APPROVAL** of IL zoning for Z-6573.

Applicant's Comments:

Scott Channey, 2651 East 21st Street, stated he is representing the owner of the property. He stated the owner owes several parcels of property along 21st Street. The request for IM zoning is to consolidate all the properties to one zoning.

Mr. Channey stated the subject property is vacant and request approval of IM zoning.

Interested Parties Comments:

Trey Scott, 1615 East 4th Place, signed up as an interested party, but made no comments.

TMAPC Comments:

Chairman Carnes reminded Mr. Channey that the Commission usually does not approve IM zoning when the property abuts RM.

Mr. Midget asked whether Mr. Channey would like to continue this item to allow him time to contact the property owners in regard to IL zoning. Mr. Channey replied in the affirmative.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard, Dick "absent ") to **CONTINUE** the Zoning Public Hearing Z-6573 to December 11, 1996.

Application No.: Z-6574

Applicant: Roy Ashley

Location: 5623 South 107th East Avenue

Presented to TMAPC: Roy Ashley

RS-3 to IL
(PD-18) (CD-5)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 1 - Industrial - Development Sensitive.

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

Staff Comments:

Site Analysis: The subject property is located south of the southeast corner of East 56th Street South and South 107th East Avenue and is approximately 251' x 161.4' in size. It is flat, non-wooded, has a single-family dwelling, and zoned RS-3.

Surrounding Area analysis: The subject tract is abutted on the north by a single-family dwelling, zoned RS-3; to the east by a detention pond and vacant land, zoned RS-3; to the south by vacant property, zoned RS-3; and to the west by a single-family dwelling, zoned IL.

Zoning and BOA Historical Summary: Several tracts have been rezoned from residential zoning to light industrial zoning along South 107th East Avenue.

Conclusion: Based on the Comprehensive Plan and existing zoning patterns along South 107th East Avenue, staff can support the requested IL zoning. This area is in transition from residential to industrial. Staff, therefore, recommends **APPROVAL** of IL zoning for Z-6574.

Applicant's Comments:

Roy Ashley, 5623 South 107th East Avenue, stated he is in agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard, Dick "absent ") to recommend **APPROVAL** of the IL zoning for Z-6574 as recommended by staff.

Legal Description for Z-6574:

Lot 2, less beginning northeast corner thence S 161.50', W 386.92', N 161.48', E 385.22' to Point of Beginning for detention basin, Block 1, Golden Valley Addition to the City of Tulsa, and located south of the southeast corner of East 56th Street South and South 107th East Avenue, Tulsa, Oklahoma.

Application No.: Z-6344-SP-8

(PD-18) (CD-8)

Applicant: Jack Easley

Location: 10708 East 61st Street South

Presented to TMAPC: Jack Easley

Staff Recommendation:

The applicant is proposing an outdoor advertising sign for an apartment complex on a lot containing Southwest Irrigation Company. The proposed sign would advertise the apartment complex located on 107th East Avenue south of the sign. The proposed sign location is within a Freeway Sign Corridor, therefore outdoor advertising signs can be permitted. The sign proposed is not a traditional outdoor advertising sign, but a guardhouse size structure with a 4'x4.5' text area stating the name of the apartment complex. The proposed location is within 10' of a previously approved business ground sign location and is also less than 1200 feet from another outdoor advertising sign on the east side of the expressway.

Staff recommends **APPROVAL** of Corridor Site Plan Z-6344-SP-8 subject to the following conditions:

1. The ground sign location approved in corridor site plan Z-6344-1 is eliminated.

2. The Board of Adjustment grants a variance of
 - 1.) the 1200' spacing between outdoor advertising signs (Section 1221.F.2.),
 - 2.) the requirement that the sign be oriented to be primarily visible from the freeway (1221.F.7.),
 - 3.) the limit on cutouts or extensions (1221.F.9.), and
 - 4.) the requirement that the sign be supported by only one post (1221.F.10).

3. Any landscaping material removed by construction is replaced with as much or more landscaping material.

Applicant's Comments:

Mr. Doherty informed the Commission that the applicant had to leave due to an emergency but expressed support of staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard; Dick "absent ") to recommend **APPROVAL** of the Corridor Site Plan Z-6344-SP-8 subject to the conditions as recommended by staff.

Legal Description for Z-6344-SP-8:

Lot 1, Block 1, Fred C. Langenkamp Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located on the southeast corner of East 61st Street South and South 107th East Avenue, Tulsa, Oklahoma.

OTHER BUSINESS:

PUD-468 Lee Ann Fagen

(PD-17) (CD-7)

Northwest of the northwest corner East 71st Street and South Mingo Road
(Site Plan for an antenna tower and revised off-street parking.)

Staff Recommendation:

The applicant is requesting Site Plan approval for a 150' monopole tower for a Southwestern Bell Telephone antenna situated in an unpaved portion of the Sam's Club parking lot reserved for parking expansion related to an approved but unconstructed expansion of the Sam's Club Store. The Site Plan indicates a proposed 75' x 75' fenced communications area with the proposed monopole positioned 11' from the eastern edge

and 37.5' from the northern edge of the fence. The Site Plan also indicates a second "future" monopole of unspecified height positioned 34' from the eastern edge and 37.5' from the northern edge of the fence.

Staff has reviewed the application and finds the communications tower and site would remove approximately 45 spaces of proposed parking expansion. This future parking area contains 162 spaces as indicated in the revised Sam's Club Site Plan approved by the Planning Commission on 7-31-91. The applicant would leave the balance of the unpaved and undeveloped area not used for the tower as seeded and mulched with turf grasses.

Staff also notes, that, related to the request currently under consideration, the applicant has submitted a Minor Amendment (PUD-468-4) seeking a reduction in the required parking ratio to 5.9 spaces per 1000 SF of gross floor area. If PUD-468-4 were to be approved, the reduction in parking resulting from the construction of a communications tower would not affect the overall parking requirements, including those required for the expansion of the Sam's Club Store. Currently, 988 parking spaces are provided without the expansion. At a ratio of 5.9/1000 the existing parking and 20,080 SF expansion of the building would require that 965 spaces be provided.

Based on the information submitted and the current provision of parking spaces, staff recommends **APPROVAL** of the application with the following conditions:

1. Approval of **Minor Amendment 468-4** reducing parking requirements.
2. Submission of an application for **Site Plan Review** of a proposed second "future" communications tower on the site.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard, Dick, Midget "absent ") to **APPROVE** the Site Plan for PUD-468 for an antenna tower and revised off-street parking subject to the conditions as recommended by staff.

PUD-360-A Ted D. Webb

West of northwest corner of East 91st Street and South Memorial
(Amended Site Plan for a modular bank office building.)

Staff Recommendation:

The applicant is requesting **Revised** Site Plan approval to temporarily locate a portable trailer on the site to be used as a drive up bank while development and construction of the permanent branch bank and drive through takes place. The applicant received site and landscape plan approval on October 16 and sign plan approval on November 11. The approved site plan indicated a phased development with the drive up facility construction and related parking preceding the construction of a permanent 3000 SF branch bank.

The Revised Site Plan under consideration proposes that the entire site will be developed by August, 1998, with the portable trailer allowing limited banking services over the 18 month construction period. The applicant is also proposing to install the majority of the permanent landscaping on the eastern and southern edges of the site and about one-half of the hard surface drives and parking contained in the site plan coinciding with the placement of the portable trailer.

Staff review of the Revised Site Plan indicates that the 62' x 14' portable trailer will be sited from north to south and will be setback 90' from the south property line which fronts to East 91st Street South. A ramp and teller window will be located on the south 14' edge of the trailer which faces East 91st Street South. Entrance to the drive up window will be from a temporary 25' driveway with access from the Homeland entry drive and cut approximately 80' from the center line of East 91st Street South or 65' from the curb. Other temporary paving will accommodate the bank trailer drive up window. Both temporary paving areas will be removed and landscaped upon completion of construction of the permanent facility which is planned to coincide with the removal of the trailer.

Staff has reviewed the Revised Site Plan and viewed photos of a Liberty Bank Trailer facility located in Norman. While the permanent facility in Norman was being constructed, the trailer allowed limited branch banking and was removed upon completion of the permanent facility.

Based on the details submitted in the Revised Site Plan, staff recommends **APPROVAL** of the revised plan with the following conditions:

1. That the portable bank trailer be removed upon completion of the construction or in 18 months, whichever ever occurs sooner.
2. That all temporary paving be removed and landscaped per the original site plan within the 18 month construction phase or before August 31, 1998.

Applicant's Comments:

Ted Webb, Liberty Bank, 7507 South Ridgemoor, stated the intent is that Liberty Bank plan to establish the facility as previous approved. However, in order to hold the banking right, a site needs to be established by March 31, 1997.

Mr. Webb stated the permanent driveway, parking and landscaping will be constructed as previously presented with the modular unit used as the bank building.

There were no interested parties wishing to speak.

TMAPC Comments:

Chairman Carnes feels twelve months would be more appropriate.

Mr. Doherty feels since the site plan will be constructed and the modular unit is a transitional facility, he does not have a problem with the 18 months.

Mr. Ledford commented that Backyard Burger, included in this PUD, is a modular unit and if 18 months is a problem, than Backyard Burger will need to be addressed.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Ballard, Dick "absent ") to **APPROVE** the Revised Site Plan for PUD-360-A subject to the conditions as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 4:10 p.m.

Date Approved: 12-18-96



Chairman

ATTEST: 

Secretary