

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2130

Wednesday, September 24, 1997, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle		Almy	Linker, Legal
Carnes		Beach	Counsel
Dick		Dunlap	
Doherty		Matthews	
Gray			
Horner			
Jackson			
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, September 22, 1997 at 10:32 a.m., in the Office of the City Clerk at 10:26 a.m., as well as in the office of the County Clerk at 10:20 a.m.

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

Minutes:

Approval of the minutes of September 10, 1997, Meeting No. 2128:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the minutes of the meeting of September 10, 1997 Meeting No. 2128.

Reports:

Committee Reports:

Rules and Regulations Committee:

Mr. Boyle reported the Rules and Regulations Committee met last week to discuss the Plat Waiver Guidelines.

Chairman Doherty explained the new guidelines. He noted that the Technical Advisory Committee will state their requirements to the Planning Commission, staff will make a recommendation on the best vehicle for achieving TAC requirements, and then TMAPC will vote on the waiver.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **ADOPT** the new Guidelines for Plat Waivers as recommended by the TAC, staff and Rules and Regulations Committee.

Director's Report:

Mr. Dunlap reminded the Planning Commission that there will not be a City Council meeting held this week.

Subdivisions:

Plat Waiver, Section 213:

This item was heard and/or considered in conjunction with Zoning Public Hearing for PUD-572.

Chairman Doherty left the dais and indicated he would be abstaining from this item.

PUD-572 (Buenos Vista) (1202)

(PD-25) (CD-1)

4948 North Peoria Avenue

TAC Recommendation:

Jones presented the application with no representative present.

Somdecerrf recommended that a 30' radius at the northeast corner of the subject tract be dedicated to the City.

of the applicant's submitted site plat, staff would note that all necessary right-of-way exists for the development and since the property is platted, there would be no benefit to the City in a replat.

Staff recommends approval of the Plat Waiver for PUD-572, subject to the following conditions:

1. Grading and/or drainage approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.
4. PUD conditions filed of record by separate instrument.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-572, subject to all conditions listed above.

See Zoning Public Hearing PUD-572 for comments and/or discussion

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-1** (Boyle, Carnes, Dick, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; none "absent") to **APPROVE** the Plat Waiver for PUD-572, subject to the conditions as recommended by the TAC.

Lot-Splits for Ratification of Prior Approval:

<u>18529 Stillwater National Bank (793)</u> 1639 East 16 th Street	(PD-6) (CD-4)
<u>18544 Alven Miller (1763)</u> 20800 Block South Harvard	(PD-21) (County)
<u>18545 Tulsa Development Authority (2502)</u> 1610 North Greenwood Avenue	(PD-2) (CD-1)
<u>18546 City of Tulsa (1183)</u> 8005 South Sheridan	(PD-18c) (CD-8)

Staff Comments:

Mr. Beach stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Dick, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Final Plat Approval:

Holland Center (PUD-500) (1083) (PD-18) (CD-8)
Northeast corner of East 81st Street South and South Yale Avenue

Staff Comments:

Mr. Beach stated everything is in order and all release letters have been received. Staff recommends approval subject to final Deed of Dedication language approval by Legal staff.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the Final Plat of Holland Center (PUD-500), subject to final Deed of Dedication language approval by Legal staff.

Community Place (PUD-397-A) (183) (PD-18) (CD-7)
West of the southwest corner of East 61st Street South and South Mingo Road

Staff Comments:

Mr. Beach stated everything is in order and all release letters have been received. Staff recommends approval subject to final Deed of Dedication language approval by Legal staff.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the Final Plat of Community Place (PUD-397-A), subject to final Deed of Dedication language approval by legal staff.

Continued Zoning Public Hearing:

Application No.: Z-6602

Applicant: Merl Whitebook

Location: 439 South Sheridan

CS to IL

(PD-5) (CD-4)

Chairman Doherty stated the applicant is requesting this application be continued to October 29, 1997.

There were no interested parties wishing to speak.

TMAPC Comments:

Ms. Pace noted there was no yellow zoning sign located on the property. Chairman Doherty directed staff to check into the posting of the sign.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** the Zoning Public Hearing for Z-6602 to October 29, 1997. (It was noted after the meeting there is no TMAPC meeting scheduled for October 29, 1997 and this item will be reschedule for November 5, 1997.)

Continued Zoning Public Hearing:

Application No.: PUD-559/Z-5888-SP-1 (Areas B & C) (PD-18) (CD-8)

Applicant: Charles Norman

Location: North and east of East 91st Street and South Mingo Road

Presented to TMAPC: Charles Norman

(A multi-use Planned Unit Development and Corridor Site Plan for apartments, offices, colleges and universities uses.)

Staff Recommendation:

Planned Unit Development 559/Corridor Site Plan Z-5888-SP-1 encompasses 111.34 gross acres north and east of the northeast corner of 91st Street South and Mingo Road. It extends from Mingo Road on the west to the Mingo Valley Expressway on the east, and from 91st Street on the south to the Tulsa Community College and South Towne Square subdivision on the north. Not included in the application is a vacant tract of approximately 35 acres at the northeast corner of 91st Street and Mingo Road. This out-parcel is owned by one of the owners of the proposed PUD and may become part of the development at a later date. The City Council, at their May 22, 1997 meeting, approved a wide range of uses such as Hospital, Nursing Home, Residential Treatment Center, Helipad, Elderly Housing, Offices, Community Group Home, Ancillary Retail Sales, Hospital Affiliated Health Club, Scientific Research and Development, and Eating Establishments for Development Area A.

Initially the proposed use for Development Area B was exclusively for multifamily dwellings. The applicant has requested an amendment to the Development Area B Development Standards to add as an additional permitted use in the East 1,318 feet of Development Area B, college and university as presently permitted in Use Unit 2, and as proposed for inclusion in Use Unit 5, subject to the applicable use unit conditions. A 0.3 floor area ratio (FAR) is requested for this area and a density of almost 36 units per acre with a maximum of 1,476 dwelling units permitted. Development Area C is proposed for either office or multifamily development. The maximum floor area of office is permitted at a 0.45 FAR and the multifamily is allowed up to 234 dwelling units on 6.5 acres or 36 units per acre.

Staff can general support the proposed PUD, but has some concerns in the following areas: 1) adequacy of buffer provided for the single-family subdivision to the north; and 2) intensity of the multifamily. Staff is proposing modifications and additions to the applicant's proposed development standards to address these concerns.

Staff finds the proposed uses and intensities of development as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-559 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-559, 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:

DEVELOPMENT AREA A

Approved by the Tulsa City Council at their May 22, 1997 meeting.

DEVELOPMENT AREA B

LAND AREA (Gross):	42.57 Acres	1,854,383 SF
(Net):	41.08 Acres	1,789,322 SF

PERMITTED USES:

Multifamily dwellings as permitted in Use Unit 8 and uses customarily accessory thereto, and within the East 1,318 feet, college and university use as permitted in Use Unit 2 (proposed Use Unit 5) and uses customarily accessory thereto.

MAXIMUM DENSITY OF DWELLINGS UNITS/LOT: 30 units/acre

MAXIMUM BUILDING FLOOR AREA RATIO/LOT:

For Use Unit 2 (proposed Use Unit 5) uses 0.30

MAXIMUM LAND COVERAGE BY BUILDINGS WITHIN A LOT 30%

MAXIMUM BUILDING HEIGHT:

Colleges and Universities Uses: None

Use Unit 8 uses:

Within 150 feet of the northern boundary
of Area B that abuts South Towne Square Two stories
nor more
than 30 feet.

Remainder of Area B Three stories
nor more
than 43 feet.

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From centerline of Mingo Road	85 FT
From other abutting public or private street right-of-way	25 FT
From the east development area boundary	11 FT
From the west 1216 feet of the north development area boundary	
Two stories or less	90 FT
Three stories or more	150 FT
From the east 1318 feet of the north development area boundary	
Use Unit 8 uses	70 FT
Use Unit 2 (5) uses	0 FT
From internal lot lines	As established by Detail Site Plan review and approval.

MINIMUM SETBACK OF PARKING AREAS FROM WEST 1170 FEET OF NORTH DEVELOPMENT AREA BOUNDARY: 25 FT

MINIMUM LIVABILITY SPACE PER DWELLING UNIT/LOT: 300 SF

SIGNAGE: As permitted in the RM districts.

SCREENING AND BUFFERING:

~~An eight-foot masonry wall~~ A standard six-foot screening fence shall be provided along the north boundary of Area B that abuts South Towne Square. Trees shall be planted between the screening wall and the building or parking area on the north side of the development area. The exact number, location and type will be determined with the approval of the Detail Landscape Plan.

~~BUILDING ORIENTATION:~~

~~Every effort shall be made to design the layout of the northern most apartment buildings in the west half of Area B so that the narrow ends of buildings face the north side of the area. The exact layout of buildings will be determined at the time of Detail Site Plan review.~~

BULK TRASH CONTAINERS:

All bulk trash containers shall be screened from public view and located at least 200 feet from the northern boundary of Area B that abuts South Towne Square.

DEVELOPMENT AREA C

LAND AREA (Gross):	7.82 Acres	340,588 SF
(Net):	6.49 Acres	282,842 SF

PERMITTED USES:

Offices and studios as permitted in Use Unit 11 and multi-family dwellings as permitted in Use Unit 8 and uses customarily accessory thereto.

MAXIMUM BUILDING FLOOR AREA RATIO/LOT:

Use Unit 11 uses	0.45 SF
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MAXIMUM DENSITY OF DWELLING UNITS/LOT:	30 units/acre
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MAXIMUM BUILDING HEIGHTS:

Use Unit 11 uses	60 FT
use Unit 8 uses	43 FT

MINIMUM BUILDING SETBACKS:

Use Unit 11 uses:	As required in the OM District
Use Unit 8 uses:	As required in the RM-1 District

OFF-STREET PARKING:

As required by the applicable Use Units of the Tulsa Zoning Code.

MINIMUM INTERNAL LANDSCAPED OPEN SPACE/

LOT USE UNIT 11 USE:	15%
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MINIMUM LIVABILITY SPACE PER DWELLING UNIT/LOT:	300 SF
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MAXIMUM LAND COVERAGE BY BUILDINGS WITHIN A LOT: 30%

SIGNS:

- 1) One pedestal identification sign per lot shall be permitted which shall not exceed 12 feet in height or 48 square feet in surface area and shall be consistent in design with other medical center signage.
 - 2) One hospital/medical center identification and directional sign at the South Mingo Road collector street intersection with a maximum display surface area of 120 square feet and a maximum height of 16 feet.
 - 3) Office building identification wall signs shall be permitted not to exceed 32 SF per building.
3. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, 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 for each development areas shall be submitted to the TMAPC for review and approved prior to issuance of a building permit. 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 for that development area 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 a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. Light standards and lights affixed to buildings within 100 feet of a single-family dwelling shall be limited to a maximum height of 16 feet in Development Area B and no such lights shall be within 50 feet of the South Towne Square subdivision.
8. The Department of 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 serving a development area 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 1107F of the Zoning Code have 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, 74103, stated this item has been continued several times to allow him to continue discussion with staff, and staff to undertake a traffic analysis of the density effect on the surrounding arterial streets. He noted staff has completed the analysis and feels the capacities of Mingo and 91st are adequate to serve the kinds of densities that are that being recommended within the corridor district.

Mr. Norman stated this application follows two others within the corridor. The first located at 93rd and Memorial, which the TMAPC reduced the density from 36 units per acre to 30 units per acre with a proviso that the density could be raised by a minor amendment if found acceptable. The other located at 81st and the Mingo Valley Expressway, was approved for 30 units per acre for multifamily development within the corridor.

Mr. Norman pointed out that staff recommended 30 units per acre for Area B contrary to the 36+ units per acre requested. However, the applicant accepts the recommended reduction in density. He stated there are many other conditions imposed by staff which are acceptable to the applicant. However, there are two conditions that Mr. Norman asked the Planning Commission to modify.

Mr. Norman requested, in regard to the screening and buffering in Area B, that the condition read "a screening fence shall be provided along the north boundary," and not specify an eight-foot masonry wall. He noted the standards that have been developed in recent months for the separation and transition from single-family residences to multifamily and feels there is no necessity for an eight-foot high wall or the type of wall to be specified. He stated the standard requirement is a six-foot high screening fence if there is a 25-foot separation/landscaped area before the first parking area. He stated Jerry Gordon, the developer of South Towne Square, is opposed to the eight-foot wall.

Mr. Norman stated the current light standards and noted lights will not be permitted on the north 50 feet of the project. He also noted the restriction that limits the first buildings south of the single-family area to a maximum of two-stories in height. This will force any three-story buildings a minimum of 150 feet from the south boundary of South Towne Park.

Mr. Norman stated he objects to the requirement in regard to the building orientation. He stated there are four pipelines running across the corner of the Area B. Due to the pipelines, he feels the building will not be constructed square to the north property line. He noted the 90-foot setback. He feels this requirement is inappropriate.

There were no interested parties wishing to comment.

TMAPC Comments:

Mr. Boyle clarified that Mr. Norman agrees to the standard screening fence that is required by the code.

Chairman Doherty pointed out that staff's recommendation is that "every effort shall be made" in regard to the building orientation and asked Mr. Norman to comment. Mr. Norman replied that "every effort" implies to do it. Mr. Norman reminded the Planning Commission of the setbacks and feels there is adequate separation.

Mr. Westervelt stated he feels the setbacks are adequate and provide large buffers.

Ms. Pace stated, if a masonry wall is required, she would like to see the wall articulated or off-set. Mr. Norman reminded Ms. Pace that the subject fence is along the rear lot line of the single-family dwellings. He feels articulation could result in encroachment on the development area or the single-family area or could have dual fences. He suggested addressing the fence issue at the Detail Site Plan process.

After further discussion Mr. Carnes suggested modifying the requirement for a standard six-foot screening fence, to be reviewed at the Detail Site Plan process and delete the requirement for the orientation of the building.

Chairman Doherty commented, in regard to an eight-foot wall, he feels the Planning Commission and staff should proceed cautiously on requiring an eight-foot wall due to the hemming-in effect and the detrimental effect on light, air and space.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-1** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; Midget, "abstaining"; none "absent") to recommend **APPROVAL** of PUD-559, subject to the conditions as recommended by staff and modified by the Planning Commission. (Language deleted by TMAPC is shown as ~~strikeout~~, language added or substituted by TMAPC is underlined.)

Legal Description for PUD-559/Z-5888-SP-1:

A tract of land that is part of the SW/4 of Section 18, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of and being more particularly described as follows, to-wit: starting at the SW corner of the SW/4 of said Section 18; thence N 88°58'12" E along the Southerly line of Section 18 for 1,136.02'; thence N 01°19'39" W and parallel with the Easterly line of the SW/4 of said Section 18 for 78.33' to the Point of Beginning of said tract of land, said point being on the Northerly right-of-way line of the Mingo Valley Expressway; thence continuing N 01°19'39" W and parallel with the Easterly line of the SW/4 of Section 18 for 2,051.00'; thence N 89°01'17" E and parallel with the Northerly line of the SW/4 of Section 18 for 1,400.00' to a point on the Easterly line of the SW/4 of Section 18, said point also being on the Westerly right-of-way line of the Mingo Valley Expressway; thence along said right-of-way line as follows; S 01°19'39" E" for 809.84'; thence S 15°33'20" W for 699.23'; thence S 30°38'16" W for 312.24'; thence S 30°38'15" W for 296.47'; thence S 83°32'48" W for 316.28'; thence N 01°01'06" E for 31.93'; thence N 07°09'49" E for 3.40'; thence S 88°58'12" W parallel with the Southerly line of the SW/4 of Section 18 for 20.75'; thence S 01°01'48" E for 37.09'; thence S 83°32'48" W for 140.63'; thence S 88°58'12" W for 200.25'; thence S 87°03'39" W for 200.27' to the point of beginning and; a tract of land that is part of the SW/4, Section 18, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: beginning at a point that is the NW

corner of the SW/4 of said Section 18; thence N 89°01'17" E along the Northerly line of the SW/4 of Section 18, for 2,534.76' to the NE corner of the SW/4 of Section 18, said point also being on the Westerly right-of-way line of the Mingo Valley Expressway; thence S 01°19'39" E along the Easterly line of the SW/4 of Section 18 and the Westerly right-of-way line of the Mingo Valley Expressway for 510.16'; thence S 89°01'17" W and parallel with the Northerly line of the SW/4 of Section 18 for 1,400.00'; thence S 01°19'39" E and parallel with the Easterly line of the SW/4 of Section 18 for 494.41'; thence S 89°01'17" W and parallel with the Northerly line of the SW/4 of Section 18 for 1,135.24' to a point on the Westerly line of Section 18; thence N 01°18'00" W along said Westerly line for 1,004.57' to the Point of Beginning of said tract of land; and a tract of land that is part of the SW/4 of Section 18, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: starting at the NW corner of the SW/4 of said Section 18; thence S 01°18'00" E along the Westerly line of Section 18 for 1,004.57' to the point of beginning of said tract of land; thence N 89°01'17" E and parallel with the Northerly line of the SW/4 of said Section 18 for 1,135.24'; thence S 01°19'39" E and parallel with the Easterly line of the SW/4 of Section 18 for 300.00'; thence S 89°01'17" W for 1,135.39' to a point on the Westerly line of Section 18; thence N 01°18'00" W along said Westerly line for 300.00' to the Point of Beginning of said tract of land and all located on the northwest corner of East 91st Street South and South Mingo Valley Expressway on the East side of South Mingo Road, Tulsa, Oklahoma.

Zoning Public Hearing:

Application No.: PUD-261-D

(PD-18) (CD-2)

Applicant: Joel Budd

Location: 1439 East 71st Street

(Major Amendment to allow a church facility.)

Staff Recommendation:

The major amendment is intended to allow the vacant retail structure on the subject tract to be used as a church facility. The subject tract is abutted on the north by single-family dwellings, zoned RM-1; to the west and southwest by a multi-story office building, zoned OM/PUD-261; to the east by a mini-storage facility and commercial uses, zoned PUD-388 and CS; and to the south by restaurants and commercial activities, zoned CS.

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-261-D 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-261-D, subject to the following conditions:

Development Standards:

- 1) Permitted Uses: Uses allowed by right in the CS District and church uses.
- 2) Other development standards as required by PUD-261-A.

Applicant's Comments:

Joel Budd stated he is in agreement with staff's recommendation.

Interested Parties Comments:

Jeff Levinson, 35 East 18th Street, 74117, stated he represents Riverbridge Property Development, which is an adjoining landholder.

Mr. Levinson noted, for the record, that his client is not aggressively protesting the application at this time since they are currently negotiating final arrangements. He stated if final negotiations are not reached, he will formally protest at the City Council meeting.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of Major Amendment PUD-261-D to allow a church facility, subject to the conditions as recommended by staff.

Legal Description for PUD-261-D

Lot 1, Block 1, Riverbridge Wal-Mart Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof, and located at 1439 East 71st Street South, Tulsa, Oklahoma.

* * * * *

Application No.: PUD-166-K

(PD-18) (CD-8)

Applicant: Timothy K. Fox

Location: 6508 East 91st Street South

(Major Amendment to allow a retail dry cleaning and laundry plant.)

Staff Recommendation:

The major amendment is intended to allow a Retail Dry Cleaning and Laundry plant to occupy 4,000 SF of the existing building and to install an all-weather, steel front, lit canopy for front parking and drive-through service on the north and east of the existing building. The subject tract is abutted on the north across East 91st Street by a bank, zoned CS; to the south and east by commercial business, zoned CS/PUD-166; and to the west by a drug store, zoned CS/PUD-206-A.

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-166-K 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-166-K, subject to the following conditions:

1. The requirements of PUD-166-C, as amended, shall continue to apply unless modified below.
2. Permitted uses: uses allowed by right in the CS District and Dry Cleaning/Laundry including coin operated.
3. Maximum Building Floor Area: 8,000 SF *

*of which no more than 5,000 SF may be Dry Cleaning/Laundry, including coin operated.

4. Minimum Building Setbacks:

From the Centerline of East 91 st Street South	130 FT
From the East property line	20 FT
From the Centerline of South Sheridan Road	130 FT
From the South property line	18 FT

5. Minimum Canopy Setbacks:

From the Centerline of East 91 st Street South	100 FT
From the East property line	5 FT **
From the Center line of South Sheridan Road	100 FT
From the South property line	15 FT

** Minimum of 15 FT if easement along east property line not vacated.

Applicant's Comments:

Timothy K. Fox stated he is in agreement with staff's recommendation.

There were no interested parties wishing to comment.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of Major Amendment PUD-166-K to allow a retail dry cleaning and laundry plant, subject to the conditions as recommended by staff.

Legal Description for PUD-166-K:

Lot 1, Block 1, Quik Trip First Addition, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof, and located at 6508 East 91st Street South, Tulsa, Oklahoma.

* * * * *

This item was heard and/or considered in conjunction with Plat Waiver, Section 213 - PUD-572.

Chairman Doherty left the dais and indicated he would be abstaining from this item.

Application No.: PUD-572

RS-3/CH to PUD

Applicant: Joe Hanes

(PD-25) (CD-1)

Location: Southwest corner North Peoria and East 50th Street North

(A multi-use Planned Unit Development for commercial, office and residential use.)

Staff Recommendation:

The PUD proposes commercial, office and residential uses. The subject tract contains 53,066 SF. The tract has 150 feet of frontage on North Peoria Avenue and 344 feet on East 50th Street North. The east 150 feet of the property is zoned CH and the west 194 feet is zoned RS-3.

The subject tract is abutted on the north by an auto parts store, zoned CH and single-family dwellings, zoned RS-3; to the south by a furniture store and strip shopping center, zoned CH; to the east by a school, zoned RS-3; and to the west by vacant property.

Tract A would contain a restaurant and convenience store, including gasoline sales. Tract B is proposed for various residential and office uses.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code with the changes listed below. Based on the following conditions, staff finds PUD-572 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 the PUD-572 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:

TRACT A

Land Area (Net):	38,025 SF
Permitted Uses:	Uses permitted by right in the CS district, less and except use units 12a and 19.
 Maximum Building Floor Area:	 6,000 SF
Maximum Building Height:	Single story, not to exceed 25 feet
 Minimum Building Setbacks:	
From centerline of Peoria	75 FT
From centerline of 50 th Street North	50 FT
From southern boundary	35 FT
From western boundary	60 FT
 Minimum Parking Setbacks:	
From centerline of Peoria	55 FT
From centerline of 50 th Street North	32 FT
From southern boundary	0 FT
From western boundary	60 FT
 Minimum Off-Street Parking:	 As required for the applicable use by the Tulsa Zoning Code.

Ground Signs:	One ground side on Peoria frontage not to exceed 25 feet in height or 200 sq.ft. in area.
Wall Signs:	Wall signs are permitted on the east, north and south building walls, on the east wall signs shall not exceed two square feet of display surface area per lineal foot of building to which attached.
Screening:	As required by the Tulsa Zoning Code, <u>except the screening on East 50th Street North will be addressed at the Detail Site Plan process.</u>
Access:	Vehicular access is limited to the existing two curb cuts on Peoria and one on 50 th Street North, providing that the cuts may be widened with the approval of Traffic Engineering. No access shall be permitted within 50' of residential uses.

TRACT B

Land Area (Net): 15,041 SF
Permitted Uses: Uses permitted by right in the RS, RT and RD districts.*

*Those uses included in Use Unit 11 may be approved as a Minor Amendment.

Bulk and Area Requirements:

Single-Family Dwelling	Must meet the requirements of the RS-4 District.
Duplex Dwelling	Must meet the requirements of the RD District.
Townhouse Development	Must meet the requirements of the RT District.

Maximum Building Height: 35 FT

Parking Spaces: As required by Tulsa Zoning Code.

Signage: None permitted.

3. No Zoning Clearance Permit shall be issued for a lot within Development Area A of the PUD until a Detail Site Plan for that lot, which includes all buildings and requiring parking and landscaped areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan for Development Area A shall be submitted to the TMAPC for review and approved prior to issuance of a building permit. 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 for Development Area A 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 in Development Area A in the PUD until a Detail Sign Plan for Development Area A has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

6. All trash, mechanical and equipment areas within Development Area A shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 10' in height and all such lights shall be set back at least 50' from the west boundary of Development Area A.
8. 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, making the City beneficiary to said Covenants.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Staff Comments:

Mr. Dunlap stated that staff is modifying the recommendation in regard to page 3, Area A - Screening, to include a clause that states the screening on East 50th Street North will be addressed at the Detail Site Plan process. He noted some of the neighbors have requested landscaping in lieu of the screening fence.

The applicant was not present.

Interested Parties Comments:

Steve Chamberlain, 11620 North 104th, Collinsville, stated he has a few questions in regard to this application.

Mr. Chamberlain referred to the Site Plan and asked whether the south boundary will be screened or fenced. He also asked clarification on the uses that are permitted.

Deborah Blalock, 4800 North Peoria, Tulsa, 74126, stated she had no comments.

Suzanne Evans, 4910-R North Peoria, Tulsa, 74126, expressed concern with the current vacant houses in the neighborhood and questioned the need for additional houses and whether there would be any requirements for occupancy of these houses.

Jack Evans, 4910-R North Peoria, Tulsa, 74126, stated he has a business located on the adjoining property. He stated there is currently an eight-foot fence located behind his facility that runs the entire length of the adjoining property. He requested that the height and type of fence be maintained.

Mr. Evans expressed concern with school children loitering in the area and feels the screening fence aids in keeping them out of this area.

TMAPC Comments:

Mr. Midget clarified the development areas and noted that either office or residential development would be permitted. Mr. Dunlap stated staff deleted office development but stated those uses included in Use Unit 11 may be approved as a Minor Amendment.

Mr. Midget asked whether Minor Amendments are reviewed by the Planning Commission. Mr. Dunlap replied in the affirmative.

Mr. Jackson asked staff to further describe the location of the proposed development. Ms. Matthews replied the proposed development is across from McClain High School and south of McClain Shopping Center.

In regard to Mr. Chamberlain's questions, Ms. Matthews stated that the Code requires screening since it abuts a single-family residential. In regard to uses allowed, Mr. Midget stated residential uses are permitted by right and those uses included in Use Unit 11 may be approved as a Minor Amendment.

Ms. Pace asked whether Mr. Chamberlain is in favor of landscaping in lieu of a screening fence. Mr. Midget stated there will be a screening fence on the southern boundary and the neighbors on East 50th Street North would prefer landscaping in lieu of a screening fence on the street side.

Ms. Pace commented a screening fence is required when residential use abuts a commercial use. Mr. Horner asked whether Mr. Evans is requesting an eight-foot fence when a six-foot fence is the requirement. Mr. Evans replied a six-foot privacy fence would be acceptable.

Ms. Matthews stated that security and vacant houses are issues for Code Enforcement.

Ms. Pace requested clarification on the zoning. Mr. Dunlap replied that Tract A allows uses permitted by right in the CS district, less and except use units 12a and 19. Tract B allows uses permitted by right in the RS, RT and RD district but those uses included in Use Unit 11 may be approved as a Minor Amendment.

Ms. Pace expressed concern with the back portion of the property being used as a parking lot. Mr. Dunlap stated there is no proposal for the back portion of the property at this time. He reminded the Planning Commission that the Site Plan will be reviewed and considered by them.

Mr. Westervelt requested that staff provide a breakdown of staff's recommendation and where it differs from the applicant's request.

Ms. Pace asked Mr. Midget if the proposed development is in the spirit of the North Peoria Corridor Study. Mr. Midget replied in the affirmative.

Ms. Gray noted if the two west halves of the parcel develops as residential, there will be no fence required. Ms. Matthews noted there would be no fence required on the front portion since it is adjacent to CH-zoned property.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-1** (Boyle, Carnes, Dick, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; none "absent") to recommend **APPROVAL** of PUD-572, subject to the conditions as recommended and modified by staff. (Language deleted by TMAPC/staff is shown as strikeout, language added or substituted by TMAPC/staff is underlined.)

Legal Description for PUD-572:

Lots 1 and 2, Block 2, Buenos Vista Subdivision, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located on the southwest corner of E. 50th Street North and North Peoria Avenue, Tulsa, Oklahoma.

Application No.: Z-6605

Applicant: Allan P. Bennison

Location: South of southwest corner East 14th Street and South Terrace Drive

RS-3 to OL

(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 subject tract as Low Intensity - Special Consideration Area B.

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

Staff Comments:

Site Analysis: The subject property is 75' x 170' in size and is located south of the southwest corner of East 14th Street South and South Terrace Drive. The property is flat, non-wooded, has single-family dwelling and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north and south by single-family dwellings, zoned OL; to the west by a Post Office, zoned OM; and to the west by duplex dwellings, zoned RM-1/PUD-421.

Zoning and BOA Historical Summary: The lot to the south has been zoned OL since 1986 and the lot on the north has been zoned OL since 1975.

Conclusion: The existing zoning patterns in the area are compatible and the Comprehensive Plan indicates the request for OL zoning as may be found in accordance with the Plan Map. The request would align the subject lot with the existing office zoning on the north and south; therefore, staff recommends **APPROVAL** of OL zoning for Z-6605.

There were no interested parties wishing to comment.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of OL zoning for Z-6605 as recommended by staff.

Legal Description for Z-6605:

The South 75' of the East 170' of Lot 1, Block 5, Terrace Drive Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located south of the southwest corner of East 14th Street and South Terrace Drive, Tulsa, Oklahoma.

Application No.: PUD-571

CS/RM-1 to PUD

Applicant: Roy Johnsen

(PD-18) (CD-8)

Location: East of northeast corner East 81st Street and South Memorial

(A Planned Unit Development for commercial use.)

(NOTE: Applicant request a continuance to October 8, 1997.)

Chairman Doherty stated a timely request for continuance to October 8, 1997, has been received.

There were no interested parties wishing to comment.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** the Zoning Public Hearing for PUD-571 to October 8, 1997.

Application No.: PUD-556-1

(PD-17) (CD-6)

Applicant: Charles Norman

Location: West of southwest corner South 161st East Avenue and
East Admiral Place

(Minor Amendment to reduce building setbacks and setbacks for outside storage of vehicles and boats.)

Mr. Ledford left the dais and indicated he would be abstaining from this item.

Staff Recommendation:

The applicant is requesting minor amendment approval to reduce the minimum building setback for buildings more than 350 feet south of the centerline of Admiral Place from 75 feet to 40 feet and to reduce the minimum setback for outside storage of vehicles and boats more than 350 feet south of the centerline of Admiral Place from 75 feet to five feet.

Staff has reviewed the request and finds the 75-foot west property boundary setback requirement for buildings and vehicles more than 350 feet south of the centerline of Admiral Place predated the approval of IL zoning and PUD-560 to the west. The remaining AG District to the west is now reduced to an area between the IL District (PUD-560) and the 100 year floodplain and is unlikely to be used for residential purposes.

Staff, therefore, recommends **APPROVAL** of the minor amendment to reduce the west property boundary building setback to 40 feet and the west boundary vehicle storage setback to five feet subject to the following conditions:

No buildings shall be permitted within the regulatory floodplain.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Towers, 74103, indicated he was in agreement with staff's recommendation.

There were no interested parties wishing to comment.

TMAPC Action; 11 members present:

On **MOTION** of **DICK**, the TMAPC voted **10-0-1** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; none "absent") to **APPROVE** Minor Amendment PUD-566-1 to reduce building setbacks and setbacks for outside storage of vehicles and boats, subject to the condition that no buildings shall be permitted within the regulatory floodplain as recommended by staff.

Application No.: PUD-556

(PD-17) (CD-6)

Applicant: Jerry Ledford, Jr.

Location: .25 mile west of South 161st East Avenue and East Admiral Place
(Site Plan for a storage and repair facility for recreational vehicles, travel trailers, mobile homes and boats.)

Mr. Ledford left the dais and indicated he would be abstaining from this item.

Staff Recommendation:

The applicant is requesting site plan approval for a 4.55 (net) acre covered and open storage and repair facility for recreational vehicles, travel trailers, mobile homes and boats. The PUD standards also permit the dispensing of propane fuel, the disposal of waste and an office and residence for an on-site manager.

Staff has reviewed the request and finds the site plan conforms to the approved standards for bulk, area, setback, access, parking, floor area and landscaped areas for PUD-556 as amended.

Staff, therefore, recommends **APPROVAL** of the site plan as submitted subject to the following conditions:

Approval of a minor amendment (PUD-556-1) to reduce the west property boundary minimum building and vehicle storage setbacks for buildings and storage areas greater than 350 feet from the centerline of East Admiral Place.

NOTE: Detail Site Plan approval does not constitute Detail Landscape or Sign Plan approval.

Applicant's Comments:

Jerry Ledford, Jr., the applicant, stated he is in agreement with staff's recommendation.

There were no interested parties wishing to comment.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-1** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; none "absent") to **APPROVE** the Detail Site Plan for PUD-556 as recommended by staff.

Application No.: PUD-397A

(PD-10) (CD-7)

Applicant: Phil Tomlinson

Location: Southeast corner East 61st Street South and South 90th East Avenue

Presented to TMAPC: Phil Tomlinson

(Site Plan for a one-story bank and drive-up facility and to allow a portable drive-up bank trailer during construction.)

Staff Recommendation:

The applicant is requesting detail site plan approval for 5,410 square foot one-story bank and drive-up facility on a 71,057 square foot lot. The applicant is also requesting that a 925 square foot portable drive-up bank trailer be allowed on the site for up to 18 months or until the permanent bank facilities are constructed. The applicant has represented to staff that approximately 60 percent of the northern portion of the site will be paved in accordance with the site plan for the permanent facility to allow the temporary use of the portable trailer. The applicant wishes to install all required landscape materials prior to occupancy of the permanent bank facility.

Staff has reviewed the site plan and finds it meets the minimum required PUD-397-A standards for bulk and area, setback, floor area, parking, access and total landscaped area. The proposed location of the portable trailer also meets the setback requirements of the PUD and will be positioned to allow completion of the permanent building, parking and landscaping with minimal interference. The applicant fully expects to occupy the permanent facility before December, 1998.

Staff, therefore, recommends **APPROVAL** of the PUD-397-A Site Plan subject to the following conditions:

1. The portable bank drive-up trailer will be removed before occupancy of the permanent bank facility is permitted or within 18 months from the date of site plan approval, whichever occurs sooner.
2. The permanent drive cuts and northern parking area and interior drives be built in accordance with the approved site plan for the permanent facility prior to occupancy and use of the temporary drive-up trailer.
3. ~~Landscape materials be installed in required street yards in accordance with an approved landscape plan~~ The sodding portion of the landscaping requirement be installed in the required street yards prior to occupancy of the temporary drive-up trailer for areas where permanent drive cuts and interior drives are constructed. All remaining required landscape materials will be installed prior to occupancy of the permanent bank and drive-up facility. Any variance from the landscape requirements of the Zoning Code must receive Alternative Landscape Compliance approval from TMAPC.

NOTE: Site Plan approval does not constitute Landscape Plan or Sign Plan approval.

Applicant's Comments:

Phil Tomlinson, Community Bank, 5780 South Peoria, Tulsa, stated the temporary portable drive-up bank trailer will require a driveway and parking area. He noted a building permit will be required prior to constructing the driveway and parking lot. However, a building permit cannot be issued without a landscaping plan.

Mr. Tomlinson stated the landscaping plan is currently being designed, but the final plan will not be available for some time. He noted that 90 percent of the required landscaping will be located along the driveway. Therefore, he requested the landscape requirements be a condition of the building permit for the bank building and not the portable trailer.

There were no interested parties wishing to comment.

TMAPC Comments:

Ms. Pace feels landscaping should complement the facility and that permanent landscaping should be delayed until the bank facility is constructed.

Mr. Dick asked when the permanent structure would be completed. Mr. Tomlinson replied by the summer of 1998.

Mr. Westervelt reminded the Planning Commission that in the past some type of beautification or landscaping was required prior to allowing the applicants to use a temporary facility for their own benefit.

Chairman Doherty feels it may be appropriate to allow a time period while under in construction but noted the landscaping is vulnerable and that the final design is difficult to achieve before the building design is finalized.

After further discussion by the Planning Commission, Mr. Carnes suggested requiring the applicant to sod the area along the street yards and all other landscape be installed prior to issuance of the building permit for the bank building.

TMAPC Action; 11 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-1-1** (Boyle, Carnes, Dick, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; Westervelt "nay"; Doherty "abstaining"; none "absent") to **APPROVE** the Detail Site Plan for PUD-397A, subject to the conditions as recommended by staff and modified by the Planning Commission. (Language deleted by TMAPC is shown as ~~strikeout~~, language added or substituted by TMAPC is underlined.)

There being no further business, the Chairman declared the meeting adjourned at 2:35 p.m.

Date Approved: 10/8/97

James Robert Chairman

ATTEST: *Francis Pace*
Secretary