

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2134

Wednesday, October 22, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, October 17, 1997 at 12:55 p.m., in the Office of the City Clerk at 12:43 p.m., as well as in the office of the County Clerk at 12:30 p.m.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:35 p.m.

Minutes:

Approval of the minutes of October 8, 1997, Meeting No. 2132:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace "aye"; no "nays"; Dick "abstaining"; Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of October 8, 1997 Meeting No. 2132.

Reports:

Chairman's Report:

Chairman Doherty informed the Commission that the City Council Urban Development Committee met yesterday to discuss the amendments to the use units. It was noted that Rules and Regulations Committee needs to further review the automotive uses prior to consideration by the City Council.

After further discussion, Mr. Boyle scheduled a Rules and Regulations Committee meeting for November 5, 1997.

Committee Reports:

Comprehensive Plan Committee:

Mr. Ledford stated the Comprehensive Plan Committee has reviewed the Urban Renewal Plan Amendments that the Planning Commission will consider today.

Rules and Regulations Committee:

Mr. Boyle stated the Rules and Regulations Committee will meet on November 5, 1997, to discuss automotive uses and screening fence requirements.

Community Participation Committee:

Ms. Gray reminded the Commission of the Community Participation Workshop/Training Session to be held on November 4, 1997. She stated the training session will consist of a mock TMAPC Public Hearings with the community participants and TMAPC member reversing roles.

Policies and Procedures Committee:

Mr. Carnes scheduled a Policies and Procedures Committee meeting on November 4, 1997 to consider the name and mission of the committee.

Subdivisions:

Plat Waiver, Section 213:

BOA-17835 (Unplatted) (2683) (PD-26) (CD-8)
South of the Southwest corner of 101st and Memorial Drive

Staff Comments:

Mr. Stump stated this plat waiver is consistent with the policy. When only a cellular tower is involved, it is not considered a new use on the property and they customarily waive the platting requirement.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **APPROVE** the Plat Waiver, Section 213 for BOA-17835 as recommended by staff.

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Lot-Splits for Ratification of Prior Approval:

L-18557 City of Tulsa (283)
6116 South Memorial Drive

(PD-18) (CD-7)

L-18560 City of Tulsa (593)
2600 Block East 2nd Street

(PD-4) (CD-4)

Staff Comments:

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

TMAPC Action; 10 members present:

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

Continued Zoning Public Hearing:

Application No.: Z-6603

OM to CS

Applicant: Elizabeth Southard

(PD-18) (CD-7)

Location: 6927 South Canton

(Applicant request a continuance to November 12, 1997 to allow time to concurrently consider a PUD.)

Chairman Doherty stated a request for continuance to November 12, 1997 was received to allow time to concurrently consider a PUD.

There were no interested parties wishing to comment.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **CONTINUE** the Zoning Public Hearing for Z-6603 to November 12, 1997.

Zoning Public Hearing:

Application No.: CZ-238

Applicant: James P. Coleman

Location: East of northeast corner 265th West Avenue and U.S. Highway 51

Presented to TMAPC: James P. Coleman

AG to CG

(PD-23) (County)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The Development Guidelines, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, provide for evaluation of the existing conditions, land uses, existing zoning and site characteristics for areas that have not been specifically defined for development. Based on these conditions, the subject tract would be characterized as Low Intensity-Rural Residential. The requested CG zoning would not be in conformance with the Comprehensive Plan.

Staff Comments:

Site Analysis: The subject property is approximately 5.38 acres in size and is located east of the northeast corner of West Highway 51 and South 263rd West Avenue. It is steeply sloped, wooded, vacant and zoned AG in the County.

Surrounding Area Analysis: The subject tract is abutted on the north by the Burlington/Northern Railroad and beyond the railroad are four single-family dwellings, zoned AG; to the south, east and west is vacant property, zoned AG.

Zoning and BOA Historical Summary: The most recent zoning action was in 1991 that rezoned a 12-acre tract west of the subject tract on the north side of the railroad and on the west side of South 265th West Avenue from AG to IL for a boat and RV storage facility. In 1990 the County Commission approved CS zoning on the southwest corner of U.S. Highway 51 and South 265th West Avenue.

Conclusion: Based on the Comprehensive Plan and considering the existing land uses and existing zoning, staff recommends **DENIAL** of CG zoning or any lesser commercial zoning for CZ-238.

Applicant's Comments:

James Coleman, Box 351, Mannford, questioned staff's recommendation for denial. He said that when he applied for the zoning change, it was indicated that mini-storage was probably the most appropriate use for the subject property.

Mr. Coleman stated the intended use is for a mini-storage facility, as well as an office on the subject property. He noted he is the owner of the AG property on the south side of the highway and intends to develop it as a mobile home park at a later date.

Mr. Coleman mentioned that there is property just west of the 51st and Coyote Trail intersection, located between the highway and the railroad track, that has been rezoned to IL and even farther down an area rezoned to CG.

There were no interested parties wishing to comment.

TMAPC Comments:

Chairman Doherty reminded the Commission that the applicant is requesting CG zoning, which includes a wide array of uses. He feels CG zoning is excessive for what is needed to develop the property as indicated by the applicant. Mr. Coleman stated that is what INCOG staff recommended.

Mr. Stump stated the long-range plan does not indicate any type of commercial development in this area. It has characteristics of a strip-type development due to the railroad track located to the north and a highway to the south. The development guidelines allow commercial development around the intersection of major streets, which in this case would be Coyote Trail and 51st Street.

Chairman Doherty asked staff if a PUD would be appropriate in lieu of CS zoning. Mr. Stump suggested OL or OM zoning for the mini-storage use. Chairman Doherty asked whether the Commission could consider OL or OM zoning today due to the notification process. Mr. Linker replied in the affirmative.

Chairman Doherty pointed out the CG-zoned property was located on top of a hill and the facts were different from that case. Chairman Doherty asked whether OL zoning would allow a mini-storage use. Mr. Stump replied it would require a special exception.

After further discussion, Mr. Carnes suggested approving OL zoning, noting the applicant would have to file for a special exception to allow the mini-storage use.

Mr. Dick asked what zoning category would allow the mini-storage use by right. Mr. Stump replied CG zoning.

Mr. Dick asked whether the applicant has contacted County Commissioner Selph in regard to this application. Chairman Doherty stated he has discussed the application with Commissioner Selph and feels the mini-storage would be an appropriate use.

Mr. Horner feels the OL zoning with the special exception would save the applicant money and time.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to recommend **APPROVAL** of OL zoning for CZ-238, subject to BOA approval of a special exception to permit the use of a mini-storage facility.

Legal Description for CZ-238:

A tract of land in a part of the NE/4, NE/4, Section 18, T-19-N, R-10-E, Tulsa County, Oklahoma; more particularly described as follows, to-wit: commencing at the Northeast corner of the NE/4 of Section 18, T-19-N, R-10-E, thence N 89°51'07" W along the North line of said NE/4 a distance of 329.66'; thence along the following Corps of Engineers' boundary line as follows, to-wit: S 45°06'41" W a distance of 465.88'; thence S 00°17'16" W a distance of 393.31' to a point on the South right-of-way line of the Burlington-Northern railroad the Point of Beginning; thence continuing S 00°17'16" W a distance of 371.37' to a point on the North right-of-way line of Oklahoma State Highway 51; thence S 86°36'46" W along said North right-of-way line a distance of 446.92' to an existing gravel road; thence N 19°29'56" E along the gravel road a distance of 54.26'; thence N 20°08'28" E a distance of 53.57'; thence N 11°03'37" E a distance of 53.10'; thence N 03°58'26" E a distance of 53.92'; thence N 02°52'56" E a distance of 53.40'; thence N 05°26'07" E a distance of 55.50'; thence N 13°59'56" E a distance of 43.81' to a point intersecting the South right-of-way line of the Burlington-Northern railroad; thence N 84°04'30" E along said right-of-way line a distance of 381.02' to the Point of Beginning, the West 15' of the above described property is reserved for the road right-of-way; and a strip of land in a part of the NE/4, NE/4, Section 18, T-19-N, R-10-E, Tulsa County, Oklahoma; for the purpose of a 30' road easement, 15' on each side of the following described centerline; said centerline is more particularly described as follows, to-wit: commencing at the Northeast corner of the NE/4, Section 18, T-19-N, R-10-E; thence N 89°51'07" W along the North line of said NE/4 a distance of 329.66'; thence along the following Corps of Engineers' boundary line as follows, to-wit: S 45°06'41" W a distance of 465.88'; thence S 00°17'16" W a distance of 764.68' to a point of the North right-of-way line of Oklahoma State Highway 51; thence S 86°36'46" W along said North right-of-way line a distance of 446.92' to the centerline of an existing gravel road and the point of beginning; thence N 19°29'56" E a distance of 54.26'; thence N 20°08'28" E a distance of 53.57'; thence N 11°03'37" E a distance of 53.10'; thence N 03°58'26" E a distance of 53.92'; thence N 02°52'56" E a distance of 53.40'; thence N 05°26'07" E a distance of 55.50'; thence N 13°59'56" E a distance of 43.81' to a point on the South right-of-way line of the Burlington-Northern railroad and the end of road easement; and a tract of land in a part of the NE/4, NE/4, Section 18, T-19-N, R-10-E, Tulsa County, Oklahoma; more particularly described as follows, to-wit: commencing at the Northeast corner of the NE/4 Section 18, T-19-N, R-10-E, thence N 89°51'07" W along the North line of said NE/4 a distance of 329.66'; thence along the following Corp of Engineers' boundary line as follows, to-wit: S 45°06'41" W a distance of 465.88'; thence S 00°17'16" W a distance of 764.68' to a point on the North right-of-way line of Oklahoma State Highway 51; thence S 86°36'46" W along said North right-of-way line a distance of 446.92' to an existing gravel road and the point of beginning; thence N 19°29'56" E along the gravel road a distance of 54.26'; thence N 20°08'28" E a distance of 53.57';

thence N 11°03'37" E a distance of 53.10'; thence N 03°58'26" E a distance of 53.92'; thence N 02°52'56" E a distance of 53.40'; thence N 05°26'07" E a distance of 55.50'; thence N 13°59'56" E a distance of 43.81' to a point intersecting the South right-of-way line of the Burlington Northern railroad; thence S 84°04'30" W along said right-of-way line a distance of 288.00' to a Corps of Engineers' monument; thence S 00°17'04" E along Course #6 a distance of 311.44' to a point on the North right-of-way line of Oklahoma State Highway 51; thence N 86°36'46" E along North right-of-way line a distance of 79.00'; thence S 03°22'48" E a distance of 30'; thence N 86°36'46" E a distance of 135.50' to the Point of Beginning, and the East 15' of the above described property is reserved for road right-of-way, said property subject to any easements and/or right-of-ways that may be of records; and a strip of land in a part of the NE/4, NE/4, Section 18, T-19-N, R-10-E, Tulsa County, Oklahoma; for the purpose of a 30' road easement 15' on each side of the following described centerline; said centerline is more particularly described as follows, to-wit: commencing at the Northeast corner of the NE/4 Section 18, T-19-N, R-10-E; thence N 89°51'07" W along the North line of said NE/4 a distance of 329.66'; thence along the following Corps of Engineers' boundary line as follows, to-wit: S 45°06'41" W a distance of 465.88'; thence S 00°17'16" W a distance of 764.68' to a point of the North right-of-way line of Oklahoma State Highway 51; thence S 86°36'46" W along said North right-of-way line a distance of 446.92' to the centerline of an existing gravel road and the Point of Beginning; thence N 19°29'56" E a distance of 54.26'; thence N 20°08'28" E a distance of 53.57'; thence N 11°03'37" E a distance of 53.10'; thence N 03°58'26" E a distance of 53.92'; thence N 02°52'56" a distance of 53.40'; thence N 05°26'07" E a distance of 55.50'; thence N 13°59'56" E a distance of 43.81' to a point on the South right-of-way line of the Burlington-Northern railroad and the end of road easement; and located east of the northeast corner of West High 51 and South 263rd West Avenue, Sand Springs, Oklahoma.

Staff Comments:

Mr. Stump informed the Commission that it was pointed out that the County Zoning Code does not reflect the amendments that allowed mini-storage facilities in OL-zoned areas. He requested additional time to review the issue.

Chairman Doherty suggested having the applicant apply for a principal use variance. Mr. Stump suggested continuing the hearing to November 5, 1997.

After further discussion, Mr. Carnes suggested that the applicant apply for a special exception or variance while staff reviews the issue.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **RECONSIDER CZ-238**.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **CONTINUE** the Zoning Public Hearing for CZ-238 to November 5, 1997.

Application No.: PUD-574

RM-1/CS to RM-1/CS/PUD

Applicant: Roy D. Johnsen

(PD-18) (CD-8)

Location: North and east of the northeast corner of East 81st Street and South Memorial Drive

Presented to TMAPC: Roy D. Johnsen

(Planned Unit Development containing an apartment complex and commercial lots on Memorial Drive.)

Staff Recommendation:

A mixed-use PUD is proposed that will contain three development areas: Area A would contain 388 units of apartments on 15.6 acres (24.9 units/acre), Areas B and C, each about one acre in size, would be commercial tracts. The underlying zoning for the PUD is primarily RM-1 with a small portion of CS zoning along on southern portion of the area near Memorial Drive.

To the north of the PUD is an apartment complex now under development; to the east is a single-family residential subdivision; to the south is a car wash, convenience store and a new PUD proposed additional commercial development; to the west across Memorial Drive are single-family homes to the north and commercial uses to the south.

With the modifications recommended by staff, 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-574 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-574 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 (Net):	15.6 acres
Permitted Uses:	Multifamily dwellings
Maximum Number of Dwelling Units:	388 <u>364</u>
Minimum Livability Space per Dwelling Unit:	600 SF
Maximum Building Height:	45 FT
Maximum Stories:	3
Minimum Setbacks Multifamily Buildings:	
from right-of-way of Memorial	250 FT
from North boundary	50 FT
from East boundary	
two story buildings	50 FT
three story buildings	105 FT *
from centerline of 81 st Street	100 FT
from other boundaries	20 FT

* with the exception of the southeasternmost building with a setback of 100 FT.

Minimum Setbacks Garages:	
from East boundary	25 FT
from other boundaries	5 FT
Other Bulk and Area and Sign Requirements:	As established within an RM-1 District

DEVELOPMENT AREA B

Land Area (Net):	0.96 acres
Permitted Uses:	As permitted by right within an OM CS District except those uses <u>In Use Unit 12a nor dance Halls or convenience Grocery stores.</u> **

** Live music shall not be permitted later than 11:00 p.m.

<u>Maximum Building Height:</u>	<u>1 story for commercial,</u> <u>2 story for office if</u> <u>residential in design</u>
Maximum Building Floor Area:	20,000 SF <u>13,000 SF</u>

Minimum Building Setback	
from right-of-way of Memorial Drive	50 FT
from north and east boundaries	30 FT
from south boundary	20 FT
Other Bulk and Area Requirements:	As established within an OM <u>CS</u> District
Minimum Landscaped Open Space:	45% <u>10%</u> of lot
Maximum Signage:	<u>Ground Signs:</u> One Ground sign is permitted Which shall not exceed 25' in height nor 150 SF of display surface area. <u>Wall Signs:</u> Wall signs Are only permitted on the west and south sides of buildings and shall not exceed 2 SF of display surface area per lineal foot of buildings wall to which they are attached.

DEVELOPMENT AREA C

Land Area (Net):	1.05 acres
Permitted Uses:	As permitted by right within a CS District
Maximum Building Floor Area:	13,000 SF
Maximum Building Height:	35 FT
Minimum Building Setback	
from right-of-way of Memorial	50 FT
from north and south boundaries	20 FT
from east boundary	30 FT
Minimum Landscaped Open Space:	10% of lot
Maximum Signage:	<u>Ground Signs:</u> One ground sign is permitted which shall not exceed 25' in height nor 150 SF of display surface area.

Wall Signs: Wall signs are only permitted on the west, north and south sides of buildings and shall not exceed 2 SF of display surface area per lineal foot of buildings wall to which they are attached.

3. **Landscaping and Screening**
A landscaped area of not less than 25 feet in width shall be located along the east boundary of Development Area A. Additional landscaping and screening, to be determined at landscape plan review, shall be provided adjacent to the two-story unit located on the southeast corner of Development Area A and shall include a noise-impeding wall at least 6' 8" in height. The design of the wall shall be approved by TMAPC prior to its construction. A six-foot high screening fence or wall or an adequate landscaped buffer approved by TMAPC shall be provided on the east and north boundaries of Development Area B and east boundary of Development Area C.
4. 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 requiring parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
5. A Detail Landscape Plan for each development area 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
6. 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.
7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
8. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light in the east 150 feet of Development Area A shall not exceed 12 feet and other areas shall not exceed 25 feet in height and all such lights shall be set back at least 75 feet from an RS district.

9. 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 [serving a development area] have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
10. 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.
11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
12. A Mutual Access will be required between the apartment entrance road on Memorial to the south boundary of Development Area C; provided it is reciprocated; and the location and design will be determined at Site Plan review.

Applicant's Comments:

Roy Johnsen, 201 West 5th Street, Suite 440, 74103, stated he is representing the Hanover Company, which is the applicant as well as the owner of the property.

Mr. Johnsen gave a brief history/background on the subject property. He noted that presently approximately 2.5 acres are zoned CS and 17.5 acres are zoned RM-1. He noted the present zonings were established in 1978, prior to the construction of the single-family dwellings to the east and the recently-adopted standards for multifamily projects.

Mr. Johnsen noted that properties to the north, Lincoln Village and Lincoln on Memorial, were recently rezoned to allow the multifamily dwellings instead of single-family. He noted again that the subject property was rezoned in 1978 to CS and RM-1 zoning.

Mr. Johnsen addressed the CS-zoned tract. He noted when the 1978 rezoning was approved, the ten acres located at the intersection of 81st and Memorial was divided. The southern portion of the ten acres was purchased for a QuikTrip site and the balance was sold and developed as the Crystal Clean Carwash site. The property was not developed under a PUD and the mutual access was agreed upon by the parties, not imposed as a condition by the Planning Commission.

Mr. Johnsen stated the underlying zoning on the subject commercial tract permits 47,000 SF of floor area. The applicant is proposing 30,000 SF of floor area. He feels this is a modest request.

After review of staff's recommendation and their concerns, Mr. Johnsen suggested limitations to the uses permitted. He proposed a prohibition on Use Unit 12a, nightclubs, taverns, etc., and Use Unit 19, dance halls. He also

suggested a time limit of 11:00 p.m. for restaurants with live music and that no convenience grocery stores will be allowed.

Mr. Johnsen pointed out that the existing right-of-way on Memorial Drive, across from Development Area B, is 220 FT. The standard right-of-way for a primary arterial is 120 FT. He feels the restrictions on uses and the additional right-of-way will provide sufficient protection to the surrounding neighborhoods. He feels staff would support these modifications.

In regard to the mutual access, Mr. Johnsen feels, since there is no particular use of the property at this time, it would be inappropriate to impose a mutual access requirement at this time. He stated the design and layout of any facility need to be determined prior to granting mutual access. He feels the issues of mutual access should not be determined until a site plan has been submitted.

Mr. Johnsen addressed the multifamily residential development area. He noted that the Hanover Company is a very large developer of superior-quality residential communities. He stated the proposed development conforms to the site plan that was submitted at the beginning of the presentation. He noted that several revisions have occurred due to the review by staff.

Mr. Johnsen reviewed the setback requirements for two-story buildings, three-story buildings and parking areas. He stated, in the development of the proposed site plan, the objective was to achieve good land-use relationships with the adjoining single-family area on the east boundary.

Mr. Johnsen noted the revised proposal includes a 25-foot minimum landscape buffer on the east boundary and a noise-impeding wall either six- or eight-foot in height. The proposal also includes a 105-foot setback for three-story buildings, a 50-foot setback for two-story buildings and a 25-foot setback for parking from the east boundary line. He pointed out that the four multifamily buildings that are located within the east 150 feet of the property and two stories in height are set back 105 feet. The multifamily buildings located within the southern portion of the property are oriented in an easterly and westerly direction and consist of two-story units on the ends and three-story units in the middle of the facility. He stated the three-story units are set back in excess of 105 feet from the east boundary.

Mr. Johnsen requested a modification to staff's recommendation in regard to the setback of the southernmost building located on the east boundary. He noted a limited frontage, approximately 456 lineal feet, on 81st Street. The driveway has been modified to the maximum extent to split the two buildings and move the easternmost building further to the west. The closest point of the two-story unit is 50 feet and the three-story unit is 100 feet from the east boundary line. He noted a loss in density with the revised proposal.

In regard to overall density, Mr. Johnsen stated the underlying zoning of the subject property if developed under a PUD would permit 439 dwelling units. The applicant's submittal allows 388 dwelling units. He feels with the revisions to the site plan the number of units will decrease. He noted the proposed development

has achieved a good relationship on the east boundary; has two points of access, one on Memorial Drive and one 81st Street; and allows only 17.5 dwelling units per acre.

Mr. Johnsen feels he has addressed the neighborhood concerns with the exception of the neighborhood requesting lower densities. He noted there will be no parking within 25 feet of the eastern boundary and the standard lighting requirements will be adhered to.

Interested Parties Comments:

Steve Schuller, 320 South Boston, 74103, stated he is representing Crystal Clean Carwash and QuikTrip Corporation. He stated his clients maintain a shared access across their respective properties along Memorial Drive.

Mr. Schuller pointed out the problems with access in regard to the center median on Memorial Drive. He feels a mutual access easement is good planning practice to provide mutual access to commercial areas and in turn provide better flow of traffic on arterial streets.

Mr. Schuller feels a mutual access easement is appropriate in this location and the location of the easement should be determined at the site plan review stage.

Hans Scheuter, 7824 South 85th East Avenue, 74133, presented an outline that addressed some of the concerns of the Woodland Meadows homeowners. Those items addressed were density, lighting, sound barrier, access and traffic concerns.

Mr. Scheuter feels the density is too high and should be reduced to preserve consistency with other apartment developments in the area. He noted the lighting standards are acceptable, but requested the maximum height be limited to eight feet within the 60-foot range and 16 feet on the remaining areas. He also requested the wall be eight feet in height for sound isolation, as well as for security reasons. He also requested a security gate.

In regard to accesses and traffic concerns, Mr. Scheuter requested the access to 81st Street be delayed until such time as 81st Street is widened or a turn lane is provided to assist the flow of traffic.

Mr. Scheuter feels with these few changes, the proposed development would be acceptable by homeowners in Woodland Meadows.

Jay Helm, 3134 East 67th, 74136, expressed concern with Lot B in regard to building height restrictions. He feels the height should be restricted to single-story buildings to be consistent with other developments in the area.

In regard to density, Mr. Helm noted that Lincoln on Memorial and Lincoln Village were limited to 19 units per acres.

Charles Stidham, 8028 South 85th East Avenue, 74133, expressed concern with the rapid development at the 81st Street and Memorial Drive intersection and increase in traffic.

Mr. Stidham also requested that access to 81st Street be delayed until such time as 81st Street is improved to accommodate the increased traffic flow. He also suggested a traffic signal be installed at 87th Street.

Mr. Stidham requested the building abutting the rear of his property be reoriented so no doors open towards his property. He also requested an eight-foot wall and lighting limited in height to provide privacy.

Larry Shipp, 8022 South 85th East Avenue, 74133, stated he owns property on the east boundary of the proposed project. He expressed concerns with the lighting and requested that the lights be turned downward and away from adjacent property owners.

Mr. Shipp also requested an eight-foot wall for screening, but noted the wall should be constructed in a way that will not interfere with the natural drainage channel in the area.

Mr. Shipp feels a three-story building is an intrusion to the residential area.

Applicant's Rebuttal:

Mr. Johnsen stated the applicant is willing to provide either a six-foot or eight-foot wall.

In regard to the southernmost building, Mr. Johnsen stated the end of the units will have two doors on the lower level and there will be a 50-foot landscape strip between the doors and the screening wall. He noted there are no balconies on the end of the units.

Mr. Johnsen indicated the proposed density is reasonable and appropriate. He reminded the Commission that the property could be developed under the RM-1 zoning without a PUD and that the density would be in excess of 300 dwelling units. He feels a PUD establishes good setback, provides detailed site planning and gives consideration to adjoining properties.

Mr. Johnsen pointed out that the three-story buildings are located to the west and farthest removed from the neighborhood. He feels that with the location and the orientation of the buildings it will not adversely impact the surrounding neighborhood.

In regard to Area B and the height restriction, Mr. Johnsen stated he is agreeable to the one-story height limitation.

TMAPC Comments:

Mr. Boyle questioned, in regard to the issue of a mutual access easement to the tracts located in the node, whether it is appropriate. Mr. Stump replied mutual access easements are required in larger commercial developments and he feels it would be beneficial in this case. Mr. Boyle asked whether this would be included in staff's recommendation. Mr. Stump replied in the affirmative if the users of Area C mutually have access to the south.

Chairman Doherty noted the letter from QuikTrip requesting a mutual access.

Mr. Carnes questioned the actual number of dwelling units on the revised plan. Mr. Johnsen replied 364 dwelling units.

Mr. Carnes asked Mr. Scheuter whether he is comfortable with 364 dwelling units. Mr. Scheuter replied in the negative and stated that 300 dwelling units is more appropriate and acceptable.

Mr. Carnes asked if Mr. Helm would be agreeable to Area B being limited to two-stories in height and of residential design. Mr. Helm replied in the affirmative.

Chairman Doherty informed Mr. Stidham that the Planning Commission has no jurisdiction on traffic signals and cannot delay a project for the construction infrastructure.

Chairman Doherty stated, in regard to Mr. Stidham's request to reorient the building, that the end of the building is least obtrusive in most cases due to fewer windows facing adjacent property owners. Mr. Stump reminded the Commission that the revised proposal indicates the entrance doors are located on the ends of the unit. After further discussion it was determined there would not be balconies on the end of the units and there are fewer windows.

Ms. Gray expressed concern with the traffic on 81st Street. She recommended a crash gate be installed on the 81st Street access point until 81st Street is improved. Mr. Johnsen stated the proposed development would not be successful without the two access points. He feels the long-standing policy is that developments proceed on the basis of planned improvements to the street and not delayed because of needed improvements. He noted the heavy traffic in the area, but pointed out it is not caused by the proposed development. He feels the project should not be limited to one access point due to the traffic problems.

Mr. Carnes stated he was ready to make a motion to approve PUD-574 with modifications. After further review and discussion, the Commissioners clarified the modified conditions and called for the vote.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to recommend **APPROVAL** of PUD-574, 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-574:

A tract of land in the SW/4 of Section 12, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, according to the U. S. Government survey thereof, and more particularly described as follows: commencing at the Southwest corner of said Section 12; thence N 89°59'59" E along the South line of said Section 12 a distance of 860' to the Point of Beginning; thence continuing N 89°59'59" E a distance of 456.55' to the Southeast corner of said SW/4, SW/4; thence N 0°03'08" E along the East line of said SW/4, SW/4, a distance of 990.37' to a point; thence N 89°59'36" W a distance of 1,157.11' to a point on the East right-of-way line of South Memorial Drive; thence S 0°01'11" W along said East right-of-way line a distance of 221.69' to a point; thence N 89°58'49" W along said right-of-way line a distance of 20.00' to a point; thence S 0°01'11" W along said East right-of-way line a distance of 253.83' to a point; thence N 89°59'59" E a distance of 720' to a point; thence S 0°01'11" W a distance of 515.00' to the Point of Beginning, and containing 18.14 acres more or less, and located north and east of the northeast corner of East 81st Street South and South Memorial Drive, Tulsa, Oklahoma.

Other Business:

TDA Resolution:

Finding that the Urban Renewal Plan amendments are in accord with the Comprehensive Plan for the Tulsa Metropolitan Area.

TMAPC Comments:

Mr. Ledford, Comprehensive Plan Committee Chairman, recommended approval of this TDA Resolution.

TMAPC Action; 10 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **APPROVE** TDA Resolution as recommended by the Comprehensive Plan Committee.

TMAPC Comments:

Chairman Doherty acknowledged that the applicant was not present. He noted staff recommended denial.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent") to **DENY** Alternative Landscape Compliance AC-027 as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:57 p.m.

Date Approved: 11/5/97

James R. Doherty
Chairman

ATTEST: Francis Pace
Secretary