

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2135

Wednesday, November 5, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 3, 1997 at 10:05 a.m., in the Office of the City Clerk at 10:00 a.m., as well as in the office of the County Clerk at 9:56 a.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 15, 1997, Meeting No. 2133:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Gray, Jackson, Midget "absent") to **APPROVE** the minutes of the meeting of October 15, 1997 Meeting No. 2133.

Approval of the minutes of October 22, 1997, Meeting No. 2134:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; Westervelt "abstaining"; Dick, Gray, Jackson, Midget "absent") to **APPROVE** the minutes of the meeting of October 22, 1997, Meeting No. 2134.

Reports:

Chairman's Report:

Chairman Doherty presented a revised list of TMAPC Planning District Liaison Responsibilities.

Committee Reports:

Comprehensive Plan Committee:

Mr. Ledford stated there is an item on today's agenda in regard to the Major Street and Highway Plan.

Rules and Regulations Committee:

Mr. Boyle stated there is an item on today's agenda in regard to outdoor advertising signs. He noted there would be a committee meeting today following the TMAPC meeting.

Community Participation Committee:

Ms. Gray reported the Community Participation Work Session scheduled for November 4, 1997, was postponed due to lack of participants.

Policies and Procedures Committee:

Mr. Carnes stated a Policies and Procedures Committee meeting is scheduled for today.

Director's Report:

Mr. Stump reviewed the activity reports that were included in the agenda packet, noting the levels are slightly higher than normal.

Mr. Stump stated there are two items scheduled for the November 6, 1997, City Council meeting.

Chairman Doherty asked Mr. Horner to represent the Planning Commission at the Council meeting since he will be in attendance for the Sales Tax Overview Report. Mr. Stump stated Mr. Dunlap will represent TMAPC staff at the Council meeting.

Subdivisions:

Plat Waiver, Section 213:

PUD-261-D (Riverbridge Wal-Mart) (683)

(PD-18) (CD-2)

1439 East 71st Street

TAC Recommendation:

Beach presented the plat waiver with no representative present.

PUD-261-D is a major amendment to allow the vacant retail structure to be used as a church facility. The major amendment was approved by the TMAPC on September 24, 1997, and the City Council on October 9, 1997.

After review of the submitted site plan, staff finds all right-of-way existing and utilities in place to serve the building. Staff can see no benefit to the City in a replat.

The Technical Advisory Committee had no particular concerns with the plat waiver.

Staff recommends approval of the plat waiver for PUD-261-D, subject to the following conditions:

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

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-261-D, subject to all conditions listed above.

Applicant's Comments:

After review of the conditions, the applicant stated he is in agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson "absent") to **APPROVE** the Plat Waiver for PUD-261-D, subject to the conditions as recommended by the TAC.

BOA-17856 (Lynch & Forsythe's Addition) (693) (PD-4) (CD-4)
1327 East 4th Street South

TAC Recommendation:

Beach presented the plat waiver with no representative present.

BOA-17856 is for a Special Exception to allow an antique car museum on four lots in an IL zoned district. The site abuts East 4th Street and MK&T Railroad right-of-way. A new 5,800 square foot building will be added to the site in addition to the existing buildings. The Board of Adjustment will hear this case October 28, 1997.

The Technical Advisory Committee had no particular concerns with the plat waiver.

Staff recommends approval of the plat waiver for BOA-17856, subject to the following conditions:

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

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for BOA-17856, subject to all conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Plat Waiver for BOA-17856, subject to the conditions as recommended by the TAC.

BOA-17860 (Hillcrest Medical Center Parking Garage) (PD-4) (CD-4)
Southwest corner East 11th Street and South Utica Avenue

Staff Comments:

Mr. Beach stated the Board of Adjustment action allowed a parking garage as a part of Hillcrest Medical Center. He stated this is a Use Unit 2 which triggered the platting requirement.

Mr. Beach stated staff recommends approval of the plat waiver subject to the dedication of an additional 3.5 feet of right-of-way on 11th Street.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, stated he is in agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson "absent") to **APPROVE** the Plat Waiver for BOA-17960, subject to the dedication of an additional 3.5 feet of right-of-way on 11th Street as recommended by staff.

Z-6568 (Lewis Crest Addition) (3293)

(PD-18) (CD-9)

Southeast corner East 54th Street South and South Lewis Avenue

TAC Recommendation:

City Council approved rezoning from RS-2 to OL on this tract on December 12, 1996. The applicant will build a new 5,200-square foot office building. The property is already platted, is less than 2.5 acres and the new construction would be considered substantial.

The Technical Advisory Committee would offer the following comments and/or recommendations:

McCormick stated that storm drainage from this site must be tied to the existing storm sewer.

Somdecerff requested dedication of additional right-of-way to create a 30' radius at the northwest corner of the property.

Eshelman recommended reducing the drive width along 54th Street to 36' and eliminating the landscape island but also stated this is not a platting issue.

Pierce stated there may be a conflict with a PSO pole in the utility easement along the south side of the property and also expressed concern with building clearance in the same area.

Staff recommends approval of the plat waiver for Z-6568, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.
3. Dedication of additional right-of-way to create a 30' radius at the northwest corner of the property.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for Z-6568, subject to all conditions listed above.

Applicant's Comments:

Roy Johnsen, 201 West 5th, Suite 440, 74130, requested a one-week continuance to further review the issue of additional right-of-way.

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"; Dick, Jackson "absent") to **CONTINUE** the Plat Waiver for Z-6568 to November 12, 1997.

Preliminary Plat:

The Reserve at Memorial (1283)

(PD-18) (CD-8)

Northeast of the northeast corner East 81st Street South and South Memorial Drive

TAC Recommendation:

This is a 17.62 acre parcel to be platted in 3 lots. It is PUD-574 which is proposed to contain commercial and multifamily uses. The PUD is scheduled for hearing by TMAPC October 22, 1997.

The following issues were discussed:

Beach noted that the north building line on Lot 2 is shown as 20' on the plat but is 30' in the PUD proposal.

Sack stated he would change the PUD text.

Eshelman stated he wants a mutual access easement along the Memorial frontage of Lot 3.

Sack stated he would discuss this with the owner.

McCormick stated that storm water detention will be required and ties to the storm drain south of 81st Street.

Sack asked if the owner would be required to repair 81st Street after construction of the storm sewer.

Neskorik state that 17.5' utility easement would be needed along 81st Street and along Memorial Drive.

Other discussion indicated that the existing easement along the north property line of this plat on the abutting property to the north should be shown.

The Technical Advisory Committee would offer the following comments and/or recommendations:

1. A waiver of the Subdivision Regulations will be required to permit a scale other than 1" = 100'.
2. A mutual access easement will be required along the Memorial frontage of Lot 3.
3. A storm water detention pond will be required and tied to the storm sewer south of 81st Street.
4. 17.5' utility easement will be required along 81st Street and Memorial Drive.
5. All conditions of PUD-574 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.

6. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
7. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for Water and Sewer facilities in covenants.)
8. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
9. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
10. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
12. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
13. Street names shall be approved by the Department of Public Works and shown on plat.
14. All curve data, including corner radii, shall be shown on final plat as applicable.
15. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
16. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
17. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
18. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
19. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

20. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
21. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
22. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
23. The method of water supply and plans therefor shall be approved by the City/County Health Department.
24. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
25. The key or location map shall be complete.
26. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
27. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
28. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
29. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
30. Applicant is advised to contact the U.S. Army Corps of Engineers in regard to Section 404 of the Clean Waters Act.
31. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of the Reserve at Memorial, subject to all the conditions listed above.

TMAPC Comments:

Chairman Doherty questioned whether the issue of the mutual access agreement is addressed in this preliminary plat. Mr. Johnsen reminded the Commission that the mutual access agreement is to be addressed at the Detail Site Plan process.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson "absent") to **APPROVE** the Preliminary Plat for the Reserve at Memorial, subject to the conditions as recommended by the TAC and waiver of Subdivision Regulations to permit a scale other than 1" = 100'.

Final Plat:

O'Reilly North (1202)

(PD-25) (CD-1)

North of the northwest corner East 46th Street North and North Peoria Avenue

Staff Comments:

Mr. Beach stated that staff has reviewed the final plat for O'Reilly North and finds it to be in order. Therefore, staff recommends approval subject to review of the Deed of Dedication and Restrictive Covenant language by the Legal Department.

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"; Dick, Jackson "absent") to **APPROVE** the Final Plat for O'Reilly North, subject to review of the Deed of Dedication and Restrictive Covenant language by the Legal Department.

Change of Access:

Maxi Storage, Inc.

(PD-17) (CD-6)

.25 mile west of South 161st East Avenue and East Admiral Place

Mr. Ledford stated he would be abstaining from this item.

Staff Comments:

Mr. Beach stated the Traffic Engineer and staff have reviewed and signed off on the change of access for Maxi Storage, Inc. Therefore, staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick, Jackson "absent") to **APPROVE** the Change of Access for Maxi Storage, Inc. as recommended by staff.

Lot-Splits for Ratification of Prior Approval:

L-18554 Warehouse Market (492) (PD-10) (CD-1)
19 South 49th West Avenue

L-18555 Warehouse Market (2692) (PD-9) (CD-2)
1507 West 51st Street

L-18563 Jimmie D. and Connie Standridge (1322) (PD-13) (County)
1130 East 166th Street North, Skiatook

L-18564 Lauren Lake Ranch (773) (PD-21) (County)
2219 East Skelly Drive

Staff Comments:

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

TMAPC Action; 9 members present:

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

Approval of Declaration of Covenants:

PUD-532 Salvation Army (PD-1) (CD-4)
Northwest corner of North Denver and West Archer

Staff Comments:

Mr. Dunlap stated staff and Legal staff have reviewed the Declaration of Covenants for the Salvation Army. Therefore, staff recommends approval.

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"; Dick, Jackson "absent") to **APPROVE** the Declaration of Covenants for PUD-532 – Salvation Army as recommended by staff.

PUD-548 The Reserve at Forest Hills

(PD-26) (CD-8)

East 116th Street South, West of South Sheridan Road

Staff Comments:

Mr. Dunlap stated staff and Legal staff have reviewed the Declaration of Covenants for The Reserve at Forest Hills. Therefore, staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Declaration of Covenants for PUD-548 – The Reserve at Forest Hills as recommended by staff.

PUD-556 Maxi Storage

(PD-17) (CD-6)

.25 mile west of South 161st East Avenue and East Admiral

Mr. Ledford stated he would be abstaining from this item.

Staff Comments:

Mr. Dunlap stated staff and Legal staff have reviewed the Declaration of Covenants for the Maxi Storage. Therefore, staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **Midget**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick, Jackson "absent") to **APPROVE** the Declaration of Covenants for PUD-556 – Maxi Storage as recommended by staff.

PUD-261-D Riverbridge Wal-Mart
1439 East 71st Street South

(PD-18) (CD-2)

Staff Comments:

Mr. Dunlap stated staff and Legal staff have reviewed the Declaration of Covenants for the Riverbridge Wal-Mart. Therefore, staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson "absent") to **APPROVE** the Declaration of Covenants for PUD-261-D – Riverbridge Wal-Mart as recommended by staff.

Continued Zoning Public Hearing:

Application No.: Z-6602

Applicant: Merl Whitebook

Location: 439 South Sheridan

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

CS to IL

(PD-5) (CD-4)

Chairman Doherty stated the applicant is requesting a continuance to February 4, 1998.

There were no interested parties wishing to comment.

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"; Dick, Jackson, Midget "absent") to **CONTINUE** the Zoning Public Hearing for Z-6602 to February 4, 1998.

Application No.: PUD-571

CS/RM1 to CS/RM-1/PUD

Applicant: Roy Johnsen

(PD-18) (CD-8)

Location: East of northeast corner 81st Street and South Memorial Drive
(A Planned Unit Development for commercial use.)

Chairman Doherty stated the applicant is requesting a two-week continuance to November 19, 1997.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the Zoning Public Hearing for PUD-571 to November 19, 1997.

Application No.: CZ-238

AG to CG

Applicant: James P. Coleman

(PD-23) (County)

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

Presented to TMAPC: James P. Coleman

Staff Comment:

Mr. Stump stated that the amendments to the County Zoning Code in regard to mini-storage have not been forwarded to the County Commissioners for consideration until now.

Mr. Stump suggested continuing this hearing to December 3, 1997, to allow adoption of the amendments by the County.

TMAPC Comments:

Chairman Doherty noted the applicant was not present and reminded the Commission that the applicant previously indicated he was in no hurry to expedite the request.

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"; none "absent") to **CONTINUE** the Zoning Public Hearing for CZ-238 to December 3, 1997.

Zoning Public Hearing:

Items PUD-389-3 (Minor Amendment) and PUD-389 (Amended Detail Site Plan) were heard simultaneously.

Application No.: PUD-389-3

(PD-18) (CD-8)

Applicant: Charles Norman

Location: South and east of southeast corner East 81st Street and South Yale Avenue

Presented to TMAPC: Charles Norman

(Minor Amendment to reduce building setback for detached garages.)

Staff Recommendation:

The applicant is requesting minor amendment approval to permit detached garages with a maximum height of 15 feet to be constructed within 25 feet of the south boundary of the east 660.71 feet of the property, pursuant to amended detail site plan and landscape plan approval. The amended site plan, dated 10/27/97, indicates three eight-bay garages approximately 65 feet in length. The three garages are spaced ten feet apart and run parallel to the south property boundary of the PUD, a distance of 205 feet abutting Lots 14, 15 and 16 of the Signal Hill single-family residential addition.

Staff has reviewed the minor amendment request and the landscape plan submitted with the amended site plan. In addition to the required six-foot screening fence shown on the site plan, the landscape plan indicates approximately 20 existing trees between the rear of the three garage building and the northern property boundary of the abutting single-family lots. Staff is of the opinion that the fence, existing trees and height limitation of the proposed garages will serve to adequately screen and buffer the effects of reducing the 100' building setback* requirement to 25 feet for detached garages in the east 660 feet of the southern property boundary, if the following three conditions are met:

1. That only the three garages shown on the amended site plan be allowed in their present size and configuration.
2. That garage roofs be of hip or gable design.
3. That the garage roof and rear walls be covered with materials that match the materials used for the apartment dwellings and that further complement and maintain the residential character of the single-family residences to the south.

Staff, therefore, can support the request and recommends **APPROVAL** of the minor amendment if the three conditions, above, are met.

*The 100-foot building setback requirement was intended to compensate for the 45-foot maximum building height allowed by minor amendment (7-9-97). Although the apartment roofs will still be at least 45 feet higher than the rear of the lots to the south, only the roof and a small portion of the rear walls of garages should be visible if set back at least 25 feet from the southern property boundary.

PUD-389:

The applicant is requesting amended site plan approval for a 31-acre site first reviewed and approved by the Commission on July 16. The revised site plan proposes a maximum of 360 dwelling units (384 proposed in the first site plan) with an overall density of 11.6 dwelling units per acre (12.4 proposed in the initial site plan). The site plan indicates that 72% of the entire area will be maintained as natural or landscaped open space, a reduction from the 75% approved on July 16 but still meeting the PUD standards.

Staff has reviewed the amended site plan and finds it conforms to bulk and area, access, circulation, landscaped area and parking requirements of the PUD. If the current minor amendment relating to garage setbacks in the southeast corner of the site is approved, the building setback requirements for the PUD would also be met.

In the original approval, staff noted that the ends of buildings facing south would preserve the privacy of the single-family residential areas to the south. The amended site plan and elevations of buildings in the southeast portion of the site indicate 18 windows on the south-facing end of the buildings nearest to the single-family residential area. Existing and proposed landscaping and the proposed three eight-bay garages would appear to provide substantial line-of-sight screening from view and preserve the privacy of both the apartment and single-family residences.

Staff has also reviewed the site plan for conformance to slope and grading plan requirements and finds that detailed information is not yet available. The conditions of approval on July 16, 1997 called for a review of a final grading plan being subject to an engineer's certificate and being filed with the Commission. No certified grading plan has been submitted by the applicant for review. The grading plan certification would indicate conformance to site grading standards relating to slope, cross-slope, parking area and driveway grades approved by the commission on July 16, 1997.

Staff can support the request to amend the site plan for PUD-389 as presented and recommends **APPROVAL** with the following conditions:

1. Approval of a minor amendment reducing garage setbacks in the southeast portion of the site.
2. Prior to issuance of a building permit, submission and approval of a grading plan that meets the standards stated below and is certified as meeting those standards by a professional engineer:
 - a. Slopes in excess of 3:1 will be stabilized with a retaining system approved by the City of Tulsa Public Works Department.

- b. Slopes less than 3:1 will be sodded or seeded in a manner to prevent erosion.
- c. Parking and driveway grades will not exceed the following:
 - Longitudinal grades (max.): 5%
 - Cross slopes (max.): 5%
 - Drives: 15%

3. That there be no third-story windows on the south face of buildings 14 and 15.

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

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, reminded the Commission that the PUD was approved in 1985 for more than 500 multi-family dwelling units on the two development areas. Through a minor amendment, the two development areas were approved as one development area for a single project.

Mr. Norman stated the Detail Site Plan, which was approved in July, represented a significant reduction in the number of dwelling units to 384. He stated the proposed amended Detail Site Plan further reduces the project to 360 dwelling units. These changes occurred as a result of the difficult development site and in order to satisfy the requirements of staff and City Departments in regard to street grades and parking areas.

Mr. Norman stated the Commission also approved a minor amendment to increase the building height to 45 feet and an increase in the building setback for the east half of the south boundary to 100 feet. He stated the plan is in conformity with these amendments.

Mr. Norman stated there are been several Signal Hill Addition residents review the plans on occasions and they expressed concerns which the developer has attempted to address.

Mr. Norman informed the Commission that the minor amendment is to permit the location of three eight-bay, enclosed garages along the east half of the south boundary of the proposed project to add to the screening fence and landscaping that is proposed due to the slope of the property towards the Signal Hill Addition. He pointed out the three existing residences that would be affected.

Mr. Norman pointed out that due to the relocation of driveways within the development, the developer is able to maintain the existing treed areas along the entire south boundary. The treed are to be French-cleared; that is that all trees 1.5 inches in diameter or less will be removed and any tree larger than 1.5 inches in diameter will be retained and left in its natural state.

Mr. Norman stated the developer has proposed a small stormwater detention facility to accommodate any change in the drainage pattern that occurs in the south portion of the site. He noted most of the drainage flows to the north, northwest and into the new regional detention facility to the west.

Mr. Norman stated the concerned residents expressed opposition to building on the higher ground at the top of the hill. He reminded the Commission that the setback has been increased from 60 feet to 100 feet in connection with increasing the height of the structure(s). The developer is now proposing to locate the garages, which are approximately 80 feet long, as a break in the visual perspective when looking at the development from the resident's homes.

Mr. Norman noted the existing vegetation would be retained as outlined previously, and a screening fence constructed as required along the south boundary. He presented a detail landscape plan, which has been filed with INCOG staff, and requested approval in concept.

In closing, Mr. Norman stated the proposal is to address the concerns of the surrounding residents, as well as comply with the standard conditions imposed by staff. He noted that over 72 percent of the site would be left in an open state.

Interested Parties Comments:

John Benear, 5033 East 84th, 74137, stated he is presenting his comments in writing so they would not be misconstrued. He feels that the Planning Commission should abide by the tenets of the planned unit development provision in Section 1101. Purposes, item A of the Zoning Code.

Mr. Benear stated the original PUD-389 specified that 63 percent of Area B would remain as natural landscape space. Now the development is being moved into Area B and only approximately 18 percent will remain as natural landscape space. He stated 55 percent of Area B will be covered by buildings or concrete and feels this is a violation of the original intent of the PUD.

Mr. Benear feels the proposed site plan will denude Area B and create drainage and water detention problems for adjoining properties. He stated this site is one of the most difficult sites, from an elevation and soil content standpoint, to develop. He feels the grading plan is an integral part to determine whether the proposed development is feasible. He stated a grading plan is not available for review and must be reviewed to certify the site plan.

Jennifer Myers, 5033 East 84th, 74137, illustrated, with a string, the distance the proposed parking lot/garages would be from her backyard. She made comments off the microphone to illustrate that everyone in the room could hear her talking in a normal voice. She indicated she would be able to hear any conversation, as well as the noise generated from the proposed parking lot and garages.

Ms. Myers presented photographs which show the natural landscaping and elevation of the property and where the proposed parking lot and garages would be located. She also presented photographs of her yard showing the erosion problems they previously encountered. She feels the erosion problem will only increase with the removal of the underbrush and trees.

Ms. Myers questioned the scale and details of the drawings provided by the developer. She feels the drawing is not to scale. She also questioned the function and purpose of the proposed retaining wall adjacent to her property. She feels it will not serve as an appropriate barrier to protect her property from stormwater runoff. She also expressed concern with the existing trees dying from the soil being altered.

In closing, Ms. Myers expressed concern with the major portion of the proposed development being located within Area B and the decrease in the natural landscape.

Mike Picco, 5023 East 84th, 74137, expressed concern with the notification process. He stated he was never contacted to review the landscape plan or the detail site plan as he was told he would be able to do at the last meeting. He feels the notification process has failed. He stated he has no input on the proposed plans.

Mr. Picco also expressed concern with the major portion of the proposed development being located within Area B when it was original split between the two development areas.

Mr. Picco stated the submitted plan is not to scale and does not present the real picture and the affect it will have on the surrounding property owners.

Mr. Picco pointed out the original 60-foot setback consisted of 60 feet of natural landscape, both trees and underbrush. Now the setback is 25 feet with the larger trees to remain. He stated he appreciates the attempt to place the garages between the residents and the proposed development for additional buffering; however, he feels the proposed development is still too close to the residential area. He pointed out there are other apartment developments in the area that have eight-foot or ten-foot walls for screening and not a six-foot fence.

Mr. Picco sympathized with the developer in that they have a difficult site to develop and he acknowledged the developer's right to build on the property. However, he feels the proposed development is located too close to the single-family area.

Mr. Picco expressed concern with the potential for his property value to depreciate due to the proposed development.

Bill Funderburk, 5029 East 84th, 74145, stated he is opposed to this plan because it does not provide a suitable buffer to ensure privacy, maintain enough natural open space and it will deforest the entire wooded area adjacent to the residential area.

Mr. Funderburk stated he was not aware that the adjacent property was zoned for multifamily uses. He noted that neither his title opinion nor the sales contract provide this type of information. He stated previous conversations with ALD lead him to believe the subject property would be developed as single-family residential homes.

Mr. Funderburk stated that in this proposal, site characteristics have been repeatedly defined pending approval of site plans and then modified or withdrawn once approval was obtained. He feels the proposal should be modified to spread the density throughout a greater area; buildings aligned on north-south axes; no windows facing the residential district boundary; and amending the site plan.

Mr. Funderburk stated the building line has been moved to a 100' line to accommodate a peripheral access drive and parking, and now another variance is sought to build garage-type structures immediately adjacent to the residential area. He feels this may have some effect in blocking direct line of vision from apartment windows, but he feels it will undoubtedly increase traffic, noise and other untoward effects on the residential area.

Mr. Funderburk expressed concern with the majority of the development occurring in Development Area B instead of being split between the two development areas. He feels the imposing size and scope of this project is not compatible in proximity to Signal Hill as it is currently proposed. He asked the Commission to identify other sites in south Tulsa where multifamily apartments have been constructed immediately adjacent to high profile, custom-residential homes in the manner proposed.

Mr. Funderburk stated he went out and reviewed other apartment developments, such as the Lincoln on Memorial, in this area. He presented photographs and described in detail the screening walls and setbacks of other developments. He also presented photographs of his property that indicated, by a red ribbon, the proposed 25' setback.

In closing, Mr. Funderburk stated the proposal, as presented, is not acceptable.

Bill Jones, 3800 First National Tower, 74103, cited Section 1101, Paragraph A, in regards to compatibility with adjoining properties, and Paragraph D dealing with meaningful open space. He asked whether the amended proposal is compatible with the adjacent neighborhood and if it preserves meaningful open space.

Mr. Jones stated the property is allowed to be developed as multifamily to a certain density. He feels the developer is maximizing what he can do cost-efficiently considering the topography of the land, but he feels the only issues to be addressed today are the compatibility and open space.

Mr. Jones stated the amended proposal is not compatible and does not allow sufficient open space due to the 72-space parking lot adjacent to single-family. He feels the installation of garages solves the problems. He noted if the garages are built continuously it would have the appearance of mini-storage. Also the garages will not provide sufficient buffering from the lighting or noise of a 72-space parking lot.

Mr. Jones pointed out that the previously-approved plan did not include windows on the south end of the apartment buildings. He feels the proposed buildings, with 16 windows located on the south end of each building, are being allowed if the garages are installed. He feels this is a trade-off and is not compatible with the adjacent residential homes.

Mr. Jones expressed concern with traffic in the parking lot area. He feels the removal of the trees will only further adversely affect the single-family residential area. He noted the proposed retaining wall will not be sufficient in preventing the soil from eroding onto adjacent properties. He stated the TMAPC staff just received the drainage/siltation plan yesterday and he feels staff has not had enough time to thoroughly review the plan. He requested a continuance to allow staff and other interested parties to review the plans prior to approving any amendments or modifications to the proposal.

Mr. Jones also expressed concern with the majority of the proposed development occurring in Area B and jeopardizing the meaningful open space and compatibility to the adjacent single-family residents. He stated the proposal does not allow the 15-20 percent meaningful open space requirement in regard to natural landscaping. He feels if there were an adequate buffer strip, approximately 100 feet of natural landscaping, the interested parties would not be in opposition to the request.

Applicant's Rebuttal:

Mr. Norman stated there have been difficulties in communication and that he, himself, has not attempted to contact all the interested parties, but noted he has met with Mr. Jones on several occasions and provided him with the plans as they evolve.

Mr. Norman reminded the Commission that the original site plan had two buildings on a north/south axis along the south boundary. He stated the building orientation has not been changed. He noted the east half of the south boundary is 660 feet in length and the project only proposes two buildings with the narrow end facing to the south. He feels this is far less than could have been placed at this location under the setbacks from the boundary lines. He feels the only concerns are with these two buildings.

Mr. Norman stated that other concerns have been addressed with the relocation of the driveway and leaving the existing trees in those areas. He noted the utilities locations have been moved, therefore, the developer is not required to dedicate an 11-foot easement along the southern boundary and permits the existing trees, of 1.5' or larger in diameter, to remain.

Mr. Norman feels the drainage issues have been addressed and approved by the Department of Public Works.

In regard to the garages, Mr. Norman stated this was an effort to soften the relationship between the properties and reduce the number of parking spaces. He noted the garages were at the request of staff.

Mr. Norman stated the he feels plans are accurate in regard scale of the roof lines, garage lines and relative to the portions of the houses. He noted the questions about the height of the trees on the plan and was informed that some of the mature trees are very tall in height, as represented on the plan.

In regard to evaluating the drainage plan, Mr. Norman reminded the Commission that they imposed a condition that the drainage plan has to be certified by a professional architect/engineer as complying with the standards that were recommended by staff and approved by the Commission. He feels that the Commission does not have the staff nor the expertise to properly review the drainage plan.

Mr. Norman stated the proposed project has separation equal to or greater than any other project in the City. There were other comments that were not picked up on the tape recorder. He pointed out in addition to the 25-foot setback, there is a 100-foot building setback, which is 40 feet greater than what was originally required when the PUD was first approved ten years ago.

Mr. Norman stated the purpose of Detail Site Plan review is not to reconsider the original standards that were approved by the Planning Commission and the City Council, but to determine whether the property owner and applicant have complied with the conditions of approval. He feels to reconsider the original PUD after approval will cause a chaotic situation for the entire PUD process and loss of time and expense of the developer, as well as departmental staff time.

In closing, Mr. Norman stated this project will be developed as one project with the density of fewer than 12 units per acre, as well as meeting other conditions and requirements. He feels the developer has responded responsibly and professionally to the issues of concern.

TMAPC Comments:

Mr. Boyle asked Mr. Norman to comment on Mr. Jones' statement that the proposal is not compatible and does not provide a meaningful open space area. Mr. Norman stated the standards for apartments adjacent to single-family homes have been established and been increased within the last year. In regard to the open space, Mr. Norman stated the Commission is now requiring 25 feet of open space area on the outside of the screening fence. In regard to compatibility, Mr. Norman feels the 660-foot boundary line is more than adequate.

Mr. Boyle asked whether the developer would consider constructing a masonry fence along a portion of the 660 feet boundary to assist in reducing the noise to the adjacent property owners. Mr. Norman feels a six-foot high fence or wall is not the most effective screening because the existing trees and proposed garages would be taller. Mr. Norman stated he has not reviewed the idea of a masonry wall with the developer.

Chairman Doherty expressed concern with the proposed garages being connected and having the look of a mini-storage facility. Mr. Norman stated the plan indicates the garages will consist of three separate detached units. Mr. Norman stated the garages would provide a 15-foot barrier between the properties.

Ms. Pace asked for the elevation of the proposed project and Signal Hill. Mr. Norman stated he would have to have Mr. Sack reply in regard to Ms. Pace's question. However, Mr. Norman noted the property to the west is higher than the subject property.

Chairman Doherty asked what contour interval is shown on the plan. Mr. Norman replied they are one-foot contours and indicated the contours on the plan.

Ms. Pace clarified that the two southernmost buildings have not been reoriented. Mr. Norman confirmed that the two southernmost buildings have not been reoriented since originally approved.

Ms. Pace asked the original location of the three proposed garages on the southern boundary. Mr. Norman replied they were originally located on the east side of the project. Mr. Stump pointed out that staff suggested the relocation of the garages in hopes of a better buffer on the southern boundary. Mr. Stump also noted that the ends of the two southernmost buildings have several windows.

Ms. Pace asked whether the original plan indicated the southernmost buildings would have that number of windows. Mr. Stump replied the original plan did not provide that level of detail; it was a concept plan only.

Ms. Pace asked, since the Detail Site Plan is being considered, if the Commission can object to the windows and whether the garages could be limited to six cars only instead of 18. Mr. Stump stated again that the number of windows was never addressed in the original PUD standards and feels it would be a significant departure from the Commission's past precedent to impose such a condition.

Chairman Doherty asked Mr. Jackere to comment on the legality of imposing conditions on the windows at this time. Mr. Jackere indicated he believes any reasonable condition can be imposed. Mr. Norman stated he disagrees and feels the development standards have already been considered and approved by the Commission and City Council. Mr. Jackere feels if the applicant is asking for some sort of relief today, then the Commission can either approve the request or deny it. Mr. Norman stated the only relief that is being requested is the right to locate the garages along the south boundary.

Chairman Doherty reminded the Commission that the two issues before them today are the minor amendment to permit the garages to be located on the southern boundary and approval of the Detail Site Plan.

Ms. Gray requested each of the interested parties to comment on whether they would prefer the garages or to have them removed. Chairman Doherty reminded the interested parties to comment on the garages only and not rebut other comments. Mr. Benear stated he does not feel the garages have any material effect on the site plan. Mr. Picco felt the garages would provide some buffering, but the overall plan is not appropriate. Mr. Funderburk stated the garages and the parking lot are inappropriate and should be removed. He would prefer a masonry wall. Ms. Myers made a point about the noise involved with garages and stated the garages are not acceptable.

Ms. Gray asked Mr. Jackere to comment again on the window issue. Mr. Jackere stated the Planning Commission can either reject the Site Plan or approve it as is or with conditions. He stated if rejected, the applicant can continue to submit revised detail site plans until one is approved.

Mr. Norman expressed he still disagrees with the comments by Mr. Jackere in regard to windows. Imposed conditions at this stage of the process will cause undue hardship for the developer.

Mr. Norman stated the elevations for the Picco residence is 850'; the Funderburk residence is 856' and the floor elevation of the nearest building is 861'.

Mr. Stump stated Ms. Myers presented a copy of the July 16, 1997 TMAPC minutes and noted that comments were made in regard to the windows; however, conditions were not imposed in that regard.

Mr. Midget clarified that a certified engineer reviewed and signed off on the grading and drainage plan. Mr. Norman replied that the grading permit has been issued and that Public Works and engineer are working on the drainage plan. Mr. Norman noted that a certificate would have to be filed prior to issuance of the building permit.

Mr. Boyle expressed how difficult and complicated the application is. However, based on the discussion today and the fact that there is not larger setback anywhere else in the City, Mr. Boyle made a motion for approval.

Mr. Carnes stated he would be supporting the motion due to the fact that the setback is in accordance with the standards.

Mr. Westervelt complimented staff on their use of garages for buffering and concurred that the setbacks are within the standards used elsewhere in the City. In regard to the windows, he felt previous comments should have been taken into consideration and will support the condition of limiting the windows on the south end of the two southernmost buildings.

Mr. Midget stated he would also support the motion due to the information provided by the engineer in regard to grading and drainage. Also he stated he supports the limiting of windows.

Mr. Midget recognized Mr. Norman.

Mr. Norman expressed concern with the "no windows" issue. He requested that there be no windows visible from the three single-family residents. Chairman Doherty feels second-story windows would not be offensive to the single-family residences due to the elevation and screening. Mr. Boyle amended his motion to having no windows above the second-story line.

Ms. Pace expressed concern with the number of windows; however, she felt a blank wall would also be offensive. She reminded the interested parties that if the Planning Commission approves the request, they could still file an appeal within ten days. She feels the project is being rushed through and indicated she would not be able to support the motion.

Mr. Norman questioned whether the landscape plan needs to come before the Commission for consideration or as an administrative consideration. Chairman Carnes polled the Commission and they requested to review the landscape plan.

Ms. Pace and Chairman Doherty reviewed the process of appeal by the interested parties.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-2-0** (Boyle, Carnes, Doherty, Horner, Ledford, Midget, Westervelt "aye"; Gray, Pace "nays"; none "abstaining"; Dick, Jackson "absent") to **APPROVE** the Minor Amendment PUD-389-3 to reduce the building setback for detached garages and the Amended Detail Site Plan for PUD-389, 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.)

* * * * *

Application No.: Z-6174-SP-3a

(PD-18) (CD-8)

Applicant: Craig Heidinger

Location: 10507 East 81st Street

(Minor Amendment to the Corridor Site Plan for an outdoor advertising sign.)

Staff Recommendation:

The minor amendment proposes a ten-foot increase in height for a 672 SF, 50-foot tall outdoor advertising sign that received final Corridor Site Plan approval from the City Council on September 4. Chapter 12 of the Zoning Code allows outdoor advertising signs to be 60 feet in height if the freeway is elevated ten feet or more above grade. The applicant is requesting an increase in height of the sign to account for a 13-foot difference in elevation between the base of the sign and the road surface some 280 to 400 feet directly east of the sign location.

Staff has reviewed the application by analyzing aerial photos and Oklahoma Department of Transportation Grading Plans. Staff finds the elevation at the base of the proposed sign to be 708 feet. The elevation of the exit and entry ramps from 81st Street are each 702 feet in elevation directly east of the sign. The elevation of the expressway road surfaces (all lanes) at points 900 feet north and south of 81st Street are 706 feet.

Although the expressway surface is over ten feet higher than the sign base directly east of the sign location, the expressway elevation approaching the sign from the north and south are not elevated more than ten feet above grade with the exception of approximately 300 feet (north and south) of expressway lanes directly over and approaching the 81st Street overpass. This 600-foot portion of the expressway is directly east of the sign location. Due to the limited angle of view of the sign and not the elevation at these points, vehicles headed north or south along the expressway cannot easily discern the surface message of the sign. Staff is of the opinion that the road elevation does not obstruct the view of the display surface for roadway areas where the sign can be readily reviewed.

Staff, therefore, recommends **DENIAL** of the minor amendment. Any increase in sign height should be addressed by the Board of Adjustment.

Applicant's Comments:

The applicant was not present.

There were no interested parties wishing to comment.

TMAPC Action; 6 members present:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Gray, Jackson, Midget, Westervelt "absent") to **DENIAL** Minor Amendment Z-6174-SP-3a as recommended by staff.

Application No.: Z-5537-SP-1b

(PD-18) (CD-8)

Applicant: Steve Brown

Location: 7616 South Garnett Road

(Minor Amendment to the Corridor Site Plan for a 6,300 SF indoor practice facility.)

Staff Recommendation:

The applicant is requesting approval to amend an existing corridor site plan to allow the construction of a new 6,300-square foot indoor baseball/softball practice facility.

Staff has reviewed the request and finds the proposed addition will be located in the western portion of the site adjacent to an existing baseball field. The facility will utilize the existing pedestrian and parking facilities. The proposed facility meets the bulk, area and setback standards as outlined in the original approval.

Staff is of the opinion that the request as proposed conforms to and complements the spirit, intent and configuration of the original site plan and recommends **APPROVAL** of the amended corridor site plan.

There were no interested parties wishing to comment.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-1** (Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; Westervelt "abstaining"; Dick, Gray, Jackson, Midget "absent") to **APPROVE** Minor Amendment Z-5537-SP-1b, as recommended by staff.

Application No.: PUD-563-1

(PD-18) (CD-2)

Applicant: Roy Johnsen

Location: Southeast corner East 91st Street and South Riverside Drive
(*Minor Amendment to revise the development standards relating to perimeter garages.*)

Staff Recommendation:

The applicant is requesting minor amendment approval to revise the development standards relating to perimeter garages on a 10.5 acre tract proposed for 256 multifamily dwelling units. The applicant has developed an alternative perimeter garage arrangement which results in two eight-bay garage buildings with three dwelling units on the second level of each building. The supplemental development standards approved on Jun 11, 1997, allowed four four-bay garage buildings with two dwelling unit on the second level. The approved PUD standards placed the following restrictions and limitations on perimeter garages:

Garages with second level dwelling units may be located along the east boundary and north boundary of the easternmost 192 feet, but second level garage units shall not exceed two units per garage nor eight units in the aggregate. Perimeter garages in the aggregate shall not occupy more than 25 percent of the perimeter boundary along which they are located and shall be subject to building setbacks set forth below.

Garages without second level units:

All boundaries 5 FT

Garages with second-level units:

East boundary and north boundary of easternmost 192 feet 11 FT

The applicant is proposing the following revisions to the perimeter garage development standards (changes are underlined):

Garages with second-level dwelling units may be located along the east boundary but second-level garage units shall not exceed three units per garage nor eight units in the aggregate. Perimeter garages in the aggregate shall not occupy more than 25 percent of the perimeter boundary along which they are located and shall be subject to building setbacks set forth below:

Garages without second level units

All boundaries 5 FT

Garages with second level units

East boundary 11 FT

Staff has reviewed the proposed revisions to the development standards and finds the modifications will not alter the character or intent of the original PUD approval nor produce any significant change in impacts to uses which may develop on land to the east.

Staff, therefore, recommends **APPROVAL** of the minor amendment as submitted.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson, Midget "absent") to **APPROVE** Minor Amendment PUD-563-1, subject to the conditions as recommended by staff.

* * * * *

Application No.: PUD-568-1

(PD-5) (County)

Applicant: Kirby Abney

Location: South of southwest corner 201st Street South and US Hwy. 75
(Minor Amendment to substitute landscaping for the required screening fence along the north, south and west boundaries of the PUD.)

Staff Recommendation:

The applicant is requesting minor amendment approval to substitute landscaping for the required 850 feet of eight-foot high sight-screen fencing along the north, south and west boundaries of the PUD. The applicant is proposing the planting

of 150 Austrian Pine trees six feet in height and 2.5 inches in trunk caliper at the time of planting. The pines will be spaced five feet apart. A 25-foot boundary strip on the southernmost portion of the west boundary will be left open to allow access for egress and ingress of mobile home models.

The applicant stated that the required screening fence would be situated on an unprotected hill and will be blown down in high winds. Further, the applicant claimed that the trees to be planted will thrive after an initial two-week period of watering. Finally, the applicant expects as least 20 percent of the trees to die and stated that these will be immediately replaced to maintain the screening effect.

Staff has reviewed the request and is of the opinion that the pine trees can potentially provide a greater screening effect than an eight-foot fence. However, the County Zoning Code does not contain a Landscape Chapter, and therefore, does not require automated or drip irrigation systems for landscaped areas. The applicant indicated adequate subsurface preparation, staking and saucering of each tree which should give each tree a fair chance for survival. Staff is of the opinion that pines must be watered during dry periods during the first year after planting until tap roots are established. If these trees are planted during the fall months, they will have a better chance of survival during the hot summer months.

Based on the potential screening effect of the proposed landscaping and the willingness of the applicant to replace any trees which do not thrive, staff recommends **APPROVAL** of the Minor Amendment.

NOTE: Minor Amendment approval does not constitute Landscape Plan approval. PUD-568 requires a Detail Landscape Plan be submitted to TMAPC for review and approval. A landscaped architect registered in the State of Oklahoma must certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan prior to the issuance of an occupancy permit.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson, Midget "absent") to **APPROVE** Minor Amendment PUD-568-1 as recommended by staff.

* * * * *

Zoning Text Public Hearing:

Proposed amendments to the Major Street and Highway Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Recommendation:

Ms. Matthews stated these amendments are a result of actions that have already taken and/or designs that have already been completed. There are eight amendment to be considered by the Planning Commission. These amendments have already been reviewed and approved by the various committees required to do so. Therefore, staff recommends approval.

Chairman Doherty stated the Transportation Policy Committee voted unanimously to approve the amendments.

Mr. Ledford, Chair for Comprehensive Plan Committee, stated the committee also voted unanimously to approve the amendments.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Jackson, Midget "absent") to recommend **APPROVAL** of Amendments to the Major Street and Highway Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area as recommended by staff.

* * * * *

Proposed amendments to City of Tulsa Zoning Code to allow outdoor advertising signs outside freeway corridors.

Staff Recommendation:

Mr. Stump stated the proposed amendments are to allow outdoor advertising signs along arterial streets in commercial and industrial areas as long as existing nonconforming signs are removed. The proposed ratio is that for every two square feet of existing sign, the sign company is allowed to erect one-square foot of new signage on arterial street, limited to a maximum of three signs per mile. The City would be divided into four quadrants and only one of the two square feet would be permitted to locate within another quadrant.

Chairman Doherty stated the quadrant proposed is 21st Street, north/south, and Harvard Avenue, east/west.

Mr. Boyle stated that the Rules and Regulations Committee reviewed the proposed quadrant configuration and found it acceptable.

Mr. Westervelt stated there were originally three scenarios and he asked whether this was the most acceptable. Mr. Boyle stated the 21st/Harvard proposal was the most acceptable.

Interested Parties Comments:

John C. Banaski, General Manager for Donrey Outdoor Advertising, 7777 East 38th Street, 74145-3291, thanked everyone for their help and assistance in this matter.

Mr. Banaski gave a brief history of the proposed amendments to the Tulsa Code in regard to outdoor advertising signs.

TMAPC Comments:

Mr. Boyle inquired about the central business district (CBD) proposal. Chairman Doherty stated the CBD proposal arose from the Ad Hoc Committee work and not the Rules and Regulations Committee.

Mr. Westervelt pointed out there is an incentive to relocate signs to a favorable demographic location.

Mr. Boyle complimented everyone on the hard work and input that was received. He feels the City Council needs to understand this proposal is the result of many months and years of hard work.

Mr. Midget suggested that Mr. Boyle represent the TMAPC at the City Council when this item is considered.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Jackson "absent") to recommend **APPROVAL** of the proposed Amendments to the City of Tulsa Zoning Code to allow outdoor advertising signs outside freeway corridors as presented with the exception that the TMAPC has no opinion of the proposal for outdoor advertising signs within the Central Business District (CBD).

There being no further business, the Chairman declared the meeting adjourned at 4:07 p.m.

Date Approved: November 19, 1997

James R. Doherty
Chairman

ATTEST: Francis Pace
Secretary