

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2188

Wednesday, January 13, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Dick	Dunlap	Myers, Legal
Carnes		Huntsinger	Counsel
Harmon		Stump	
Hill			
Horner			
Jackson			
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, January 12, 1999 at 9:06 p.m.

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

Minutes:

Mr. Boyle announced that the Minutes for December 16, 1998 have been stricken from the agenda. He explained that the minutes are not available at this time.

REPORTS:

Committee Reports:

Budget and Work Program Committee:

Mr. Horner stated that there will be a work session next week to review suggestions for the Budget and Work Program for FY 2000.

Mr. Boyle reminded the Planning Commission that if they have any suggestions, concepts, etc., to please coordinate with staff.

Policies and Procedures Committee:

Mr. Carnes stated that the Policies and Procedures Committee will meet next week to discuss possible changes to the Policies and Procedures and Code of Ethics for the Planning Commission.

Director's Report:

Mr. Stump reported that there are no items concerning the Planning Commission on the City Council agenda for Thursday, January 14, 1999.

Mr. Stump stated that the Infill Development Study Task Force is meeting January 14, 1999 at 3:00 p.m. at INCOG, 5th floor large conference room. This meeting will start the process of finalizing the report. He stated that the next scheduled meeting is for February 8, 1999 on the 11th floor of City Hall at 3:00 p.m.

Mr. Boyle asked Mr. Stump if he knew when the final report would be submitted to the Planning Commission. In response, Mr. Stump answered negatively.

SUBDIVISIONS

CHANGE OF ACCESS ON RECORDED PLAT:

Part of Lot 1, Block 1, Stacey Lynn Third Annex

West and north of East 21st Street and South 129th East Avenue.

Mr. Ledford announced that he will be abstaining.

Staff Recommendation:

Mr. Stump stated that the new access points along 21st and 129th have been approved by Traffic Engineering and staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Boyle, Midget "absent") to **APPROVE** the change of access on recorded plat for Part of Lot 1, Block 1, Stacey Lynn Third Annex as recommended by staff.

ZONING PUBLIC HEARING

PUD-601/Z-6631-SP-1 - Charles Norman

CO to PUD

Northeast corner East 71st Street and South Mingo Valley Expressway (PD-18) (CD-8)
(PUD/Corridor Site Plan)

Mr. Ledford announced that he will be abstaining.

Staff Recommendation:

The PUD/Corridor Site Plan proposes a multi-use development on approximately 55 acres located north and east of the northeast corner of East 71st Street South and the

Mingo Valley Expressway. The subject tract has approximately 1/2 mile of frontage on the Mingo Valley Expressway, 1/4 mile on East 71st Street South and 300 feet on South Garnett Road.

All of the tracts and the adjacent properties are within the corridor-zoned district. The PUD proposes five development areas, as shown on Exhibit "B" Development Area Map and Topography. Development Area A, containing 24.7 acres, is adjacent to the Mingo Valley Expressway and is planned as the location of a hotel and convention center, office development and retail uses. Development Area B contains 10.70 acres, and abuts the Mingo Valley Expressway and the Bedford multifamily development to the north. Development Area B is proposed for alternative office or multifamily use. Development Area C contains 6.47 acres. The northern two-thirds of the Development Area abuts the back lot lines of residences within Southbrook Addition and is planned for office development, assisted living or elderly retirement housing. Development Area D, containing 4.83 acres, fronts on the internal collector street. South 107th East Avenue backs to property to the east zoned in the corridor district and is planned for office and commercial uses. Development Area E, containing 9.09 acres, abuts the south side of Southbrook Addition, extends from 107th East Avenue to South Garnett Road and will include an east/west collector street to provide additional access to the business park from the east. Development Area E is planned for low intensity office development and a required stormwater detention facility.

Access to the PUD would be from East 71st Street and South Garnett Road. Additional access would be provided by the extension of an existing corridor collector street, South 107th East Avenue, from the northern boundary of the property to East 71st Street. A new corridor collector street would be established along the south boundary of Development Area E connecting South 107th East Avenue to South Garnett Road. A residential street, South 109th East Avenue within Southbrook Addition, is stubbed to the west 120 feet of Development Area E. The applicant proposes that the residential street not be continued south through Development Area E in order to effectively and permanently separate the business park traffic from the residential neighborhood which was developed within corridor-zoned property. The extension of the north/south collector, South 107th East Avenue, to East 71st Street would be constructed over right-of-way dedicated by the landowner to the east in order that the collector street can be located at the signalized median cut previously established by the Traffic Engineering Department and recognized by the plat of Woodland Park on the south side of East 71st Street and South 109th East Avenue.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-601/Z-6631-SP-1 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-601/Z-6631-SP-1 subject to the following conditions:

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

2. Development Standards:

DEVELOPMENT AREA A

Net Land Area: 24.76 acres 1,078,620 SF

Permitted Uses:

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, Hotel, Motel and Recreation Uses; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:
Hotel and Convention Facilities 400,000 SF*
Other Uses 190,000 SF

Maximum Building Land Coverage per Lot (all uses): 30%

Maximum Building Height:
Hotel and offices 200 FT
Other permitted uses 30 FT

Minimum Building Setbacks:
From the centerline of East 71st Street 135 FT
From the west boundary 20 FT
From the east boundary (South 107th East Avenue) 40 FT
From the north boundary 20 FT
Internal lot side yards to be established by Detail Site Plan

Minimum Lot Frontage on 71st Street 150 FT

Maximum Access Points on 71st Street 2

Landscaped Area:

A minimum of 10% of net lot area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- A) One ground sign shall be permitted for each lot on the East 71st Street frontage with a maximum of 160 square feet of display surface area and 15 feet in height.
- B) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- C) One monument sign identifying the business park shall be permitted at the northwest corner of East 71st Street and South 107th East Avenue with a maximum of 30 square feet of display surface area and four feet in height.
- D) One monument sign shall be permitted at the entrance to the hotel and convention center from South 107th East Avenue with a maximum of 128 square feet of display surface area and ten feet in height.
- E) One business sign shall be permitted along the Mingo Valley Expressway right-of-way with a maximum of 500 square feet of display surface area and 40 feet in height; the business sign shall be set back a minimum of ten feet from the expressway right-of-way.

Lighting:

Exterior light standards for Development Area A shall not exceed 35 feet in height and shall be hooded and the light directed downward and away from the boundaries of the development area.

*Unused Hotel and Convention Center floor area may be transferred to other uses for other uses and floor area may be transferred to Hotel and Convention Use to permit larger Hotel and Convention facilities subject to minor amendment approval by TMAPC.

Development Area B

Net Land Area: 10.70 acres 466,092 SF

Permitted Uses:

Offices and Studios as permitted in Use Unit 11 and Multifamily Dwellings as permitted in Use Unit 8 and uses customarily accessory to permitted uses.

Maximum Building Floor Area Ratio Per Lot (Use Unit 11 uses):	.50
Maximum Number of Dwellings Units Per Acre Per Lot:	30
Maximum Building Land Coverage Per Lot (all uses):	30%
Maximum Building Height:	
Use Unit 11 uses	120 FT
Use Unit 8 uses	52 FT
Minimum Livability Space Per Dwelling Unit:	300 SF
Other Bulk Area Requirements:	
Use Unit 11 uses	As established within an OM District.
Use Unit 8 uses	As established within the RM-1 district.

Minimum Internal Landscaped Open Space:
A minimum of 15% internal landscaped open space for Use Unit 11, Office uses.

Signs: As permitted in the OM District

Lighting:
Exterior light standards shall not exceed 25 feet in height. All exterior light fixtures shall be hooded and direct light downward and away from the north and internal east boundaries of the development area.

Development Area C

Net Land Area: 6.47 acres 281,903 SF

Permitted Uses:

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices and Studios; Nursing Home only as permitted in Use Unit 2 and Assisted Living Facility and Elderly Retirement Housing only as permitted in Use Unit 8 and uses customarily accessory to permitted uses.

Maximum Building Floor Area Ratio Per Lot:	
Use Unit 11, Office uses and nursing home use	.40
Maximum Number of Dwelling Units Per Acre Per Lot:	
Assisted living and elderly retirement use	25
Maximum Building Land Coverage per lot (all uses):	30%
Maximum Building Height:	
Use Unit 11, Office uses:	52 FT
Nursing home, assisted living and elderly requirement uses:	43 FT
Minimum Building Setbacks:	
From the westerly and south boundaries of the Development Area (collector streets):	40 FT
From the east boundary:	
From the south 275 feet of east boundary	20 FT
From the remainder of the east boundary	20 FT**
From the north boundary of the Development Area	20 FT
Minimum Parking Area Setback:	
From the north and east boundary of the development area	10 FT
Minimum Internal Landscaped Open Space:	
A minimum of 15% internal landscaped open space for Use Unit 11, Office Uses.	
Minimum Livability Space Per Dwelling Unit:	500 SF
Signs:	As permitted in the OM District
Lighting:	
Light standards shall not exceed 20 feet in height and shall be hooded and the light directed downward and away from the east and north boundary of Development Area C. Building-mounted lights shall be hooded and the light directed downward. (Within 150 feet of single-family development, light standards shall not exceed 12 feet in height.)	

**[Plus 2 feet of setback for each one-foot of building height exceeding 15 feet.]

Development Area D

Land Area:
Net: 4.83 Acres 210,408 SF

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area Ratio Per Lot:

Use Units 12, 13 and 14	.25
Use Unit 11	.40

Maximum Building Coverage Per Lot (all uses): 30%

Maximum Building Height:

Use Unit 12, 13 and 14	30 FT
Use Unit 11	52 FT

Minimum Building Setbacks:

From the westerly boundary of Area C (collector street)	40 FT
From the east boundary	15 FT
From north boundary (collector street)	40 FT

Internal lot side yards to be established by Detail Site Plan.

Off-Street Parking:

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

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- A) Ground signs shall be limited to one sign for each lot along the collector street frontage with a maximum of 120 square feet of display surface area for each sign and 20 feet in height.
- B) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

Lighting:

Exterior light standards shall not exceed 25 feet in height. All exterior light fixtures shall be hooded and direct light downward and away from the east boundary of the development area.

Development Area E

Land Area:

Net 9.09 Acres 395,786 SF

Permitted Uses:

Those uses permitted as a matter of right in Use Unit 11, Offices and Studios, a drive-in bank facility on the east 225 feet, and uses customarily accessory to permitted uses.

Maximum Building Floor Area: 158,000 SF

Maximum Building Floor Area Ratio Per Lot: .40

Maximum Land Coverage of a Building within a Lot: 30%

Maximum Building Height: two stories

Minimum Building Setbacks:

From the south boundary (collector street) 40 FT

From the north boundary:

One Story 20 FT

Two Story 50 FT

Internal lot side yards to be established by Detail Site Plan.

Minimum Parking Area Setback:

From the north boundary of Development Area 10 FT

Minimum Internal Landscaped Open Space:

A minimum of 15% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

As permitted in the OM district

Lighting:

Exterior light standards or building-mounted lights for Development Area E shall not exceed 12 feet in height, except in the north 50 feet, lights shall not exceed eight feet in height and shall be hooded and the light directed

downward and away from the boundaries of the development area. No light standards or building-mounted lights are permitted within the north 25 feet of the Development Area.

3. A six-foot screening wall or fence shall be located along the north and east boundaries of Development Areas B and C where they abut residential areas, and along the north boundary of Development Area E. A landscaped area of not less than ten feet in width shall be located along the east boundary of Development Area C where it abuts a residential area and north boundary of Development Area E. Landscaping throughout the PUD shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code.
4. The principal access to all development in the PUD shall be from a corridor collector street. The existing corridor collector street, South 107th East Avenue, shall be extended from the north boundary of the PUD to East 71st Street South where it shall be in alignment with the signalized median cut previously established by the Traffic Engineering Department and recognized by the plat of Woodland Park on the south side of East 71st Street South as South 109th East Avenue. A collector street (East 69th Street South) shall connect South Garnett Road and South 107th East Avenue, and shall be located on the south edge of Development Area E. South 109th East Avenue shall not be extended south and shall not have access to Development Area E.
5. If a Development Area is subdivided, uses and intensities of uses, access and development standards shall be established by Minor Amendment or subdivision plat.
6. A lot in Development Area A, B, C or D may not contain more than one use unless approved by minor amendment or subdivision plat. Uses within the same Use Unit in the Tulsa Zoning Code are considered the same use.
7. No Zoning Clearance Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
8. A Detail Landscape Plan for each lot shall be approved by the TMAPC 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 the lot, 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.

9. No sign permits shall be issued for erection of a sign on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
10. All trash, mechanical and equipment areas in Development Area A shall be screened from public view by persons standing at ground level and no bulk trash containers shall be accessed directly from a public street and the appropriate location of such containers shall be established during Detail Site Plan approval.
11. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.
12. No building permit shall be issued until the requirements of Section 1170F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval and making the City beneficiary to said Covenants that relate to PUD conditions.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
14. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks, truck-trailers or containers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and outside containers shall not be used for storage.

TMAPC COMMENTS:

Ms. Hill asked when the widening of 21st Street East of US 169 onto Garnett will occur or is scheduled to begin. In response, Mr. Stump stated that it is currently a two-lane road and it is scheduled for widening, but he does not know the exact date.

Mr. Westervelt stated that he believes the 21st Street widening project is to begin in spring of 1999 and the bond issue has been passed.

Applicant's Comments:

Mr. Charles Norman, 401 South Boston, Suite 2900, Tulsa, Oklahoma 74103, stated that the same types of development standards requested for this application have been approved in the past (Woodland Park Area).

Mr. Norman described the surrounding property and the subject proposal.

Mr. Norman requested that the Planning Commission approve the staff recommendation.

Mr. Jackson in at 1:37 p.m.

Mr. Midget in at 1:42 p.m.

Interested Parties:

James Allen, 10904 East 68th Street, Tulsa, Oklahoma 74133, stated that he would like to discuss the access and circulation issues. He proposed that the north/south corridor be routed along the outside and behind the apartment complex. He explained that this would prevent traffic from coming through the neighborhood. He indicated that there is a school zone in the subject area and he would like to prevent traffic from coming through the housing addition and into the school zone.

Mr. Allen proposed that the setback should increase to 30 feet; the screening fence should increase to eight feet in height; and the drainage and detention facility should be made larger. He requested that the nursing home not have prerelease prisoners and that the office spaces not allow bars or liquor stores.

Mr. Allen discussed drainage problems at great length, at which time Mr. Westervelt explained that the Planning Commission does not deal with drainage issues. He suggested the interested parties should call Stormwater Management with the concerns.

Ken Ellers, 6806 South 109th East Avenue, Tulsa, Oklahoma 74133, stated he had concerns with the drainage and adequate buffering.

Applicant's Rebuttal:

Mr. Norman stated that the proposed setback is for ten feet, plus the two-for-one above fifteen feet, which is the standard setback for light office buildings from a residential area. He commented that the staff has recommended that the setback be 20 feet, plus two-for-one above fifteen feet. He stated that he has no objection to the 20-foot setback plus the two for one above fifteen feet. He indicated that the staff has also required a five-foot-wide greenbelt on the other side of the screening fence before any parking begins. He stated that for a two-story building the setback will be 50 feet from the residential area and then with the double row of parking, it will be approximately 20 feet back.

Mr. Norman stated that with regard to the eight-foot screening fence, the standard has been established for a six-foot screening fence.

Mr. Norman stated that only a small portion of the property drains through the panhandle and that is why the detention area is smaller. He commented that during the platting process the detention requirement will be evaluated very carefully. He informed

the interested parties that during the platting process, the abutting residences will receive notice and have an opportunity to review the final specifications.

Mr. Norman stated that prerelease centers and residential centers are not included under either the assisted living or nursing home category.

Mr. Norman stated that the issue regarding the collector street from the north to the south was a specific requirement by the staff. He explained that since this is part of the Major Street and Highway Plan, and zoning requires that property be served from an internal collector street, this would be mandatory to continue the street.

Mr. Stump stated that the collector street proposal will continue the existing corridor collector that is established to the north, which has multifamily fronting. He explained that the proposed street does intersect 67th Street, which is primarily a single-family residential street that accesses Garnett. He stated that it is critical that a collector street be established from 71st to 61st, and the Mingo Valley Expressway right-of-way is not wide enough for a frontage road and the expressway.

The Planning Commission and staff discussed the possibility of closing 67th Street where it abuts the single-family development (Southbrook) to the east in order to segregate the multifamily traffic from the single-family traffic.

Mr. Westervelt asked Mr. Norman if his client would be willing to pay for the possible street closing at the CO and the residential zoning. In response, Mr. Norman stated that it would be a minor cost, but the only way it could be done is a straight barrier. Mr. Norman stated that it would be a matter of requiring the consent or petition of the people on both sides. Mr. Norman reminded the Planning Commission that closing the street would require a neighborhood agreement.

After a lengthy discussion it was determined that the possible closing of 67th Street, where it abuts the Southbrook Addition, would require the neighborhoods' initiation or request. The neighborhood was encouraged to form a neighborhood's association and register with the Mayor's office.

Mr. Norman stated that he has no objection to the proposal to close 67th Street at the CO and residential zoning because the development does not require the access.

Mr. Westervelt stated that he would like some language in the motion that would give the Planning Commission the option to explore the closing of 67th Street where the CO and residential zoning abut.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT** to recommend **APPROVAL** of the PUD/Corridor Site Plan for PUD-601/Z-6631-SP-1, subject to finding a way to close 67th Street at the CO and residential zoning and review at the final plat, subject to the conditions recommended by staff.

TMAPC COMMENTS:

Mr. Boyle stated that he does not know if the Planning Commission would be wise to review the closure of the street at the final plat stage. He explained that the closure of the street will need to be done at the time the street is on the ground.

TMAPC Action; 9 members present:

On **AMENDED MOTION** of **WESTERVELT**, to recommend **APPROVAL** of the PUD/Corridor Site Plan for PUD-601/Z-6631-SP-1, subject to the Planning Commission having the opportunity to see the final plat and understand the status of the street closure; subject to the conditions recommended by staff.

Mr. Midget asked staff if the Planning Commission was given permission from the City Council to review street closings before submitting to the Council. In response, Mr. Stump answered affirmatively. Mr. Stump explained that the requests for street closures come to staff and then staff reviews and submits to the Planning Commission if needed. In response, Mr. Boyle stated that the Planning Commission would like to see this request when it is submitted.

Ms. Myers reiterated that the neighbors will have to agree to the street closure. In response, Mr. Boyle asked Ms. Myers if the Planning Commission could initiate the closing themselves. Ms. Myers stated that she did not see any problem, but there are legal ramifications to the Planning Commission initiating the closure.

Mr. Stump stated that if the Planning Commission decides during the final plat to initiate the closure, then there is a form to file with Public Works and staff would file the form if it part of the motion.

Mr. Boyle asked Mr. Westervelt if he intended to make the closure at final plat part of his motion. In response, Mr. Westervelt answered affirmatively.

Mr. Norman suggested that the request for the street closure should come from the neighborhood.

Mr. Harmon asked if the motion is to approve the PUD regardless of the outcome of the street closing. In response, Mr. Westervelt stated that the PUD would be approved regardless of the outcome of the street closure.

Ms. Pace suggested that the PUD/Corridor Site Plan approval be a separate motion from the street closure.

Mr. Boyle agreed that it would be a cleaner procedure to make two separate motions to make it clear that the street closure and the PUD are two different issues. He stated that it would not be fair to Mr. Norman to tie the two events together. He commented that it would give a property owner the veto power over Mr. Norman's entire development and that does not seem appropriate.

Mr. Westervelt stated that he was concerned with protecting the neighborhood and that is why he wanted to connect the street closure with the PUD approval. He commented that Mr. Norman has not complained about the issue being connected with the PUD. He stated that he would consider modifying his motion if it is too restrictive.

Mr. Norman stated that the neighbors would have to ask for the street closing first. He further stated he has no objection to the Planning Commission reviewing or initiating the closure. He explained that he does not want the Planning Commission or the neighbors to expect the Hammond organization to go into the neighborhood and initiate the street closure.

Mr. Boyle asked Mr. Norman if he opposed the suggestion that the Planning Commission make the final approval of the project dependent on the street closure. Mr. Norman stated that he did not understand the motion to intend that suggestion. Mr. Westervelt stated that his motion was not that strong, but simply to allow the Planning Commission to review the closure issue when the final plat is submitted.

TMAPC Action; 10 members present:

On **SECOND AMENDED MOTION** of **WESTERVELT**, the TMAPC voted **9-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick "absent") to recommend **APPROVAL** for the PUD/Corridor Site Plan for PUD-601/Z-6631-SP-1, subject to conditions as recommended by staff. The Planning Commission express their desire that the street closure of 67th Street (where it abuts Southbrook Addition to the east) be followed through.

Legal Description for PUD-601/Z-6631-SP-1:

A tract of land located in the SE/4 Section 6, T-18-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the official U. S. Government survey thereof, being more particularly described as follows: commencing from the Southwest corner of the E/2, W/2, W/2, SE/4 of Section 6; thence N 00°00'11" E along the West line of the E/2, W/2, W/2, SE/4 of Section 6 a distance of 909.06' to the point of beginning being an angle point on the Easterly right-of-way of U. S. Highway 169; thence continuing N 00°00'11" E along the West line of the E/2, W/2, W/2, SE/4, Section 6 also being the Easterly right-of-way of U. S. Highway 169 a distance of 1,732.24' to the Northwest corner of the E/2, W/2, W/2, SE/4 Section 6; thence S 89°42'50" E along the Northerly line of the SE/4 of Section 6 a distance of 329.81' to the Northeast corner of the W/2, W/2, SE/4, Section 6; thence S 00°00'10" W along the Easterly line of the W/2, W/2, SE/4, Section 6 a distance of 435.10'; thence N 89°59'51" E a distance of 264.90'; thence S 00°00'06" W a distance of 226.62' to the Northerly line of the SE/4, NW/4, SE/4, Section 6; thence S 89°42'30" E along the Northerly line of the SE/4, NW/4, SE/4, Section 6 a distance of 394.73' to the Northeast corner of the SE/4, NW/4, SE/4, Section 6; thence S 00°00'06" W along the Easterly line of the NW/4, SE/4, Section 6 a distance of 660.42' to the Southeast corner of the NW/4, SE/4, Section 6; thence S 89°42'09" E along the Northerly line of the SE/4, SE/4 Section 6 a distance of 1,319.27' to the Northeast corner of the SE/4, SE/4, Section 6; thence S 00°00'00" W along the

Easterly line of the SE/4, Section 6 a distance of 300.00'; thence N 89°42'09" W and parallel with the Northerly line of the SE/4, SE/4, Section 6 a distance of 1,319.28' to the Easterly line of the W/2, SE/4, Section 6; thence S 00°00'06" W along the Easterly line of the W/2, SE/4, Section 6 a distance of 961.94' to the Northerly right-of-way of East 71st Street South; thence N 81°22'42" W along the Northerly right-of-way of East 71st Street South a distance of 333.59'; thence N 81°20'09" W along the Northerly right-of-way of East 71st Street South a distance of 456.44' to the Easterly right-of-way of U. S. Highway 169; thence N 00°16'48" W along the Easterly right-of-way of U. S. Highway 169 a distance of 196.54'; thence N 21°00'24" W along the Easterly right-of-way of U. S. Highway 169 a distance of 578.64' to the Point of beginning; and a tract of land located in the SE/4 of Section 6, T-18-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the official U. S. Government survey thereof, being more particularly described as follows: commencing from the Southwest corner of the SE/4, SE/4 of Section 6; thence N 00°00'06" E along the Westerly line of the SE/4 of Section 6 a distance of 58.91' to the Northerly right-of-way of 71st Street South the Point of Beginning; thence continuing N 00°00'06" E along the Westerly line of the SE/4 of Section 6, a distance of 301.91'; thence S 59°34'05" E a distance of 13.77'; thence along a curve to the right with a central angle of 59°31'05" a radius of 280.00' an arch length of 290.86'; thence S 00°03'00" E a distance of 23.65'; thence along a curve to the left with a central angle of 89°38'28" a radius of 30.00' an arc length of 46.94'; thence S 00°18'32" W and perpendicular to the Southerly line of the SE/4 of Section 6 a distance of 27.38' to the Northerly right-of-way of East 71st Street South; thence N 81°22'42" W along the Northerly right-of-way of East 71st Street South a distance of 181.83' to the Point of Beginning.

PUD-602/Z-6127-SP-1 - Charles Norman
Northwest corner East 71st Street and South Garnett

CS/CO/RM-1 to PUD
(PD-18) (CD-8)

Staff Recommendation:

The PUD/Corridor Site Plan proposes a commercial development on 26 acres located at the northwest corner of East 71st Street South and South Garnett Road. A one-acre parcel at the intersection of East 71st Street and South Garnett Road is not included. The subject tract is zoned CS, CO and RM-1. The proposed commercial development is across East 71st Street from the existing Albertson's and Git-n-Go stores and Block 2 of the Woodland Park plat, the commercial development area within the Woodland Park planned unit development. The subject tract is abutted on the north and west by property that is zoned CO and also under application for PUD and Corridor Site Plan approval (PUD 601/Z-6631-SP-1). There is R-1 and C-2 zoned property to the east across South Mingo Road in the Broken Arrow City Limits.

The proposed access to the PUD would be from South Garnett Road, East 71st Street South and from a corridor collector street that would extend from East 71st Street at the location of a planned signalized median cut north to eventually connect to 107th E. Avenue.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD 602/Z-6172-SP-1 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-602/Z-6172-SP-1 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:	27.06 Acres	1,178,671 SF

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street parking; 11, Offices and Studios, including drive-in bank facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:	275,000 SF
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Maximum Building Coverage Per Lot:	.30
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Maximum Building Height	35 FT
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Architectural elements may exceed maximum building height with Detailed Site Plan approval.

Minimum Lot Frontage on East 71 st Street or South Garnett Road:	150 FT
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Maximum Access Points onto East 71 st Street:	4
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Maximum Access Points onto South Garnett Road: 3

Minimum Building Setbacks:

From centerline of East 71 st Street	110 FT
From centerline of South Garnett Road	100 FT
From the internal collector street	40 FT
From north boundary	75 Ft
From other external boundaries of the PUD	20 FT

Internal lot side yards to be established by Detail Site Plan

Landscaped Area:

A minimum of 10% of the net lot area of each lot shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- A) One center and tenant identification ground sign shall be permitted at the principal entrance on East 71st Street and one at the principal entrance on South Garnett with a maximum of 280 square feet of display surface area and 25 feet in height for each.
- B) One ground sign shall be permitted for each lot along the East 71st Street frontage with a maximum of 150 square feet of display surface area and 25 feet in height for each sign.
- C) Wall signs shall be permitted, not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building. No wall signs shall be permitted on north-facing walls of buildings within the north 300 feet of the PUD.

Lighting:

Light standards for the PUD shall not exceed 40 feet in height and shall be hooded and directed downward and away from the north boundaries of the property.

Access and Circulation:

The PUD shall have access to a corridor collector street. The collector shall be in alignment with the signalized median cut previously established by the Traffic Engineering Department and recognized by the plat of Woodland Park on the south side of East 71st Street South as South 109th East Avenue. Mutual access easements and roadways shall be provided to permit traffic from interior lots to reach any other lot in the PUD. The PUD shall also provide access to the proposed collector street on the tract to the north (East 69th Street South).

3. If backs of buildings face a collector street, the following conditions must be met:
 - A) The rear of the building shall be architecturally compatible with the front of the building and siding materials shall be similar.
 - B) Loading docks and loading or unloading shall be screened from the collector street to the north. The design of this screening shall be approved by TMAPC as part of the Detail Site Plan and/or Landscape Plan.
 - C) A landscaped buffer at least 15 feet in width and containing landscaping, berms or screening walls or fences or a combination of these, which effectively screen the rear of the building from the collector street, shall be provided. Such screening and buffering shall be approved by TMAPC as part of the Detailed Landscape Plan.
4. No Zoning Clearance Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, 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 lot shall be approved by the TMAPC 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 the lot, 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 on a lot within the PUD until a Detail Sign Plan for that lot 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. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.

9. No building permit shall be issued until the requirements of Section 1170F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval and making the City beneficiary to said Covenants that relate to PUD conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks, truck-trailers or containers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers or outside containers shall not be used for storage.
13. If the PUD is subdivided, uses and intensities of uses and development standards shall be established by Minor Amendment or subdivision plat.

Applicant's Comments:

Mr. Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that he has discussed most of the issues regarding this development. He explained that the pattern of the proposal follows the standards that were approved for Woodland Park, which is across the street.

Mr. Norman requested that the Planning Commission approve the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to recommend **APPROVAL** for the PUD/Corridor Site Plan for PUD-602/Z-6127-SP-1 subject to conditions as recommended by staff.

Legal Description for PUD-602/Z-6127-SP-1:

A tract of land that is part of the SE/4, SE/4 of Section 6, T-18-N, R-14-E, of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows, to-wit: starting at the Southeast corner of said Section 6; thence N 89°41'28" W along the Southerly line of Section 6 for 221.40' to the Point of Beginning of said tract of land; thence continuing N 89°41'28" W along said Southerly line for 866.11'; thence N 00°18'32" E for 25.00'; thence N 81°22'40" W for 234.59' to a point on the Westerly line of the SE/4, SE/4 of Section 6; thence N 00°00'06" E along the Westerly line of the SE/4, SE/4 for 961.92' to a point that is 300.00' Southerly of the

Northerly line of the SE/4, SE/4; thence S 89°42'09" E and parallel with the Northerly line of the SE/4, SE/4 for 1,319.28' to a point on the Easterly line of Section 6; thence due South along said Easterly line for 725.62' to a point that is 295.48' Northerly of the Southeast corner of Section 6; thence N 89°35'59" W for 220.91'; thence S 00°05'43" W for 295.83' to the point of beginning of said tract of land.

Z-6673 - Ted Sack
6336 South 105th East Avenue

RS-3 to CO

Staff Recommendation:
Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – Corridor.

According to the Zoning Matrix the requested CO zoning is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 4.5 acres in size and is located on the east side of South 103rd East Avenue at East 63rd Place South. The property is gently sloping, partially wooded, contains a single-family dwelling, and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the west by single-family dwellings, zoned RS-3; to the northwest by a single-family dwelling and on the northeast is vacant land, zoned RS-3; to the south by vacant property, zoned CO; and to the east by the Mingo Valley Expressway right-of-way, zoned AG.

Zoning and BOA Historical Summary: Similar corridor zoning has been approved on surrounding property.

Conclusion: The subject tract is part of an area that is in transition from residential to more intense uses. Staff can support the requested rezoning due to the existing zoning and development in this area and recommends **APPROVAL** of CO zoning for Z-6673.

Applicant's Comments:

Ted Sack, 111 South Elgin, Tulsa, Oklahoma 74120, stated that there are two lots to the north of the existing CO zoning, and he requests that these lots be rezoned to Corridor. He explained that the staff has some requests to modify the Corridor Site Plan that will not be heard today.

Mr. Sack stated that the site is being planned for a storage facility with the access being strictly off of 105th, which is a service road adjacent to the Mingo Valley Expressway. He indicated that there will be no access onto 103rd Street.

Interested Parties:

Randall Matalzynski, 6356 South 103rd East Avenue, Tulsa, Oklahoma 74133, expressed concerns with the proposal being located near the school. He explained that the neighborhood has many small children and is concerned with increased traffic.

Mr. Matalzynski stated that the infrastructure is not able to handle this type of traffic. He explained that there are drainage problems because the neighborhoods have not been upgraded with sewers. He indicated that the neighborhood is on septic tanks and there are no curbs or gutters along the streets.

Chris Gossett, 6348 South 103rd East Avenue, Tulsa, Oklahoma 74133, stated that he is concerned that the rezoning sign located on the subject property indicated that the proposal is for an RV storage. He commented that he understands that the intent is for a mini-storage. He expressed concerns that the proposal will increase traffic and the roads are not able to handle the increase.

Mr. Gossett stated that he has concerns with the proposal being close to a school zone. He commented that he is not sure what type of building the applicant is proposing and is concerned with the esthetics. Mr. Gossett concluded that he does not oppose the zoning change.

Dexit Kadakia, 6425 East 105th East Avenue, Tulsa, Oklahoma 74133, stated he owns the property south of the subject property. He indicated that he does not have any opposition to the rezoning to CO. He stated that he does have concerns with the 105th Street road conditions.

Applicant's Rebuttal:

Mr. Sack stated that the main concern of the interested parties is the site plan and he will give the interested parties his business card in order to discuss the site plan.

Mr. Sack stated that the proposal is for a mini-storage, which allows RV storage within it. He explained that the proposal is not for an RV park. He reiterated that there will be no access to 103rd Street.

Mr. Sack indicated that the drainage issues will be addressed and there will be some improvements to 105th Street. He stated that he has already discussed the improvements to 105th Street with Traffic Engineering.

TMAPC COMMENTS:

In response to Ms. Hill, Mr. Sack stated that the subject property facing 103rd will have trees and a solid wall for screening.

Mr. Boyle reminded the Planning Commission that they are not considering the site plan today.

Ms. Pace recognized Mr. Matalzynski.

Mr. Matalzynski stated that he is not concerned that there is a mini-storage being proposed. He explained that his concerns are that the roads are not able to handle the increase in traffic that the proposal will generate.

Mr. Westervelt informed the interested parties that the Planning Commission has found that mini-storage facilities have the least impact on the infrastructure and create the least increase in traffic.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to recommend **APPROVAL** of the CO zoning for Z-6673 as recommended by staff.

Legal Description for Z-6673:

Lots 3 and 4, Block 6, Union Gardens Addition, to the City of Tulsa, Tulsa County, State of Oklahoma.

Z-6673-SP-1 - Ted Sack
6336 South 105th East Avenue
(Detail Site Plan)

(PD-18) (CD-8)

Mr. Boyle announced that the applicant has made a timely continuance request for January 20, 1999.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **CONTINUE** Z-6673-SP-1 to January 20, 1999 at 1:30 p.m.

Z-6672 - Roy D. Johnsen
5620 South Mingo

OM to IL
(PD-18) (CD-17)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 1 – Industrial area.

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

Staff Comments:

Site Analysis: The subject property is approximately 100' x 200' in size and is located south of the southwest corner of East 56th Street South and South Mingo Road. The property is flat, non-wooded, contains a vacant residential dwelling, and is zoned OM.

Surrounding Area Analysis: The subject tract is abutted on the north and west by single-family dwellings, zoned RS-3; to the south by a single-family dwelling, zoned IL; and to the east across South Mingo Road by commercial and industrial uses, zoned IL.

Zoning and BOA Historical Summary: The history of this area indicates an active transition from residential zoning to industrial zoning.

Conclusion: The subject property is identified as being within a future industrial development area. Industrial development in this area is encouraged; therefore, staff recommends **APPROVAL** of the IL zoning for Z-6672.

There were no interested parties wishing to speak.

Applicant's Comments:

Mr. Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, stated that the predominant emerging land use and zoning pattern is industrial. He commented that the staff has advised that the application is consistent with the Comprehensive Plan. Mr. Johnsen concluded with a request to approve this application.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to recommend **APPROVAL** of the IL zoning for Z-6672 as recommended by staff.

Legal Description for Z-6672:

Lot 4, Block 1, Andersen Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof.

PUD-603/Z-6579-SP-1 - William B. Jones/Roy D. Johnsen
Southwest corner East 98th Street South and South Memorial
(PUD/Corridor Site Plan)

CO to PUD
(PD-26) (CD-8)

Mr. Boyle announced that there has been a request for a continuance.

Applicant's Comments:

Mr. Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, stated that there is an adjoining property owner who is interested in the applications. He explained that currently he is discussing these applications with the interested party and requests a continuance for a period of week.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **CONTINUE** PUD-603/Z-6579-SP-1 to January 20, 1999 at 1:30 p.m.

Z-6674/PUD-306-G - Roy D. Johnsen

Northeast and southeast corner East 96th Street and South Delaware

AG to CS/PUD
(PD-18) (CD-2)

Mr. Boyle announced that the applicant has made a timely request for a continuance to February 3, 1999.

There were no interested parties wishing to speak.

Applicant's Comments:

Mr. Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, stated that there were some interested parties for this application with whom he has discussed the proposal. He explained that he has agreed to meet with the interested parties again and there is a question concerning the noticing. He indicated that a new notice has been sent for February 3, 1999.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **CONTINUE** Z-6674/PUD-306-G to February 3, 1999 at 1:30 p.m.

PUD-595-A/Z-5970-SP-4 - Charles Norman

(PD-18) (CD-5)

North of northwest corner East 71st Street and South Mingo Valley Expressway
(Major Amendment to PUD and Corridor Site Plan)

Staff Recommendation:

The PUD and Corridor Site Plan as approved included the following Development Standards:

Land Area:	19.0 Acres	827,640 SF
Maximum Building Floor Area:		500,000 SF
Maximum Building Height:		40 FT

Architectural elements may exceed the maximum building height with Detail Site Plan approval.

The applicant proposes major amendments to the Corridor Site Plan and PUD as follows:

- A. The land area has been increased to reflect the 19 acres being added to the planned unit development and corridor site plan;
- B. The maximum building floor area has been increased from 500,000 square feet to 1,000,000 square feet; and
- C. The maximum building height for Use Unit 11 uses has been added at 120 feet.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD 595-A/Z-5970-SP-4 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 595-A/Z-5970-SP-4 subject to the following conditions:

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

Land Area	38.1875 Acres	1,663,426 SF
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Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 23, Warehousing and Storage Facilities for the storage, repair, service and distribution of furniture, furnishings, equipment, products and supplies, displayed and sold within Mathis Park, provided no exterior display or storage shall be permitted, and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:	1,000,000 SF
Maximum Land Coverage of Buildings Per Lot:	30%
Maximum Building Height:	
Use Unit 11 Uses:	120 FT
Other Uses	40 FT

Architectural elements may exceed maximum building height with Detailed Site Plan approval.

Minimum Lot Frontage on Corridor Collector Street	150 FT
Minimum Building Setbacks:	
From centerline of South 101 st East Avenue	110 FT
From the north boundary	40 FT
From the south boundary	40 FT
From the Mingo Valley Expressway right-of-way	50 FT

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

Signs accessory to permitted principal uses shall be permitted, subject to compliance with the Tulsa Zoning Code and the following standards:

- 1) Ground signs fronting 101st East Avenue shall be limited to one per lot except as provided for in item three below. Each sign shall not exceed two-tenths of a square foot of display surface area per lineal foot of street frontage; provided, however, that in no event shall the sign be restricted to less than 32 square feet nor be

permitted to exceed 150 square feet of display surface area. No sign shall exceed 20 feet in height.

- 2) Wall signs shall be permitted not to exceed 1.0 square foot of display surface area per lineal foot of the building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 3) One monument sign shall be permitted at the entrance to the PUD from South 101st East Avenue with a maximum of 64 square feet of display surface area and six feet in height.
- 4) One business sign shall be permitted along the Mingo Valley Expressway right-of-way with a maximum of 500 square feet of display surface area and 40 feet in height; the business sign shall be set back a minimum of ten feet from the expressway right-of-way; 300 feet from the north boundary of the PUD; and 200 feet from the north boundary of the PUD.
- 5) The existing outdoor advertising sign shall be removed prior to a sign permit for the one business sign permitted along the Mingo Valley Expressway right-of-way being issued within the PUD.

Vehicular Access and Circulation:

The primary access to the property shall be provided by an extension of the existing corridor collector street, South 101st East Avenue, from the northwest boundary of Mingo Market Place to a connection with East 66th Street South. The private frontage road at the northeast corner of Mingo Market Place shall be extended from the southeast corner of the PUD, along the eastern edge of the tract, to the northern boundary of the property. This private frontage road shall be open to the public and abutting property owners and shall allow future extension to the north when that is developed. The extension of 101st East Avenue to East 66th Street South will be constructed as a collector street and dedicated to the public as part of the platting process, and both 101st East Avenue and the eastern frontage road shall be constructed prior to the issuance of any Occupancy Permit in the PUD.

3. No Zoning Clearance Permit shall be issued for buildings within the PUD until a Detail Site Plan, which includes all such buildings, and required parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan shall be approved by 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 the lot, prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.

5. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 25 feet in height if within 150 feet of any existing or planned residential area and all such lights shall be set back at least 25 feet from such residential area abutting the PUD.
8. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
9. No building permit shall be issued until the requirements of Section 1170F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval and making the City beneficiary to said.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks, truck-trailers or containers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and outside containers shall not be used for storage.
13. If the PUD is subdivided, uses and intensities of uses and development standards shall be established by Minor Amendment.

Conclusion: Based on the Comprehensive Plan and the existing zoning in this area, staff recommends **APPROVAL** of IL zoning for CZ-250.

TMAPC COMMENTS:

Mr. Boyle stated that RS type zoning surrounds the subject property and asked staff if they are still in agreement with the IL zoning. In response, Mr. Dunlap stated that the Comprehensive Plan indicates that the subject area will be changing to industrial type uses. Mr. Dunlap explained that the case map indicates that there is currently a large amount of industrial zoning and uses in the subject area.

Applicant's Comments:

Mr. George Suppes, 6028 South 66th East Avenue, Tulsa, Oklahoma 74145, stated that he represents the purchaser of the subject property, which is currently under contract. He explained that the intended use is a lawn maintenance service. He stated that the use will not have an abundance of traffic from customers. There will be staff vehicles leaving early in the morning and returning late in the evening. He indicated that there are approximately twelve to fifteen trucks involved with the service.

Mr. Suppes stated that the subject property is currently open and it is his understanding that the neighbors would prefer to keep the subject property open for security purposes.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to recommend **APPROVAL** of the IL zoning for CZ-250 as recommended by staff.

Legal Description for CZ-250:

The South 50' of Lots 2 and 3 and the North Half of Lots 4 and 5, Block 4, Doctor Carver Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Dwain Midget out at 3:00 p.m.

OTHER BUSINESS:

AC-044 - Stephen Schuller
28 North Harvard
(Alternative Landscape Compliance)

(PD-3) (CD-3)

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance approval to eliminate the required landscaped area and two parking lot trees in front of the entryway and along the access drive for a convenience store. The applicant is also requesting Alternative Landscape Compliance to install 12 "Natchez" crapemyrtles for small-size trees rather than selecting an approved species taken from the Tulsa Urban Forester's certified list.

Staff has examined the landscape plan and finds conformance to the requirements outlined in Chapter 10 and the approved PUD development specifications with the exception of five parking spaces not being placed within 50 feet of a landscaped area containing a tree. Additionally, the "Natchez" crapemyrtle is not an approved tree listed on the *Urban Forester's Certified List of Tree Species*.

Staff finds the size and configuration of the lot and placement of the convenience store make it difficult, if not impossible, to meet the 50-foot requirement of the Landscape Chapter. The applicant, in the alternative, proposes to more than double the total landscaped area from the required 10% minimum internal landscaped open space to 22% and more than double the required number of street yard and non-street yard trees. The applicant has also provided an approval document signed by the Urban Forester certifying the acceptability of the "Natchez" Crapemyrtle.

Although the landscape plan does not meet the technical requirements of the Zoning Code, the increase in landscaped open space, installation of additional trees and the acceptance of an alternate tree species by the Urban Forester is equivalent to or better than the requirements of Chapter 10.

Staff, therefore, recommends **APPROVAL** of AC-044 subject to the following condition:

The minimum installed height of the 12 "Natchez" crapemyrtles or Lagerstromia Indica shall be eight to ten feet in height per the Urban Forester's requirement of December 15, 1998.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC COMMENTS:

Ms. Pace asked Mr. Schuller if there will be any large trees such as oaks planted. In response, Mr. Ledford stated that there are power lines in the subject area, and under the Landscape Code the applicant has to plant smaller trees. Mr. Ledford explained that the applicant has substituted with crapemyrtles rather than small trees. Mr. Ledford stated that crapemyrtles are considered small trees.

Inaudible.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the Alternative Landscape Compliance for AC-044 subject to the conditions as recommended by staff.

Election of Officers for TMAPC 1999

Mr. Boyle stated that Mr. Horner is the Chairman of the Nominating Committee and turned the elections over to Mr. Horner.

Mr. Horner stated that the Nominating Committee has recommended that the existing officers of TMAPC be extended for another year. The Officers are as follows:

- Gary Boyle, Chair
- Joe Westervelt, 1st Vice Chair
- Gail Carnes, 2nd Vice Chair
- Brandon Jackson, Secretary

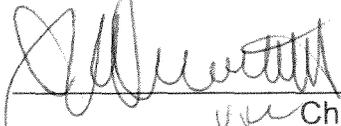
There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

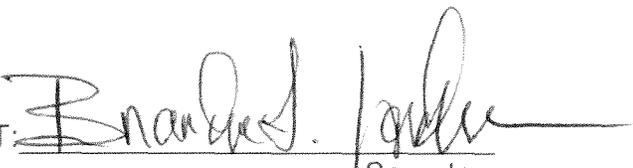
On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the Nominations as presented by the Nomination Committee.

There being no further business, the Chairman declared the meeting adjourned at 3:03 p.m.

Date approved: 02/03/99



Chairman

ATTEST: 

Secretary