

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2205

Wednesday, May 26, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, May 24, 1999 at 8:50 a.m., posted in the Office of the City Clerk at 8:39 a.m., as well as in the office of the County Clerk at 8:41 a.m.

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

Minutes:

Approval of the minutes of May 12, 1999, Meeting No. 2203

On **MOTION** of **HARMON** the TMAPC voted **7-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of May 12, 1999 Meeting No. 2203

REPORTS:

Chairman's Report:

Mr. Boyle announced that the applicants of the following items are requesting continuances.

Application No.: PUD-384-A-3

Applicant: John Stava (PD-8) (CD-2)

Location: East of southeast corner 71st Street and South Elwood Avenue

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **CONTINUE** PUD-384-A-3 to June 2, 1999 at 1:30 p.m.

Application No.: Z-6467-SP-3

Applicant: John W. Moody (PD-18) (CD-8)

Location: Northeast corner Mingo Valley Expressway and South Mingo Road

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **PACE**, the TMAPC voted **7-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **CONTINUE** Z-6467-SP-3 to June 9, 1999 at 1:30 p.m.

Application No.: PUD-523-A-2

Applicant: William LaFortune (PD-18) (CD-8)

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

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Boyle, Carnes, Dick, Harmon, Hill, Pace "aye"; no "nays"; Ledford "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **CONTINUE** PUD-523-A-2 to June 9, 1999 at 1:30 p.m.

Application No.: Z-6699/PUD-608 RM-0 to CS, RS-3, OL/PUD

Applicant: Charles Norman (PD-18) (CD-8)

Location: South and East of East 81st Street and South Sheridan

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HILL**, the TMAPC voted **6-0-1** (Boyle, Carnes, Dick, Harmon, Hill, Pace "aye"; no "nays"; Ledford "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **CONTINUE** Z-6699/PUD-608 to June 2, 1999 at 1:30 p.m.

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford reported that the Comprehensive Plan Committee has an item on today's agenda for the Urban Renewal Plan Amendments.

Rules and Regulations Committee:

Mr. Boyle reported that the Rules and Regulations Committee has an item on today's agenda for the Riverview Neighborhood rezoning proposal.

Director's Report:

Mr. Dunlap reported that there are several items on the City Council agenda; however, they are straightforward items and he does not expect any problems.

SUBDIVISIONS

FINAL PLAT:

Palazzo – Tulsa (2894) (PD-17) (CD-6)

West of the northwest corner East 51st Street and South 145th East Avenue

Staff Recommendation:

Mr. Beach stated that everything is in order and all release letters have been received. Staff recommends approval subject to final legal review of the deed of dedication.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Jackson, Midget, Westervelt "absent") to **APPROVE** the Final Plat for Palazzo subject to final legal review of the deed of dedication as recommended by staff.

Mr. Jackson in at 1:35 p.m.

ZONING PUBLIC HEARING

Application No.: Z-6695

IL to CBD

Applicant: Stanley Synar

(PD-1) (CD-4)

Location: East of southeast corner East 1st Street and South Detroit

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as part of the Expanded Core area. Plan text

recommendations are for mixed uses, including compatible infill development in office, commercial and service uses; expanded and enhanced parking areas; and expansion of existing Core Area uses.

According to the Zoning Matrix the requested CBD zoning is in accordance with the Plan Map and text.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 140' in size and is located on the southwest corner of East First Street and South Detroit Avenue. The property is gently sloping, non-wooded, contains a masonry building, and is zoned IL.

Surrounding Area Analysis: The subject tract is abutted on the north by a children's nursery, zoned CBD with accessory parking, zoned IL; to the west is a parking lot and restaurant, zoned CBD; to the south by commercial businesses, zoned IL; and to the east by commercial buildings and uses, zoned IL.

Zoning and BOA Historical Summary: The most recent zoning action in this area rezoned several blocks north of the subject tract on the north side of I-244 and east of Boulder Avenue from IL to CBD.

Conclusion: The Comprehensive Plan for Planning District One, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates this tract as part of the Expanded Core Area and calls for expansion of existing uses in a mixed-use infill fashion. Recommended uses here include commercial, office and service, as well as expanded and enhanced parking. Based on the existing adjacent uses, development patterns and the Comprehensive Plan, staff recommends **APPROVAL** of Z-6695.

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES COMMENTS:

Jim Norton, Downtown Tulsa Unlimited, 321 South Boston, Suite 101, Tulsa, Oklahoma 74103, stated that he is in support of this application and recommends that the Planning Commission approve this rezoning request.

Mr. Norton stated that he has to leave for another meeting, but would like his support of the Riverview Neighborhood rezoning on the record. He explained that he is a resident of the neighborhood and heartily agrees with the proposal to rezone.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to recommend **APPROVAL** of the CBD zoning for Z-6695 as recommended by staff.

Legal Description for Z-6695:

All of Lot 1, Block 87, Original Townsite to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Application No.: Z-6696/PUD-610

AG to RS-2/PUD

Applicant: Neal Harton/Sack & Associates

(PD-26) (CD-9)

Location: East 118th Street South and between South Fulton and South Hudson

Staff Recommendation for Z-6696:

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the northwest corner, which runs from a point approximately 400' south along the western boundary and approximately 150' from west to east along the northern boundary, as Low Intensity – Residential. The balance of the tract is designated as Special District 1.

According to the Zoning Matrix the requested RS-2 zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately five acres in size and is located at East 118th Street South, between South Fulton Avenue and South Hudson Avenue. The property is sloping, wooded, vacant and zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north and west by single-family dwellings, zoned RS-1 and RS-2/PUD-548; to the south by vacant property, zoned AG; and to the east by vacant property, zoned RS-1/PUD-596.

Zoning and BOA Historical Summary: The most recent zoning action in this area approved RS-1 with PUD-596 on the 15-acre tract abutting the subject tract on the east, in 1998. The 15-acre tract abutting the subject property on the north was approved for RS-2 with PUD-548 in 1996.

Conclusion: Based on the Comprehensive Plan, the existing topography, surrounding land uses, and existing zoning, staff recommends **DENIAL** of RS-2 and **APPROVAL** of RS-1 zoning for Z-6696.

AND

Staff Recommendation for PUD-610:

The PUD proposes a gated residential development with a maximum of six lots on 2.5 acres located east of South Fulton Avenue on East 118th Street South. The tract is currently zoned AG. Concurrently an application has been filed (Z-6696) to rezone the tract to RS-2.

The subject tract is abutted on the north by the Reserve at Forest Hills, a gated single-family subdivision with private streets, zoned RS-1, RS-2/PUD-548. The tract is abutted on the east by Frenchman’s Creek, also a gated single-family subdivision with private streets zoned PUD-596/RS-1; to the west by Forest Hills Estates, a single-family subdivision with public streets zoned RS-1; and to the south by unplatted AG zoned property. There is a natural drainageway to the east and south of the tract.

The PUD proposes access from 118th Street South, which is a publicly-dedicated street. The entrance would be gated and the proposed private street would feature a cul-de-sac. The proposed cul-de-sac would exceed the maximum of 500 feet in length (Section 4.2.7 of the Subdivision Regulations for the Tulsa Metropolitan Area). The existing public street (118th Street South) would dead-end at the west boundary of the proposed PUD without any means of turning around. This boundary is approximately 425 feet east of South Fulton Avenue. Staff cannot support the proposed access and circulation as depicted on the Illustration Site Plan.

If the applicant addresses the access and circulation issues and if Z-6696 is approved as recommended by staff, 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-610 as modified by staff 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-610 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:**

Gross Land Area:	2.5 acres
Permitted Uses:	Use Unit 6, detached single-family residences
Maximum Number Dwelling Units:	6

Minimum Required Yard from Centerline
of Private Roadway:

50 40 FT

Other Bulk and Area Requirements:

As provided within
an RS-2 District.

3. 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.
4. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guard houses or other commonly-owned structures within the PUD.
5. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent and the minimum private street right-of-way shall be 30'.
6. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
7. 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.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
9. A publicly-accessible turnaround approved by TMAPC and Traffic Engineering shall be provided within the PUD where 118th Street South ends.
10. Entry gates or guardhouses must receive Detail Site Plan approval from TMAPC and Traffic Engineering prior to issuance of a building permit.

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.

APPLICANT'S REBUTTAL:

Ted Sack, 111 South Elgin, Tulsa, Oklahoma 74120, stated that he agrees with staff's recommendation except for one item. He explained that he would like a minimum required yard from centerline of private roadway to be 40 feet instead of 50 feet as recommended by staff. He indicated that there have been several approvals in the immediate area, which have a 40-foot front yard setback. He stated that with the topography as it is, the 40-foot setback would work better for his project.

TMAPC COMMENTS:

Mr. Carnes asked staff if there was any reason not to allow the 40-foot setback. In response, Mr. Dunlap stated that 40 feet would be appropriate in this particular situation.

Mr. Boyle asked Mr. Sack if he was in agreement with the staff recommendation that the subject property be zoned RS-1 rather than RS-2 as requested. In response, Mr. Sack answered affirmatively.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to recommend **DENIAL** of the RS-2 zoning for Z-6696 and **APPROVAL** of the RS-1 zoning for Z-6696 as recommended by staff and to recommend **APPROVAL** of PUD-611 subject to conditions as recommended by staff and as modified by the Planning Commission. (Language in the staff recommendation which was deleted by TMAPC is shown as ~~strikeout~~, language added or substituted by TMAPC is underlined.)

Legal Description for Z-6696/PUD-610:

The SW/4, SW/4, NW/4, SE/4, Section 34, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof.

Application No.: Z-6697

Applicant: Thomas A. Wilson

Location: 5121 South Wheeling

RS-3 to OM

(PD-18) (CD-9)

Staff Recommendation:

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 Medium Intensity – Residential.

According to the Zoning Matrix the requested OM zoning is **not** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 435' in size and is located south of the southeast corner of East 51st Street South and South Wheeling Avenue. The property is flat, partially wooded, vacant and zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by an office, a convenience store, apartments and a restaurant, zoned CS; to the south and west by apartments, zoned RM-2; and to the east by apartments, zoned CS.

Zoning and BOA Historical Summary: There has been no recent zoning action in this area.

Conclusion: Because of the commercial and multifamily zoning and use to the north and the multifamily zoning and uses to the south, the requested OM zoning could serve as a buffer between the two areas. There is also CS zoning abutting on the east and RM-2-zoned property to the west across South Wheeling Avenue. Staff recommends **APPROVAL** of the OM zoning for Z-6697. Staff should be directed to prepare appropriate amendments to the District 18 Plan, i.e., designating this tract as Medium Intensity – Office instead of its current designation of Medium Intensity – Residential.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to recommend **APPROVAL** of the OM zoning for Z-6697 as recommended by staff.

Legal Description for Z-6697:

Lot 4, Block 2, Perry's Subdivision of the W 435' of Block 2, Perry's Resub.

TMAPC COMMENTS:

Mr. Boyle stated that staff is to be instructed to look at the amendments to the District 18 Plan.

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Application No.: Z-6698
Applicant: Chris Nikel
Location: 1112 South Atlanta Avenue

RS-3 to PK
(PD-4) (CD-4)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity - No Specific Land Use.

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

Staff Comments:

Site Analysis: The subject property is approximately 50' x 140' in size and is located south of the southwest corner of East 11th Street South and South Atlanta Avenue. The property is flat, partially wooded, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by an auto repair and painting facility, zoned CH; to the east by a parking lot, zoned CH; to the south and west by single-family dwellings, zoned RS-3.

Zoning and BOA Historical Summary: The most recent zoning actions in this area have been approval by the Board of Adjustment to allow businesses on E. 11th Street to meet parking requirements by the use of adjoining vacant properties or larger parking lots that are within walking distances.

Conclusion: The Comprehensive Plan indicates that rezoning adjacent to commercial uses should be considered for OL or PK zoning (item 3.3.4). Item 3.3.9.4 states that existing commercial and office uses are encouraged to provide sufficient parking in accord with CH zoning category provisions. The 11th Street Corridor study specifies that where inadequate parking exists for businesses, additional off-street parking should be located to the rear of the structures to a total depth of three lots or a total depth of 150' feet off 11th Street. If rezoned, this property's southernmost PK boundary would line up with the existing CH zoning line on the properties to the east. Therefore, due to existing development, land use trends and provisions of the Comprehensive Plan, staff recommends **APPROVAL** of PK zoning for Z-6698.

APPLICANT'S REBUTTAL:

Chris Nikel, 2233 East 11th Street, Tulsa, Oklahoma 74104, stated that the subject parking area will be used as a passive activity. He explained that the subject lot will not be used for customer parking and there will not be any coming and going. He stated that the lot will be used for overflow parking, which will enhance his recently-approved facility.

INTERESTED PARTIES COMMENTS:

Stacie Bayles, 1532 South Troost, Tulsa, Oklahoma 74120, stated that she is representing the Mid-Town Coalition. Ms. Bayles submitted a letter (Exhibit A-1). She expressed opposition to the proposal and stated that it would encroach upon the neighborhood. She commented that there has been no dialogue between the applicant and the neighborhood, and she requested a continuance in order to do so.

Jeff Brierley, 1112 South Atlanta Avenue, 74104, stated that he is the owner of the subject property and is in agreement with the application. He explained that there has been a sign in the front of his property announcing the proposal. He stated that until this matter is resolved the sale of his home is held up. He indicated that he is sculptor and he cannot take large commissions at this time because it would be impossible to move the projects.

Mr. Brierley stated that the subject property is directly across from O'Reilly's Auto Parts and there is constant noise and traffic. He explained that it would be difficult to sell the subject property as residential.

Maria Barnes, 2252 East 7th Street, Tulsa, Oklahoma 74104, stated that she has no problem with the proposal as long as all of the requirements are met.

TMAPC COMMENTS:

After a long discussion it was determined that Mr. Nikel would have to meet all landscaping, screening and setback requirements for PK zoning.

INTERESTED PARTIES COMMENTS:

Rick Lacava, 1004 South Atlanta, Tulsa, Oklahoma 74104, stated that he was in support of Mr. Nikel's application as it stands. He commented that the proposal is appropriate considering the surrounding businesses in the subject area.

Tom Neal, 2507 East 11th Place, Tulsa, Oklahoma 74104, stated that he is a member of the Renaissance Neighborhood Association and at the last meeting the association voted to oppose this application. He requested a continuance in order to meet with the applicant.

Applicant's Rebuttal:

Mr. Nikel stated that he would meet all of the requirements for PK zoning. He explained that the lot directly behind the subject lot is already used for parking. He commented that he did not see any need to continue this application.

TMAPC COMMENTS:

After a lengthy discussion it was determined that Mr. Nikel may need to continue his zoning application and submit a PUD or request CH zoning in order to achieve the use he is requesting.

Mr. Nikel agreed to a continuance and to consider filing a PUD.

Mr. Dunlap stated that if Mr. Nikel submitted his PUD application by the cutoff date of June 10, 1999 his application could be heard on July 21, 1999.

Mr. Boyle informed Mr. Nikel that he would need some expert advice on filing his PUD and suggested that he speak with Mr. Dunlap for guidance.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to **CONTINUE** Z-6698 to July 21, 1999 and suggest that the applicant submit a PUD with a request for CH zoning.

Application No.: Z-6700/PUD-611

AG to RS-1/PUD

Applicant: Roy D. Johnsen

(PD-26) (CD-8)

Location: West of northwest corner East 111th Street and South Sheridan

Staff Recommendation for Z-6700:

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the east 300' of the subject tract as Low Intensity – Residential. The balance of the tract is designated as being within Special District 1.

According to the Zoning Matrix the requested RS-2 zoning is in accordance with the Plan Map on the eastern 300' and the requested RS-2 zoning on the remaining western portion of the tract **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 20 acres in size and is located west of the northwest corner of East 111th Street and South Sheridan Road. The property is flat, non-wooded, vacant and is zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north by single-family dwellings, zoned RS-1; to the west by single-family dwellings, zoned RS-2/PUD-494; to the east by vacant property, zoned AG; and to the south across E. 111th Street South by unplatted AG zoned tracts and single-family dwellings, zoned RS-1.

Zoning and BOA Historical Summary: The most recent zoning action in this area granted approval of RS-2 zoning with PUD-494 for residential development on property located abutting the subject tract on the west. This rezoning was in 1992.

Conclusion: Based on the Comprehensive Plan, the existing land uses and zoning patterns, staff can support the requested RS-2 and recommends **APPROVAL** of RS-2 zoning subject to the conditions of the accompanying PUD-611.

AND

Staff Recommendation for PUD-611:

The PUD proposes a maximum of 62 dwellings on 20 acres located on the north side of East 111th Street South approximately 1980 feet west of South Sheridan Road. The tract is currently zoned AG. Concurrently an application has been filed (Z-6699) to rezone the tract to RS-2. The subject tract is abutted on the west by Southern Woods Estates which is a 40-acre subdivision zoned RS-2/PUD-494. The approved PUD-494 (TMAPC 8/26/92) established a minimum lot width of 75 feet and minimum side yards of six feet and six feet. The tract is abutted on the north by Southern Park Estates, which is an RS-1-zoned subdivision; to the east by vacant AG property and to the south across 111th Street by unplatted AG-zoned tracts and Hudson Meadows, an RS-1-zoned subdivision.

The attached conceptual site plan shows access to East 111th Street South and a street system in the PUD that connects to East 109th Street South to the west and South Hudson Avenue to the north and provides a stub street to the east.

If Z-6699 is approved as recommended by staff, 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-611 as modified by staff 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-611 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:

Gross Land Area:	20 acres
Permitted Uses:	Use Unit 6, detached single- family residences
Maximum Number Dwelling Units:	62

Minimum Lot Area:	9400 SF
Minimum Lot Width:	75 FT
Maximum Building Height:	35 FT
Minimum Required Yards:	
From 111 th Street right-of-way	35 FT
From Non-Arterial Street right-of-way	
Front	25 FT
Corner lot-side	15 FT*
Side yards:	
One side yard	6 FT
Other side yard	6 FT
Rear:	25 FT
Other Bulk and Area Requirements:	As provided within an RS-2 District.

Vehicular Access and Circulation:

There shall be one access point onto East 111th Street South. The street system in the PUD shall connect to East 109th Street South to the west, South Hudson Avenue to the north and provide for a stub street to the tract to the east.

*20 FT garage setback.

3. 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.
4. 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.
5. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC
6. 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.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to recommend **APPROVAL** the RS-2 zoning for Z-6699 as recommended by staff and recommend **APPROVAL** of PUD-611 subject to conditions as recommended by staff.

Legal Description for Z-6700/PUD-611:

The W/2, SW/4, SE/4, Section 27, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof.

Application No.: Z-4900-SP-4

Applicant: Ricky Jones (PD-18) (CD-8)

Location: Southeast corner East 75th Street South and South Mingo Road
(Corridor Site Plan)

Staff Recommendation:

The applicant is requesting Detail Corridor Site Plan approval for a 184-unit apartment development on 12.7 net acres. The property to the north is zoned CO and contains multifamily housing. Property to the west across South Mingo Road is zoned RM-O and contains single-family townhomes. Vacant property to the south is zoned CO, to the southeast AG, to the east CO and to the northeast RS-3. The site has approximately 370 feet of frontage on South Mingo, 780 feet of frontage on East 75th Place and 558 feet of frontage on East 75th Street South.

The Detail Site Plan indicates two-and three-story one-, two- and three-bedroom apartments with a central clubhouse and pool area. Access to the site is provided from two ungated entry drives along East 75th Place and East 75th Street South. Two single monument-style signs are indicated at the entry to the apartments on East 75th Place and at the northwest corner of the property. All landscaping conforms to the requirements of Landscape Chapter of the Zoning Code.

Based on analysis of the site and landscape plans staff finds Z-4900-SP-4 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the surrounding area; (3) a unified treatment of the development possibilities of the site; and, (4) constant with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Staff, therefore, recommends **APPROVAL** of Z-4900-SP-4 subject to the following conditions:

1. The applicant's Detail Corridor Site Plan and Text be made a condition of approval unless modified herein:

2. DEVELOPMENT SPECIFICATIONS:

Land Area: 12.715 acres (net) 553,851 SF

Permitted Uses:

Uses permitted by right in Use Unit 8, Multifamily Dwelling and customary accessory uses

Number of Dwelling Units: 184

Building Height: 3 stories

Building Setbacks:

From centerline of South Mingo Road	95 feet
From centerline of East 75 th Place South	90 feet
From south property boundary	80 feet
From east property boundary	100 feet

Carport Setbacks:

From the east property boundary	25 feet
From the west 750 feet of the south property boundary	12 feet
From the east 412 feet of the south property boundary	40 feet

Required Off-Street Parking: 324 spaces

Total Off-Street Parking Provided: 423 spaces

Landscaped Area: 41.8%

Signage:

One monument style project identification- ground sign shall be allowed along each perimeter street frontage per Section 402 B.4. of the Zoning Code.

3. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standards or building mounted lighting shall exceed 15 feet in height.
4. Entry gates or guard houses, if proposed, must receive Amended Corridor Site Plan approval from TMAPC prior to issuance of a building permit.

5. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process approved by TMAPC.
6. All changes representing a significant departure from the approved site plan shall require compliance with the notice and procedural requirements of an initial corridor site plan review and approval.

APPLICANT'S REBUTTAL:

Ricky Jones, 2202 East 49th Street, Tulsa, Oklahoma 74105, stated that he is in agreement with all of the conditions. He commented that he does have one point he would like to clarify. He indicated that there is a small maintenance building within the building setback line. He explained that there will be overland drainage directly behind the maintenance building and the building is not on any easements. He commented that the property directly behind the maintenance building will never be developed because of the overland drainage. He stated that the maintenance building will not be occupied and will be used for storage only.

TMAPC COMMENTS:

Ms. Hill asked the applicant if the façade will be the same as the apartments. In response, Mr. Jones stated that the maintenance building will look exactly like the apartments, except it is smaller.

Mr. Boyle asked staff if they had a problem with the maintenance building being within the 80-foot setback line. In response, Mr. Dunlap stated that the maintenance building is on the submitted site plan and staff is recommending approval of the site plan.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Horner, Midget, Westervelt "absent") to recommend **APPROVAL** of the Corridor Site Plan for Z-4900-SP-4 as recommended by staff and allowing the maintenance building to be within the 80-foot building setback line, which is accordance with the submitted site plan.

Legal Description for Z-4900-SP-4:

A TRACT OF LAND BEING PART OF LOT 2 OF SECTION 7, T-18-N, R-14-E, OF THE IBM, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE S 89°40'46" E ALONG THE SOUTHERLY LINE OF LOT 2, FOR A DISTANCE OF 50.00' TO A POINT; THENCE N 0°00'00" E AND PARALLEL WITH THE WESTERLY LINE OF LOT 2, FOR A DISTANCE OF 310.39' TO THE POINT OF BEGINNING;

THENCE CONTINUING N 0°00'00" E AND PARALLEL WITH THE WESTERLY LINE OF LOT 2, FOR A DISTANCE OF 369.89' TO A POINT OF CURVE; THENCE NORTHERLY AND NORTHEASTERLY ALONG A 30.00' RADIUS CURVE TO THE

RIGHT HAVING A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 47.12' TO A POINT ON THE PRESENT SOUTHERLY RIGHT-OF-WAY LINE OF EAST 75TH STREET SOUTH; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY FOR THE FOLLOWING SIX COURSES:

THENCE S 90°00'00" E FOR A DISTANCE OF 30.00' TO A POINT OF CURVE; THENCE EASTERLY AND SOUTHEASTERLY ALONG A 330.00' RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 30°00'00", FOR AN ARC DISTANCE OF 172.79' TO A POINT; THENCE S 60°00'00" E FOR A DISTANCE OF 35.00' TO A POINT OF CURVE; THENCE SOUTHEASTERLY AND EASTERLY AND NORTHEASTERLY ALONG A 235.00' RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 45°00'00", FOR AN ARC DISTANCE OF 184.57' TO A POINT; THENCE N 75°00'00" E FOR A DISTANCE OF 85.00' TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A 285.00' RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 47°08'05", FOR AN ARC DISTANCE OF 234.46' TO A POINT; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG A 25.00' RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF S 27°51'55" W, A CENTRAL ANGLE OF 79°46'50", FOR AN ARC DISTANCE OF 34.81' TO A POINT; THENCE S 51°54'55" E FOR A DISTANCE OF 170.93' TO A POINT OF CURVE; THENCE SOUTHEASTERLY AND EASTERLY ALONG A 270.00' RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 37°55'07", FOR AN ARC DISTANCE OF 178.69' TO A POINT; THENCE S 89°50'02" E FOR A DISTANCE OF 172.72' TO A POINT ON THE EASTERLY LINE OF LOT 2; THENCE S 0°09'58" W ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 600.96' TO THE SOUTHEAST CORNER OF LOT 2; THENCE N 89°40'46" W ALONG THE SOUTHERLY LINE OF LOT 2, FOR A DISTANCE OF 411.91' TO A POINT; THENCE N 0°00'00" E FOR A DISTANCE OF 110.00' TO A POINT; THENCE N 36°00'00" W FOR A DISTANCE OF 170.00' TO A POINT; THENCE N 66°00'00" W FOR A DISTANCE OF 165.00' TO A POINT; THENCE N 90°00'00" W FOR A DISTANCE OF 509.33' TO THE POINT OF BEGINNING.

OTHER BUSINESS:

Proposed Urban Renewal Plan Amendments

Staff Recommendation:

Ms. Matthews stated that the existing Urban Renewal Plans have been in place for approximately twenty years. She explained that the proposal is an implementation of the objectives and goals of the existing plans. She stated that staff has reviewed the proposal and the amendments in accordance with the Comprehensive Plan.

TMAPC COMMENTS:

Mr. Ledford stated that after a long meeting regarding the proposed amendments, the Comprehensive Plan Committee found the amendments in accordance with the Comprehensive Plan and recommends the full Commission do likewise.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Harmon, Midget, Westervelt "absent") to find the Proposed Urban Renewal Plan amendments in **ACCORDANCE** with the Comprehensive Plan.

Consider initiating rezoning of Riverview Neighborhood from RM-2 to RS-4/RD

Staff Recommendation:

Ms. Matthews stated that the proposal is for a blanket-zoned neighborhood. She commented that this proposal will be approximately the 14th or 15th neighborhood that has been processed.

Ms. Matthews indicated that the subject neighborhood has had difficulty in obtaining interest in the rezoning. She stated that Tuija Cardoso, Riverview Neighborhood Association Chairman, is present and can answer any questions that the Planning Commission may have.

Ms. Matthews stated that this proposal comes forward as a Neighborhood Association request and the Planning Commission would be the applicant for the application for rezoning. She indicated that the proposal was discussed at the Rules and Regulations Committee last week and it was recommended to go before the Planning Commission for consideration.

TMAPC COMMENTS:

Mr. Boyle stated that the Planning Commission's role would be to vote to initiate the rezoning application, which would go through the process of advertising and noticing. Ms. Matthews stated that the proposal would have to go through the regular process of rezoning.

Mr. Harmon asked Ms. Matthews if the properties indicated on the map as "OUT" would retain their current zoning. In response, Ms. Matthews answered affirmatively.

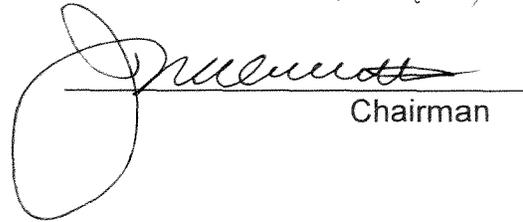
There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Harmon, Midget, Westervelt "absent") to **INITIATE** the rezoning of the Riverview Neighborhood from RM-2 to RS-4/RD for the July 7th TMAPC agenda.

There being no further business, the Chairman declared the meeting adjourned at 2:20 p.m.

Date approved: 06/02/99


Chairman

ATTEST: 
Secretary