

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2225

Wednesday, December 15, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes	Boyle	Beach	Hinchee, Legal
Harmon	Dick	Dunlap	Counsel
Hill	Ledford	Huntsinger	
Horner		Matthews	
Jackson			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, December 13, 1999 at 10:56 a.m., posted in the Office of the City Clerk at 10:50 a.m., as well as in the office of the County Clerk at 10:42 a.m.

After declaring a quorum present, Vice Chair Westervelt called the meeting to order at 1:30 p.m.

### **REPORTS:**

#### **Committee Reports:**

##### **Nominating Committee**

Mr. Horner reported that the nominating committee has nominated the following slate to be voted on January 19, 2000 at 1:30 p.m. The following nominations were announced: Chair, Joe Westervelt; 1<sup>st</sup> Vice Chair, Gary Boyle; 2<sup>nd</sup> Vice Chair, Brandon Jackson; Secretary, Wesley Harmon.

##### **Rules and Regulations Committee**

Mr. Westervelt reported that the committee reviewed some administrative changes to the sign code. He indicated that there was a motion of support and it will be before the Planning Commission on January 19, 2000.

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**ITEMS WITHDRAWN FROM AGENDA:**

**PLAT WAIVER:**

**Z-6712 (693)** (PD-4) (CD-4)  
West side of Lewis between East 4<sup>th</sup> Street and East 5<sup>th</sup> Street South

**TMPC Commets:**

Mr. Westervelt announced that Z-6712 has been withdrawn from the agenda.

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**APPLICATION NO.: PUD-179-C**

**Applicant:** Charles Norman (PD-18) (CD-8)  
**Location:** Southeast corner South Memorial and East 73<sup>rd</sup> Street  
(Minor Amendment)

**TMAPC Comments:**

Mr. Westervelt announced that PUD-179-C has been withdrawn from the agenda.

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**CONTINUED ITEMS:**

**APPLICATION NO.: Z-6738/PUD-626** **OL, RS-3/HP TO CS/PUD**  
**Applicant:** Charles Miller (PD-6) (CD-4)  
**Location:** Southeast corner of East 15<sup>th</sup> and South Owasso Avenue

**Staff Recommendation:**

Staff requests a continuance to January 5, 2000 in order to give new notice.

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On amended **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Harmon, Ledford, Midget "absent") to **CONTINUE** Z-6738/PUD-626 to January 5, 2000 at 1:30 p.m.

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**SUBDIVISIONS**

**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

**L-18963 (A) -- Crestview II Housing Partners (2402)** (PD-25) (CD-1)  
338 East 36<sup>th</sup> Street North

**L-18964 (A) -- Crestview II Housing Partners (2402)** (PD-25) (CD-1)  
South of southeast corner East 36<sup>th</sup> Street North & Cincinnati

**L-18970 -- Mike Marrara (1993)** (PD-6) (CD-9)  
1411 East 36<sup>th</sup> Street

**L-18971 -- Robert Parker (814)** (PD-15) (County)  
12101 South 111<sup>th</sup> Street North

**L-18984 -- Crestview II Housing Partners (2402)** (PD-25) (CD-1)  
3245 North Cincinnati

**L-18985 -- Donnie Perkins (583)** (PD-18) (CD-9)  
2650 East 66<sup>th</sup> Street South

**L-18987 -- Blake Loveless** (PD-6) (CD-9)  
2407 East 26<sup>th</sup> Place

**L-18988 -- Jim Doherty (603)** (PD-24) (County)  
6001 North Yorktown

**Staff Recommendation:**

Mr. Beach stated that all these lot-splits are in order and ready to be ratified.

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Harmon, Ledford, Midget "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

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**CHANGE OF ACCESS ON FINAL PLAT:**

**LOT 1, BLOCK 1, DALTON ADDITION**

16901 East Admiral Place

**Staff Recommendation:**

Mr. Beach stated that Traffic Engineering has reviewed and approved the request for a change of access on final plat. Staff recommends approval of the change of access on final plat for Lot 1, Block 1, Dalton Addition.

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **PACE**, the TMAPC voted **6-0-0** (Carnes, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Harmon, Ledford, Midget "absent") to **APPROVE** the change of access on final plat for Lot 1, Block 1, Dalton Addition as recommended by staff.

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**FINAL PLAT:**

**SOUTH POND ESTATES (463)**

185<sup>th</sup> Street South and South Yale Avenue, west side

**Staff Recommendation:**

Mr. Beach stated that this is a final plat located in Tulsa County. He indicated that this has been reviewed and all release letters have been received. Staff recommends approval of the final plat for South Pond Estates.

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Harmon, Ledford, Midget "absent") to **APPROVE** the final plat for South Pond Estates as recommended by staff.

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**Mr. Harmon in at 1:43 p.m.**

**51 WEST (1890)**

North of Highway 51 approximately ¼ mile east of Coyote Trail

**Staff Recommendation:**

Mr. Bruce stated that all release letters have been received and staff recommends approval.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford, Midget "absent") to **APPROVE** the final plat for 51 West as recommended by staff.

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**PRELIMINARY PLAT:**

**CLAREMONT PARK (PUD 617) (1793)**

South side of East 21<sup>st</sup> Street at South Atlanta Place

**Staff Recommendation:**

The following background information was provided at the **December 2, 1999** TAC meeting.

The site was previously platted as the Oaklane Addition and contains six single-family homes. It is bounded by 21<sup>st</sup> Street on the north, multifamily zoning and use to the east and office zoning and uses to the west. This request is part of a zone change/PUD, which will result in the site transitioning to office (OL) use. The PUD/zoning has been recommended for approval by the Commission and will have first reading at Council on December 9. The PUD will allow 43,500 square feet of office use. Atlanta Place will become a private drive. The single-family residences will be removed.

A detention area is planned for the southeast portion of the property with an elevated slab over it to be used for parking. The concept has been approved by Stormwater Management. A significant portion of the southern portion of the site includes 100-year floodplain.

The site is bounded by on the north by 21<sup>st</sup> Street South. Access to the south is via South Atlanta Place, which is proposed as a private street by the PUD. The Atlanta Place right-of-way will be reduced from 50' to 30'; the paved section will remain the same. The street will be extended to the south by this plat with the proposed turnaround being primarily a hammerhead. Additional circulation will be available through the proposed parking areas. The engineer has informed staff that the existing turnaround is 26' at the pavement edge.

Staff provides the following comments from the TAC meeting.

**1. Streets/access:**

- Somderceff, streets, noted that Atlanta Place would need to be vacated prior to the finalized replat.
- Eshelman, Traffic, indicated that detail was typically required at private street entries.
- Calkins, Fire, indicated that the proposed turnaround area would not be sufficient and that the buildings would need to be sprinkled. Bruce (Staff) indicated that the parking configuration would allow circulation from the southern end of Atlanta Place north to the central part of the street. Bruce also questioned whether the elevated slab would support a loaded fire truck. Morris (Cox and Associates) indicated that it would. (The Fire Department informed staff before today's meeting that the parking slabs will not hold a loaded fire truck, and therefore the fire trucks will probably be

## 2. Sewer:

- Discussion occurred regarding the routing of sanitary sewer and the location of the existing lines, particularly in regard to the line currently serving lot 1.
- Bolding, PW/Engineering, questioned the engineer (Cox and Associates) regarding the proposed location of sanitary sewer line beneath the proposed elevated slabs. He indicated that the Public Works Department would not approve infrastructure not readily accessible for maintenance. Clayton Morris (Cox) indicated that line location would be reviewed and that the item would be revisited with Public Works prior to the hearing at Commission.

## 3. Water:

- Morris, Cox, indicated that the lines would be 4" and 6", looped.
- Lee, PW/Water, indicated that this was acceptable.

## 4. Storm Drainage:

- Discussion occurred regarding the amount of flood area and the location of the detention facilities in the east and west. Discussion also occurred regarding the specifics of the proposed elevated slabs.
- McCormick, Stormwater, indicated that additional language would be required regarding the easements in the floodplain area and the specifics of the elevated parking area – the detention area beneath it should be kept free and clear. The 20' storm sewer easement should be increased to 30'.

## 5. Utilities:

- Nelson, SW Bell, expressed a possible need for additional width of easements along the east and west property lines and along Atlanta Place. The easement in the northwest is currently five feet; the easement in the northeast is currently ten feet; and the easement along Atlanta Place is ten feet.

**Staff recommends approval** of the preliminary plat subject to the following:

### Waivers of Subdivision Regulations:

1. None needed.

### Special Conditions:

1. Zoning/PUD approval by Council.
2. Vacation of Atlanta Place.
3. Location of sanitary sewer to areas accessible to maintenance crews.
4. Fire Department approval of circulation or sprinkled structures. (A release letter from the Fire Department must be obtained by staff prior to release of the subject plat.)
5. Easement widths to the satisfaction of utility providers.
6. Stormwater Department approval of the specifics of the elevated slab concept with additional easement as specified.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Public Works Department.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
19. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
20. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
21. If the owner is a Limited Liability Corporation (L.L.C.), a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
22. All other Subdivision Regulations shall be met prior to release of final plat.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford Midget "absent") to **APPROVE** the preliminary plat for Claremont Park subject to special conditions and standard conditions as recommended by staff.

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**LOWES ON 15<sup>TH</sup> (1093)**

Southeast corner of East 15<sup>th</sup> Street and South Yale Avenue

**Staff Recommendation:**

The following background information was provided by staff at the **December 2, 1999** TAC meeting.

The site bounded on the north by 15<sup>th</sup> Street South, on the east by industrial zoning (IM) and uses, on the southeast by RD zoning with RS-2 beyond and along the remainder of the southern boundary by commercial zoning (CH) and uses (Target). The site is bounded on the west by Yale Avenue.

The site is currently unplatted, divided into a number of separate parcels and developed in a variety of industrial uses. The proposal will create three lots under one ownership. It appears from the site plan as if the Lowe's facility will be located on the western  $\frac{3}{4}$  of the site with a separate facility on the eastern  $\frac{1}{4}$ .

Approximately 135,000 square feet of structures will be located on the site.

**Streets:**

The site is bounded on the north by 15<sup>th</sup> Street and the west by Yale Avenue. The site plan indicates one access point off of Yale. Three are indicated off of 15<sup>th</sup> Street. The plat does not indicate access or limits of no access. There are currently seven lots with multiple points of access onto 15<sup>th</sup> Street. Five lots with multiple points of access front Yale.

The existing ROW along this side of 15<sup>th</sup> is 40'; the plat indicates additional dedications along Yale.

**Sanitary Sewer:**

A sanitary sewer easement runs north and south in the western third of the parcel. Another runs diagonally across the southeast corner.

The sewer atlas (page 55) indicates lines running into the parcel from the south. The line to the west appears to run in the existing easement shown on the plat and then to turn west.

**Water:**

Water is present on the west side of Yale and the south side of 15<sup>th</sup> Street.

**Storm Drain:**

A 15' storm sewer easement runs diagonally across the southeast corner.

**Utilities:**

A 17.5' easement is indicated along the line between lots 1 and 2; another is along the north boundary and the west boundary. There is no easement on the southern or eastern boundary

Staff provides the following comments from the TAC meeting.

**1. Streets/access:**

- Eshelman, Traffic, requested that the applicant explore the possibility of mutual

- Somdecerff, Streets, indicated that the access points shown on the site plan were acceptable and that they should be shown on the plat. He also requested standard dedication language.
  - Discussion occurred regarding the status of Yale Avenue, being either a Commercial Collector or Secondary Arterial. Somdecerff indicated that 58' of right-of-way would be required along Yale if it was a secondary with 50' along 15<sup>th</sup>. (After additional staff review, it appears both Yale and 15<sup>th</sup> are secondary streets).
- 2. Sewer:**
- Bolding, PW/Engineering, commented that the east/west easement in the western portion of the site was not indicated on the plat. It would be required to serve lot 3.
- 3. Water:**
- Lee, PW/Water, indicated that an on-site line would be required on the west side of the proposed structure. He also noted that a Fire Department connection would be required on the west side and that hydrants would be required in the islands.
- 4. Storm Drainage:**
- McCormick, Stormwater, indicated that a significant portion of the site was in the floodplain. Easements would be required for the floodplain and for the existing 68" storm sewer. Compensatory storage would also be required for any fill placed in the floodplain.
- 5. Utilities:**
- Nelson, SW Bell, noted than an easement should be provided to access the existing cell tower.
  - Discussion included adding paving and landscaping language to the covenants.

**Staff recommends approval** of the preliminary plat subject to the following:

**Waivers of Subdivision Regulations:**

1. None needed.

**Special Conditions:**

1. A 58' of right-of-way will be required along Yale Avenue with 50' along 15<sup>th</sup> Street.
2. An on-site waterline should be placed on the west side of the proposed structure.
3. The ease/west sanitary sewer easement to lot 3 should be noted.
4. The easement to the cell tower should be noted.
5. Stormwater easements should be provided as noted, as should compensatory storage.
6. A mutual access easement with the lot to the south should be explored.
7. Access points per the site plan should be shown on the plat with the appropriate limits of no access.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Public Works Department.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
18. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
19. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
20. If the owner is a Limited Liability Corporation (L.L.C.), a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
21. All other Subdivision Regulations shall be met prior to release of final plat.

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Comments:**

Mr. Westervelt commented that when Mr. Eshelman requests that the mutual access be explored, it means that he is very interested in it, and the TMAPC is very supportive of mutual access.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HILL**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford Midget "absent") to **APPROVE** the preliminary plat for Lowes on 15<sup>th</sup>, subject to special conditions and standard conditions as recommended by staff.

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**CONTINUED ZONING PUBLIC HEARING**

**APPLICATION NO.: CZ-259/PUD-620**

**AG TO RE, RS, RMH, CS, IL/PUD**

**Applicant:** Michael Hackett

(PD-21) (County)

**Location:** Northeast and southeast corner of West 151<sup>st</sup> Street and South 33<sup>rd</sup> West Avenue

### **Staff Recommendation for CZ-259:**

#### **Relationship to the Comprehensive Plan:**

It is staff's understanding that the current Glenpool Comprehensive Plan is being updated. Communications from the Glenpool City Planner indicate that this proposed rezoning, as approved with modifications by the Glenpool City Council and Planning Commission on November 29, 1999, is in accord with preliminary provisions of that update. Staff has also been informed that several additional modifications to the accompanying PUD-620 being recommended by TMAPC staff are in accord with the update.

#### **Staff Comments:**

**Site Analysis:** The subject property is approximately 240 acres in size and is located on the north and south sides of West 151<sup>st</sup> Street South between South 33<sup>rd</sup> West Avenue and South 26<sup>th</sup> West Avenue. The property is sloping, partially wooded, contains single-family dwellings, farms and oil production storage tanks, and is zoned AG.

**Surrounding Area Analysis:** The subject tract is abutted on north, south, and east by scattered single-family dwellings and farms, zoned AG. To the west are scattered single-family dwellings in Creek County; and to the southwest is a trucking business also in Creek County. Plans to improve State Highway 67 through this area from Kiefer to U.S. 75 are being completed and construction may be underway in the near future.

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

**Conclusion:** Based on the actions of the Glenpool City Council and Planning Commission, staff can generally support the proposed application and accompanying PUD, but based on surrounding uses and lack of recent zoning activity in the area, cannot support the intensity of uses proposed. Staff recommends **DENIAL** of the proposed zoning application CZ-259 as submitted and **APPROVAL** of CZ-259, subject to approval of PUD-620 with modifications to the use intensities as recommended by staff, as indicated on the attached Exhibit-A and incorporated into the PUD's development standards.

**AND**

### **Staff Recommendation PUD-620:**

The PUD proposes a multi-use development on 240 acres located at the northeast and southeast corners of South 33<sup>rd</sup> West Avenue and West 151<sup>st</sup> Street. The tract extends from ½ mile north to ¼ mile south of 151<sup>st</sup> Street South and from South 26<sup>th</sup> West Avenue, ½ mile west to South 33<sup>rd</sup> West Avenue. The tract is within the Glenpool fence

The property to the west of the tract across 33<sup>rd</sup> West Avenue is in Creek County and the north .625 mile is also in the town limits of Kiefer. The property to the north, south and east of the subject tract is zoned AG. The north ½ mile of the west boundary of the subject tract is abutted by AG zoned property. The north 660 feet of the south 1320 feet of the west boundary of the subject tract is abutted by CS-zoned property and the south 660 feet by property that is zoned AG. The subject tract is currently zoned AG. Concurrently, an application has been filed (CZ-259) to rezone the tract to RE, RS, RMH, CS and IL.

The PUD proposes approximately 12.58 acres of open space/detention, 80.93 acres of residential uses, 23.83 acres of commercial uses and 111.07 acres of industrial uses.

The Glenpool City Council and Planning Commission met in public hearings on November 29, 1999 and recommended **APPROVAL** of CZ-259 and PUD-620 as modified by the Glenpool Planning Commission and City Council (See attached memo from the City of Glenpool).

The City of Glenpool is also in the process of amending their Comprehensive Plan and they have indicated that the proposal as modified would be compatible with their amended plan.

Based on the recommendation of the Glenpool Planning Commission and City Council, staff can generally support the proposed PUD, but cannot support the intensity of uses proposed. Staff proposes modifications and additions to the applicant's proposed development standards to address these concerns.

If CZ-259 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-620, as modified by staff, to be: (1) consistent with the Comprehensive Plan (as being revised by the City of Glenpool); (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-620 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 AREAS**  
**OSA 1, OSA 2, OSA 3, OSA 4, AND OSA 5**

Gross Land Area (Excludes Arterial Street Right-Of-Way):

OSA 1:	77,950 SF±	1.79 AC±
OSA 2:	72,850 SF±	1.76 AC±
OSA 3:	172,000 SF±	3.95 AC±
OSA 4:	101,150 SF±	2.32 AC±
OSA 5:	120,050 SF±	2.76 AC±

Permitted Uses:

Use Unit 1, Area – Wide Uses by Right; and Use Unit 5 Uses limited to Public Park and Public Tennis Court only. \*

**DEVELOPMENT AREA RA-1 AND RA-2**

Gross Land Area (Excludes Arterial Street Right-of-Way):

1,339,6505 SF±                      30.75 AC±

Permitted Uses:

Use Unit 6, Single-Family Dwelling uses.

Minimum Bulk and Area Requirements:

As required by the RE district.

33<sup>rd</sup> West Avenue and 26<sup>th</sup> West Avenue:

No single-family lot shall front directly onto 33<sup>rd</sup> or 26<sup>th</sup> West Avenue.

\*Open spaces are to be maintained by property owners and/or ownership associations and kept clear of debris and refuse.

**DEVELOPMENT AREA RA-3**

Gross Land Area (Excludes Arterial Street Right-of-Way):

2,185,750 SF±                      50.18 AC±

Permitted Uses:

Use Unit 6, Single-Family Dwelling uses.

Other Minimum Bulk and Area Requirements: As required by the RS-district.

33<sup>rd</sup> West Avenue and 26<sup>th</sup> West Avenue: No single-family lot shall front directly onto 33<sup>rd</sup> or 26<sup>th</sup> West Avenue.

### DEVELOPMENT AREA CROA 1

Gross Land Area (Excludes Arterial Street Right-of-Way):  
505,400 SF± 11.60 AC±

Permitted Uses: All principal and accessory uses, permitted as a matter of right or special exception in the CS zoning district per the Tulsa County Zoning Code, but excluding Use Units 19.(a) and 20.

Maximum Building Floor Area: 217,800 SF

Maximum Building Height: 36 FT

Minimum Building Setback:  
From Collector Street Right-of-Way 50 FT  
From Centerline of 151<sup>st</sup> Street South 110 FT  
From Centerline of 33<sup>rd</sup> West Avenue 100 FT  
From Open Space-Detention Dev. Area 20 FT  
From Other Boundaries of the Dev. Area\* 20 FT

\* Does not apply to building interior lot line or common party wall line.

Minimum Off-Street Parking: The minimum off-street parking and loading requirements for applicable Use Unit category within the Tulsa County Zoning Code.

Other Bulk and Area Requirements: As required in the CS

## **DEVELOPMENT AREA CROA 2**

Gross Land Area (Excludes Arterial Street right-of-way):

532,800 SF±

12.23 AC±

Permitted Uses:

All principal and accessory uses, permitted as a matter of right or special exception in the CS zoning district per the Tulsa County Zoning Code, but excluding Use Units 19.(a) and 20.

Maximum Building Floor Area:

186,480 SF

Maximum Building Height:

36 FT

Minimum Building Setback:

From Collector Street right-of-way

50 FT

From Centerline of 151<sup>st</sup> Street South

110 FT

From Centerline of 33<sup>rd</sup> West Avenue

100 FT

From Open Space-Detention Dev. Area

20 FT

From Other Boundaries of the Dev. Area\*

20 FT

Minimum Off-Street Parking:

The minimum off-street parking and loading requirements for the applicable Use Unit category within the Tulsa County Zoning Code.

Other Bulk and Area Requirements:

As required in the CS district.

\* Does not apply to building interior lot line or common party wall line.

## **DEVELOPMENT AREA BA1**

Gross Land Area (Excludes Arterial Street Right-of-Way):

276,000 SF±

6.33 AC±

Permitted Uses:	All principal and accessory uses, permitted as a matter of right and special exception in the IL zoning district of the Tulsa County Zoning Code, but excluding Use Unit 19.(a), 20 and 26 uses.
Maximum Building Floor Area:	151,800 SF
Maximum Building Height:	36 FT
Minimum Building Setback:	
From Collector Street Right-of-Way:	25 FT
From Centerline of 26 <sup>th</sup> West Avenue	55 FT
From Centerline of 151 <sup>st</sup> Street South	110 FT
From BA1 North Boundary/Property Line	75FT
Minimum Off-Street Parking:	The minimum off-street parking and loading requirements for the applicable Use Unit Category within the Tulsa County Zoning Code.
Other Bulk and Area Requirements:	As required by the IL district.
Street Access:	No business lot within BA1 is permitted to have direct driveway access onto any residential street.

## DEVELOPMENT AREA BA2

Gross Land Area (Excludes Arterial Street Right-of-Way):  
1,924,850±                      44.19 AC±

Permitted Uses:                      All principal and accessory uses, permitted as a matter of right and special

district of the Tulsa County Zoning Code, but excluding Use Unit 19 (a.), 20 and 26 uses.

Maximum Building Floor Area: 1,058,660 SF

Maximum Building Height: 36 FT

Minimum Building Setback:

From Collector Street Right-of-Way 25 FT

From Centerline of 33<sup>rd</sup> West Avenue 100 FT

From Centerline of 151<sup>st</sup> Street 110 FT

From BA2 North Boundary/Property Line 100 FT

Street Access: No business lot within BA2 is permitted to have direct driveway access onto 33<sup>rd</sup> West Avenue or any residential street.

Minimum Off-Street Parking: The minimum off-street parking and loading requirements for the applicable Use Unit category within the Tulsa County Zoning Code. A minimum of 3.0% of the designated off-street parking area shall be landscaped, beautified and maintained by the property owners.

Other Bulk and Area Requirements: As required by the IL district.

### DEVELOPMENT AREA BA3

Gross Land Area (Excluding Arterial Street Right-of-Way):

2,638,000 SF±

60.55 AC±

Permitted Uses:	All principal and accessory uses, permitted as a matter of right and special exception in the IL zoning district of the Tulsa County Zoning Code, but excluding Use Unit 19 (a.), 20 and 26 uses.
Maximum Building Floor Area:	1,450,900 SF
Maximum Building Height:	36 FT
Minimum Building Setback:	
From Collector Street Right-of-Way	25 FT
From Centerline of 26 <sup>th</sup> West Avenue	55 FT
From Centerline of 33 <sup>rd</sup> West Avenue	100 FT
From Centerline of 151 <sup>st</sup> Street	110 FT
From BA3 South Boundary/Property Line	100 FT
Street Access:	No Business lot within BA3 is permitted to have direct driveway access onto 33 <sup>rd</sup> West Avenue, 26 <sup>th</sup> West Avenue or any residential street along the southern boundary of the development area.
Minimum Off-Street Parking:	The minimum off-street parking and loading requirements for the applicable Use Unit category within the Tulsa County Zoning Code.
Other Minimum Bulk and Area Requirements:	As required by the IL district.

3. There shall be no development in the regulatory floodplain.
4. Landscape and open space shall be in substantial compliance with the applicant's outline development plan and text with the following modifications:

Within Development Areas CROA1, CROA2, BA1, BA2 and BA3

Landscape requirements for parking areas within surface off-street parking areas; landscaped areas shall be established and maintained as follows:

- a) For lots 2.5 acres or less in size, no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of five feet. A landscaped area by definition must contain at least one tree.
- b) For lots greater than 2.5 acres in size, no parking space shall be located more than 75 feet from a landscaped area containing at least 100 square feet with a minimum width or diameter of seven feet. A landscaped area by definition must contain at least one tree with all areas of 200 square feet or more containing at least two trees.

Landscape Standards:

- a) For purpose of this section, "street yard" shall refer to the area of a lot contained between the minimum required building setback line and an abutting public street.
- b) Not less than 15% of the street yard shall be established and maintained as landscaped area.
- c) For lots abutting 151<sup>st</sup> Street, a landscaped area shall be established and maintained which is not less than fifteen feet in width and which extends along the entirety of the abutting arterial, except at vehicular access points. For lots abutting 33<sup>rd</sup> West Avenue and 26<sup>th</sup> West Avenue, a landscaped area shall be established and maintained which is not less than 7.5 feet in width and which extends along the entirety of the abutting arterial, except at vehicular access points. For lots abutting collector streets a landscaped area shall be established and maintained which is not less than 7.5 feet in width and which extends along the entirety of the abutting collector, except at vehicular access points. Landscaped areas as described herein and located within the street yard may be included within the computation for the street yard requirement.
- d) Within the street yard, trees shall be preserved or planted and maintained or replaced as follows:
  - 1) One tree for each 1000 SF, or fraction thereof, of street yard.
  - 2) Each existing tree which is in the required street yard and which is at least six inches in caliper and which is removed by the development of the parking area shall be replaced at a 2: 1 ratio with a) ornamental trees of not less than six feet in height and one inch in caliper; b) conifers/evergreen trees of not less than five feet in height; or c) canopy trees of not less than eight feet

- 3) Trees may be clustered or grouped together to accommodate vehicular access points; however, clustered trees shall not be closer than fifteen feet from the center of tree.
    - 4) No tree shall be planted nearer than 80 feet from the intersections of street right-of-way. These trees will be provided by the lot owner and shall be properly maintained and replaced as required.
  - e) Buffer landscaping shall not be included in the computation for meeting street yard requirements in the north landscape buffer area in Development Areas BA1 and BA2 and the south landscape buffer area in Development Area BA3.
5. Circulation and access shall be in substantial compliance with the applicant's outline development plan and text. Primary access for the non-residential development areas south of S.H. 67 shall be provided by collector streets to S.H. 67 and 33<sup>rd</sup> West Avenue. It is intended that no access be provided to 26<sup>th</sup> West Avenue by collector or service/access drives south of S.H. 67.
  6. No Zoning Clearance Permit shall be issued for a nonresidential 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. Due to the general nature of the PUD, TMAPC may impose additional building setbacks, screening and buffering requirements at the time of Detail Site Plan review to assure compatibility with surrounding existing and planned uses.
  7. A Detail Landscape Plan for each nonresidential 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.
  8. 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.
  9. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
  10. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas.

11. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate County 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. A homeowners association shall be created for detached residential areas 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 detached residential area.
13. No building permit shall be issued until the requirements of Section 1170.5 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 County beneficiary to said covenants that relate to PUD conditions.
14. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
15. 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; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Harmon, Horner, Hill, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford, Midget, "absent") to recommend **APPROVAL** of CZ-259, subject to approval of PUD-620 with modifications to the use intensities as recommended by staff, as indicated on the attached Exhibit-A and incorporated into the PUD's development standards and recommend **APPROVAL** of PUD-620, subject to conditions as recommended by staff.

**Legal Description for CZ-259/PUD-620:**

The East 390' of the N/2, SW/4, Section 15, T-17-N, R-12-E, and the East 390' of the N/2, S/2, SW/4 of Section 15, T-17-N, R-12-E, Tulsa County, Oklahoma, containing 17.73 acres more or less **from: AG (Agriculture District ) to RE (Residential Single-family Estate District)**; and the North 480' less the East 390' of the N/2, SW/4, Section 15, T-17-N, R-12-E, Tulsa County, Oklahoma, containing 23.76 acres more or less, **from: AG (Agriculture District ) to RE (Residential Single-family Estate District)**, and the South 860' less the east 390' of the N/2, SW/4, Section 15, T-17-N, R-12-E, Tulsa County, Oklahoma and containing 44.42 acres more or less **from: AG**



4. Add Use Unit 16 uses (Mini-Storage).
5. Increase maximum building height.
6. Increase signage.
7. Increase maximum building floor area.

This major amendment proposes to combine Development Areas 1, 2 and 3 into one Development Area and to expand automotive uses into all of this area. It is also proposed that Use Unit 15 uses be added in this area. The amendment would add Use Unit 16 uses to the existing Development Area 4. An additional sign is being requested for Development Area 4 and 40,000 SF of building floor area is being requested for Development Area 4. It is proposed that the building height for the entire PUD be increased from one story or 26 feet to two stories.

The south 310 feet of the tract abuts CH-zoned property on the west and there is CS zoned property to the east across South 131<sup>st</sup> East Avenue and to the south across East 11<sup>th</sup> Street South. The north 300 feet of the tracts abuts vacant RS-2-zoned property to the west and north, and to the east across South 131<sup>st</sup> East Avenue are duplexes zoned RM-1.

Based on the following conditions, staff finds PUD-433-A, 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-433-A 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 (Gross):	220,849 SF	5.07 Acres
(Net):	192,100 SF	4.41 Acres

**Development Area A**

Land Area (Net):	75,927 SF	1.74 Acres
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Permitted Uses:

Uses permitted by right in a CS district, excluding Use Unit 12A; Use Unit 17 (Automotive and Allied Activities) uses, excluding paint and bodywork; and; Garage Door Repair Service only as permitted in Use Unit 15.. Outside storage of inoperable or unlicensed vehicles is not permitted.

Maximum Building Floor Area:	18,000 SF
Minimum Lot Frontage on East 11 <sup>th</sup> Street South:	150 FT
Minimum Lot Frontage on South 131 <sup>st</sup> East Avenue:	50 FT
Minimum Building Setbacks:	
From Centerline of East 11 <sup>th</sup> Street South	100 FT
From Centerline of South 131 <sup>st</sup> East Avenue	50 FT
From north west corner of Development Area A	50 FT
Maximum Building Height:	Two stories, not to exceed 35 FT.
Off-Street Parking:	As required by the applicable Use Unit.
Signs:	Signs accessory to the principal uses shall comply with the restrictions of the PUD Chapter.
Minimum Landscaped Area:	10% of net lot area.

### Development Area B

Land Area (Net):	116,345 SF	2.67 Acres
Permitted Uses:	Use Unit 16 uses subject to the conditions required in the RM-2 district.	
Maximum Building Floor Area:	40,000 SF	
Signs:	There shall be no sign within the north 375' of Development Area B. In other parts of the Development Area they shall comply with the requirements of the PUD chapter.	

Minimum Landscaped Area:

20% of net lot area.

3. A Detail Landscape Plan and Detail Site Plan for Development Area A shall be reviewed and approved by TMAPC staff and landscaping shall be installed for Development Area A in accordance with the approved Landscape Plan prior to the approval of PUD-433-A becoming affective.
4. Access to Development Area A shall be provided by two accesses serving the entire Development Area onto East 11<sup>th</sup> Street South and access from 131<sup>st</sup> East Avenue. Mutual access easements shall be provided between all lots in Development Area A. Access to Development Area B shall be provided by one access point serving the entire Development Area onto south 131<sup>st</sup> East Avenue, which shall be located in the south 150' of Development Area B. All access points shall be approved by Traffic Engineering.
5. 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.
6. 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.
7. 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.
8. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level. No bulk trash container shall be within 75' of an RS district nor in front of the required building setback line.
9. 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, and within the north 350 feet of Development Area B, such lights shall not exceed twelve feet in height.
10. 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

11. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
13. 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.
14. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**TMAPC Comments:**

Mr. Westervelt asked staff if the mini-storage use allows outdoor storage. In response, Mr. Dunlap stated that there could be no outdoor storage on the perimeter of the area. Mr. Dunlap explained that outdoor storage is allowed in the interior, but it cannot be seen from street level.

**Applicant's Comments:**

**Robert Nichols**, 111 West 5<sup>th</sup>, Tulsa, Oklahoma 74103, representing Verna Lewis, stated that his client would like to continue to have Use Unit 17 uses that would allow storage of travel trailers, etc. as it was approved in 1987.

Mr. Nichols stated that his clients rented space to a garage door fabricating company, which is in violation of the PUD and his clients were unaware that the use was a Use Unit 15 use. His clients would like to have Use Unit 15 use in Area A in order to allow the existing garage door fabricating company.

**Interested Parties in Opposition:**

**James Mautino**, 14628 East 12<sup>th</sup> Street, Tulsa, Oklahoma 74108, photographs (Exhibit A-1) and 1987 minutes (Exhibit A-2); **Eck Ruddick**, no address given.

**The following concerns were expressed by the interested parties above referenced:**

Increased traffic; property owners violating the Zoning Code; access point onto 131<sup>st</sup> is too dangerous for the children in the area; subject property has been a blight on the neighborhood; concerned that the subject property will be a threat to the historical thoroughfare (Highway 66).

**TMAPC Comments:**

Mr. Westervelt informed Mr. Mautino that the Planning Commission is cognizant of the code enforcement problems in the past. He reminded Mr. Mautino that the Planning Commission will look at the PUD in the context that it has been presented and the existing context that is there today. He explained that the Planning Commission does not take retribution against past code enforcement violators by not granting requested zoning if the zoning is consistent with the Zoning Code. Mr. Westervelt concluded that he wanted the interested parties to know that staff and the Planning Commission are aware of past violations.

Mr. Westervelt encouraged the interested parties to continue contacting the Department of Neighborhood Inspections when they feel that the Zoning Code is being violated. In response, Mr. Mautino stated that by approving this application, it would be rewarding someone for not abiding by the codes. Mr. Mautino stated that he understands that the Planning Commission cannot deny the applicant because of past violations. Mr. Mautino further stated that the Planning Commission shouldn't reward the applicants for past violations by approving this PUD.

Mr. Westervelt asked Mr. Ruddick how the existing situation would be improved by TMAPC denying this application. Mr. Westervelt reminded Mr. Ruddick that the automobile uses on both of the outside parcels will remain if there is no action taken today. Mr. Westervelt stated that by taking action today, it would make it easier for the Neighborhood Inspections officials to understand which areas of the subject property will allow the automotive uses. Mr. Westervelt commented that mini-storage uses have been one of the most favorable buffers adjacent to residential-type uses. In response, Mr. Ruddick stated that he understands what difficulties the TMAPC would have by trying to ascertain what is in this package, because INCOG themselves had this entire package delayed four weeks in order to review and fully understand what is actually there. Mr. Ruddick further stated that the TMAPC has been handed a package and asked to, within a few minutes, understand fully what is in the package. In response, Mr. Westervelt informed Mr. Ruddick that the TMAPC receives the packets in advance of the meeting and he has had two hours of conversation with staff regarding this item.

Mr. Westervelt reiterated that he would like to ask Mr. Ruddick how the neighborhood would benefit from the denial of today's application. In response, Mr. Ruddick stated that with the access to the mini-storage along 131<sup>st</sup> East Avenue, children on this street would be in a dangerous situation.

Mr. Westervelt reminded Mr. Ruddick that the property adjacent to 131<sup>st</sup> East Avenue is zoned commercially and the property owner can access the CS parcel along 131<sup>st</sup> East Avenue without any type of zoning change. Mr. Ruddick stated that if the CS parcel were to come before the Planning Commission requesting an ingress/egress to 131<sup>st</sup> East Avenue, he would oppose that request as well as today's request. Mr. Ruddick further stated that he would prefer that the subject property stay the way it is currently and the way it was approved by the Planning Commission originally. Mr. Ruddick

Mr. Westervelt asked Mr. Nichols to address the access point onto 131<sup>st</sup> East Avenue. In response, Mr. Nichols asked staff to comment on the access point.

Mr. Dunlap stated that the access point onto 131<sup>st</sup> East Avenue had been previously approved by PUD-433, and the RM-2 standards are being adopted for the subject parcel with the access point 131<sup>st</sup> East Avenue. Mr. Dunlap explained that the subject access point has previously been approved by the Planning Commission and the City Council. In response, Mr. Westervelt asked if the access point currently exists on the PUD that is in place today. In response, Mr. Dunlap answered affirmatively.

**Applicant's Rebuttal:**

**Robert Nichols** stated that his clients are before the Planning Commission today based upon a code enforcement issue. He explained that his clients have a Use Unit 15 use that has been in place for approximately five years. He indicated that the Use Unit 15 use currently existing on the subject property is the garage door facility. The purpose of this application is to allow the garage door facility use to continue in place. He explained that the mini-storage use was suggested by staff to his client when the application was made. He stated that his client would like to maintain the ability to store travel trailers, a Use Unit 17 use.

**TMAPC Comments:**

Mr. Westervelt asked staff, if the applicant would like to store travel trailers in the middle of the mini-storage, how would it be viewed by staff. In response, Mr. Dunlap stated that storage on the interior and cannot be seen from the street level would be considered open-air storage. Mr. Westervelt explained to Mr. Nichols that he may not need the Use Unit 17 use in order to store the travel trailers in the interior of the mini-storage.

Mr. Harmon asked Mr. Nichols if his clients have been contacted by Neighborhood Inspections. In response, Mr. Nichols stated that his clients have been contacted by Neighborhood Inspections and his client's attitude is to cooperate.

Ms. Pace asked Mr. Nichols if there was a landscape plan in place for the existing property. In response, Mr. Nichols answered negatively. Mr. Nichols stated that the original PUD that was approved in 1987 never came about. Mr. Nichols suggested that the photographs of inoperable vehicles belonged to the renter of the house.

Ms. Pace stated that if this PUD is granted today, it should have a landscaping requirement before new entrances and exits, etc.

Mr. Dunlap stated that there is a landscape requirement and it is twice as high as in the original approval. He explained that the original approval called for 5% of landscaping and staff is recommending 10% of landscaping for Area A.

Ms. Pace stated that she is concerned that the PUD will be granted today and it will be

landscape plan in place before fencing or changes in access points, etc. Ms. Pace suggested that a landscaping plan would be a way to help the neighbors feel comfortable with the proposed PUD.

Mr. Nichols stated that his client would have no problem with submitting a landscaping plan.

Mr. Carnes stated that if the Planning Commission makes a policy that before the proposed PUD is activated; a landscape plan would need to come back before the Commission for approval by the Commission and not staff.

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Carnes, Harmon, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Hill "abstaining"; Boyle, Dick, Ledford Midget "absent") to recommend **APPROVAL** of PUD-433-A subject to the PUD not being activated until staff has reviewed and approved the detail site plan and landscape plan; subject to limited Use Unit 15 uses (Other Trades and Services) i.e. garage door repair service only; and subject to conditions as recommended by staff. (Language in the staff recommendation that was deleted by TMAPC is shown as ~~strikeout~~; language added or substituted by TMAPC is underlined.)

**TMAPC Comments:**

Mr. Westervelt commented that by looking at the illustrated concept for the PUD for the access to the mini-storage facility, it appears to be pushed toward the frontage on 11<sup>th</sup> Street to stay away from the residential and the access is an existing access. Mr. Westervelt stated that in past experience dealing with mini-storage, it has proven to be a compatible use with residential areas and it produces very little traffic.

Mr. Westervelt asked that the minutes note that the Planning Commission expressed concerns regarding code enforcement and urged that Neighborhood Inspections do everything possible to make sure that this PUD is administered properly.

**Legal Description for PUD-433-A:**

The S/2, W/2, E/2, SW/4, SW/4, Section 4, T-19-N, R-14-E, Tulsa County, State of Oklahoma, and located in the northwest corner of East 11 Street South and South 131<sup>st</sup> East Avenue, Tulsa, Oklahoma, From RS-2/CS/PUD-433 (Residential Single-family Medium Density/Commercial Shopping Center/Planned Unit Development [PUD-433]) to RS-2/CS/PUD-433-A (Residential Single-family Medium Density/Commercial Shopping Center/Planned Unit Development [PUD-433-A]).

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## ZONING PUBLIC HEARING

**APPLICATION NO.:** Z-6733

**RS-3 TO CS**

**Applicant:** Wesley Pitcock

(PD-5) (CD-5)

**Location:** Southeast corner of East 21<sup>st</sup> Place and South 91<sup>st</sup> East Avenue

### Staff Recommendation:

**Relationship to the Comprehensive Plan:** The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – Linear Development Area/Development Sensitive (a portion) and Special District One – Indian Acres Area. Plan text policies encourage the use of the Planned Unit Development (PUD) to reduce the impact of the underlying zoning and to include various design considerations. Industrial uses are specifically excluded [Item 3.4.1.1(c)].

According to the Zoning Matrix the requested CS zoning **may be found** in accordance with the Plan Map by virtue of a portion of the site's location within a Special District.

### Staff Comments:

**Site Analysis:** The subject property is approximately 180' x 232' in size and is located on the southeast corner of East 21<sup>st</sup> Place and South 91<sup>st</sup> East 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 across East 21<sup>st</sup> Place South by a church and accessory uses, zoned RS-3; to the south and east by single-family dwellings, zoned RS-3; and to the west by the U.S. Post Office distribution center, offices and parking, zoned CS/PUD-550.

**Zoning and BOA Historical Summary:** In 1996 the tract located directly west of the subject property was approved for CS zoning with a Planned Unit Development for the construction of a U.S. Post Office Distribution Center and office uses.

**Conclusion:** The Comprehensive Plan designates this area as being within a Medium Intensity Linear Development area and encourages the submittal of a PUD with any zoning change for development in order to reduce the impact of development on abutting residential properties and well as compatibility with existing development. The requested CS zoning may be found in accordance with the Plan if accompanied by a PUD. Therefore, staff recommends **DENIAL** of CS.

### Applicant's Comments:

**Wesley Pitcock**, 9102 East 21<sup>st</sup> Place, stated that he is the owner of the subject property.

Mr. Westervelt asked Mr. Pitcock if he understands that staff has recommended denial and that CS uses can be considered, but they are to be accompanied by a PUD, which gives the Planning Commission more control regarding landscaping, screening, access, etc. Mr. Westervelt explained that the PUD is needed in order to maintain the relationship with the surrounding land uses.

Mr. Pitcock stated that he was not aware that he needed a PUD to accompany the zoning application.

Mr. Horner suggested that Mr. Pitcock visit with Ms. Matthews before action is taken on this application.

After visiting with Ms. Matthews the applicant decided to request a continuance in order to file a PUD application to accompany the zoning application.

**TMAPC Action; 7 members present:**

On amended **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford, Midget "absent") to **CONTINUE** Z-6733 to February 16, 2000 at 1:30 p.m. in order to submit a PUD.

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**APPLICATION NO.: Z-6736**

**Applicant:** Joan Pickering

**Location:** North of northwest corner East 21<sup>st</sup> Street and South 177<sup>th</sup> East Avenue

**RS-3 TO AG**

(PD-17) (CD-16)

**Staff Recommendation:**

**Relationship to the Comprehensive Plan:** The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – No Specific Land Use and Development Sensitive.

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

**Staff Comments:**

**Site Analysis:** The subject property is approximately ten acres in size and is located north of the northwest corner of East 21<sup>st</sup> Place and South 177<sup>th</sup> East Avenue. The property is flat, non-wooded, contains a single-family dwelling, and is zoned RS-1.

**Surrounding Area Analysis:** The subject property is abutted on the north by a single-family dwelling, zoned AG; to the south and west by vacant land, zoned AG; and to the

**Zoning and BOA Historical Summary:** The adjoining property to the north and the south were rezoned from RS-1 to AG in 1996 and an 11.2-acre tract located 360' north of the subject property was rezoned from RS-1 to AG. An application for rezoning a tract located north of the subject property at 11<sup>th</sup> Street and S. 177<sup>th</sup> East Avenue was recommended for approval of AG zoning by the TMAPC at their December 1, 1999, meeting and is pending action by City Council.

**Conclusion:** Based on provisions of the Comprehensive Plan, existing development and trends in the area, staff recommends **APPROVAL** of Z-6736 for AG zoning.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford, Midget "absent") to recommend **APPROVAL** of AG zoning for Z-6736 as recommended by staff.

**Legal Description for Z-6736:**

S/2, N/2, SE/4, SE/4, Section 11, T-19-N, R-14-E, Tulsa County, State of Oklahoma,  
**From RS-1 (Residential Single-family Low Density District) To AG (Agriculture District)**

\*\*\*\*\*

**APPLICATION NO.: Z-6737**

**RS-3 TO IL**

**Applicant:** C.E. Barton

(PD-16) (CD-3)

**Location:** North of northwest corner East Apache and North Sheridan Road

**Staff Recommendation:**

**Relationship to the Comprehensive Plan:** The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – Industrial Land Use.

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

**Staff Comments:**

**Site Analysis:** The subject property is approximately 55' x 630' in size and is located north of the northwest corner of East Apache Street and North Sheridan Road. The property is flat, non-wooded, contains a single-family dwelling, and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is a 55' wide strip of residential property sandwiched between non-residential IL-zoned property. It is abutted on the north and south by commercial/industrial businesses, zoned IL; on the east across North Sheridan Road by an aircraft hangar and maintenance facility and Tulsa International Airport, zoned IL; and to the west by single-family dwellings, zoned RS-3.

**Zoning and BOA Historical Summary:** This area has been in active transition to IL zoning for several years. The most recent changes were in 1998 and 1999 when the property south of East 27<sup>th</sup> Street North and south of the subject property was rezoned from RS-3 to IL.

**Conclusion:** This property appears to be an "island" of single-family residential use surrounded by nonresidential uses. To do other than rezone it industrially would be poor planning practice. Based on the Comprehensive Plan, existing and proposed development in the area and land use trends, staff recommends **APPROVAL** of Z-6737 to IL zoning.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford, Midget "absent") to recommend **APPROVAL** of IL zoning for Z-6737 as recommended by staff.

**Legal Description for Z-6737:**

Beginning 937.2' North and 30' West of the Southeast corner of the SE/4, thence N 55', W 630', S 55', E 630', to Point of Beginning, less the E 20' for road, Section 22, T-20-N, R-13-E, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**APPLICATION NO.: Z-6735/PUD-625/Z-6735-SP-1**

**AG TO CO TO CO/PUD**

**Applicant:** Charles Norman

**(PD-18) (CD-8)**

**Location:** East of southeast corner of East 81<sup>st</sup> Street and South Mingo Road  
**(PUD/CORRIDOR SITE PLAN)**

**Staff Recommendation for Z-6735:**

**Relationship to the Comprehensive Plan:** The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the west 200' of the [redacted] south 50' of the 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 nine acres in size and is located east of the southeast corner of East 81<sup>st</sup> Street South and South Mingo Road. The property is flat, partially wooded, contains a single-family dwelling, several airplane hangars and storage buildings, and is zoned AG. The property was formerly the 81st Street Airstrip.

**Surrounding Area Analysis:** The subject tract is abutted on the north by a credit union and vacant property, zoned CO/PUD-531; to the east by Tulsa Community College, zoned AG; to the south by single-family dwellings, zoned RS-3 and to the west by a convenience store, zoned CS.

**Zoning and BOA Historical Summary:** The history of zoning action in this area indicates that Corridor zoning has been approved on both the north and south side of E. 81<sup>st</sup> Street South. The property abutting the subject tract to the west lies at the intersection of E. 81<sup>st</sup> Street S. and S. Mingo Road and was zoned CS in 1994.

The ten-acre nodes of the intersection were approved for CS zoning in 1987, 1990 and 1995, with PUD approvals on the northwest and southwest corners.

**Conclusion:** Based on the Comprehensive Plan, the existing development and zoning in this area, staff recommends **APPROVAL** of CO zoning for Z-6735.

**AND**

**Staff Recommendation for PUD-625/Z-6735-SP-1:**

The proposed PUD/Corridor Site Plan contains 9.4 acres and is located east of the southeast corner of East 81<sup>st</sup> Street South and Mingo Road. The subject tract was used for many years as part of a small airport. The tract is approximately 660 feet wide and 610 feet deep and is located between the Tulsa Community College Southeast Campus on the east and the Meadow Brook Village commercial development on the west. The south part of the airport was developed as South Towne Square Extended with five single-family lots abutting the south boundary of the subject tract. The property on the north side of East 81<sup>st</sup> Street across from the tract has been approved for commercial, office and multifamily uses within a corridor district site plan and planned unit development. The tract is currently zoned AG; concurrently an application has been made to rezone the tract to CO (Z-6735).

The northern 6.9 acres of the subject tract is planned for development for commercial, office and hotel uses as shown on Exhibit A – Concept Illustration. The south 2.5 acres of the tract abutting the single-family subdivision is proposed for offices, mini-storage, or office – sales –service of business machines and equipment and selected Use Unit 14

Because of the intensity of the some of the uses proposed and the truck traffic it could generate, staff cannot support some of the uses proposed for Development Area B, which abuts the RS-3-zoned single-family subdivision to the south.

If Z-6735 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-625/Z-6735-SP-1, 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-625/Z-6735-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**

Land Area:

Net:	6.89 Acres	300,300 SF
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Permitted Uses:

Uses permitted 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; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreation Uses; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:

Hotel	150,000 SF*
Other Uses	75,000 SF

Maximum Land Coverage by Buildings within a Lot: 30%

Maximum Building Height:

Hotels and offices	75 FT
Other permitted uses	30 FT

\*Unused hotel floor area may be transferred to other uses or other uses floor area may be transferred to hotel use to permit larger hotel facilities subject to approval of a minor

Architectural elements may exceed the maximum building height with detail site plan approval.

Minimum Lot Frontage on East 81<sup>st</sup> Street South: 150 FT  
Maximum Number of Access Points onto East 81<sup>st</sup> Street South: 3\*\*

Off-Street Parking: As required by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:  
From the centerline of East 81<sup>st</sup> Street 100 FT  
From the west boundary 20 FT  
From the east boundary 20 FT  
From the south boundary 20 FT  
Internal lot side yards to be established by detail site plan.

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:
- 1) One ground sign shall be permitted for each lot on the east of 81<sup>st</sup> Street frontage with a maximum of 160 square feet of display surface area and 25 feet in height.
  - 2) 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.
  - 3) One ground sign identifying the hotel uses within Development Area A and tenants within Development Area B shall be permitted at the principal entrance from East 81<sup>st</sup> Street with a maximum of 180 square feet of display surface area and 35 feet in height.

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.

\*\*All access points shall be approved by Traffic Engineering and coordinated with the access points existing or planned in the PUD immediately to the north.

## Development Area B

Land Area:  
Net: 2.35 Acres 102,300 SF

### Permitted Uses:

Stormwater detention facilities, and uses permitted in Use Units 10, Off-Street Parking; 11, Offices and Studios; 16, Mini-Storage\*; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area: 25,000 SF\*

Maximum Land Coverage by Buildings within a Lot: 30 %

Maximum Building Height: One story not to exceed 25 FT.

Architectural elements may exceed maximum building height with detailed site plan approval.

Minimum Parking Area or Access Drive Setback:  
From the south boundary of Area B 25 FT

Off-Street Parking: As required by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:  
From the north boundary of Area B 10 FT  
From the south boundary of Area B 25 FT  
From the east boundary of Area B 10 FT  
From the west boundary of Area B 10 FT

Landscaped Area:  
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. There shall be a 25' landscape along the south boundary of Development Area B.

\*Floor area for mini-storage use may be increased by detail site plan approval subject to Board of Adjustment approval of a variance of the maximum land coverage within the CO district.

\*Mini-storage development shall comply with the mini-storage requirements of the RM-1 district or the development requirements in Development Area B, whichever are more restrictive.

Bulk and Trash Container Setback from South Boundary of PUD: 75 FT

Signs:

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 the south, west and east facing walls of a building. No ground signs are permitted.

Screening:

A solid screening fence six feet in height shall be constructed along the south boundary of Area B and the south 25 feet of the west and east boundaries of Area B, except the screening fence requirement adjacent to a stormwater detention area may be modified by detail landscape plan approval.

Lighting:

Light standards within the south 25 feet of Development Area B are prohibited. Light standards and building mounted lights within the remainder of Development Area B shall not exceed eight feet in height and shall be hooded and directed downward and away from the south boundary of Development Area B.

3. The PUD shall establish an internal mutual access system in which all lots are interconnected with each other and 81<sup>st</sup> Street.
4. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
5. An owners association or a common area maintenance agreement shall provide for the maintenance of the private street, detention area and common landscaped areas.
6. 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.
7. 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.

8. 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.
9. 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.
10. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
12. 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.
13. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**Mr. Midget in at 2:44 p.m.**

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Midget "abstaining"; Boyle, Dick, Ledford "absent") to recommend **APPROVAL** of CO zoning for Z-6735 and to recommend **APPROVAL** of PUD-625/Z-6735-SP-1 subject to conditions as recommended by staff.

**Legal Description for Z-6735/PUD-625/Z-6735-SP-1:**

THE EAST 20 ACRES OF GOVERNMENT LOT ONE (1) IN SECTION 18, T-18-N, R-14-E OF THE IBM, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE

TRACT OF LAND, TO-WIT: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18, THENCE S 89°37'36" E ALONG THE NORTHERLY LINE OF SECTION 18, AND ALONG THE NORTHERLY LINE OF GOVERNMENT LOT 1 FOR 1214.34' TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S 00°02'25" E ALONG THE EASTERLY LINE OF GOVERNMENT LOT 1, FOR 659.77' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING S 00°02'25" E ALONG THE EASTERLY LINE OF LOT 1 FOR 659.91' TO THE SOUTHEAST CORNER OF LOT 1 AND ALSO THE NORTHEAST CORNER OF "SOUTH TOWNE SQUARE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE N 89°39'05" W ALONG THE SOUTHERLY LINE OF SAID LOT 1 AND ALSO ALONG THE NORTHERLY LINE OF "SOUTH TOWNE SQUARE" FOR 659.53' TO THE NORTHWEST CORNER OF LOT 14 IN BLOCK 1 OF "SOUTH TOWNE SQUARE"; THENCE DUE NORTH ALONG THE EASTERLY LINE OF LOT 13 IN BLOCK 1 OF "SOUTH TOWNE SQUARE" AND AN EXTENSION OF SAID EASTERLY LINE PARALLEL WITH AND 555.72' EASTERLY OF AS MEASURED PERPENDICULARLY TO THE WESTERLY LINE OF SAID LOT 1, FOR 340.00' THENCE S 89°39'05" E PARALLEL WITH THE SOUTHERLY LINE OF LOT 1 FOR 10.00' PARALLEL TO THE WESTERLY LINE OF LOT 1, FOR 319.91' THENCE S 89°39'05" E PARALLEL WITH THE SOUTHERLY LINE OF LOT 1 FOR 649.06' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

\*\*\*\*\*

**APPLICATION NO.: Z-6767-SP-2b**

**MINOR AMENDMENT**

**Applicant:** John Moody

(PD-18) (CD-8)

**Location:** North and east of northeast corner of US 169 & South Mingo Road

**Staff Recommendation:**

The applicant is requesting approval to amend an existing Corridor Site Plan in order to relocate a 60-foot high 14' by 48' outdoor advertising sign. The sign must be moved to facilitate the acquisition of additional Highway 169 right-of-way.

Staff has examined the Plot Plan submitted with the application and finds the proposed sign, noted as "E'smt 2", will be located 1,200 feet southwest of another outdoor advertising sign noted as "E'smt 1." There are no other outdoor advertising signs to the southwest of the proposed location of the sign to be relocated. The proposed location places the sign 13 feet outside the new right-of-way.

Staff finds the request conforms to the requirements of the Tulsa Zoning Code and the spirit and intent of the original approval.

Staff, therefore, recommends **APPROVAL** of Z-6467-SP-2a per the submitted Plot Plan dated 6-10-99.

**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 **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford "absent") to **APPROVE** the minor amendment for Z-6467-SP-2b subject to the submitted Plot Plan dated 6-10-99 as recommended by staff.

\*\*\*\*\*

**APPLICATION NO.: PUD-600-1**

**MINOR AMENDMENT**

**Applicant:** Jeff Levinson

(PD-18) (CD-8)

**Location:** West of southwest corner East 91<sup>st</sup> Street and South Yale

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to modify the development area boundaries for Areas A & B. PUD-600 was approved for office development in Area A and townhome development in Area B. The current request seeks to remove a 24-foot-wide strip of land along the western boundary of the PUD from Area A and include it in Area B. This strip was intended to provide emergency access/a second means of access to Area B. The request also moves a 110-foot by 210-foot portion of Area B into Area A.

The requested modifications and reallocations of gross land area are as follows:

	Original	Revised
Development Area A	588,060 SF (13.5 acres)	581,460 SF (13.34 acres)
Development Area B	892980 SF (20.5 acres)	899,580 SF (20.65 acres)

The applicant is also requesting reduction in the minimum building setback from the centerline of a non-arterial street within Development Area A from 55 feet to 42 feet.

Staff has examined the request and reviewed comments of TAC members during review of the Ashton Creek Office Park preliminary plat for the northern half of Area A. TAC comments included a requirement that the access to the office development and to the residential area be from a public street with sidewalks on either side of the street. The TAC also requested that the street be widened at the 91<sup>st</sup> intersection to allow for a 30-foot radius curve at each corner. TMAPC staff would also add that the intensity of townhome and office development proposed and served by a single collector street might require widening of the northern portion of the collector street area to accommodate a left-turn lane at the intersection with 91<sup>st</sup> Street.

The applicant has represented to staff that the non-arterial street ROW serving a proposed office development in Area A will be reduced on the Final Plat from the current centerline to the centerline requested by the applicant. Staff will be

eastern and western tier of lots backing to a 100-foot overhead power easement, cemetery or floodplain by reducing the building setback from the property line from 25 feet to 15 feet (55 feet from centerline to 42 feet).

The applicant has also represented to staff that the non-arterial collector will prohibit parking along the street as well as in front of the buildings inside the property line abutting the street ROW. Staff notes that the proposed reduction in building setback will leave approximately 30 feet from building wall to back or curb on the 24-foot street. This configuration will not allow any parking areas at the front of office lots but will allow a sidewalk on each side of the street.

After examining the request and related information, staff is of the opinion that the revision of Development Area boundaries represents a minor change to the original approval. Staff can also support the reduction in building setback for the public street planned as principal access to Area A & B if the TAC comments area reflected in the Final Plat for Ashton Creek Office Park.

Staff, therefore, recommends **APPROVAL** of PUD-600-1 modifying boundaries and gross land area of Development Areas A & B per the submitted plot plan and reduction in building setback from the centerline of the non-arterial street (public residential collector) from 55 feet to 42 feet subject to the following:

1. Review and approval by the TAC of a Final Plat which meets all requirements for public residential collector streets with access to major arterial streets including minimum radius curves, prohibition of street parking and the provision of a left-turn lanes at intersections if required by City Traffic Engineers.
2. Inclusion of all approved Development Specifications and requirements, including PUD 600-1, in the Deed of Dedication and Restrictive covenants of the Final Plat for Ashton Creek Office Park.

**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** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford "absent") to **APPROVE** the minor amendment for PUD-600-1 subject to modifying boundaries and gross land area of Development Areas A & B per the submitted plot plan and reduction in building setback from the centerline of the non-arterial street (public residential collector) from 55 feet to 42 feet subject to the following: (1) Review and approval by the TAC of a Final Plat which meets all requirements for public residential collector streets with access to major arterial streets including

lanes at intersections if required by City Traffic Engineers. (2) Inclusion of all approved Development Specifications and requirements, including PUD 600-1, in the Deed of Dedication and Restrictive covenants of the Final Plat for Ashton Creek Office Park as recommended by staff.

\*\*\*\*\*

**APPLICATION NO.:** Z-6733 **RS-3 TO CS**  
**Applicant:** Wesley Pitcock (PD-5) (CD-5)  
**Location:** Southeast corner of East 21<sup>st</sup> Place and South 91<sup>st</sup> East Avenue

**This item was continued to February 16, 2000 as referenced earlier.**

\*\*\*\*\*

**APPLICATION NO.:** Z-6739 **AG TO RS-2**  
**Applicant:** Darin Akerman (PD-18) (CD-8)  
**Location:** South of southeast corner of East 91<sup>st</sup> Street and South Harvard Avenue

**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 Low Intensity – No Specific Land Use.

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

**Staff Comments:**

**Site Analysis:** The subject property is approximately 17.8 acres in size and is located south of the southeast corner of East 91<sup>st</sup> Street South and South Harvard Avenue. The property is steeply sloping, wooded, vacant, and zoned AG.

**Surrounding Area Analysis:** The subject tract is abutted on the north, east and southwest by a cemetery, zoned AG; to the southeast by the Creek Turnpike, zoned AG; and to the west by single-family dwelling, zoned RS-2/PUD-204 and RS-3/PUD-306-A.

**Zoning and BOA Historical Summary:** In April 1999 approval was granted for a townhouse and office development on a 34-acre tract located west of the southwest corner of E. 91<sup>st</sup> St. and S. Yale Avenue and approximately one quarter mile east of the tract was rezoned for a residential development under RS-1/PUD393 standards in 1985,

and the residential development west across Harvard from the subject tract was approved for development in 1978..

**Conclusion:** Based on the Comprehensive Plan, development trends and existing development in the area, staff recommends **APPROVAL** of Z-6739 for RS-2 zoning.

**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 **HORNER**, the TMAPC voted **8-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Ledford "absent") to recommend **APPROVAL** of RS-2 zoning for Z-6739 as recommended by staff.

**Legal Description for Z-6739:**

A TRACT OF LAND THAT IS PART OF THE NW/4 OF SECTION 21, T-18-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NW/4 OF SAID SECTION 21; THENCE NORTH 01°06'31" WEST ALONG THE WESTERLY LINE THEREOF, FOR 630.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 01°06'31" WEST ALONG SAID WESTERLY LINE, FOR 905.57 FEET; THENCE NORTH 88°45'49" EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID NW/4, FOR 550.00 FEET; THENCE SOUTH 40°58'00" EAST FOR 390.08 FEET; THENCE SOUTH 01°06'31" EAST FOR 744.70 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE CREEK NATION TURNPIKE; THENCE ALONG SAID NORTHERLY LINE AS FOLLOWS: SOUTH 79°24'17" WEST FOR 72.21 FEET; THENCE SOUTH 81°56'37" WEST FOR 318.32 FEET; THENCE SOUTH 76°09'13" WEST FOR 110.13 FEET; THENCE SOUTH 79°51'41" WEST FOR 0.00 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 00°42'19" AND A RADIUS OF 2089.86 FEET FOR 25.72 FEET; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CREEK NATION TURNPIKE ALONG A BEARING OF NORTH 01°06'31" WEST FOR 216.86 FEET; THENCE SOUTH 88°45'49" WEST FOR 280.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, CONTAINING 17.859 ACRES.

\* \* \* \* \*

**Mr. Carnes out at 2:45**

**Mr. Horner out at 2:45**

**RESOLUTION FOR MAP AMENDMENT TO THE MAJOR STREET AND HIGHWAY PLAN, A PART OF THE COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA RELATING TO 46<sup>TH</sup> STREET NORTH**

**Staff Recommendation:**

Ms. Matthews stated that the resolution was reviewed in the Comprehensive Plan Committee. The Committee recommended approval to remove a portion of 46<sup>th</sup> Street North from the Major Street and Highway Plan.

**RESOLUTION NO. 2225-825**

**A RESOLUTION AMENDING  
THE TULSA METROPOLITAN MAJOR STREET AND HIGHWAY PLAN,  
A PART OF THE COMPREHENSIVE PLAN  
FOR THE TULSA METROPOLITAN AREA**

**WHEREAS**, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

**WHEREAS**, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

**WHEREAS**, on the 28th day of February, 1968 this Commission, by Resolution No. 696:289, did adopt the Tulsa Metropolitan Major Street and Highway Plan as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma; and

**WHEREAS**, a Public Hearing was held on the 1<sup>st</sup> day of December, 1999, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to remove 46<sup>th</sup> Street North between Lewis Avenue and United States Highway 75 from the Major Street and Highway Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the TMAPC, that the amendments to the Tulsa Metropolitan Major Street and Highway Plan Map, as above set out, be and are hereby adopted as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

TULSA METROPOLITAN AREA PLANNING COMMISSION

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED by the City Council of the City of Tulsa, Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Chair

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

**TMAPC Comments:**

Mr. Westervelt stated that the Committee has already reviewed the proposed amendment and today's action is to adopt and execute the resolution.

Mr. Westervelt announced that he had a conference with Legal because he had some involvement with a portion of this transaction earlier; however, it does not affect this vote on the Comprehensive Plan amendment because the transaction is already completed.

**TMAPC Action; 6 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **6-0-0** (Harmon, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Horner, Ledford "absent") to **ADOPT** Resolution 2225-825 as recommended by the Comprehensive Planning Committee.

Mr. Horner in at 2:47 p.m.

**OTHER BUSINESS:**

**APPLICATION NO.:** PUD-569

**Applicant:** Gale Plummer

**Location:** 8304 South 107<sup>th</sup> East Avenue

**DETAIL SITE PLAN**

(PD-18) (CD-8)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a 22,320 SF church on a 10.05-acre (net) lot within the northern portion of Development Area C.

Staff has examined the Detail Plan and finds conformance to bulk and area, building square footage and height, setback, parking, access, mutual access screening and total landscaped area standards approved for Development Area C within PUD-569.

Staff notes that the Detail Site Plan also addresses concerns expressed during the initial approval related to oil, gas and telecommunications easements and underground lines that cross Development Area C. These areas are designated for parking uses in the current plan. The applicant has provided written documentation from all holders of easements recognizing the church development and establishing either approval, a review process or a request for additional information during detail review and on-site construction of the parking area and building.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan as submitted subject to following condition:

The applicant will meet all requirements for review and notification required by ONEOK, Explorer Pipeline and MCI WorldCom. No building permit will be issued until Development Services is assured that all concerns and requirements of easement holders are met per letters of December 3 (ONEOK), December 7 (Explorer) and December 2 (MCI WorldCom)

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

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Ledford "absent") to **APPROVE** of the detail site plan for PUD-569 subject to the applicant meeting all requirements for review and notification required by ONEOK.

Explorer Pipeline and MCI WorldCom. No building permit will be issued until Development Services is assured that all concerns and requirements of easement holders are met per letters of December 3 (ONEOK), December 7 (Explorer) and December 2 (MCI WorldCom) as recommended by staff.

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**APPLICATION NO.: PUD-567-C**

**DETAIL SITE PLAN**

**Applicant:** Gary Tharaldson

(PD-18) (CD-8)

**Location:** Northeast corner of South 109<sup>th</sup> East Avenue and East 73<sup>rd</sup> Street South

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a 76-unit hotel on Tract "A" within Development Area C. The three-story structure contains a total of 44,750 square feet of floor area and 87 parking spaces located on the western half of Tract "A."

Tract "A" was created by lot-split approved in March 1999, allocating 110,000 SF of maximum building floor area on a 4.4-acre tract within Development Area C. Phase I, consisting of a 90-unit hotel and representing approximately half of the buildout of Tract "A", was approved by TMAPC in April 1999. The Phase II structure shown in the current request adds an additional 44,750 SF of hotel uses and related parking to the tract and completes the buildout of Tract "A."

Staff has reviewed the request for conformance to the approved PUD specifications for Development Area C, area standards approved by Lot-Split 18804 and overall compliance with the Zoning Code. Staff finds compliance with area and bulk, floor area, height, setback, access, mutual access, parking, screening, lighting and total landscaped area standards.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-567-C, western half of Tract "A", Development Area C as submitted.

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

**Applicant was not present.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Ledford "absent") to **APPROVE** the detail site plan for PUD-567-C; western half of Tract "A", Development Area C as submitted and recommended by staff.

**APPLICATION NO.: PUD-411-C**

**DETAIL SITE PLAN**

**Applicant:** Ted Sack

(PD-26) (CD-8)

**Location:** South of southeast corner Creek Turnpike & Memorial

**Staff Recommendation:**

The applicant is requesting a revision to an existing Detail Site Plan approved on November 17. The applicant is adding a 4,870 SF single-story auto detail facility to the 6.3-acre (net) tract.

Staff has examined the Detail Plan and finds conformance to the bulk and area, building square footage, height, setback, parking, access/mutual access and total landscaped area standards of PUD-411-C as amended. Staff also finds conformance to the requirements of both the PUD and Landscape Chapters of the Tulsa Zoning Code.

Staff, therefore, recommends **APPROVAL** of the Revised Detail Site Plan as submitted, adding an auto detail facility to the northeastern portion of Lot 1, Block 1 for PUD-411-C Development Areas "Revised" Tracts I & II.

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

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Ledford "absent") to **APPROVE** the revised detail site plan for PUD-411-C as submitted, adding an auto detail facility to the northeastern portion of Lot 1, Block 1 for PUD-411-C Development Areas "Revised" Tracts I & II as recommended by staff.

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**APPLICATION NO.: PUD-306-G**

**DETAIL SITE PLAN**

**Applicant:** Ted Sack

(PD-18) (CD-2)

**Location:** Southwest corner of South Delaware Avenue and East 95<sup>th</sup> Street South

**Staff Recommendation:**

The applicant is requesting Detail Site and Landscape Plan approval for 172,684 SF of retail commercial and office uses on 18.72 acres (net).

Staff has examined both the Site and Landscape Plans for conformance to the PUD standards approved on May 3, 1999 and finds conformance to area and bulk, building

landscaping requirements of PUD-306-G as amended by the City Council and agreed upon by the applicant in a letter to TMAPC dated September 10, 1999.

Staff notes, however, that the berming and density of the plantings indicated in the "East Boundary Landscape Concept" do not closely match the current plan submitted. The applicant, however, has represented to staff that the College Park II Neighborhood Association has been furnished copies of the detail plans.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-306-G, Development Area B subject to the following condition:

Subject to conditions, requirements and restrictions imposed during Final Plat review and approval.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Ledford "absent") to **APPROVE** the detail site plan for PUD-306-G Development Area B subject to conditions, requirements and restrictions imposed during Final Plat review and approval as recommended by staff.

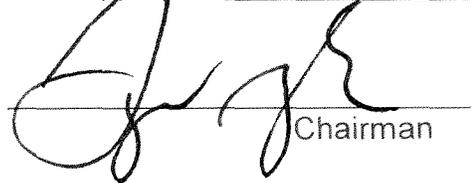
**Applicant's Comments:**

Mr. Johnsen stated that he met with the College Park representatives to review the detail site plan and they were satisfied with it.

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There being no further business, the Chairman declared the meeting adjourned at 2:50 p.m.

Date approved: 1-19-00

  
Chairman

ATTEST: Brandon J. Jester  
Secretary