

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2430

Wednesday, November 16, 2005, 1:30 p.m.

Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ard	Carnes	Huntsinger	Boulden, Legal
Bayles	Dick	Matthews	
Bernard	Harmon	Tomlinson	
Cantees	Horner		
Hill			
Jackson			
Midget			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, November 10, 2005 at 3:24 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Worksession Report:

Ms. Bayles reported that there will be a worksession immediately following today's Planning Commission meeting.

Ms. Bayles reported that there will be a special worksession on December 21, 2005 at INCOG to address river corridor development.

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Director's Report:

Ms. Matthews reported that Mr. Alberty is attending a city-wide workshop and is unable to attend today.

Ms. Matthews reported that the October receipts are included in today's packet and they are down slightly from the September receipts; however, the September

receipts were fairly high. The Board of Adjustment is up slightly and year-to-date the receipts are up in all areas over the last month.

Ms. Matthews reminded the Planning Commission that they are hosting a Planning Commission Workshop starting tomorrow, November 17, 18 and 19. The workshop is being held at the Greenwood Cultural Center and so far there have been only five Planning Commissioners commit to the workshop. She reiterated that the Planning Commission is the sponsor of this workshop and their attendance would be appreciated. Ms. Matthews concluded that there are several other communities attending the workshop and staff members from INCOG.

TMAPC COMMENTS:

Ms. Hill asked that, in the future, staff could attempt to schedule training sessions further away from holidays. She explained that it is difficult for her to get away from her business so close to Thanksgiving.

Ms. Matthews stated that there probably wouldn't be any further training sessions until spring, at the earliest. Ms. Matthews further stated that if the Planning Commission would like to sponsor more training sessions, then perhaps staff and the Planning Commission should start planning further out.

Ms. Matthews stated that there are no items on the City Council agenda this week.

ITEMS TO BE CONTINUED:

Ms. Bayles announced that she has received a letter requesting a continuance for Z-6916-SP-2 to January 18, 2006.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Ard, Bayles, Bernard, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Harmon, Horner "absent") to **CONTINUE** the corridor site plan for Z-6916-SP-2 to January 18, 2006.

SUBDIVISIONS:

RESCIND LOT-SPLIT TIE AGREEMENT:

L-19556-8 – Cox & Associates (9426)

(PD 17) (CD 6)

East 48th Street South and Lynn Lane

STAFF RECOMMENDATION:

In May 2002, Oxford Park was platted and recorded at Tulsa County Courthouse. Although the entire parcel was included in the platting process, an existing fence divided seven lots and two reserve areas (shaded parcels on Exhibit A). In August 2003, lot-splits were approved to split off the areas separated by the fence and tied those nine parcels to the unplatted property to the south.

In December 2004, the ownership of the unplatted property to the south changed, and that property has now been platted as Stanford Court, pending the filing of that plat. When platting Stanford Court, however, the nine parcels from the Oxford Park plat were not included. The owners desire to tie those parcels back to the originally platted Oxford Park parcels.

Therefore, the owners are asking the Planning Commission to rescind the language that tied the nine parcels from Oxford Park to the unplatted property (Stanford Court). Staff recommends **RESCINDING** the tie language of L-19556-19558, subject to the nine parcels being tied to the originally platted Oxford Park tracts (Lots 1-7, Block 4, and Reserve Areas B and D).

Applicant wasn't present.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of HILL, TMAPC voted 6-0-0 (Ard, Bayles, Bernard, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Harmon, Horner, "absent") to **RESCIND** the tie language of L-19556 through 19558, subject to the nine parcels being tied to the originally platted Oxford Park tracts (Lots 1 through 7, Block 4, and Reserve Areas B and D) per staff recommendation.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-19888 – Morgan Powell (2330)

(County)

14424 North Lewis

L-19895 – Sack & Associates, Inc. (9430) (PD 17) (CD 6)
Southwest corner of East 41st Street South and Garnett Road

L-19905 – Ray Biery (8322) (PD 26) (CD 8)
9709 South Maplewood

STAFF RECOMMENDATION:

All these lot-splits are in order and staff recommends **APPROVAL**.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET** the TMAPC voted **6-0-0** (Ard, Bayles, Bernard, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Harmon, Horner "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

LOT-COMBINATIONS FOR RATIFICATION OF PRIOR APPROVAL:

LC-6 – Sack & Associates, Inc. (0331) (PD 2) (CD 3)
1002 North Victor

LC-9 – Sack & Associates, Inc. (8302) (PD 18) (CD 7)
6737 East 65th Street

STAFF RECOMMENDATION:

All of these lot-combinations are in order and staff recommends **APPROVAL**.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET** the TMAPC voted **6-0-0** (Ard, Bayles, Bernard, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Harmon, Horner "absent") to **RATIFY** these lot-combinations given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

CHANGE OF ACCESS ON RECORDED PLAT:

Amended Plat of Southern Hills Mall and Southern Hills Mall (PD) (CD)
Second Addition – (9333)

South of East 51st Street and East of Harvard Avenue

STAFF RECOMMENDATION:

This application is made to allow a change of access along South Harvard Avenue and East 51st Street. The property is zoned CS.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

TMAPC COMMENTS:

Mr. Ard asked staff to describe where the change of access would be located.

Applicant's Comments:

Dennis Blind, 4645 South 83rd Avenue, 74145, stated that the three entrances on 51st Street and two entrances on Harvard (south of 51st) did not line up with the curb cuts that are on site and had been there since the 1960's. He is requesting that the lines be shifted a few feet in some cases so that the access opening aligns with the existing curb cuts.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted 6-0-0 (Ard, Bayles, Bernard, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Harmon, Horner, "absent") to **APPROVE** the change of access on recorded plat for amended plat of Southern Hills Mall and Southern Hills Mall Second Addition per staff recommendation.

Ms. Cantees in at 1:45 p.m.

ZONING PUBLIC HEARING

Application No.: Z-7007

CS TO IL

Applicant: William B. Jones

(PD-18) (CD-7)

Location: 5129-31 South 96th East Avenue

STAFF RECOMMENDATION:

Z-6554 September 1996: Approval was granted to rezone the one-acre lot located across South 95th East Avenue from the subject tract CS to IL for warehousing and light manufacturing.

Z-6354 May 1992: All concurred in approval of a request to rezone the one-acre tract adjoining the subject property to the west, from CS to IL for warehouse and warehouse supply.

Z-5438/PUD-242 September 1980: A request to rezone a 2.5-acre tract located on the southeast corner of East 51st Street and South 94th East Avenue from OL to OL/IL/PUD for office and warehouse development. All concurred in approval.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.17 acres in size, flat, non-wooded, vacant and zoned CS.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
South 95 th East Avenue	Commercial collector	60'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by a dance studio, zoned CS; on the south by office/industrial uses, zoned IL; on the west by storage, zoned IL; and on the east by vacant land/stormwater facility, zoned CS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Special District 1 – Industrial Area. Plan policies (Section 3.1.1) call for future industrial development in the Planning District to locate here and for provision of adequate infrastructure to service it. The requested rezoning **may be found** to be in accord with the Comprehensive Plan by virtue of the site's location within a Special District.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, nearby land uses and trends in the area, staff can support the requested rezoning and therefore recommends **APPROVAL** of IL for Z-7007.

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 **ARD**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Cantees, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Dick, Harmon, Horner "absent") to recommend **APPROVAL** of the IL zoning for Z-7007 per staff recommendation.

Legal Description for Z-7007:

Lots 5 and 6, Block 1, 51st and Mingo Commercial Center, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located south of the southeast corner East 51st Street South and South 95th East Avenue (5129 – 5131 South 95th East Avenue), Tulsa, Oklahoma, **From CS (Commercial Shopping Center District) To IL (Industrial Light District).**

* * * * *

Application No.: PUD-722

(PD-2) (CD-1)

Applicant: Sisemore, Weisz/YMCA of Greater Tulsa

Location: Southwest corner of East Pine Street and Peoria Avenue

STAFF RECOMMENDATION:

BOA-19897 August 2004: The Board of Adjustment approved a request for a variance to allow stacked parking for a funeral home on property located at 935 East Oklahoma Street and west of the subject property.

Z-6812 February 2003: Approval was granted for CS on property located on the northeast corner of East Pine Street and North Peoria Avenue from RM-1. The request included a portion of the tract, zoned CH, to be rezoned to CS. Staff and TMAPC recommended the CH portion of the property remain CH. This was a shopping center development.

BOA-15633 January 1991: The Board of Adjustment approved a request to permit an auto salvage business on property located at the southwest corner of East Pine Street and North St. Louis Avenue, subject to screening on the south and east property lines abutting residentially zoned districts, and subject to Stormwater Management approval, with no additional entrance or exit gates to the business.

Z-6301 October 1990: A request to rezone a three-acre tract located at the southwest corner of East Pine Street and North St. Louis Avenue from IL to IH for a salvage yard. Staff and TMAPC recommended denial of IH and recommended approval of IM in the alternative with a 50' IL buffer on the south and east sides. City Council concurred in approval of IM and the 50' strip of IL.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 6.9 acres in size, flat, non-wooded, contains multiple buildings presently used as the YMCA facilities, and is zoned RM-1, OL, CS and IL. Embedded but not included in the site is a PSO substation with access onto North Owasso.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
East Pine Street	Secondary arterial	100'	4 lanes
North Peoria Avenue	Urban arterial	70'	4 lanes
North Owasso Avenue	Residential	50'	2 lanes
North Norfolk Avenue	Residential collector	60'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by a restaurant, zoned CS and one single-family residential use, zoned CS; northeast by Albertson's and strip center, zoned CH and CS; east across Peoria by McDonald's restaurant, zoned IM; and to the immediate east on the west side of Peoria by a large PSO/AEP installation, zoned RM-1; and south by expressway, Highway 75 North, zoned RM-1, CS and IM.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 2 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being within the Neighborhood Development Plan (NDP) No. 1. This is a Special District and the proposed use

may be found in accord with the Comprehensive Plan by virtue of its location within a Special District.

STAFF RECOMMENDATION:

The YMCA of Greater Tulsa, a non-profit organization, proposes to redevelop and improve the Hutcherson YMCA facilities to continue and enhance service to the North Tulsa community. Presently, the Hutcherson YMCA facility consists of a multi-use building at the southwest corner of North Owasso Avenue and East Pine Street and a senior citizen building located at the southeast corner of these two streets as reflected on Exhibits "C" and "D". Additional property owned by the YMCA to the south of their existing multi-use building is presently used as a baseball field, and, farther south, YMCA owns several vacant properties bounded on the west by North Norfolk Avenue and on the southeast by the Cherokee Expressway (U.S. Hwy 75). YMCA also owns several vacant properties located between North Owasso Avenue and North Peoria Avenue that are separated by an electrical power (PSO) substation, also as shown on Exhibit "C".

The proposed improvements plan for the Hutcherson YMCA calls for site redevelopment in two phases. Per **Phase I**, a new two-level YMCA community center building is proposed for development in the central portion of the YMCA site as shown on Exhibits "D" and "G". This building will feature a gymnasium/ strength and fitness facility and will be attached to a single-level indoor pool/ spa building and reception/ lobby area. Until these buildings are constructed and operational, the existing multi-use building at the southwest corner of North Owasso Avenue and East Pine Street will continue its operations serving YMCA's current membership and staff. Shortly thereafter the existing multi-use building will be razed and a landscaped surface parking lot will be constructed in its place. In addition, a new landscaped surface parking lot or lots will be constructed upon the land areas owned by YMCA east of North Owasso Avenue simultaneous with the Phase I construction efforts of the new YMCA gym/ strength and fitness and indoor pool/ spa buildings.

Phase II for the Hutcherson YMCA facility consists of construction of an Intergenerational Center located near the southeast corner of East Pine Street and North Norfolk Avenue as depicted on Exhibits "D" and "H". This facility will support both child and senior adult day care centers under a common roof, with opportunities for intergenerational activities and learning for its patrons and support staff. Ultimately, expansion and interconnection of this facility to the Phase I YMCA gym/ strength and fitness facility and indoor pool/ spa is anticipated. Until such time as the Intergenerational Center building is constructed and operational, the existing senior center building at the southeast corner of North Owasso Avenue and East Pine Street will continue its operations.

Rerouting of an existing City of Tulsa sanitary sewer line and other utility services located in the alleyway between North Norfolk Avenue and North Owasso

Avenue will be necessary, as well as general utility extension and reroute efforts during the subdivision platting of the property. Closures of certain alleyways and easements will be required during the property platting process as well as the anticipated partial vacation of the underlying Sunnybrook Addition (originally single-family) subdivision plat. Exhibit "F" reflects the existing and proposed utility and infrastructure improvements plans. Dedication of street right-of-way per TAC comments below will also be required.

Because of the nature of this project and its clientele, particular attention must be given to pedestrian and traffic circulation. During construction of Phase I and upon completion of the project, buildings will be served in part by parking on the east side of North Owasso. Adequate sidewalks and crosswalks will be necessary to assure safety of YMCA clientele. In addition, because this site is located in a high bus ridership area and along two of MTTA's highest ridership routes, a cut out for a bus pull in/bus stop on the South side of East Pine Street, west of Peoria and west of the right turn lane is recommended.

Based upon the proposed Development Standards as modified by staff, staff finds PUD 722 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 722 subject to the following conditions:

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

DEVELOPMENT AREA A:

NET LAND AREA:	3.733 AC (162,609 SF)
EXISTING ZONING:	CS, OL, RM-1, IL
PROPOSED ZONING:	PUD/CS/OL/RM-1/IL

PERMITTED USES:

Use Unit 5, Community Services and Similar uses (limited to YMCA Community Center and Child/ Adult Day Care facility – Intergenerational Center); and accessory uses customarily incidental to above referenced uses.

MINIMUM STREET FRONTAGE:

East Pine Street North	150 Feet
North Norfolk Avenue	50 Feet
East Oklahoma Street North	50 Feet
North Owasso Avenue	50 Feet

MAXIMUM FLOOR AREA RATIO (F.A.R.) .50

MINIMUM BUILDING AND STRUCTURE SETBACKS:

From the centerline of East Pine Street North	100 Feet
From the centerline of North Norfolk Avenue	40 Feet
From the centerline of East Oklahoma Street North	40 Feet
From the centerline of North Owasso Avenue	40 Feet

MAXIMUM BUILDING HEIGHT: 45 Feet

MINIMUM LANDSCAPED AREA: 15% of lot area

PARKING RATIO:

As required by the applicable use unit.

PERIMETER SCREENING:

No perimeter screening is proposed since adjacent properties are non-residential in nature. However, decorative screening fencing of 6' or less in height consisting of wrought iron, stone, stucco or other materials consistent with the architecture of the buildings within Development Area "A" may be permitted around the perimeter of the playground areas adjacent to the proposed Intergenerational Center building, as well as other perimeter or internal areas of the site as proposed by the project architect. All screening fencing, decorative or otherwise, shall be identified on the PUD Detail Site Plan for the project and require approval from the TMAPC. No screening walls/ fences are permitted in the ROW. Wooden screening fences are prohibited.

LIGHTING:

All exterior lighting, whether building-mounted or on freestanding light poles, shall emit lighting downward and away from adjacent properties. Partial illumination of adjacent roadways within and abutting the Hutcherson YMCA site for pedestrian safety and security may be allowed with design approval by TMAPC at the PUD Detail Site Plan approval process. A 25' height limitation from final grade to the top plat of light fixture units (whether building-mounted or on freestanding light poles) is permitted within Development Area 'A'.

SIGNAGE:

One ground sign not to exceed 160 square feet of display surface area and 20 feet in height is permitted on the East Pine Street frontage. In addition, signage is permitted per OL standards plus directional signs as permitted by the Zoning Code.

DEVELOPMENT AREA B:

NET LAND AREA: .404 AC (17,598 SF)

EXISTING ZONING: IL

PROPOSED ZONING: PUD/ IL

PERMITTED USES:

Use Unit 10, Off-Street Parking Areas, and Communication Tower (existing).

MINIMUM STREET FRONTAGE:

East Oklahoma Street North	50 FT
Cherokee Expressway (U.S. hwy 75)	150 FT*
*no access presently allowed or proposed to U.S. Hwy 75	
North Owasso Avenue	50 FT

MAXIMUM FLOOR AREA RATIO (F.A.R.): Not applicable

MINIMUM PARKING LOT SETBACKS:

From the centerline of East Oklahoma Street North	30 FT
From the Cherokee Expressway (U.S. Hwy 75)	5 FT
From all other development boundaries	5 FT

MINIMUM LANDSCAPED AREA: 10% of lot area

PARKING RATIO: Not applicable

SCREENING:

Since adjacent properties are either non-residentially zoned or have land uses that are non-residential in nature, no continuous perimeter screening fencing is proposed for Development Area "B". Decorative screening fencing of 6' or less in height consisting of wrought iron, stone, stucco or other materials consistent with the architecture of the buildings within Development Area "A" may be permitted around the perimeter of the Development Area "B" as proposed by the project architect. All screening fencing proposed

for the project, decorative or otherwise, shall be identified on the PUD Detail Site Plan for the project and requires approval from the TMAPC. Wooden screening fences are prohibited.

LIGHTING:

All exterior lighting, whether building-mounted or on freestanding light poles, shall emit lighting downward and away from adjacent properties. Partial illumination of adjacent roadways within and abutting the Hutcherson YMCA site for pedestrian safety and security may be allowed with design approval by TMAPC at the PUD Detail Site Plan approval process. A 25' height limitation from final grade to the top plat of light fixture units (whether building-mounted or on freestanding light poles) is permitted within Development Area "B".

SIGNAGE:

As permitted by OL standards plus directional signs as permitted by the Tulsa Zoning Code.

DEVELOPMENT AREA C:

NET LAND AREA: .404 AC (17,598 SF)

EXISTING ZONING: IL, RM-1

PROPOSED ZONING: PUD/ IL/ RM-1

PERMITTED USES:

Use Unit 10, Off-Street Parking

MINIMUM STREET FRONTAGE:

North Owasso	50 FT
Cherokee Expressway (U.S. Hwy 75)	150 FT*
*no access presently allowed or proposed to U.S. Hwy 75	

MINIMUM PARKING LOT SETBACKS:

From the centerline of North Owasso Avenue	30 FT
From the Cherokee Expressway (U.S. Hwy 75)	0 FT
From all other development area boundaries	5 FT

MINIMUM LANDSCAPED AREA: 10% of lot area

PARKING RATIO: Not applicable

SCREENING:

Since adjacent properties are either non-residential zoned or have land uses that are non-residential in nature, no continuous perimeter screening fencing is proposed for Development Area "C". Decorative screening fencing of 6' or less in height consisting of wrought iron, stone, stucco or other materials consistent with the architecture of the buildings within Development Area "A" may be permitted around the perimeter of the Development Area "C" as proposed by the project architect. All screening fencing proposed for the project, decorative or otherwise, shall be identified on the PUD Detail Site Plan for the project and requires approval from the TMAPC. Wooden screening fences are prohibited.

LIGHTING:

All exterior lighting, whether building-mounted or on freestanding light poles, shall emit lighting downward and away from adjacent properties. Partial illumination of adjacent roadways within and abutting the Hutcherson YMCA site for pedestrian safety and security may be allowed with design approval by TMAPC at the PUD Detail Site Plan approval process. A 25' height limitation from final grade to the top plat of light fixture units (whether building-mounted or on freestanding light poles) is permitted within Development Area "C".

SIGNAGE:

As permitted by OL standards plus directional signs as permitted by the Tulsa Zoning Code.

DEVELOPMENT AREA D:

NET LAND AREA:	.869 AC (37,853 SF)
EXISTING ZONING:	CS, OL, RM-1
PROPOSED ZONING:	PUD/ CS/ OL/ RM-1

PERMITTED USES:

Use Unit 5, Community Services and Similar Uses (senior center building and accessory uses*); Use Unit 10, Off-street Parking Areas.

*Use allowance shall terminate upon razing of the on-site senior center building following construction of the Intergenerational Center building with Development Area "A".

MINIMUM STREET FRONTAGE:

East Pine Street North	150 FT
North Peoria Avenue	90 FT
North Owasso Avenue	50 FT

MAXIMUM FLOOR AREA RATIO (F.A.R.) .50*

*Current senior center building use within Development Area "D" shall be razed following construction of the Intergenerational Center building within Development Area "A". In the interim, no expansion of the existing senior center building within Development Area "D" shall be permitted.

MINIMUM PARKING LOT SETBACKS:

From the ultimate southerly R/W limit of East Pine Street North	5 FT
From the ultimate westerly R/W limit of North Peoria Avenue	5 FT
From the centerline of North Owasso Avenue	30 FT

MINIMUM LANDSCAPED AREA: 10% of lot area

SCREENING:

Since adjacent properties are either non-residential zoned or have land uses that are non-residential in nature, no continuous perimeter screening fencing is proposed for Development Area "D". Decorative screening fencing of six-feet or less in height consisting of wrought iron, stone, stucco or other materials consistent with the architecture of the buildings within Development Area "A" may be permitted around the perimeter of the Development Area "D" as proposed by the project architect. All screening fencing proposed for the project, decorative or otherwise, shall be identified on the PUD Detail Site Plan for the project and requires approval from the TMAPC. Wooden screening fences are prohibited.

LIGHTING:

All exterior lighting, whether building-mounted or on freestanding light poles, shall emit lighting downward and away from adjacent properties. Partial illumination of adjacent roadways within and abutting the Hutcherson YMCA site for pedestrian safety and security may be allowed with design approval by TMAPC at the PUD Detail Site Plan approval process. A 25' height limitation from final grade to the top plat of light fixture units (whether building-

mounted or on freestanding light poles) is permitted within Development Area "D".

SIGNAGE:

As permitted by OL standards plus directional signs as permitted by the Tulsa Zoning Code.

3. Sidewalks shall be required along East Pine Street North, both sides of North Owasso, both sides of East Oklahoma Street North and the east side of North Norfolk in conjunction with development. In addition, two crosswalks on North Owasso Avenue are required to provide safe access from parking in Development Areas D and C to buildings in Development Area A. A pedestrian and vehicular circulation plan must be approved by TMAPC at detail site plan review for each phase of development.
4. Because this site is located in a high bus ridership area and along two of MTTA's highest ridership routes, a cut-out for a bus pull-in/bus stop on the south side of East Pine Street, west of Peoria and west of the right turn lane is required in conformance with MTTA specifications.
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, screening fences 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 occupancy or at the soonest appropriate planting time. 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. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

9. All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
10. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.
11. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
12. No building permit shall be issued until the requirements of Section 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.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
14. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.
16. Until such time that the two existing YMCA buildings located on the southwest and southeast corners of Pine and Owasso are razed,

existing signage on or associated with these two structures shall be allowed to remain.

17. The PUD development areas boundaries are conceptual in nature and minor modifications to such boundaries may be permitted pursuant to final platting; however the acreage of the development area shall be altered by no more than 15% for any development area unless approved by minor amendment by the TMAPC.

TAC COMMENTS FROM 11/3/05:

General - No comment

Water – The existing ten-inch water main along Norfolk Avenue will provide water services. The existing 16-inch water main along Pine is not trappable.

Fire – Buildings will require fire sprinkler system. No portion of buildings shall be farther than 600' from a hydrant.

Stormwater – Stormwater drainage was not addressed in this PUD. On-site detention is required for all additional rainfall runoff from this development area.

Wastewater – Each lot within the proposed plat must have access to a sanitary sewer main.

Transportation – Right-of-way dedications on South Owasso Avenue and East Oklahoma Street will be required to meet the standard 50 ft; existing widths are 40 ft. Transportation will support dedication on either or both streets that is not symmetric about the street centerline(s) to allow for optimal usage of the property. Although the sidewalk requirement in the Subdivision Regulations does not address commercial streets, Transportation recommends explicit definition of a pedestrian traffic plan that includes sidewalks on the minor streets abutting the project property. The right-of-way dedication along East Pine will be 28 ft, for 388 ft west of the Peoria Ave. centerline, to meet the Major Street and Highway Plan, according to records that show only 30 ft existing south of the Pine St. centerline. The presence of the buildings to be later removed along Pine will require a license agreement if they are within the additional dedication.

Traffic – Provide for the standard 50/58 ft arterial right-of-way along Pine Street and Peoria Avenue. Include both crosswalks on Owasso in a PFPI. Discuss the N-S alley and document its closure/vacation in the platting process.

GIS – No comment

County Engineer – No comment

TMAPC COMMENTS:

Mr. Ard stated that typically there are the Kennebunkport standards, but they do not appear to be on this application. Ms. Matthews stated that the standards are in place, but with the modification that the spillover into the adjacent commercial or the transportation areas are amenable. Mr. Ard asked if the difference is that staff allows some light spillage in this instance. In response, Ms. Matthews answered affirmatively.

Mr. Jackson stated that this seems like a mixed-bag of zoning uses. What class would a typical YMCA go under. In response, Ms. Matthews stated that it would usually go under Use Unit 5 and it is usually a "may be found", but it would depend on the zoning category. She further stated that this application would have been fine with the underlying zoning, but the applicant wanted to go with a PUD.

Mr. Jackson asked if the underlying zoning would cause problems in the future when others move in and see an RM-1 with an IL next to it. In response, Ms. Matthews stated that she doesn't believe it will cause any problems because this will be an asset to the subject area. This would be the third corner at this intersection that has had major improvements to it. She reminded the Planning Commission that this is a PUD and it has strict conditions and shouldn't present any problems.

Mr. Midget stated that he would hope that wood fences would be excluded from the PUD. He further stated that history with wooden fences and the maintenance is not anything that would be complementary to the development in the subject area.

Ms. Matthews stated that wooden fences are not specified in the PUD, but if the Planning Commission would like to make a condition, that would be within their jurisdiction.

Mr. Midget stated that when this is in the review process that is one of the amendments he would like to ask for to make sure that no wooden fences are installed in the subject area.

Applicant's Comments:

Darin Akerman, Sisemore, Weisz and Associates, 6111 East 32nd Place, Tulsa, Oklahoma 74135, stated that this is a significant investment by the YMCA to redevelop their property. The redevelopment is in two phases and the first redevelopment is the primary center itself. The second phase will be the intergenerational center. The ultimate goal is to have these two centers connected.

Mr. Akerman stated that as far as the fencing, it wouldn't be a problem to eliminate wooden screening fences. The architectural drawings depict a decorative fence around the playground that would match the architecture of the building. There are no adjacent residential properties to screen from parking vehicle headlights.

Mr. Akerman stated that the subject property does have multiple classifications on the site, but it is in a PUD with conditions and requirements. There is IL zoning for the majority of the subject property, which allows for greater floor area intensity than the two buildings that are proposed for the site.

Mr. Akerman stated that there are two existing buildings and the intent is that when the new center is construction closer to Oklahoma Street then the existing YMCA building will razed and an improved landscaped parking lot would replace it. During the Phase II portion the intergenerational center would come along and the Senior Center would be razed and additional parking would be replacing the building.

TMAPC COMMENTS:

Mr. Ard asked Mr. Akerman if he knew what his maximum square footage might be. In response, Mr. Akerman stated that the square footage is approximately 82,000 SF or 50% coverage. Mr. Akerman further stated that it is approximately .25 FAR and it is less than IL would allow.

Mr. Ard asked Mr. Akerman if there would be more parking than is needed. In response, Mr. Akerman answered affirmatively.

Mr. Ard asked if there was any consideration of moving the parking area located at Pine and Peoria to the south side of Oklahoma Street. Mr. Akerman stated that due to the topography it appears that some of the stormwater detention will be south of Oklahoma Street and it is unknown how much land area that will require.

Mr. Midget stated that he doesn't see the bus flow on the drawing. Mr. Akerman stated that the bus flow issue was brought up at the TAC meeting. Mr. Akerman stated that he doesn't believe there will be any problem with this issue. The engineers are aware of this problem and they haven't indicated any objections to the TAC comments. Mr. Akerman stated that this issue has not been discussed with the MTTA at this time and if there is a requirement for a cutout, then it will be provided during the platting process. Mr. Midget stated that he would prefer that the cutout be installed for safety reasons. Mr. Akerman stated that if it is deemed safe and in a proper location by the Transit Authority, then he would go along with that recommendation.

Mr. Akerman stated that there are two other conditions he would like to add to the PUD. He would like to add for number sixteen (16) stating the following: "Until such time that the two existing YMCA buildings located on the southwest and southeast corners of Pine and Owasso are razed, existing signage on or associated with these two structures shall be allowed to remain." He indicated that the existing signage is limited and he doesn't want to remove the signage and having clients search around to find the proper building. The second condition he would like to add is number seventeen (17) stating the following: The PUD development areas boundaries are conceptual in nature and minor modifications to such boundaries may be permitted pursuant to final platting; however, the acreage of the development area shall be altered by no more than 15% for any development area unless approved by minor amendment by the

TMAPC. Mr. Akerman stated that basically the street dedications are required during the platting process and that those development areas will be modified slightly. If modification is any greater than 15%, it would be required to come back before the Planning Commission for consideration.

Staff indicated that they didn't have any problems with these conditions.

There were no interested parties wishing to speak.

Mr. Midget made a motion to approve the PUD with conditions and amendments discussed.

TMAPC COMMENTS:

Mr. Ard stated that he is a big supporter of YMCA and utilizes the YMCA as well. However, it concerns him that an arterial corner is being blocked off for a parking lot. He understands that the parking requirement has to be met, but he is concerned about the location of the parking lot. He asked if the parking could be realigned. The Planning Commission has discussed over-parking in the past and this is an example of doing what the Zoning Code requires, but he doubts the parking lot is never occupied.

Mr. Midget stated that he can assure Commissioner Ard that the parking lot is utilized and there is not enough parking at this time.

Mr. Ard compared parking at the YMCA downtown and the Thornton Y. He indicated that he will vote for this and it is a great redevelopment, but it strikes him as another expansion of parking space that is not going to be used on a day-to-day basis. Perhaps he is off base on this, but this is an arterial corner location in an area that is in heavy need of retail zoning.

Mr. Midget stated that he understands Mr. Ard's concern about the arterial corner, but he can assure everyone that the parking spaces will be utilized everyday.

Ms. Matthews stated that staff would like to make two comments about this issue. Mr. Ard's point is well taken and it is certainly a fact that the Zoning Code requires a lot of parking. One can drive around town today and see that there is too much parking in certain areas. This is something that is planned to be addressed in the Zoning Code updates. She reminded the Planning Commission that creating a parking lot is often a good way of land banking, and when at some point it is proven that the parking lot is not needed and the real estate value is such that it is worth more to develop, then the land is there.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Cantees, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Dick, Harmon, Horner "absent") to recommend **APPROVAL** of PUD-722 per staff recommendation, subject to the following amendments: exclude wooden fences in this PUD, require a bus pull-in/pull-out on the south side of Pine, add the two amendments presented by the applicant listed as 16 and 17 to allow the existing signage to remain in place until such time as the other two buildings are constructed with their signage, and any modifications in the PUD greater than 15% will come back to the Planning Commission. (Language with a strike-through has been deleted and language with an underline has been added.)

Legal Description for PUD-722:

A TRACT OF LAND BEING A PART OF BLOCKS 1, 2 AND 3, OF SUNNYBROOK ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 20.00' SOUTHERLY AND 20.00' EASTERLY OF THE NORTHWEST CORNER OF LOT 24 OF SAID BLOCK 2; THENCE N 88°48'24" E PARALLEL WITH AND 20.00' SOUTHERLY OF AS MEASURED PERPENDICULARLY TO THE NORTHERLY LINE OF SAID LOT 24 FOR 120.08' TO THE EASTERLY LINE OF SAID LOT 24; THENCE N 01°09'08" W ALONG SAID EASTERLY LINE FOR 20.00' TO THE NORTHEAST CORNER OF SAID LOT 24; THENCE N 88°48'24" E ALONG THE NORTHERLY LINE OF SAID BLOCK 2 AND 1 FOR 349.82' TO THE NORTHWEST CORNER OF LOT 1 OF SAID BLOCK 1; THENCE S 01°09'08" E ALONG THE WESTERLY LINE OF SAID LOT 1 FOR 25.00'; THENCE N 88°48'24" E PARALLEL WITH AND 25.00' SOUTHERLY OF AS MEASURED PERPENDICULARLY TO THE NORTH LINE OF SAID LOT 1 FOR 97.76'; THENCE S 37°24'51" E FOR 37.16'; THENCE S 01°09'08" E PARALLEL WITH AND 20.00' WESTERLY OF AS MEASURED PERPENDICULARLY TO THE EAST LINE OF SAID BLOCK 1 FOR 95.00' TO A POINT ON THE SOUTHERLY LINE OF LOT 3 OF SAID BLOCK 1; THENCE S 88°48'24" W ALONG THE SOUTHERLY LINE OF SAID LOT 3 AND LOT 22, BLOCK 1, AND A WESTERLY EXTENSION THEREOF FOR 294.51' TO THE CENTERLINE OF NORTH OWASSO AVENUE; THENCE S 01°08'38" E ALONG SAID CENTERLINE FOR 249.96'; THENCE N 88°48'24" E ALONG A WESTERLY EXTENSION OF AND ALONG THE NORTHERLY LINE AND AN EASTERLY EXTENSION OF LOT 16 OF SAID BLOCK 1 FOR 167.30' TO THE CENTERLINE OF A 15.00' WIDE ALLEY; THENCE S 01°09'08" E ALONG SAID CENTERLINE FOR 45.10'; THENCE S 54°57'54" W FOR 8.81'; THENCE S 43°49'54" W FOR 70.74'; THENCE S 40°49'16" W FOR 134.59' TO THE SOUTHWEST CORNER OF LOT 13, OF SAID BLOCK 1; THENCE S 88°51'22" W FOR 20.00' TO THE CENTERLINE OF NORTH OWASSO AVENUE; THENCE S 01°08'38" E ALONG SAID CENTERLINE FOR 123.03'; THENCE S 88°51'22" W FOR 20.00' TO A POINT ON THE EASTERLY LINE OF LOT 2 OF SAID BLOCK 3; THENCE S 38°19'36" W FOR 22.03' TO THE

SOUTHERLY LINE OF SAID LOT 3; THENCE S 88°48'24" W ALONG THE SOUTHERLY LINE OF SAID LOT 2 FOR 26.00'; THENCE S 37°25'59" W FOR 64.11' TO THE SOUTHERLY LINE OF LOT 3 OF SAID BLOCK 3; THENCE S 88°48'24" W ALONG THE SOUTHERLY LINE OF SAID LOT 3 AND A WESTERLY EXTENSION THEREOF FOR 75.01' TO THE NORTHEAST CORNER OF LOT 21 OF SAID BLOCK 3; THENCE S 01°08'45" E ALONG THE EASTERLY LINE OF SAID BLOCK 3 FOR 70.00'; THENCE S 47°12'27" W FOR 120.42' TO A POINT ON THE SOUTHERLY LINE OF LOT 19 OF SAID BLOCK 3; THENCE S 59°47'49" W FOR 34.33'; THENCE N 01°09'16" W 20.00' EASTERLY OF AS MEASURED PERPENDICULARLY TO THE WESTERLY LINE OF SAID BLOCK 3 AND 2 FOR 936.61' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, SAID TRACT OF LAND CONTAINING 6.964 ACRES, MORE OR LESS, and located on the southwest corner of East Pine Street and North Peoria Avenue, Tulsa, Oklahoma, From RM-1/OL/CS/IL (Residential Multifamily Low Density District/Office Low Intensity District/Commercial Shopping Center District/Industrial Light District) To RM-1/OL/CS/IL/PUD (Residential Multifamily Low Density District/Office Low Intensity District/Commercial Shopping Center District/Industrial Light District/Planned Unit Development).

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OTHER BUSINESS:

Commissioners' Comments:

Ms. Bayles stated that the Comprehensive Plan Task Force has delivered their recommendations to the City Council Committee yesterday and she will be picking up a copy of the packet today in order to distribute to the Planning Commission.

Mr. Midget asked if there is any news regarding Commissioner Horner. In response, Ms. Huntsinger stated that he has been released from the hospital and returned home.

Ms. Bayles stated that everyone is sending their best wishes to Mr. Horner for a speedy recovery.

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There being no further business, the Chair declared the meeting adjourned at 2:15 p.m.

Date Approved:

1/4/06

Stacey M. Bayles

Chairman

ATTEST:



Secretary