CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

REPORTS

Chairman's Report:

Worksession Report:

Comprehensive Plan Report:
Report on the update of the Comprehensive Plan

Director's Report:

1. Minutes of March 5, 2008, Meeting No. 2507

CONSENt AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **L-20190** – Sisemore Weisz & Associates, Inc (9431)/Lot-Split (PD 18C) (CD 5)
   Northwest corner of East 61st Street South and South Mingo Road, 5907 East 61st Street South

3. **L-20191** – Stephen Rosencutter (8214)/Lot-Split (PD 8) (CD 2)
   West of South Elwood Avenue and North of 46th Street, 836 West 84th Street South

4. **L-20192** – Olen L. Brittain (2201)/Lot-Split (County)
   Northeast corner of 186th Street North and North Garrison Ave, 450 East 186th Street North

5. **LC-75** – Sack & Associates (9330)/Lot-Combination (PD 6) (CD 9)
   East of the Southeast corner of East 43rd Court and South Peoria Avenue

6. **LC-84** - Construction Service, LLC (8418)/Lot-Combination (PD 18C) (CD 8)
   Northwest of South 99th Avenue and East 85th Place, 8520 South 99th East Avenue

7. **L-20175** – Jerry Butts (0334)/Lot-Split (PD 16) (CD 3)
   Northwest corner of East Haskell Place and East of North Irvington Avenue, 517 North Irvington Avenue
8. **North Mingo Addition**/Change of Access – (047)
   East of North Mingo Road and South of East 56th Street North

   Northwest corner of South 44th Place South and South Quaker Avenue (Detail Site Plan for construction of a 4,855 SF office building.)

10. **Z-6023-SP-1a – Scott Aneshansley**
    8520 South 99th East Avenue (Corridor Minor Amendment to reduce the required rear yard setback on Lot 18, Block 6 from 20 feet to 15.3 feet.)

11. **PUD-136 – Martin Brown**
    7500 South Yale Avenue (Detail Site Plan for entry gates and a guardhouse for the 75th Street entrance from Yale Avenue.)

12. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

13. **PUBLIC HEARINGS**

13. **Decatur Park** – (8322) Preliminary Plat
    Southwest corner of East 93rd Street South and South Canton Avenue

14. **Church of God West Tulsa** – (9233) Minor Subdivision Plat
    North of West 61st Street and East of South 49th West Avenue

15. **Z-7084** – (9223) Plat Waiver
    East of South Galveston Avenue and South of West 36th Street

16. **PUD-689-A – Kamlesh Aggarwal**
    Southwest corner of East 21st Street and South 109th East Avenue (Major amendment to abandon PUD-689.) (Applicant has requested a continuance to May 7, 2008) (Related to Item 17.)

17. **Z-7086 – Kamlesh Aggarwal**
    Southwest corner of East 21st Street and South 109th East Avenue (Applicant has requested a continuance to May 7, 2008.) (Related to Item 16.)

18. **PUD-379-B – Lou Reynolds**
    South of the southwest corner of South Memorial Drive and East 66th Street South (6612 South Memorial Drive) (Major Amendment to create definable PUD development standards for Lot 2, Block 1 and to definitively establish Use Unit 12 - Restaurant Use as a permitted principal use on the existing tract.)

19. **Z-6023-SP-1 – Scott Aneshansley**
    8520 South 99th East Avenue (Staff requests a refund for Corridor Site Plan review that wasn't necessary.)
20. Commissioners' Comments

ADJOURN

PD = Planning District/CD = Council District

NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringing/sound on all cell phones and pagers must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region's current and future residents.

TMAPC Mission Statement
Change of Access on Recorded Plat
TMAPC April 2, 2008

North Mingo Addition (047)
East of North Mingo Road and South of 56th Street North

This application is made to allow a change of access along North Mingo Road. The property is zoned IM.

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.
PUD-541 and PUD-541-A dsp
STAFF RECOMMENDATION

PUD-541/541-A: Detail Site Plan - Northwest corner of South 44th Place South and South Quaker Avenue; Part of Lot 2, Block 2 – 4300 Brooktowne and Lot 4, Block 6 – Wilder Addition; TRS 1913; CZM 47; Atlas 315; PD 6 CD 9; RS-3/PUD.

The applicant is requesting approval of a detail site plan for construction of a 4,855 square foot office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is in conformance with Development Standards of PUD-541 and PUD-541-A.

Major amendment PUD-541-A was approved making Lot 4, Block 6 – Wilder Addition a part of PUD-541 for parking and setback purposes. PUD-541-A covers the limits of Lot 4, Block 6 – Wilder Addition only.

Associated with this request is Lot Combination application #LC-75, also on the April 2, 2008 TMAPC agenda (see Exhibit A). This lot combination will effectively make PUD-541, and PUD 541-A one PUD. Also, a plat waiver was granted for PUD-541-A by the TMAPC on 3/5/08. The TMAPC approved revisions to the covenants and restrictions of the Wilder Addition plat, adding the development standards for PUD 541-A (Lot 4, Block 6 only) to the Wilder Addition plat Deed of Dedication and Restrictive Covenants on 3/5/08 as well.

The applicant’s proposal meets all building floor area, setback, building height, landscaping and parking requirements. The applicant has agreed to revise the submitted south elevation plan to reflect no second story windows greater than 12” in height, with obscure glass and fixed lower sashes per the approval of PUD-541. The applicant is also aware that this recommendation is conditional upon the TMAPC approval of lot combination application LC-75.

Therefore, staff recommends APPROVAL of the detail site plan for Part of Lot 2, Block 2 – 4300 Brooktowne and Lot 4, Block 6 – Wilder Addition, PUD 541 and PUD 541-A subject to approval of lot combination application LC-75 and receipt of the following minor revision to the submitted site plan:

- On south building elevation revise to show 2nd floor windows no greater than 12” in height with obscure glass and a fixed lower sash.

(Note: Detail site plan approval does not constitute detail sign plan approval.)
General Notes

1. ALL PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO PLANTER'S SPECIFICATIONS. PLANTER'S SPECIFICATIONS SHALL BE BASED ON CONTINUOUS AND CONSISTENT QUALITY CONTROL.

2. CONTRACTOR IS NOT RESPONSIBLE FOR DAMAGES TO PLANTS Caused BY THIRD-PARTY ACTIVITY OR WEATHER CONDITIONS.

3. PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO SPECIFICATION.

4. PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO SPECIFICATION.

Planting Notes

1. ALL PLANTS SHALIL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO PLANTER'S SPECIFICATIONS. PLANTER'S SPECIFICATIONS SHALL BE BASED ON CONTINUOUS AND CONSISTENT QUALITY CONTROL.

2. PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO SPECIFICATION.

3. PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO SPECIFICATION.

4. PLANTS SHALL BE PLANTED IN SOIL AND HORTICULTURAL MATERIALS ACCORDING TO SPECIFICATION.

Irrigation Notes

1. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

2. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

3. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

4. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

5. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

6. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.

7. ALL PLANTS SHALL BE WaterED WITH Sufficient WATER TO MAINTAIN CULTIVATION AND HEALTH.
**Features & Specifications**

**Intended Use**
Ideal for parking areas, street lighting, walkways and garden lots.

**Construction**
Rugged, die-cast, soft corner aluminum housing with 0.12" nominal wall thickness. Die-cast door frame has impact-resistant, tempered glass lens that is fully gasketed with one-piece tubular silicone.

**Finish**
Standard finish is dark bronze (DDB) polyester powder finish, with other architectural colors available.

**Electrical System**
- Ballast: High luminance, high power factor for 70-150W. Constant wattage autotransformer for 70–150W. Metal-halide 150W and below are standard with pulse start igniter technology; super CWA pulse start ballast required for 200W, 300W and 250W (SCWA option). Ballast is copper-wound and 100% factory-tested.
- Socket: Porcelain, horizontally oriented medium base socket for 70-150W and mogul base socket for 150W and above, with copper alloy, nickel-plated screw shell and center contact. UL listed to 150V, 600V.
- Listings:
  - UL Listed (standard). CSA Certified (see options). UL listed for 25°F ambient and wet locations. IP54 rated in accordance with standard IEC 529.
- Specifications subject to change without notice.

**Ordering Information**

For shortest lead times, configure product using standard options (shown in bold).

Example: KAD 400M R3 TB SPD04 LPI

<table>
<thead>
<tr>
<th>Series</th>
<th>Wattage</th>
<th>Voltage</th>
<th>Mounting</th>
<th>Ballast</th>
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**Distribution**

Hydroformed reflectors:
- R2 IES type II asymmetric
- R3 IES type III asymmetric
- R4 IES type IV forward throw
- N5 IES type V square

Segmented reflectors:
- SR2 IES type II asymmetric
- SR3 IES type III asymmetric
- SRSC IES type IV forward throw

**NOTES:**
1. Not available with SCWA.
2. Not available with 600V.
3. Not available with 150V.
4. Must be ordered with SCWA.
5. Reduced jacket 120V required for SR2, SR3 and SRSC optics.
6. House shield available.
7. Must specify C/W for use in Canada.

**Accessory Options**

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<th>Tenon Mounting Slit Fliter</th>
<th>Number of Fixtures</th>
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<td>Two@180°</td>
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**KADWG: Vandal guard**
**KADWG: Wire guard**
KAD 400M  Arm-mounted Soft Square Cutoff

Coefficient of Utilization
Initial Footcandles

KAD R2 Test no. 1193083101

KAD R3 Test no. 1192045902

KAD R4 Test no. 1191112101

KAD R4HS Test no. 1192061101

KAD R5S Test no. 1193111901

400W Metal Halide lamp, 32,000 rated lumens,
Footcandle values based on 30’ mounting height,
Distribution Type II, cutoff.

400W Metal Halide lamp, 32,000 rated lumens,
Footcandle values based on 30’ mounting height,
Distribution Type III, cutoff.

400W Metal Halide lamp, 32,000 rated lumens,
Footcandle values based on 30’ mounting height,
Distribution Type IV, cutoff.

400W Metal Halide lamp, 32,000 rated lumens,
Footcandle values based on 30’ mounting height,
Distribution Type V, cutoff.

Electrical Characteristics

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<th>Primary circuit voltage</th>
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<th>Power factor (%)</th>
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<td>Peak-lead</td>
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<td>480</td>
<td>73/1.60</td>
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Tested to current IES and NECIA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory data and actual field measurements. Dimensions and specifications on this sheet are based on the most current available data and are subject to change without notice.

NOTES:
1 Photometric data for other distributions can be accessed from www.lithonia.com.

Mounting Height Correction Factor
(Multiply the fc level by the correction factor)
25 ft. = 1.44
35 ft. = 0.73
40 ft. = 0.56

Existing Mounting Height
New Mounting Height

LITHIONIA LIGHTING®
An Acuity Brands Company

Sheet #: KAD-M-S © 2007 Acuity Brands Lighting, Inc., Rev. 06/29/07

Lithonia Lighting
Outdoor
One Lithonia Way, Conyers, GA 30012
Phone: 770-922-0030 Fax: 770-918-1239
www.lithonia.com
STAFF RECOMMENDATION

Z-6023-SP-1a: Corridor Plan Minor Amendment – Lot 18, Block 6 – South Towne Square; 8520 South 99th East Avenue; TRS 1814; CZM 112; Atlas 1568; PD 18C CD 8; CO.

The applicant is requesting a minor amendment to Z-6023-SP-1a to reduce the required rear yard setback on Lot 18, Block 6 – South Towne Square only, from 20' to 15' 3" for the purpose of allowing approximately 16+/- square feet of an existing structure to encroach 4' 9" into the required rear yard (see Exhibit A).

The existing structure meets all other applicable PUD bulk and area requirements and development standards. Section II, C-4 of the Deed of Dedication and Restrictive Covenants of South Towne Square which serve as the development standards for the PUD states that, "customary accessory structures may be located in the rear yard, but no building shall be erected nearer than 10 feet to the rear lot line nor encroach upon any utility easement". Staff interprets this as allowing the possibility relaxing rear yard setback requirements.

Since the applicant is seeking the relief for such a small portion of the structure (approximately 16 SF) the request is seen as negligible versus seeking relief for the entire rear of the building. Any future development of this lot or Lot 19 to the east which is under common ownership will observe the required 20' rear setback requirement.

Therefore, staff recommends APPROVAL of corridor plan minor amendment Z-6023-SP-1a, for Lot 18, Block 6 – South Towne Square, allowing only the portion of the building depicted on Exhibit A to encroach over the rear setback.
April 2, 2008

STAFF RECOMMENDATION

PUD-136: Detail Site Plan – Lot 1, Block 3 – Silver Oaks Addition; 7500 South Yale Avenue; TRS 8309; CZM 52; Atlas 1273; PD 18 CD 8; RS-3/PUD.

The applicant is requesting approval of a detail site plan for entry gates and a guardhouse for the 75th Street entrance to PUD-136 from Yale Avenue. The proposed use is in conformance with Development Standards of PUD-136.

The existing gated entry and guardhouse providing access to PUD-136 from Yale Avenue to 75th Street South is being removed as a result of the City of Tulsa widening of Yale Avenue along the PUD western development area boundary.

The proposed entry gate and guardhouse meets the required 80-foot setback from the centerline of Yale Avenue, as well as, any other building height, floor area and landscaping requirements.

Therefore, staff recommends APPROVAL of the detail site plan for the gated entry and guardhouse for PUD-136 at the intersection of South Yale Avenue and 75th Street South, with the condition that City of Tulsa Fire Marshall sign off on the plan prior to transmittal to the City of Tulsa Permit Center.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)
RAINTREE ESTATES I, INC.
dba Silver Ridge Townhomes
Landscape Plan
FRONTEXTRACTION RECONSTRUCTION PROJECT

RAINTREE

LANDSCAPE AREA "CZ" (84 SF)
1 Yspon Holly
5 gal. can

LANDSCAPE AREA "L" (206 Sqr Feet)

LANDSCAPE AREA "C1" (38 SF)

SILVER RIDGE TOWNHOMES
Drawing R-31 Page 9 Revision 3.0 February 4, 2008
Drawn by Steve Meyer, Raintree Estates I, Inc

MARTIN BROWN - ARCHITECT
APPROVED FOR CONSTRUCTION
02/04/08

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PRELIMINARY SUBDIVISION PLAT

Decatur Park - (8332) (PD 18C) (CD 5)
Southwest corner of East 93rd Street South and South Canton Avenue

This plat consists of 18 Lots, 3 Blocks, on 4.35 acres.

The following issues were discussed March 20, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 740. All PUD conditions must be met and put in the plat covenants. Sidewalks must be installed per the PUD requirements. A Homeowners Association must be formed.

2. **Streets:** Provide hammerhead or cul-de-sac at the end of the private street. Prefer that the public right-of-way for 94th Street and Braden Place be squared off in order to include the entire intersection. One proposal would be for the south line to be at or near and parallel to the south curb line of 94th Street. No objection to the curvilinear, east property line of Reserve B, but recommend an adjacent roadway easement maintaining 12 feet behind the curb throughout the reverse curve in front of Lot 3 for public maintenance purposes.

3. **Sewer:** The sewer line will need to be extended to serve all lots. We will need to review the proposed sewer plan for the site before we can approve the plat.

4. **Water:** A water main extension is required.

5. **Storm Drainage:** Please add Vensel Creek Tributary “E” to the label for the City of Tulsa Regulatory Floodplain. Utility easements should not be placed within the construction limits for the stormwater detention facility. The City of Tulsa must receive a written copy of the owners’ agreement with PSO to allow the stormwater detention facility to be constructed on their right-of-way easement. Section ID is not desired other than for the information stating that there is floodplain in Reserve A. 100 year floodplain is typically placed in an overland drainage easement with that standard language being included in the covenants. Remove all language alluding to a “100 Year Floodplain Easement”. See plat comments relative to Reserve A and utility easements and labeling. Show the limits of the stormwater detention easement, which may have different maintenance requirements and restrictions than the park area or the floodplain area.

13.3
6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: Additional easements may be needed.

7. **Other:** Fire: No comment. **GIS:** "Hunters’ Park on location map should read "Hunter Park". Finish labeling all platted and unplatted areas on the location map. Include a north arrow for the location map. Basis of bearing should be clearly described and stated in degrees, minutes, and seconds. Description of commencement should include “... of Section 22, Township 18 North, Range 13 East”.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the public works department staff must be taken care of to their satisfaction.

**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 Engineer 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 County Engineer.

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 therefore shall be approved by the City/Courty 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. The method of water supply and plans therefore shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. 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.)

20. 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.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
Minor SUBDIVISION PLAT

Church of God West Tulsa - (9233) (County)
North of West 61st Street and East of South 49th West Avenue

This plat consists of 1 Lot, 1 Block, on 1.15 acres.

The following issues were discussed March 20, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS with a Board of Adjustment Special Exception (2158) for the church use.

2. **Streets:** Include standard sidewalk language in the Deed of Dedication. Document the existing right-of-way of the south 35 feet of 61st has been previously dedicated (as opposed to granting a roadway easement). Assuming the ownership is correct, the label for the arterial should be changed from 50 feet to 15 feet “right-of-way dedicated by this plat”.

3. **Sewer:** Site abuts sanitary sewer.

4. **Water:** No comment.

5. **Storm Drainage:** Please revise the “legend” to reflect that “drainage easement” is used for “stormwater detention easement”. Dedication, lien authority, and maintenance related authority should be given to Tulsa County, not the City of Tulsa; with the exception of water mains and sanitary sewer mains, if they are owned by the City of Tulsa or another legal entity. Correct Section 1C to reflect Tulsa County Storm Sewers. Add standard language for “Lot Surface Drainage”. Section 1F: 1. Should be titled Reserve “A” – stormwater detention easement. 2. Replace City of Tulsa with Tulsa County. 3. See standard language and add F3, change existing F3 to F4 add F 4 d, F5, change existing F4 to F.6 and in the 7th line of F.6 remove “Provided however, the lien shall not exceed 1/140th of the costs”.

6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. **Other:** Fire: Point of information: if occupant load exceeds 300, building will be required to be sprinkled. **GIS:** Label the point of commencement.
Label and show the “date of preparation” for the plat. Increase the line thickness for the boundary. Show the written scale for the location map. Surveyors’ C.A. # and expiration date should be listed at the top of plat with address and phone number. “Beginning at the southwest corner ...” should read “Commencing at the southwest corner ...” County Engineer: Show right-of-way dedicated by this plat as 15 feet. Show the 10.25 easement between statutory and property line from Book 1048, page 566. Replace references to “City of Tulsa” to “Tulsa County” where appropriate.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the County Engineer must be taken care of to his satisfaction.

**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 Engineer 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 County Engineer.

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 therefore 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. The method of water supply and plans therefore shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. 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.)

20. 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.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
PLAT WAIVER

April 2, 2008

Z-7084 - (9223) (PD 9) (CD 2)
East of South Galveston Avenue and South of West 36th Street

The platting requirement is being triggered by a rezoning to IL.

Staff provides the following information from TAC at their March 20, 2008 meeting:

ZONING:
• TMAPC Staff: The rezoning to IL triggered the platting requirement on this previously platted property.

STREETS:
• Additional right-of-way of 10 feet required along 36th Place.

SEWER:
• A lot combination may be needed for access to sewer.

WATER:
• No comment.

STORM DRAIN:
• No comment.

FIRE:
• If or when a building permit is applied for a new hydrant may have to be added. This will not be required for the planned existing structure remodel.

UTILITIES:
• No comment.

Staff recommends APPROVAL of the plat waiver with the TAC conditions as recommended. The right-of-way is in the process of being dedicated as required.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

Yes    NO
1. Has Property previously been platted?  X
2. Are there restrictive covenants contained in a previously filed plat?  X
3. Is property adequately described by surrounding platted properties or street right-of-way?

\[15^4\]
A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

4. Is right-of-way dedication required to comply with Major Street and Highway Plan?  X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?  X
6. Infrastructure requirements:
   a) Water
      i. Is a main line water extension required?  X
      ii. Is an internal system or fire line required?  X
      iii. Are additional easements required?  X
   b) Sanitary Sewer
      i. Is a main line extension required?  X
      ii. Is an internal system required?  X
      iii. Are additional easements required?  X
   c) Storm Sewer
      i. Is a P.F.P.I. required?  X
      ii. Is an Overland Drainage Easement required?  X
      iii. Is on site detention required?  X
      iv. Are additional easements required?  X
7. Floodplain
   a) Does the property contain a City of Tulsa (Regulatory) Floodplain?  X
   b) Does the property contain a F.E.M.A. (Federal) Floodplain?  X
8. Change of Access
   a) Are revisions to existing access locations necessary?  X
   a) If yes, was plat recorded for the original P.U.D.
10. Is this a Major Amendment to a P.U.D.?  X
    a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?
11. Are mutual access easements needed to assure adequate access to the site?  X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?  X
February 25, 2007

Tulsa Metropolitan Area Planning Commission
201 West 5th Street, Suite 600
Tulsa, Oklahoma 74103

RE: Z-7086/PUD-689-A

Dear Barbara Huntsinger:

On behalf of the Buyers, I would like to request a continuance of the PUD Hearing. We will not be ready with all the documents and exhibits required to submit with the re-zoning application for a PUD until March 27th. I would appreciate if you could please extend the re-zoning for PUD until May 7th. Please see the attached legal description of all the three lots.

My contact information is included; please contact me if you have any questions.

Thank you,

Kamlesh Aggarwal

Kamlesh Aggarwal
Broker/Owner
Sooner Realty Properties, LLC
(918) 260-5286
March 27, 2008

Tulsa Metropolitan Area Planning Commission
201 West 5th Street, Suite 600
Tulsa, Oklahoma 74103

RE: Z-7086/PUD-689-A,

Second Continuance Request

Dear Barbara Huntsinger:

On behalf of the Buyers, I would like to request a continuance of the PUD Hearing. We will not be ready with all the documents and exhibits required to submit with the re-zoning application for a PUD until April 24th. I would appreciate if you could please extend the re-zoning & amendment to an existing PUD until June 4th. Please see the attached legal description of all the three lots.

My contact information is included; please contact me if you have any questions.

Thank you,

Kamlesh Aggarwal

Kamlesh Aggarwal
Broker/Owner
Sooner Realty Properties, LLC
(918) 260-5286
February 25, 2007

Tulsa Metropolitan Area Planning Commission
201 West 5th Street, Suite 600
Tulsa, Oklahoma 74103

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Kamlesh Aggarwal
Broker/Owner
Sooner Realty Properties, LLC
(918) 260-5286
March 27, 2008

Tulsa Metropolitan Area Planning Commission
201 West 5th Street, Suite 600
Tulsa, Oklahoma 74103

RE: Z-7086/PUD-589-A,

Second Continuance Request

Dear Barbara Huntsinger:

On behalf of the Buyers, I would like to request a continuance of the PUD Hearing. We will not be ready with all the documents and exhibits required to submit with the re-zoning application for a PUD until April 24th. I would appreciate if you could please extend the re-zoning & amendment to an existing PUD until June 4th. Please see the attached legal description of all the three lots.

My contact information is included; please contact me if you have any questions.

Thank you,

Kamlesh Aggarwal

Kamlesh Aggarwal
Broker/Owner
Sooner Realty Properties, LLC
(918) 260-5286
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-379-B

TRS 8312 Atlas 876/999
CZM 53 PD-18 CD-7

TMAPC Hearing Date: April 2, 2008

Applicant: Lou Reynolds  Tract Size: 5.95+ acres

ADDRESS/GENERAL LOCATION: 6612 South Memorial Drive or south of the southwest corner of South Memoria Drive and East 66th Street South.

EXISTING ZONING: PK/PUD  EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 16243 dated January 8, 1985, established zoning for the subject property.

PROPOSED ZONING: PK/PUD  PROPOSED USE: Mixed use shopping center

RELEVANT ZONING HISTORY:

PUD-379-6 July 11, 2007: The Planning Commission approved a Minor Amendment to PLD-379 to increase the number of ground signs permitted from two to three; and to increase the maximum allowable (aggregate) display surface area for ground signs from 480 square feet to 552 square feet; and increasing permitted display surface area for wall signs from one and one-half square feet per linear foot of building wall to two square feet per linear foot of building wall in conjunction with remodeling and reuse of the former Mervyn's retail store on subject property.

PUD-379-5 April 4, 2007: The Planning Commission approved a Minor Amendment to reduce the parking requirement from 448 to 391, as approved by the Board of Adjustment (BOA-20452) on March 13, 2007; and increasing permitted building height from 30 feet to 40 feet to accommodate proposed changes to the building's façade, associated with reuse of the former Mervyn's store as a gym and retail space.

BOA-20491 May 8, 2007: The Board of Adjustment approved a Special Exception to reduce parking requirements 10% for a mixed use commercial center on property located and abutting the subject property. A Minor Amendment was done to the PUD to reflect the Boards decision as case number: PUD-379-7/PUD-379-A-8.

BOA-20452 March 13, 2007: The Board of Adjustment approved a Variance of the parking requirement from 448 to 391; finding the requirement of one parking space to 200 sq. ft. is excessive in this case; and the applicant has cross-parking agreements with other areas in the center, located at 6612 S Memorial Drive and the subject property.
Z-7029 September 2006: All concurred in approval of a request for rezoning a .55+ acre tract of land from AG/OL to CS for restaurant and retail uses on property located on north of the northeast corner of South Memorial Drive and East 71st Street South.

PUD-186-A May 2002: All concurred in approval of a request to rezone at 2.97+ acre tract from RM-1 to CS and a proposed Major Amendment to PUD, on property located on the east side of South 85th East Avenue and south of East 66th Street South. The original PUD approved and restricted this property to a public library but the Major Amendment allows for retail and office uses.

Z-6320/PUD-470 June 1991: A request to rezone a tract approximately 4.85 acres in size and located on the southeast corner of East 66th Street South and South Memorial Drive from AG and OM to CS/PUD for commercial uses. All concurred in approval of CS zoning on the East 32' of the south 605' of Lot 1, Block 3, to align with the CS zoning to the east. The balance of the tract remained zoned OM and approved the PUD for 9,500 square feet of commercial use.

PUD-379/AZ-6113 July 1986: All concurred in approval of a request for rezoning and a Major Amendment to PUD-379 on a 32.9+ acre tract of land from PK to CS to add commercial property to the existing development, therefore changing the development standards, located directly west of subject property.

PUD-379/Z-6011 December 1984: A request for rezoning and a Planned Unit Development on a 33+ acre tract of land from CS/RS-3/OL/AG to CS/RM-2/PUD for commercial development was approved by the TMAPC recommending CS and PK instead of RM-2, for retail development, located and a part of subject property. The request also abandoned the original PUD-209 that was approved for the property.

PUD-309/Z-5790 April 1983: All concurred in approval of a request for rezoning a Planned Unit Development on a 10.28+ acre tract of land from OM to CS for retail shopping and a cinema theater, with the North 300 feet remaining OM on property located northeast of subject property.

PUD-209-A April 1981: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 33+ acre tract of land to allow for a mixed use and was approved for 169,000 square feet of commercial use and 88 dwelling units on property located north of the northwest corner of East 71st Street and South Memorial Drive and the subject property.

PUD-187 August 1976: All concurred in approval of a proposed Planned Unit Development 165.5+ acre tract of land for single-family, duplexes, multi-family, tennis club expansion and park/detention facilities with a total of 863 dwelling units on property located between East 61st Street South and East 71st Street South and between South Memorial Drive and South Sheridan Road; and abutting north and west of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.95+ acres in size and is located south of the southwest corner of South Memorial Drive and East 66th Street South. The property is developed anc is zoned PK/PUD.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Memorial Drive</td>
<td>Primary Arterial</td>
<td>120'</td>
<td>4-6</td>
</tr>
</tbody>
</table>
 UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by Memorial Drive and Woodland Hills Mall, zoned AG/OL/OM/CS/CG/PUD; on the north by Shadow Mountain, zoned RS-3/PUD; on the south by PUD-379-A and Clark Plaza Third, zoned CS; and immediately on the west by PUD-379, zoned PK and further west by Shadow Mountain, zoned RS-3.

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 being medium intensity. According to the Zoning Matrix, the existing PK zoning is in accord with the Plan.

STAFF RECOMMENDATION:
The original approval of PUD-379 allowed Use Unit 12 on the east 400 feet of the south 227 feet of Lot 1, Block 1 – the Village of Woodland Hills. In 1995, minor amendment request PUD-379-2 was made asking that the restaurant use be extended to the remainder of Lot 1, Block 1. The application and case minutes for this request is attached as Exhibit AA.

In researching the current request staff found that:

a. On page 1 of Exhibit AA, the Legal Description of Tract Under Application states, "Lots 1 and 2, Block 1 - The Village at Woodland Hills";
b. The TMAPC motion made on Page 3 of Exhibit AA does not specify a lot, block or development area to which the amendment applies;
c. Page 4 of Exhibit AA, the advertisement for the minor amendment, states "on property described as Lots 1 & 2, Block 1 - The Village at Woodland Hills...";
d. The case map on page 5 of Exhibit AA, used as the legal advertisement of the case includes Lot 2 as part of the "tract under application"; and

e. Exhibit BB, a motion made at the 5/24/95 TMAPC meeting approving the "Execution of Amended Certificate of Dedication" for the Village at Woodland Hills includes the approval as recommended by staff for PUD-379-2.

Staff finds that the intent of minor amendment application PUD-379-2 was to extend Use Unit 12 to Lot 1, Block 1 only. However, staff believes the interpretation of the above allows Use Unit on Lot 2, Block 1 by the approval of PUD-379-2. However the clarity of the motion made in approval of PUD-379-2, combined with supporting evidence from the application submitted and information used for notification justifies this major amendment application.

The purpose of this amendment then is to clarify the aforementioned by creating definable PUD development standards for Lot 2, Block 1 and to definitively establish Use Unit 12 - Restaurant Use as a permitted principal use on the existing tract. The existing building is being renovated to include an approximately 46,000 square foot Gold's Gym facility. The remaining 32,000 square feet will be utilized as mixed use retail. At this time there is no proposed expansion, or additional square footage request being made for the existing structure.

In a related manner and on March 13, 2007 the Board of Adjustment (BOA) in case 20452 approved a variance to reduce the required parking for the tract to 391 parking spaces (a 12.7% reduction)(see Exhibit CC). Consequently, the TMAPC in case PUD-379-7 approved a
minor amendment reducing the required parking for the tract by 12.7% to 391 spaces. All other Development Standards within PUD 379 will remain applicable.

Attached to this application are a conceptual elevation plans Exhibits A and B and a conceptual site plan Exhibit C.

Staff finds the proposed additional use and existing intensity of development to be in harmony with the spirit and intent of the Code. Staff finds PUD-379-B 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 existing development 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-379-B subject to the following conditions:

1. The applicant's attached exhibits and Concept Development Plan be made a condition of approval, unless modified herein.

2. Development Standards:

Development Area: Lot 2, Block 1 – The Village at Woodland Hills

Gross Area: 5.95 +/- acres

Permitted Uses: Uses permitted as a matter of right in the CS – Commercial Shopping Center District and Use Unit 12 – Eating Establishments Other than Drive-ins. Use Unit 12-a is not permitted.

Maximum Floor Area (existing): 78,000 SF (.3 FAR)

Minimum building setbacks:
From the West Boundary 85 feet
From the south boundary 20 feet
From the north boundary 35 feet
From the centerline South Memorial 130 feet

Maximum Building Height: (to top of parapet) 40 feet

Parking Requirements: 391 spaces

Minimum Landscaped Open Space: 8%*

*Landscaped open space includes required arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

Pedestrian Circulation:

A pedestrian circulation plan shall be required for detail site plan approval that includes the following:

(a) Sidewalks along the west side of Memorial Drive;
(b) Pedestrian walkways connecting transit stops to non-street front building entrances where applicable.

(c) Pedestrian walkways clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect where applicable.

(d) Sidewalks or walkways which cross vehicular aisles or driveways distinguished as follows: by a continuous raised crossing, by using contrasting paving material and/ or by using high contrast striping.

Site Lighting:

All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas to the north. No light standard or building-mounted light shall exceed 25 feet in height. Lights shall be set back at least 25 feet from any residential areas abutting the PUD. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography must be included in the calculations.

Site Screening:

An 8-foot solid screening wall or fence shall be erected along any lot line or lines in common with an R District if one does n.

Signs:

One ground sign shall be permitted along Memorial Drive not to exceed 25 feet in height and 72 SF of Display Surface Area. Wall signs shall be limited to 2 SF of display surface area for each lineal foot of building wall, or storefront/lease space to which the sign will be affixed.

3. No zoning clearance or building permits shall be issued for the lot until a detail site plan for the lot, which includes all buildings, building elevations, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

4. Where applicable and per section 1001 of the Zoning Code, a detail landscape plan shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

5. No sign permits shall be issued for erection of a sign within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas, 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.

8. Hours of operation shall not extend past midnight (per PUD-379-2).

9. 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 when applicable.

10. Platting Requirement: No building permit shall be issued until the requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, or an amendment is approved by the TMAPC that will incorporate within the existing restrictive covenants these PUD conditions of approval and making the City beneficiary to said covenants.

11. Subject to conditions recommended by the Technical Advisory Committee during the major amendment advisory process which are approved by TMAPC.

12. Approval of the PUD amendment 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 solid 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.

**TAC Comments:**

**General:** No comments.

**Water:** No comments.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** No comments.

**Transportation:** Sidewalk required along Memorial

**Traffic:** No comments.

**GIS:** No comments.

**Street Addressing:** No comments.

**County Engineer:** No comments.
INCOG Transportation:

- MSHP: S. Memorial Drive, between 61st St. S. and 71st St. S., designated primary arterial.
- LRTP: S. Memorial Drive, between 61st St. S. and 71st St. S., planned 6 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- TMP: No Comment
- Transit: Currently, Tulsa Transit operates services on this location. According to MTTA future plans this location will continue to be served by a transit route. Therefore, consideration for access to public transportation should be included in the development.

04/02/08
PLANNED UNIT DEVELOPMENT
MINOR AMENDMENT
TULSA METROPOLITAN AREA PLANNING COMMISSION
INCOG • 201 West 5th Street, Suite 600 • Tulsa, Oklahoma 74103 • (918)584-7526 • FAX (918)583-1024

GENERAL LOCATION: 680C South Memorial

RECORD OWNER: Peoples Southwest Real Estate L.P.

PRESENT ZONING:

PRESENT USE: Shopping Center

DATE FILED: 3-29-95

MEETING DATE: April 19, 1995

NATURE OF AMENDMENT: (Set out below the specifics of your application.)

Amend PUD (and Deed of Dedication incorporating PUD development standards) to permit restaurant use, not to exceed 45,000 square feet, throughout Lot 1, Block 1. Currently, restaurant use is restricted to East 400 feet of South 227 feet of Lot 1, Block 1. This amendment will not affect Block 2 - THE VILLAGE AT WOODLAND HILLS. This amendment will not increase square footage of permitted restaurant use in block 1.

LEGAL DESCRIPTION OF TRACT UNDER APPLICATION:

Lots 1 and 2, Block 1, THE VILLAGE AT WOODLAND HILLS

As applicant, what is your interest in the property?
☐ Present Owner
☐ Purchaser
☐ Attorney for Owner
☐ Agent for Owner
☐ Other

I CERTIFY THAT THE SUBMITTED INFORMATION IS TRUE AND CORRECT.

Name: (Please Print) THOMAS L. VOGT

Mailing Address: 15 East 5th St., #3800, Tulsa, OK 74103

Phone: 581-8200

Signature: 

APPLICANT - DO NOT WRITE BELOW THIS LINE

FEES:

1. Application Fee: $ 100.00

2. 300-feet Property Owners Report:

   BASE FEE $ 25.00  ADDITIONAL $ 92.50  TOTAL FEES: $ 222.50

   RECEIPT NUMBERS: 44790 57264

S/T/R 2-18-13 ATLAS 4746786 CZM 52

TMAPC ACTION: App w/ conditions

DATE/VOTE: 4-14-95 1:00

APP. RECV'D BY: 

EXHIBIT A A "P.1"
Application No.: PUD-379-2
Applicant: Thomas L. Vogt
Location: 6800 S. Memorial Drive - Lot 1, Block 1 of the Village at Woodland Hills.
Date of Hearing: April 19, 1995
Presentation to TMAPC: Thomas Vogt

Minor Amendment

The applicant is requesting approval of a minor amendment to allow restaurant use (Unit 12) throughout Lot 1 of Block 1. Restaurants are currently allowed in the easterly 400 feet of the southerly 227 feet of Lot 1, Block 1.

Staff has reviewed the request and finds the applicant is requesting a transfer of 12,000 SF of floor area from retail to restaurant use. Current available parking (61 spaces) allows 10,892 SF of transfer. 68 spaces are required to effect transfer of 12,000 SF.

Staff also finds that the proposed restaurant use, with certain restrictions is compatible with the development patterns of the surrounding area and the transitionary nature of this PUD.

Therefore, Staff recommends APPROVAL subject to the following:

1. A revised site plan showing reconfigured parking, making available a minimum of 68 spaces.

2. Hours of operation shall not extend past midnight.

3. Uses within Unit 12a (Adult Entertainment Establishments) are prohibited.

4. Dumpster enclosures shall not be located within 75' of the west property line of the PUD.

5. Public access shall be limited to the east side of the existing structures.

Applicant's Comments

Tom Vogt

Mr. Vogt, attorney representing the applicant, gave a history of the subject tract and commented on the high rate of vacancy experienced in this center. He deemed that it would benefit the center and traffic flow to allow restaurant use along the west side of the tract.

Mr. Vogt requested that the dumpster be allowed to within 40' of the west property line for the restaurant, noting that presently there is an 85' setback. He revealed that the PUD requires a 25' landscaped buffer as part of the 85' setback. Mr. Vogt expressed agreement with the hours of operation. Regarding restrictions of Unit 12a, he pointed out that these are uses currently permitted under the PUD. Mr. Vogt advised that he cannot obtain authority from the partners involved in this transaction for several weeks to agree to restrictions regarding Unit 12a. However, he revealed that because of restrictive covenants, he did not believe that these types of uses would be permitted. Regarding parking, Mr. Vogt informed that a parking plan is being considered, which will add approximately 100 spaces. Mr. Vogt was concerned that if a use within the center changes from a high density parking requirement to a low density parking requirement, additional

6208 East 78th Place
minor amendments might be required. He requested that the process be allowed to proceed, with the building inspector determining the parking and not making the number of spaces required a part of the minor amendment.

Mr. Stump suggested stating the condition in such a way that additional square footage modification could be allowed, subject to approval of a revised site plan by Staff.

Mr. Vogt agreed to such a condition. He also agreed to public entrances being limited to the east side of the existing structures.

Mr. Doherty asked Staff if it would be appropriate to move the dumpster away from the building and screen it from the residential area.

Mr. Vogt advised that the dumpster will be screened by the existing 6’ fence along the rear of the property line. He informed that by moving the dumpster to the west, it will be removed from the line of sight of the residences along the rear.

The Planning Commission was concerned over the odor a dumpster will emit, being near the residential area.

**TMAPC Action: 8 members present:**

On MOTION of BOYLE, the TMAPC voted 8-0-0 (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midge "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to APPROVE PUD 379-2 MINOR AMENDMENT to eliminate the limitation on the location of Use Unit 12 uses subject to the following conditions:

1. A revised site plan showing reconfigured parking, making available a minimum of 68 spaces above those required for retail uses, be provided to Staff in order to allow up to 12,000 SF of Use Unit 12 Uses. If subsequent revised site plans provide even more parking spaces above those required for retail uses, Staff can approve additional floor area to be devoted to Use Unit 12 uses.

2. Hours of operation shall not extend past midnight.

3. Uses within Use Unit 12a (Adult Entertainment Establishments) are prohibited.

4. Dumpster enclosures shall not be located within 40’ of the west property line of the PUD.

5. Customer entrances shall be limited to the east side of the existing structures.

**************
April 6, 1995

To Whom It May Concern:

This letter is to serve as Notice of Public Hearing that will be held on Wednesday, April 19, 1995, by the Tulsa Metropolitan Area Planning Commission at 1:30 p.m., Francis F. Campbell Commission Room, Plaza Level, City Hall, in regard to a request for a minor amendment to PUD-379-2 to amend the Development Standards and the Deed of Dedication to permit a restaurant use, not to exceed 45,000 square feet throughout Lot 1, Block 1 and on property described as Lots 1 & 2, Block 1, The Village at Woodland Hills, and located at 6800 South Memorial Drive, Tulsa, Oklahoma.

If you have any questions please feel free to contact our office by calling 584-7526. When calling, please refer to case no. PUD-379-2.

Sincerely,

TMAPC Staff
EXECUTION OF AMENDED CERTIFICATE OF DEDICATION:

PUD-379-2 (The Village at Woodland Hills)(283) (PD-18)(CD-7)
North of the northwest corner of East 71st Street South & South Memorial Drive.

Staff Comments
Mr. Jones informed that a minor amendment was approved that modified some development standards and added requirements to the original PUD. He informed that this document filed of record imposes those conditions. Mr. Jones advised that the Legal Department and Staff have reviewed this document and Staff recommends APPROVAL of the amended certificate of dedication for PUD 379.

TMAPC Action: 6 members present:
On MOTION of BALLARD, the TMAPC voted 6-0-0 (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to APPROVE the EXECUTION OF AMENDED CERTIFICATE OF DEDICATION incorporating the amendments approved in PUD 379-2 as recommended by Staff.

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PUD-270-2 (MPSI Centre)(1483) (PD-18)(CD-8)
8282 S. Memorial Drive.

Staff Comments
Mr. Jones informed that there were amendments to this PUD that modified the original deed of dedication and subdivision plat. He advised that Staff has reviewed this document and find it to be in accordance with the PUD and recommend APPROVAL. Mr. Jones informed that the Legal Department has reviewed this document as to form and have signed off on it.

TMAPC Action: 6 members present:
On MOTION of BALLARD, the TMAPC voted 5-0-1 (Ballard, Carnes, Doherty, Gray, Taylor "aye"; no "nays"; Ledford "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to APPROVE the EXECUTION OF AMENDED CERTIFICATE OF DEDICATION incorporating the amendments approved in PUD 270-2 as recommended by Staff.

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05.24.95:2022 (4)
unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; and a Special Exception to modify the screening requirement between the subject property and an adjoining R district (Section 212.C), finding the rear of the building will meet the screening needs in its location, and a six foot fence will extend along the south line of the alley from the east and west side of the building to the streets; finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; with conditions to maintain sidewalk on Pine and construct sidewalks on Lewis Place and Atlanta Place; per plan and elevation, with a maximum height of 41 ft., on the following described property:

PT LTS 668 & 669 LESS BEG SWC LT 668 TH E100 N 8.48 WLY 105 TH S 26.2 TO BEG BLK60, LT 670 LESS PRT BEG SWC LT 670 TH N8.48 SELY TO PT S5 W50 POB BLK 60, LT 671 LESS S5 BLK 60, TULSA HGTS, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 20452

Action Requested:
Variance of the parking requirement from 448 to 391 (Section 1211/12/13/14.D and 1219.D), located: 6612 South Memorial Drive East.

Presentation:
Lou Reynolds, 2727 East 21st Street, stated his client is purchasing the former Mervyn's building. It is part of a mixed-use center. They have 391 spaces on site. They proposed to develop it with mixed uses. He added 45,000 square feet will be a Gold's Gym-Health Club. The current parking requirements were not in effect in the early 1980's when this structure was built. They have more than one parking space per 200 square feet. They have a cross-parking agreement with the owner of the rest of the Village at Woodland Hills. The center is unique, in that it is cut-off from any residential area.

Comments and Questions:
Mr. Stephens asked for the remainder square footage, which Mr. Reynolds replied is about 35,000 square feet. Mr. White asked for the original requirement on the parking. Mr. Reynolds replied the original requirement if it were built out like they now propose would be about 448 spaces, which is less than a 15% variance. There was no variance originally.

Interested Parties:
There were no interested parties who wished to speak.
Board Action:
On Motion of Stead, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Variance of the parking requirement from 448 to 391 (Section 1211/12/13/14.D and 1219.D), finding the requirement of one parking space to 200 square feet is excessive in this case; and the applicant has cross-parking agreements with other areas in the center; and finding these exceptional conditions do not apply generally to other property in the same use district; and the variance will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LT 2 BLK 1, VILLAGE AT WOODLAND HILLS, THE, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 20453
Action Requested:
Special Exception to permit Use Unit 28 (scrap metal processing and shipping) within an IM district (Section 901); a Special Exception to modify the screening requirement (Section 1228.C); and a Variance of the limitation on the height of materials placed in open air staging areas (Section 1228.C.3) to permit a maximum height of 25 ft., located: 2300 North Lewis Avenue East.

Mr. Cuthbertson commented that the notices were modified to specify what Use Unit 28 is, and this is for scrap metal processing and shipping.

Presentation:
Roy Johnsen, 201 West 5th Street, Suite 501, represented Mid-America Alloys, Inc. He informed the Board that he had the principals present of that organization. They are the contract purchaser of the 7.2 acres of subject property. He pointed out the IM zoning of the property and the expressway right-of-way. He showed that the west boundary is formed by Highway 75, at the narrowest part approximately 200 ft. He noted the elevated highway and the absence of residential homes.

Mr. Stephens out at 6:03 p.m. and returned at 6:05 p.m.

He submitted a site plan, applicant's offer of conditions to approval and photographs (Exhibits K-1, K-3 and K-4). The business involves the receipt and processing of scrap sheet metal. It is not an auto salvage. He stated that a substantial amount of the work will be conducted indoors in existing structures. He pointed out the area to be used for open-air storage of scrap metal. The stacks would be up to 25 ft. in height maximum, but they were willing to limit it to a 20 ft. height. There would be screening of the open storage area with eight-foot fences.