

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2527

September 24, 2008, 1:30 PM

Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

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 September 3, 2008 Meeting No. 2525

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. **LS-20240** – Charney, Buss, William P.C (2322)/Lot-Split (County)
North of East 147th Street North and West of North 58th Avenue, 14870
North 60th East Avenue
3. **LS-20241** – Charney, Buss, William P.C (2322)/Lot-Split (County)
North of East 147th Street North and West of North 58th Avenue, 14875
North 58th East Avenue
4. **LS-20248** – JR Donelson (9430)/Lot-Split (PD 18C) (CD 6)
East of South Mingo Road and West of South 98th Avenue, 4733 South
Mingo Road
5. **Stonebrooke Estates – Final Plat** (PD-8) (CD-2)
West of the northwest corner of Elwood Avenue and West 81st Street
South
6. **PUD-306-G-9 – Dave Wiesner** (PD-18b) (CD-2)
96th Street South and Delaware (Minor Amendment to allow two
recycling containers to be placed in parking lot of the Wal-Mart.)
(Incorrect legal description submitted and therefore a continuance to
October 1, 2008 for renoticing is necessary.)
7. **PUD-190-G – T-Mobile Central, LLC** (PD-18) (CD-7)
Southwest corner of 71st and Sheridan (Detail Site Plan for a 120-foot
monopole cell tower and associated mechanical equipment.)

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

PUBLIC HEARINGS

9. **Z-7106 – Charles Norman** **RM-2/OL to CS**
Southeast corner of East 41st Street and South Harvard Avenue (PD-6) (CD-9)
(Continued from 8/20/08) (Related to Item 10.)
10. **PUD-761 – Charles Norman** **RM-2/OL/CS to RM-2/OL/CS/PUD**
Southeast corner of East 41st Street and South Harvard Avenue (PUD for (PD-6) (CD-9)
mixed-use development for small businesses, restaurants, offices and
retail shops.) (Continued from 8/20/08) (Related to Item 9.)

OTHER BUSINESS

11. **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.

Ringling/sound on all cell phones and paggers 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

WORKSESSION

Tulsa Metropolitan Area Planning Commission

Francis Campbell City Council Room
Plaza Level

Wednesday, September 24, 2008– 1:45 p.m.*

(*Or immediately following adjournment of the TMAPC Meeting)

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Discuss and Review proposed amendments to the Tulsa County Zoning Code.

Adjourn.

Visit our website at www.tmapc.org

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

Training Session

Tulsa Metropolitan Area Planning Commission

INCOG

**201 West 5th, Suite 550
5th Floor Conference Room**

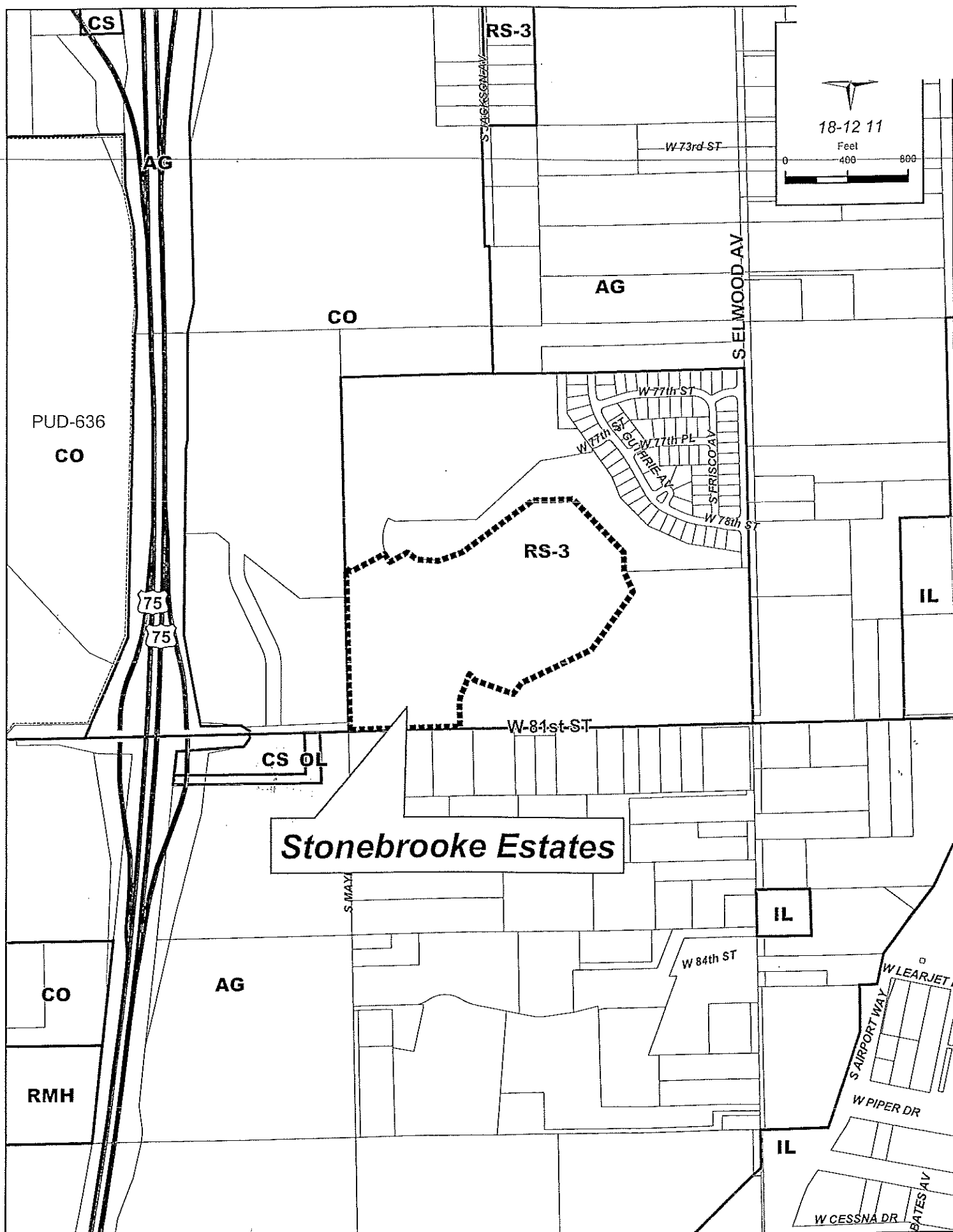
Wednesday, September 24, 2008, 11:00 a.m.

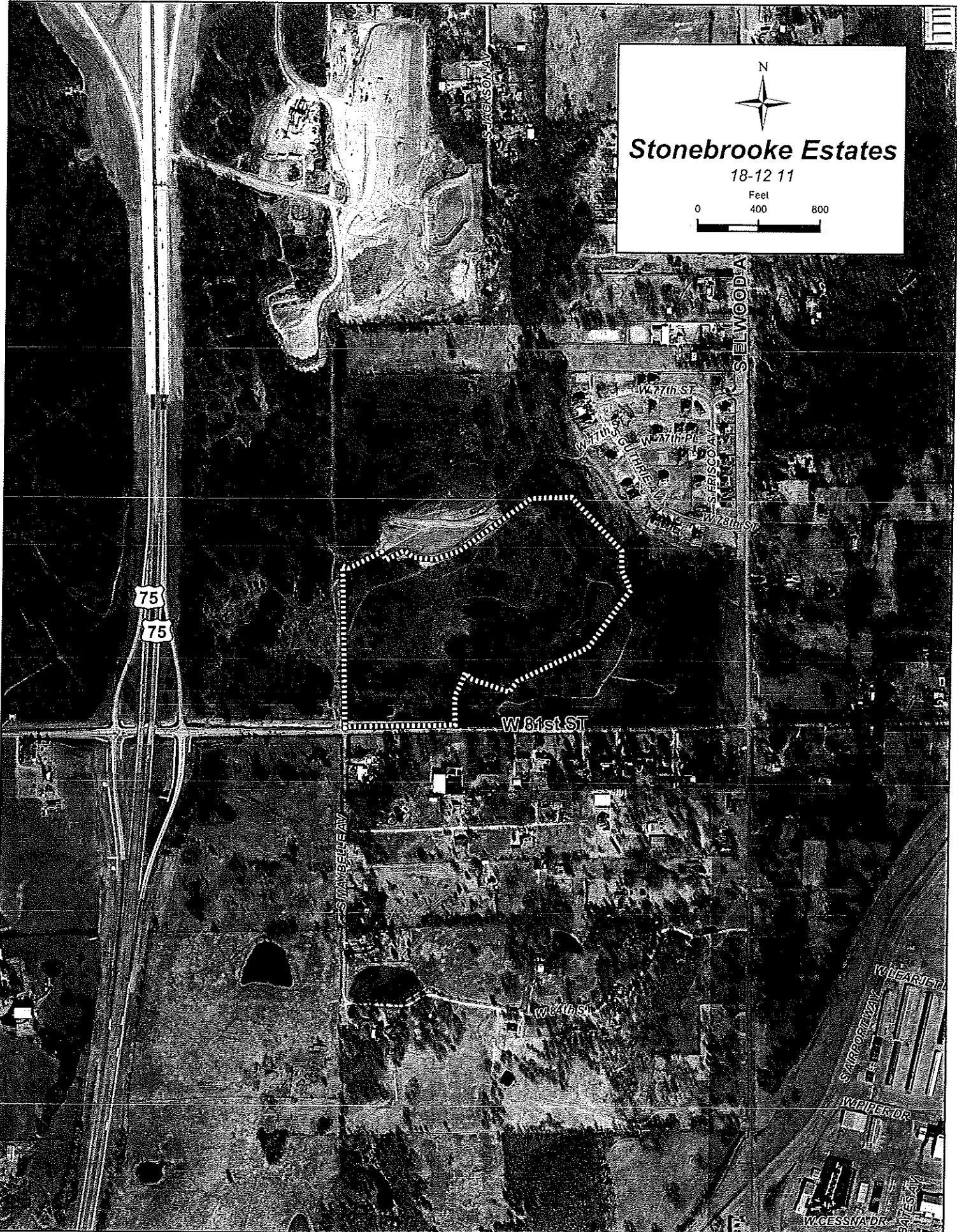
CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Discussion on TMAPC Policies and Procedures

Adjourn

www.tmapc.org



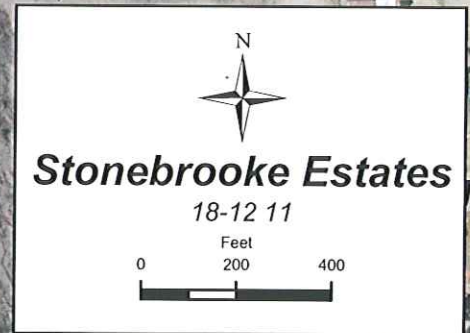


N

Stonebrooke Estates

18-12 11

Feet
0 400 800



SUBJECT
TRACT

W 71st ST
GUTHRIE AV
W 77th PL
S ERISCO AV
W 78th ST

W 81st ST

S MAYBELLE AV

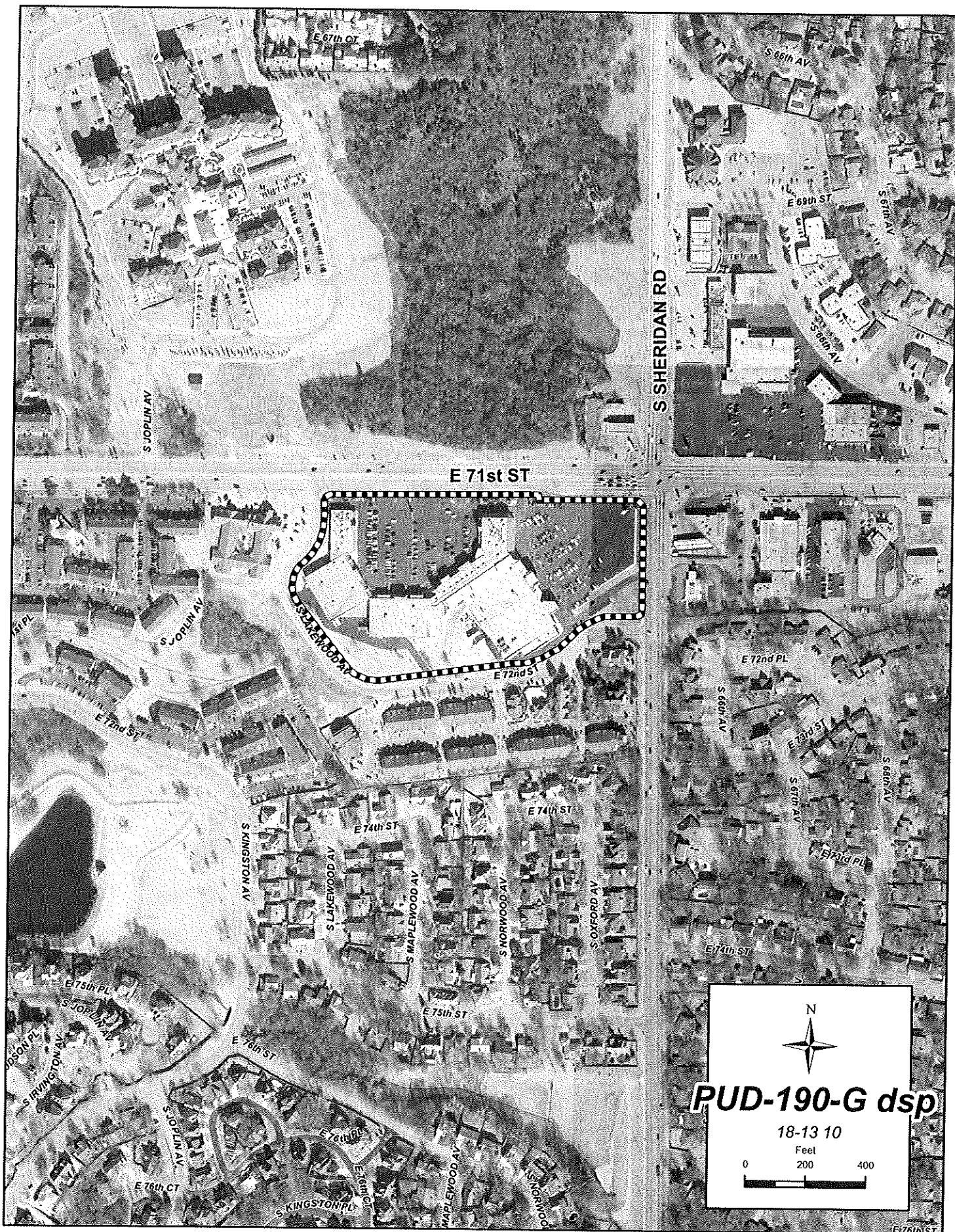
Final Subdivision Plat

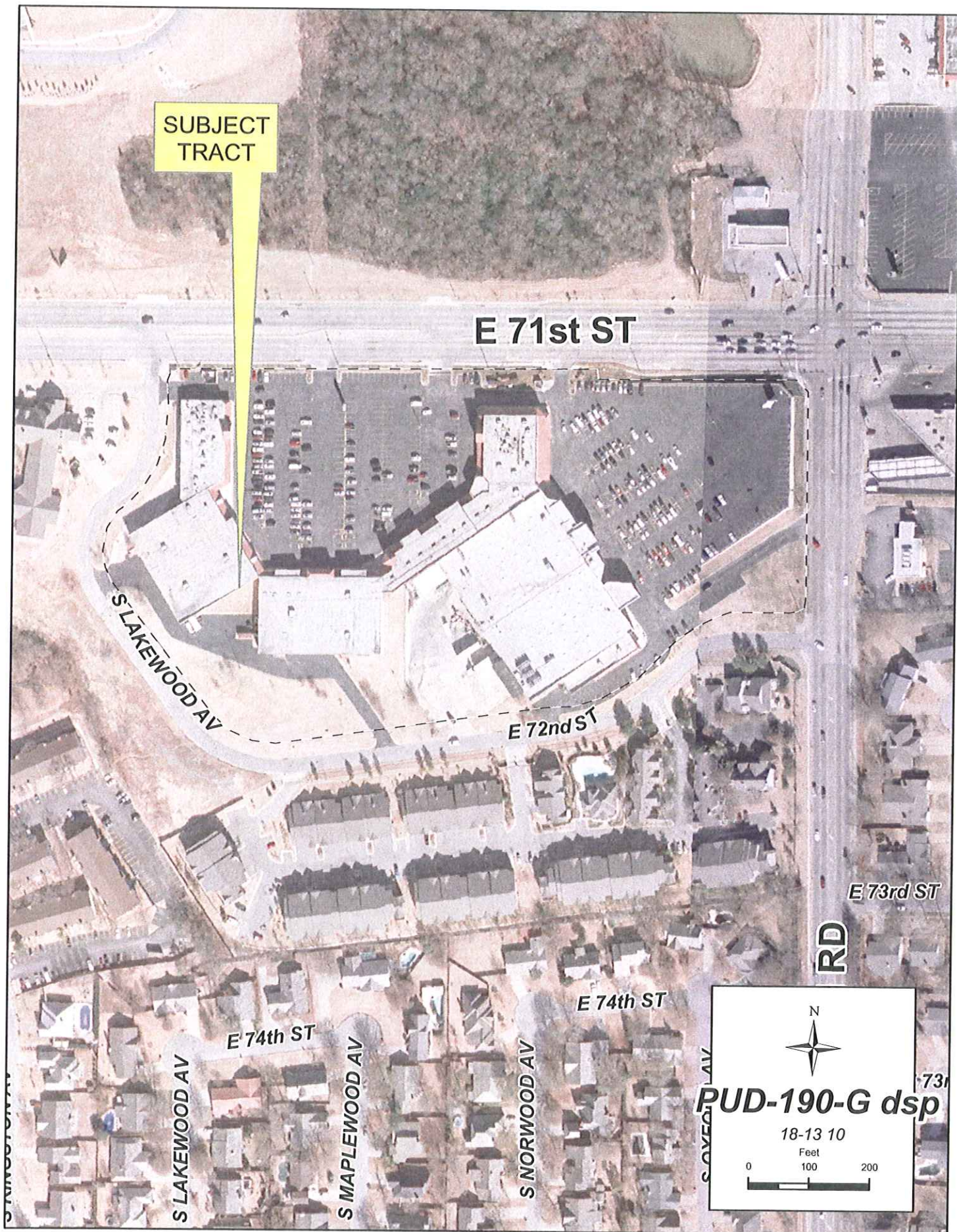
Stonebrooke Estates - (8211) (PD 8) (CD 2)

West of the northwest corner of Elwood Avenue and West 81st Street South

This plat consists of 86 Lots in 3 Blocks on 41.4 acres.

Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.





SUBJECT
TRACT

E 71st ST

S LAKEWOOD AV

E 72nd ST

E 73rd ST

RD

E 74th ST

E 74th ST

S MAPLEWOOD AV

S NORWOOD AV

S LAKEWOOD AV

N

PUD-190-G dsp

18-13 10

Feet

0 100 200

7.3

September 24, 2008

STAFF RECOMMENDATION

PUD-190-G: Detail Site Plan – Southwest corner 71st Street South and Sheridan Road; Lot 1, Block 1 – Summit Square; TRS 3310; CZM 53; Atlas 1133; PD 18 CD 7; RS-3/RM-1/CS/PUD.

The applicant is requesting approval of a detail site plan for construction of a 120' monopole cell tower and associated mechanical equipment, screening and landscaping as required per the approval of PUD major amendment PUD-190-G.

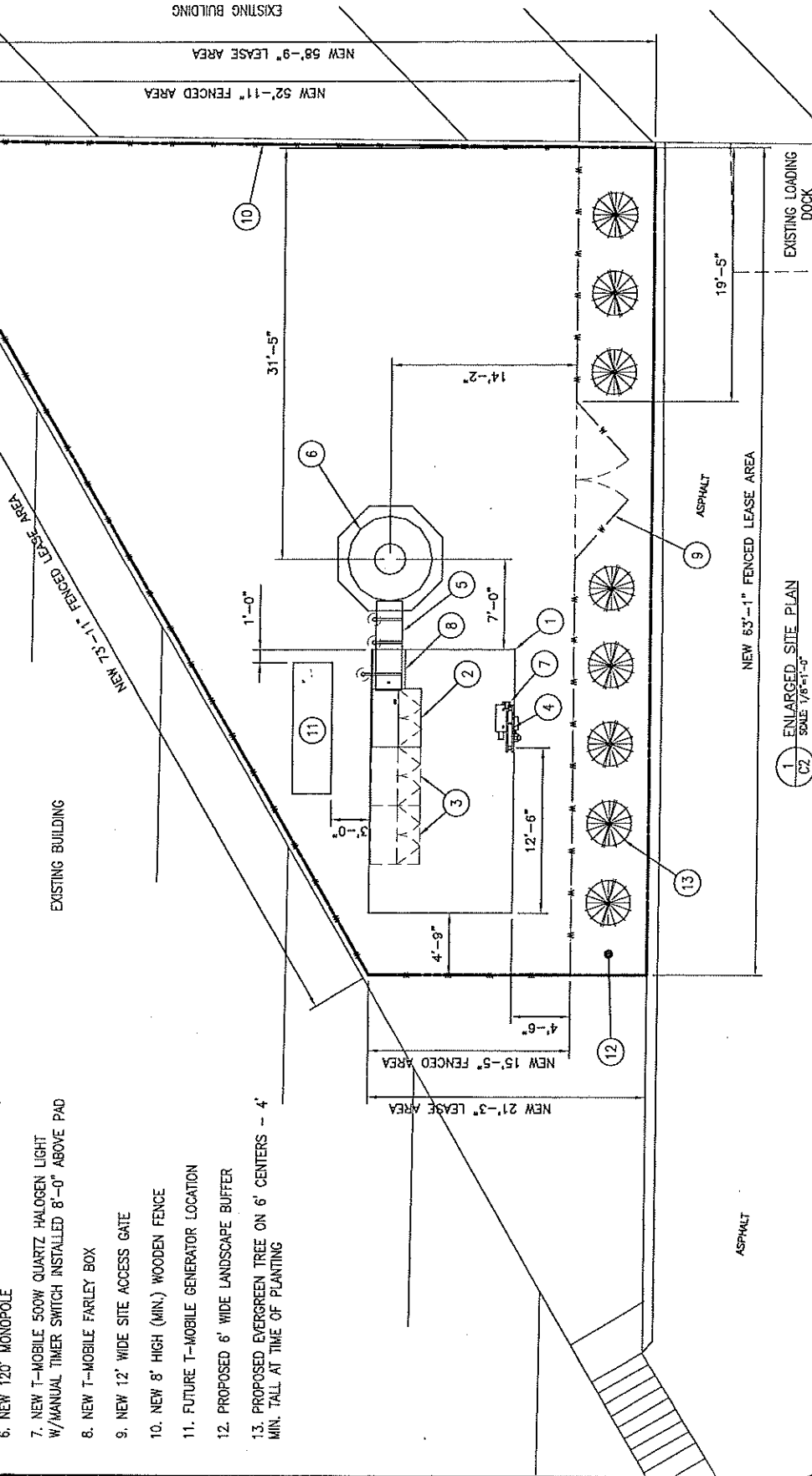
The submitted site plan meets all applicable height and setback limitations. An eight-foot screening fence will be constructed and the tower facility will be landscaped with a continuously maintained buffer of plant materials that effectively screens the view of the tower compound from property within 300 feet used for residential purposes. The buffer shall consist of a landscape strip at least four (4) feet wide outside the perimeter of the compound. The structure will be designed for construction as a monopole to look similar to parking lot lighting, with a camouflaging architectural treatment such as paint to match parking lot light poles.

Staff recommends **APPROVAL** of the detail site plan for the monopole cell tower within PUD-190-G.

7.4

PLAN SCHEDULE:

1. NEW 11'-0" X 20'-0" T-MOBILE CONCRETE PAD
2. NEW T-MOBILE BTS #1
3. NEW T-MOBILE BTS #2 & #3
4. NEW T-MOBILE PPC, METER/DISCONNECT (REFER TO D-3)
5. NEW T-MOBILE WAVEGUIDE BRIDGE (8' MIN. CLEARANCE AGL TO BOTTOM OF TRAPEZE)
6. NEW 120' MONOPOLE
7. NEW T-MOBILE 500W QUARTZ HALOGEN LIGHT W/MANUAL TIMER SWITCH INSTALLED 8'-0" ABOVE PAD
8. NEW T-MOBILE FARLEY BOX
9. NEW 12' WIDE SITE ACCESS GATE
10. NEW 8' HIGH (MIN.) WOODEN FENCE
11. FUTURE T-MOBILE GENERATOR LOCATION
12. PROPOSED 6' WIDE LANDSCAPE BUFFER
13. PROPOSED EVERGREEN TREE ON 6' CENTERS - 4' MIN. TALL AT TIME OF PLANTING



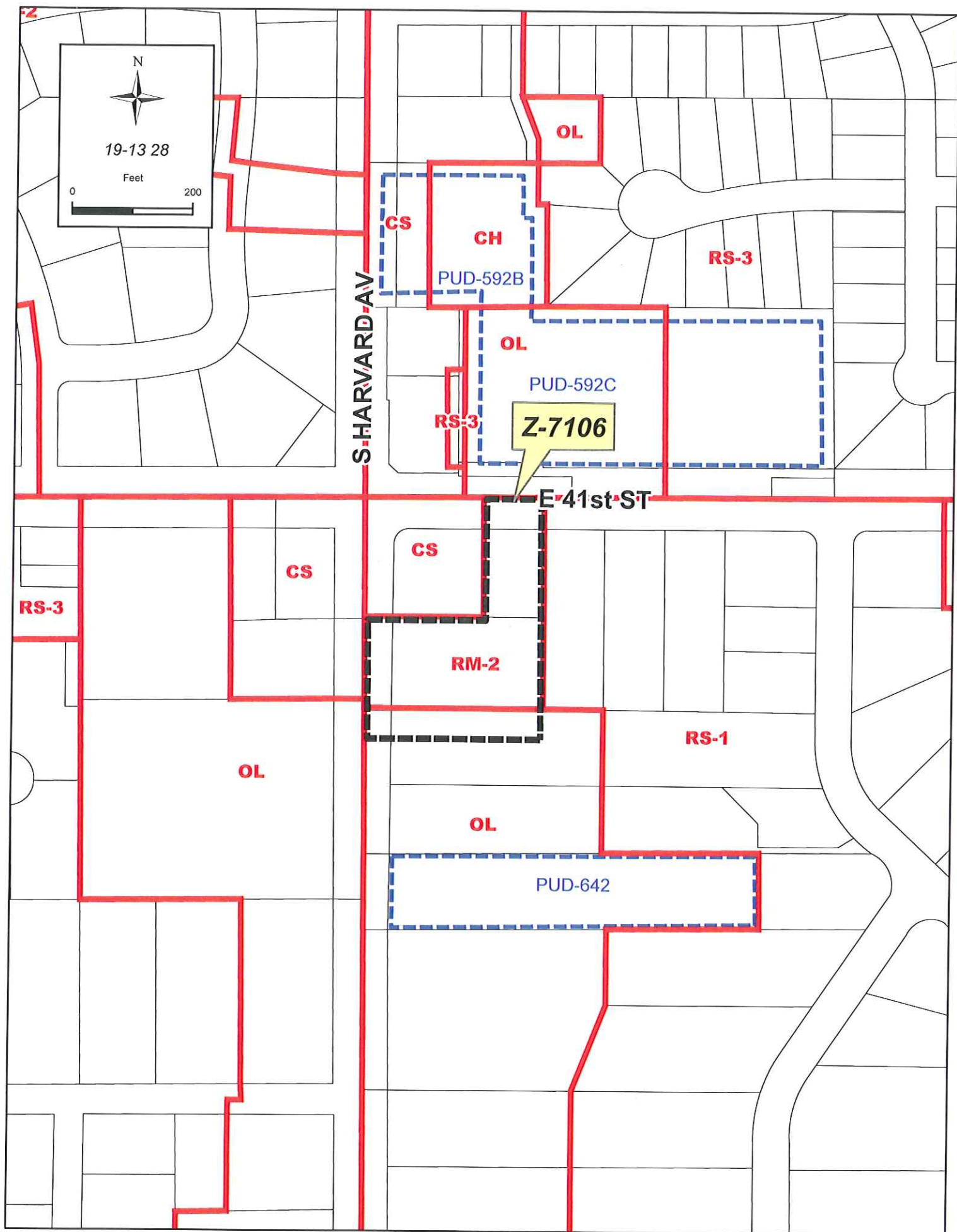
IFC, INC. 17314 SR 240 SUITE 230 HOUSTON, TEXAS 77064 PHONE: 281.807.4441 FAX: 281.807.4188		T-Mobile 4533 Enterprise Drive Oklahoma City, Okla 73128		SITE NUMBER: TU2949A	SITE NAME: 71st & SHERIDAN	SITE ADDRESS: 7114 S. SHERIDAN RD. TULSA, OK 74133	STAMP NO. 18451 REGISTERED PROFESSIONAL ENGINEER V.G. OKLAHOMA 08/25/08	IF IT IS A VIOLATION OF LAW FOR ANY PERSON WHOSE THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT. EXPIRATION DATE: 08/25/08 CHECKED BY: V.G. DATE DRAWN: 08/25/08 LFC JOB NO.: 08-0013 NO. OF SHEETS: 1 SHEET NO.: 1 REVISION: 1. REVISION: 1 2. REVISION: 1 3. REVISION: 1 4. REVISION: 1 5. REVISION: 1 6. REVISION: 1 7. REVISION: 1 8. REVISION: 1 9. REVISION: 1 10. REVISION: 1 11. REVISION: 1 12. REVISION: 1 13. REVISION: 1	SHEET TITLE: ENLARGED SITE PLAN SHEET NUMBER: C2
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7.5

NEW EVERGREEN
LANDSCAPING (TY)

1. ALL AZIMUTHS ARE TO BE ESTABLISHED CLOCKWISE FROM THE TRUE NORTH HEADING.
2. CONTRACTOR SHALL VERIFY LATEST RF INFORMATION WITH T-MOBILE PROJECT MANAGER PRIOR TO INSTALLATION OF ANTENNAS.
3. ANTENNAS TO BE MOUNTED TO OBTAIN AT LEAST 12' SEPARATION.
4. WEATHERPROOF UNUSED ANTENNA PORTS.

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Z-7106



19-13 28

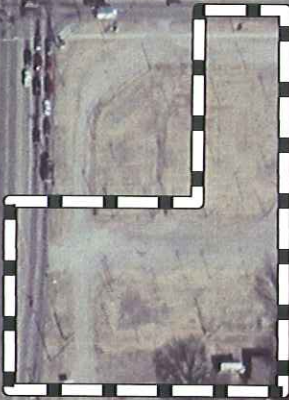
Feet



Photo Date: Jan '06

S HARVARD AV

E 41st ST



Z-7106



19-13 28

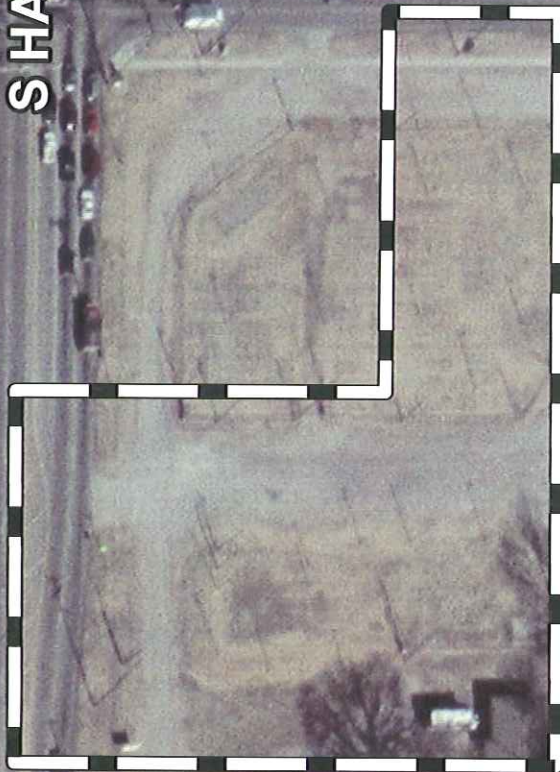
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Photo Date: Jan '06

S HARVARD AV

E 41st ST



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7106

TRS 9328

Atlas 311

CZM 47

PD-6 CD-9

TMAPC Hearing Date: September 24, 2008

(Continued from August 20, 2008)

Applicant: Charles E. Norman

Tract Size: 1.84± acres/80,150± SF

ADDRESS/GENERAL LOCATION: Southeast corner of East 41st Street South and South Harvard Avenue

EXISTING ZONING: CS/RM-2/OL/RS-1

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: CS

PROPOSED USE: Neighborhood shopping center

RELEVANT ZONING HISTORY:

Z-6906 December 2003: A request for rezoning a 1.49± acre tract of land from RM-2 to CS/PUD to permit a Wal-Mart Neighborhood Market was recommended for approval by Staff based on the existing adjacent uses and trends in the area, provided that the TMAPC recommends approval of the accompanying PUD on property located on the southeast corner of East 41st Street South and South Harvard Avenue and the subject property. The TMAPC recommended for approval of the CS zoning and the City Council denied the application.

PUD-690 December 2003: A proposed Planned Unit Development on a 5.67+ acre tract of land (related to rezoning case Z-6906) to permit a Wal-Mart Neighborhood Market was recommended for approval by Staff and TMAPC per Staff recommendation with modifications; on property located on the southeast corner of East 41st Street South and South Harvard Avenue and the subject property. The City Council denied the application.

PUD-592-C June 2003: All concurred in approval of a request for a Major Amendment on a 3.08± acre tract of land to remove some existing structures within Development area C and to amend some permitted uses in Development area B on property located north and east of the northeast corner of East 41st Street South and South Harvard Avenue and north of subject property.

BOA-20338 September 26, 2006: The Board of Adjustment approved a Special Exception to permit a beauty shop (Use Unit 13) in an OL district with condition to limit to one salon per this development, with no time limitation on property located on south of the southwest corner of East 41st Street South and South Harvard Avenue.

BOA-20249 April 25, 2006: The Board of Adjustment approved a Special Exception to permit Christmas tree sales in CS, RM-2, RS-1 and OL districts; a Special Exception to permit alternative parking materials; a Variance of the 100 foot setback from the centerline of 41st Street for temporary buildings and outdoor sales; a Variance of the setback from an R district;

9.4

and a Variance to allow building across lot line, finding by reason of extraordinary exceptional conditions or circumstances, subject to previous conditions as listed in the staff comments (1-10); in accordance with the site plan on file; and with permanent approval, on property located on the southeast corner of East 41st Street South and South Harvard Avenue and the subject property. This request has been made multiple times for this particular property.

Z-6818 June 2001: All concurred in approval of a request for rezoning a 1.34+ acre tract of land from RS-3 to OL within PUD-592 to permit funeral home with office use on property located north and east of the northeast corner of East 41st Street South and South Harvard Avenue and north of subject property.

PUD-592-B June 2001: All concurred in approval of a request for a Major Amendment to PUD to permit a funeral home use (related to rezoning request Z-6818 for OL zoning, which was approved) on property located north and east of the northeast corner of East 41st Street South and South Harvard Avenue and north of subject property.

Z-6804/PUD-592-A March 2001: A request to rezone a 2.09-acre RS-3 portion of the PUD to OM and a proposed Major Amendment to the PUD to add funeral home use. Staff recommended approval subject to modifications of the proposed standards. TMAPC denied the request. The applicant withdrew the application prior to consideration by the City Council; on property located north and east of the northeast corner of East 41st Street South and South Harvard Avenue and north of subject property.

PUD-642 February 2001: All concurred in approval of a proposed Planned Unit Development on a 1.89+ acre tract of land for office development on property located south of the southeast corner East 41st Street South and South Harvard Avenue and abutting south of subject property.

PUD-592 August 1998: All concurred in approval of a proposed Planned Unit Development to allow two existing developments to share parking through a cross-parking easement, subject to modifications and conditions. One parcel contained a church, day nursery, parsonage and residence; the other parcel contained a movie, video and stage production company; on property located north and east of the northeast corner of East 41st Street South and South Harvard Avenue and north of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.84+ acres in size and is located southeast corner of East 41st Street South and South Harvard Avenue. The property appears to be vacant and is zoned RM-2/OL.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Harvard Avenue	Secondary arterial	100'	4
East 41 st Street South	Secondary arterial	100'	4

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by a single-family residential use, zoned RS-1; on the north by commercial/office uses, zoned CS and RS-3; on the south by vacant land/office uses, zoned OL; and on the west by commercial uses, zoned CS.

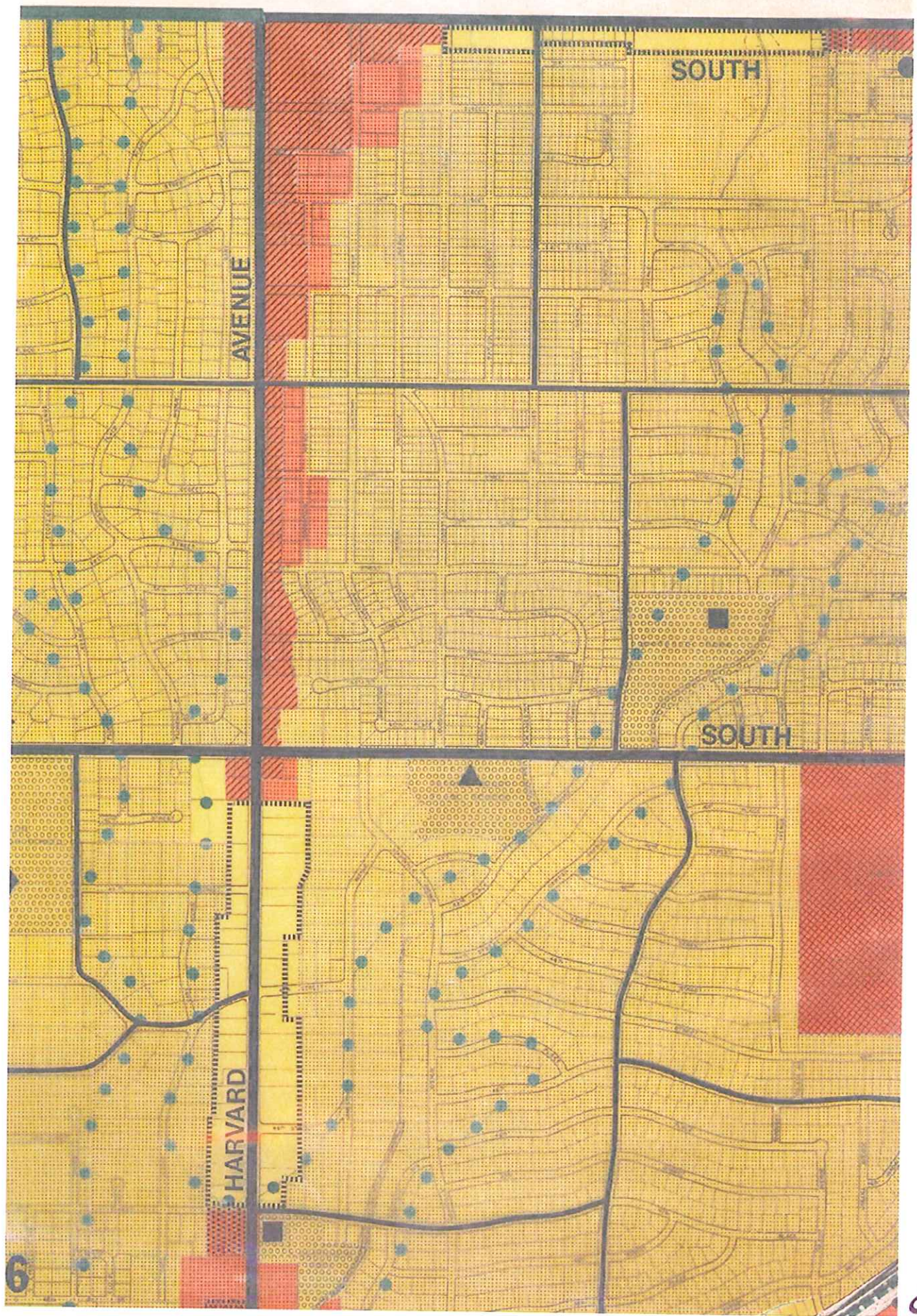
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 6 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity-Residential land use. According to the Zoning Matrix, the requested CS zoning **is not** in accord with the Plan.

STAFF RECOMMENDATION:

This property was the subject of an earlier rezoning application several years ago, which also requested a commercial use and which was denied. Staff could and did support that application. Staff could also support this application, subject to the accompanying PUD or some variation thereof and subject to the southern OL-zoned portion (approximately 50' by 300') remaining in OL zoning but still remaining in the PUD. This allows the commercial portion to more generally line up with the existing CS zoning across Harvard. Therefore, staff recommends **APPROVAL** of CS zoning for a portion of the subject property, as noted above, and further if accompanied by an appropriate PUD.

09-24-08



East 41st Street South

-LIMITS OF PUD

South Harvard Avenue

CS

RM-2

RS-1

OL

-LIMITS OF PUD


Existing Zoning

CS	40,000	SF
RM-2	65,000	SF
OL	100,000	SF
RS-1	155,000	SF
TOTAL	360,000	SF

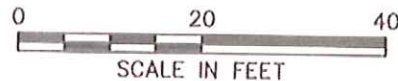
Proposed Zoning

CS	40,000	SF
RM-2 to CS	65,000	SF
OL to CS	15,000	SF
REMAINING OL	85,000	SF
RS-1	155,000	SF
<u>TOTAL</u>	<u>360,000</u>	<u>SF</u>

Legend

 PROPOSED CS ZONING

ZONING EXHIBIT
PUD NO. 761
Z-7106



SACK AND ASSOCIATES, INC.
Santa Fe Depot, 111 South Elgin Avenue, Tulsa, Oklahoma 74120-1515
Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sackandassociates.com
CA Number 1785 (PE/LS) and 1452 (LA) Exp. June 30, 2009

Project: VLLA GROVE HEIGHTS ONE B1-A Drawing: EXHIBIT 23A
Drawn: GJJ Order: E5810 File: 181328 Dwg No: 0

XREF: COPYRIGHT S-811X 1-SJ2
Pittsburg, CA 94555

9.8



Serena Giulio Cline
3166 E. 40th Street., Tulsa, Ok 74105
Phone 918 - 749 - 3511

July 30, 2008

INCOG
201 W 5th Street
Suite 600
Tulsa, Ok 74103

RE; Case # Z-7106 Rezoning at So Harvard and E.41st Street

TO: MEMBERS OF THE METROPOLIAN AREA PLANNING
COMMISSION

Due to the fact that there are already **FOUR** Shopping Centers within one mile of this location, I am very much opposed to creating another. I think it would put hardship on existing businesses and simply is not needed. The area is already saturated with shopping centers. We have sufficient, even an abundance of shops of all kinds, to service the area and those who come from other areas to shop. Any more would be over-kill and would cause some existing businesses to be forced out of business. Another Shopping Center would be counter productive.

I urge you as thinking, concerned people entrusted with important decisions regarding zoning to act in the interest of established businesses and the needs of the residents of Tulsa and the area being considered.

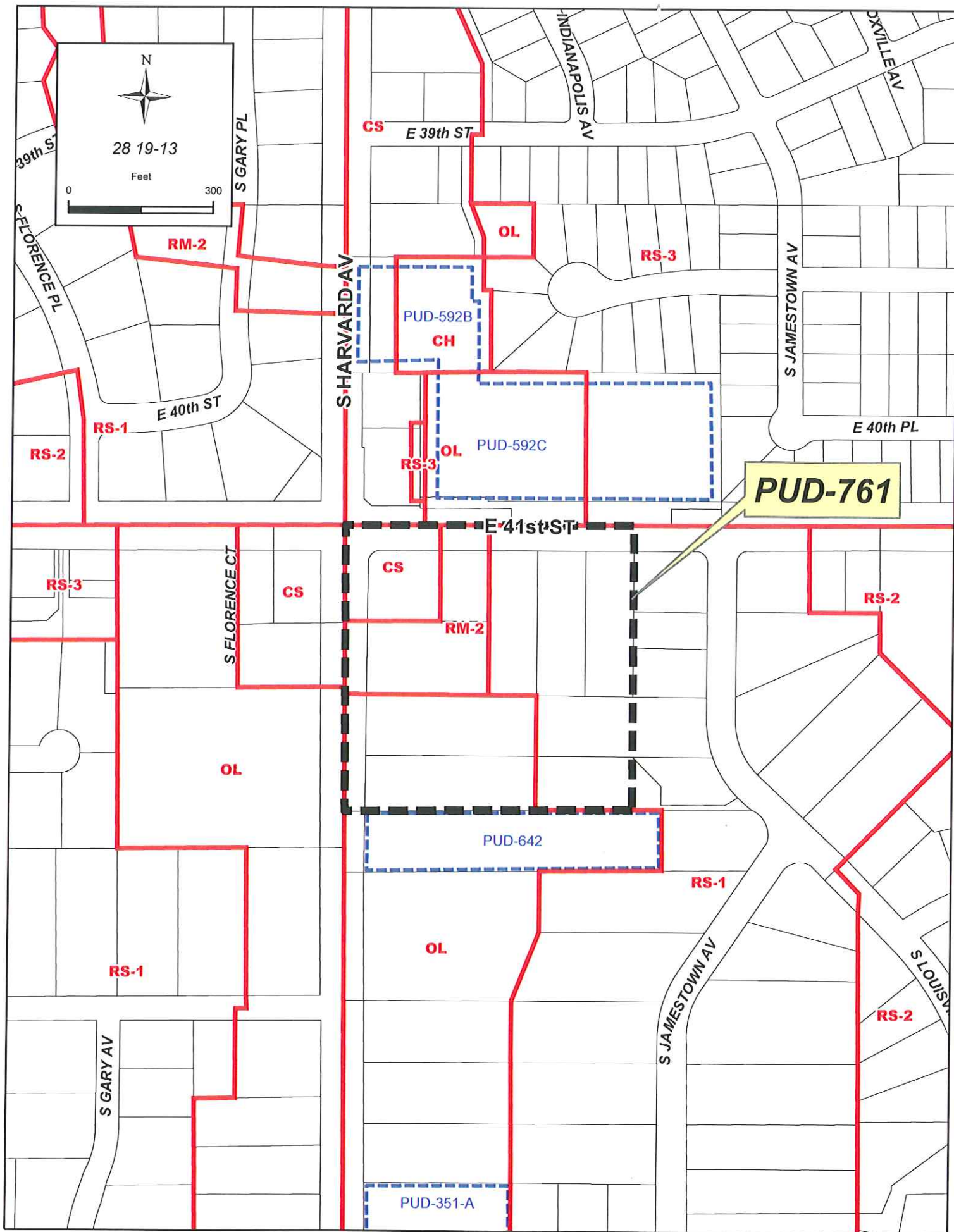
Sincerely,

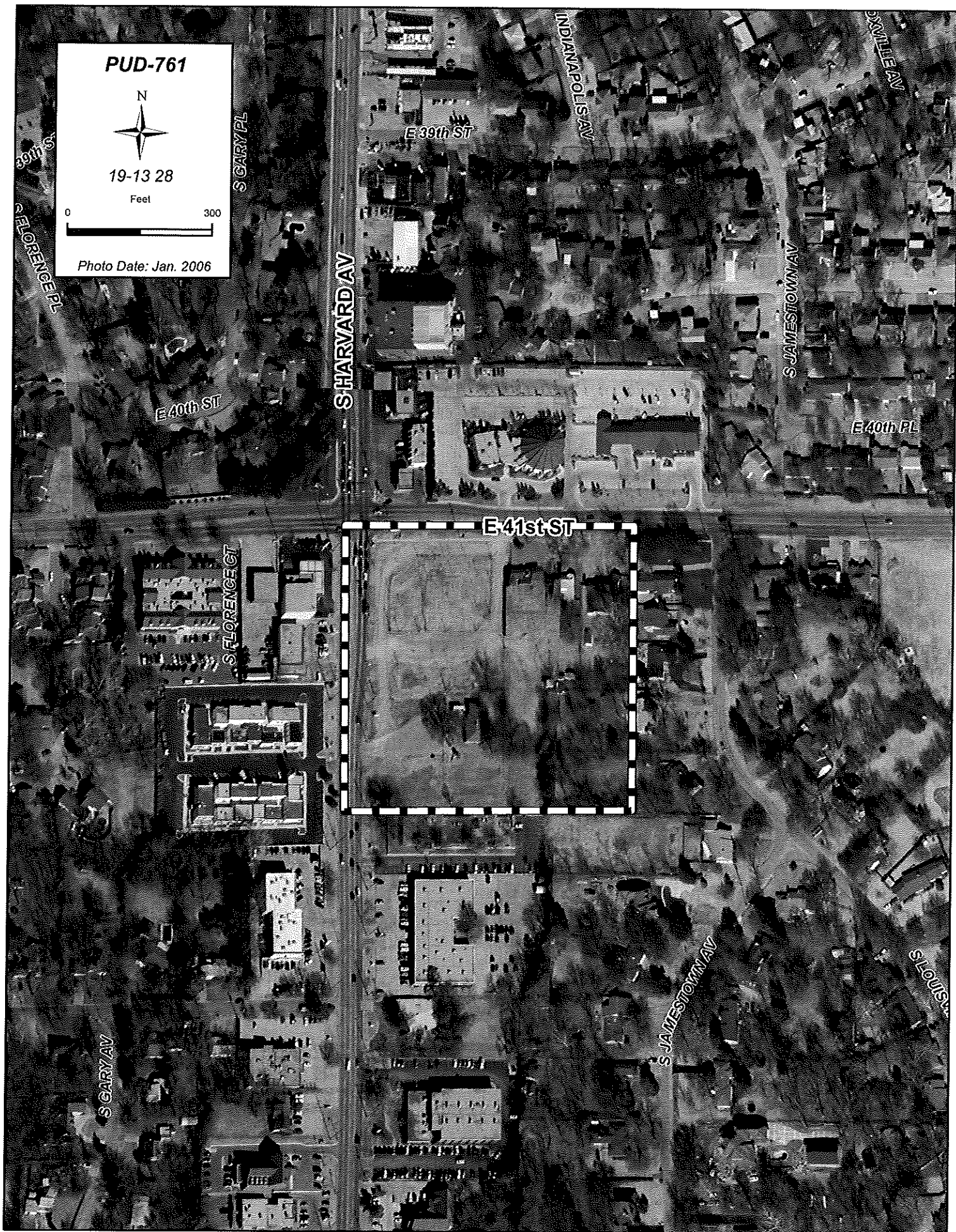
Serena Cline

Serena Cline, Resident at 41st and S. Harvard

SC:me

9.9





PUD-761

N

19-13 28

Feet

0 300

Photo Date: Jan. 2006

PUD-761



19-13 28

Feet

0 150

Photo Date: Jan. 2006

S Harvard Ave

E 41st St



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CASE REPORT**

APPLICATION: PUD-761

TRS 9328

Atlas 311

CZM 48

PD-6 CD-9

TMAPC Hearing Date: September 24, 2008

(Continued from 8/20/08)

Applicant: Charles E. Norman

Tract Size: 6.87± acres/299,257± SF

ADDRESS/GENERAL LOCATION: Southeast corner of East 41st Street South and South Harvard Avenue

EXISTING ZONING: RM-2/OL/CS

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: RM-2/OL/CS/PUD

PROPOSED USE: Neighborhood shopping center

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conditions or circumstances, subject to previous conditions as listed in the staff comments (1-10); in accordance with the site plan on file; and with permanent approval, on property located on the southeast corner of East 41st Street South and South Harvard Avenue and the subject property. This request has been made multiple times for this particular property.

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AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.84+ acres in size and is located southeast corner of East 41st Street South and South Harvard Avenue. The property appears to be vacant and is zoned RM-2/OL.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Harvard Avenue	Secondary Arterial	100'	4
East 41 st Street South	Secondary Arterial	100'	4

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by Villa Grove Heights No. 1, zoned RS-1; on the north by 41st Street and then "41st Place", zoned OL/CH/RS-3/PUD-592-C; on the south by Peachtree Square Replat L5-6, Block 1 Villa Grove Heights No. 1, zoned OL/PUD-642; and on the west by Harvard Avenue and then Charles Teel Addition and Quadrangle Addition, zoned CS and OL respectively.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This property was the subject of an earlier rezoning application several years ago, which also requested a commercial use and which was denied. Staff could and did support that application. Staff could also support this application, subject to the accompanying PUD or some variation thereof and subject to the southern OL-zoned portion (approximately 50' by 300') remaining in OL zoning but still remaining in the PUD. This allows the commercial portion to more generally line up with the existing CS zoning across Harvard. In case Z-7106, also appearing on the 8/20/08 agenda, staff has recommended "approval of CS zoning for a portion of the subject property, as noted above, and further if accompanied by an appropriate PUD".

STAFF RECOMMENDATION:

PUD-761 is a 360,000 square foot (sf) (8.26 acre) mixed-use development proposed for the southeast corner of Harvard Avenue and 41st Street South. The development would be replatted as a four (4) lot one (1) block subdivision. The applicant's proposal includes commercial development for small businesses, restaurants, offices and retail shops.

There was a proposal in September 2003 which was narrowly recommended for approval by the TMAPC and unanimously denied by the Tulsa City Council in December 2003. This proposal was for a 41,000 sf WalMart Neighborhood Market with an accessory 300-foot gasoline kiosk and fueling facilities located on the immediate corner, or the "hard corner". The market itself was to be located (approximately) in the southeast corner of the parcel (see Exhibit A-1).

As a result of the contentiousness with which that application was met, this application has introduced several design elements in an attempt to alleviate impacts to the surrounding neighborhoods. First, the applicant is proposing four small scale buildings the largest of which would be limited to 22,500, with a total maximum floor area requested of 60,000 square feet of commercial floor area. This should eliminate any interest from "big box" development. Permissible floor area will be discussed below.

The most intensive use of the lot would be a drug store proposed for the single lot located on the immediate corner for Harvard and 41st. The applicant also proposes to eliminate certain permissible uses such as gasoline service stations, thereby eliminating gas/convenience stores. There is also a limitation on hours of operation, excepting the drug store on the corner lot, further restricting the number of potential owners and tenants within Harvard Square and attempting to form a compatible relationship with nearby neighborhoods.

The applicant is also proposing to restrict maximum building heights within the development area contrary to commercial zoning which has no height limitations. Within one hundred feet of the east boundary the applicant is proposing that a building may not exceed 17 feet in height. Within the remainder of Harvard Square a 23 feet height restriction would apply.

Another design element the applicant is proposing is a mandatory "prairie style" architectural theme known for its low lying roofs, broad eaves, and a focus on horizontal elements of the design as shown on applicant's Exhibit C – Architectural Theme. Design guidelines will limit permissible construction materials to include brick, cast and natural stone, stucco and horizontal bands of glass. These materials will be required on all sides of the various buildings in accord with Exhibit C. Also included are unoccupied tower elements at entries and corners of buildings and stainless steel track mounts for wall signage. The applicant's concept plan for Harvard Square is shown on Exhibit A. Exhibits B and B-1 are aerial photographs indicating area land uses and the Harvard Square site.

Refer to Exhibit A-2 - the applicant's proposed zoning of the parcel, and Exhibit A-3 - the existing zoning. Staff supports the rezone of the existing medium intensity residential area (the RM-2 area on A-2) to the requested low intensity commercial (CS) zoning. However, the 50' by 400' (including the ROW) section of existing OL zoning requested for CS zoning on A-2, is identified by the District 6 Comprehensive Plan as a Lineal Development Area limited to lower-intensity office uses (see Exhibit A-4). Staff can not support the requested rezone of the OL portion of the proposed development area. This directly affects the allowable commercial floor area within the development area.

Consequently, without the rezone of the small OL portion of the site, the permissible commercial floor area as allowed by the underlying zoning district is 52,500 sf. Additionally, the underlying OL zoning will also permit 30,000 square feet of office floor area (for a total of 82,500 sf total), as well as, nine (9) single family dwellings. The applicant is limiting the total permissible floor area to 60,000 and using the PUD over-lay to further place limitations on development of the PUD.

In addition to the use restrictions, building height limitations, hours of operation limits and architectural design requirements, the applicant is proposing extensive landscaping and screening along the east and south PUD boundary lines. An 8-foot solid screening masonry type wall (as depicted in applicant's Exhibit D-1) will be constructed along the entirety of the east boundary and along the first 50-feet of the south boundary. A 35-foot landscape buffer with very specific planting requirements will be required in accordance with the attached Exhibit D-2. Exhibit D-2 is not a conceptual plan and would be used in Detail Site Plan review.

With the denial of rezone of the small OL portion of the site combined with the PUD over-lay and the development restrictions outlined in the standards below, staff finds the proposed uses and intensities of development to be in harmony with the spirit and intent of the Code. Staff finds PUD-761 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-761 subject to the following conditions:

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

LAND AREA

Gross:	8.2645 Acres	360,000 SF
Net Area:	6.8734 Acres	299,404 SF

PERMITTED USES

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Office, Studios and Support Services; 12, Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services and uses customarily accessory to permitted principal uses.

The following uses shall be expressly forbidden:

Apartments, Auto Alarms Installation, Auto Parts & Accessories, Auto Radio and Stereo Installation, Auto Window Tinting, Bail Bond Office, Bars, Building Materials, Dance Halls, Day Labor Hiring, Electrical Supply, Gasoline Service

Station, Gunsmith, Locksmith, Massage Parlor, Multi-family Dwellings, Night Clubs, Oil & Lubrication Service, Pawn Shop, Plumbing Fixtures, Pool Halls, Secondhand Store, Shoe Repair, Taverns, Tune-Up Service, Video Rentals.

MAXIMUM BUILDING FLOOR AREA*:

60,000 SQUARE FEET TOTAL:
52,500 SF commercial floor area
7,500 SF office floor area

**The maximum gross building floor area of a building on a lot or parcel within Harvard Square shall not exceed 22,500 square feet.*

MAXIMUM BUILDING HEIGHT:

Within 100 feet of east boundary:	17 FT
Unoccupied architectural features	23 FT*
Remainder of Harvard Square:	23 FT
Unoccupied Architectural Features	29 FT*

**Architectural elements shall be subject to Detailed Site Plan approval according to Exhibit C.*

OFF STREET PARKING:

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

MINIMUM BUILDING SETBACKS:

From the centerline of E. 41 st Street	125 FT*
From the centerline of S. Harvard Ave.	125 FT
From the east boundary	75 FT
From the south boundary	45 FT

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

**For purposes of calculating the street yard for landscaping purposes, the building set-back on E. 41st Street and S. Harvard Avenue shall be considered to be 100 feet.*

LANDSCAPED AREA:

A minimum of 18% of the total net land area of Harvard Square shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code. The minimum landscaped area of each lot shall be established at detail site plan review. See also landscape and screening concept below.

SIGNS:

1. One ground sign shall be permitted for each lot with frontage on S. Harvard Avenue or E. 41st Street each with a maximum of 84 square feet of display surface area and 12 feet in height.
2. Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign

10.8

shall not exceed 75% of the frontage of the building. Wall signs on east facing building walls shall not be permitted.

3. One monument sign at the southeast corner of S. Harvard Avenue and E. 41st Street identifying Harvard Square with a maximum height of 4 feet and a maximum length of 16 feet.

LIGHTING:

Within the east 150 feet of Harvard Square, light standards shall not exceed 12 feet in height; within the remainder of Harvard Square, light standards shall not exceed 25 feet in height. All light standards including building mounted shall be hooded and directed downward and away from the boundaries of the Harvard Square. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula or other Illuminating Engineering Society of North America (IESNA) recommended practice which will verify compliance with the City of Tulsa Zoning Code lighting standards. Consideration of topography must be included in the calculations.

TRASH AND MECHANICAL EQUIPMENT AREAS:

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.

ADDITIONAL DEVELOPMENT STANDARDS:

1. The opening of any business within Harvard Square shall not occur before 7:00 a.m. and businesses shall close by 11:00 p.m. Excepting a pharmacy and related store at the corner of E. 41st Street and S. Harvard Avenue (proposed Lot 1) shall not be subject to the limitations on hours of operation.
2. No access shall be permitted to or from Harvard Square to South Jamestown Ave.
3. The principal building materials used on the front of a building shall be used on all other sides of the building, although the design and details may vary.

LANDSCAPING AND SCREENING CONCEPT:

Landscape and screening concept will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscaping and additionally establish a 35 feet wide landscape buffer separating the development area from the four existing residences on South Jamestown Avenue adjacent to the development area on the east (See Exhibit D – Landscape Concept). The fourth house from the southeast corner of E. 41st Street and S. Jamestown Avenue (shown on Exhibit B-1) will be removed; the remainder of the lot will be offered for sale as a single family lot under the RS-1 zoning district standards.

An eight foot high pre-cast masonry screening wall will be constructed along the east boundary of Harvard Square. The screening wall will commence 50 feet south of the

northeast corner of the property and continue west 50 feet along the south boundary of Harvard Square. The design of the wall will be as shown on Exhibit D-1, East Boundary Screening Wall.

An effort will be made to protect and save the several large native trees in the 35 feet wide buffer area. The existing trees will be supplemented with a dense mix of flowering, deciduous and evergreen trees as specified on Exhibit D-2, East Boundary Landscape Details. The additional trees will be a minimum of 10, 14 and 15 feet tall at planting to create an immediate visual barrier over and above the eight foot high masonry screening wall.

ACCESS AND CIRCULATION:

Sidewalks will be constructed, or maintained if existing, along 41st Street and Harvard Avenue. Internally, mutual access and parking easements will provide, where appropriate, convenient parking for visitors to more than one store or restaurant within Harvard Square as shown on Exhibit E – Access and Circulation Plan.

3. No building permit shall be issued until the platting 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.
4. No building permit shall be issued for any building or structure within the development until a detail site plan has been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved development standards.
5. No building permit shall be issued for any building or structure within the development until a detail landscape plan has been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved development standards.
6. No sign permits shall be issued for erection of a sign within the PUD until a detail sign plan has been submitted to the TMAPC and approved as being in compliance with the applicable development standards.
7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all stormwater drainage and/or proposed detention is in accordance with applicable City requirements prior to issuance of an occupancy permit.
8. The City shall inspect all access points to certify that they meet City standards prior to any building permits being issued for the development. The developer shall pay all inspection fees required by the City.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

10. Screening walls or fences, must receive detail site plan approval from TMAPC prior to issuance of a building permit for the aforementioned wall or fence.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

TAC Comments:

General: No comments.

Water: No Comments.

Fire: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet.

Provide additional hydrants to satisfy this requirement.

Stormwater: A Stormwater Detention Easement will be required. Drainage crossing lot lines will be Public Drainage, and it will be required to be conveyed in a 100-Year capacity Public Drainage System. Public overland drainage must be placed in an Overland Drainage Easement, and Public Storm Sewers must be in a Storm Sewer or Utility Easement with a minimum width of 15 feet.

Wastewater: Sanitary Sewer service must be provided for all proposed Lots within the development. In addition, service must be provided to adjacent existing properties as well.

Transportation:

Traffic: No Comments.

GIS: No Comments.

Street Addressing: No Comments.

County Engineer:

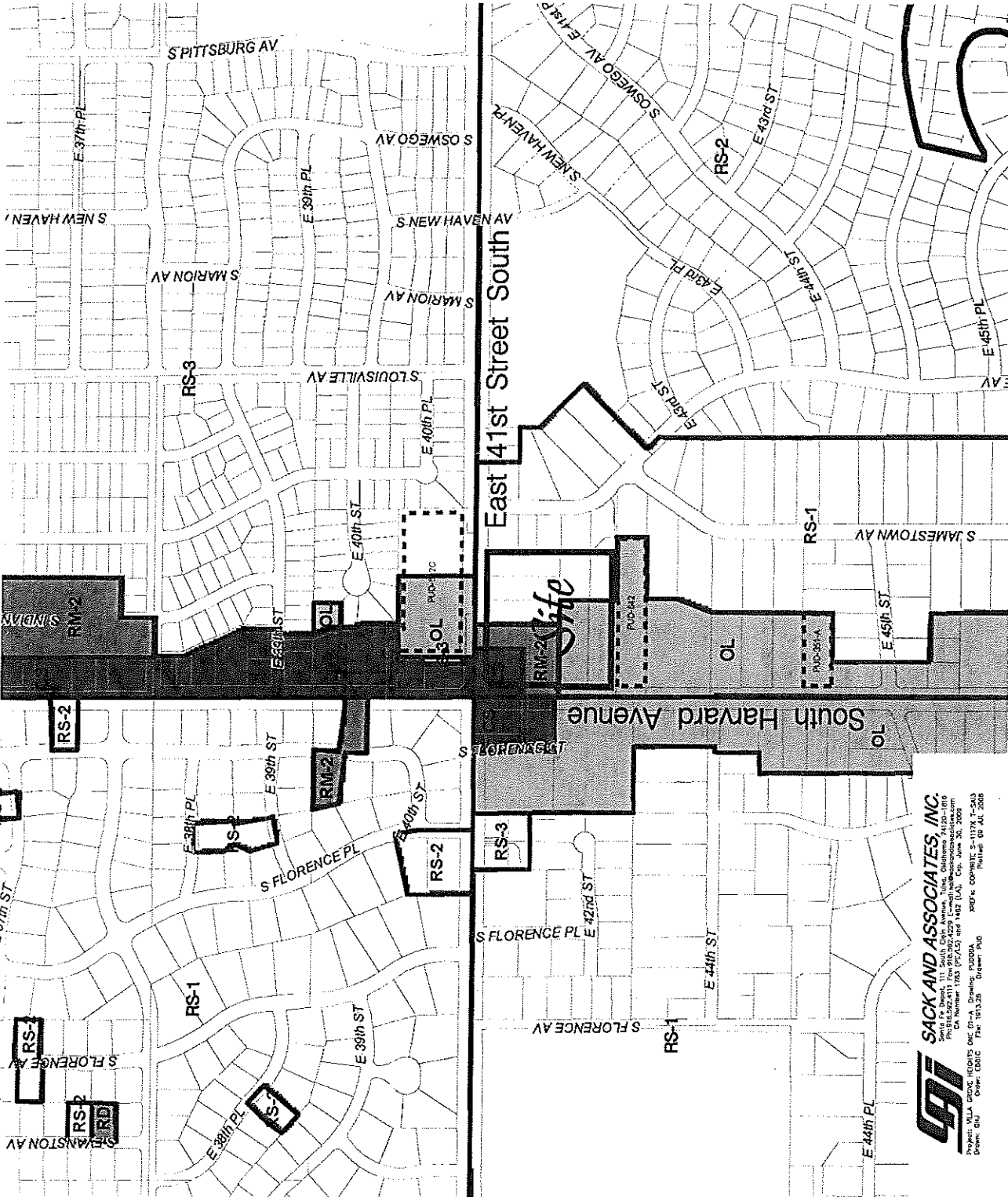
10.11

INCOG Transportation:

- MSHP: 41st St. S., between Harvard Avenue and Yale Avenue, is designated Secondary Arterial. Harvard Avenue, between 41st St. S. and 51st St. S., is designated Secondary Arterial.
- LRTP: 41st St. S., between Harvard Avenue and Yale Avenue, existing 4 lanes. Harvard Avenue, between 41st St. S. and 51st St. S., existing 4 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- TMP: No comments
- 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.

09-24-08

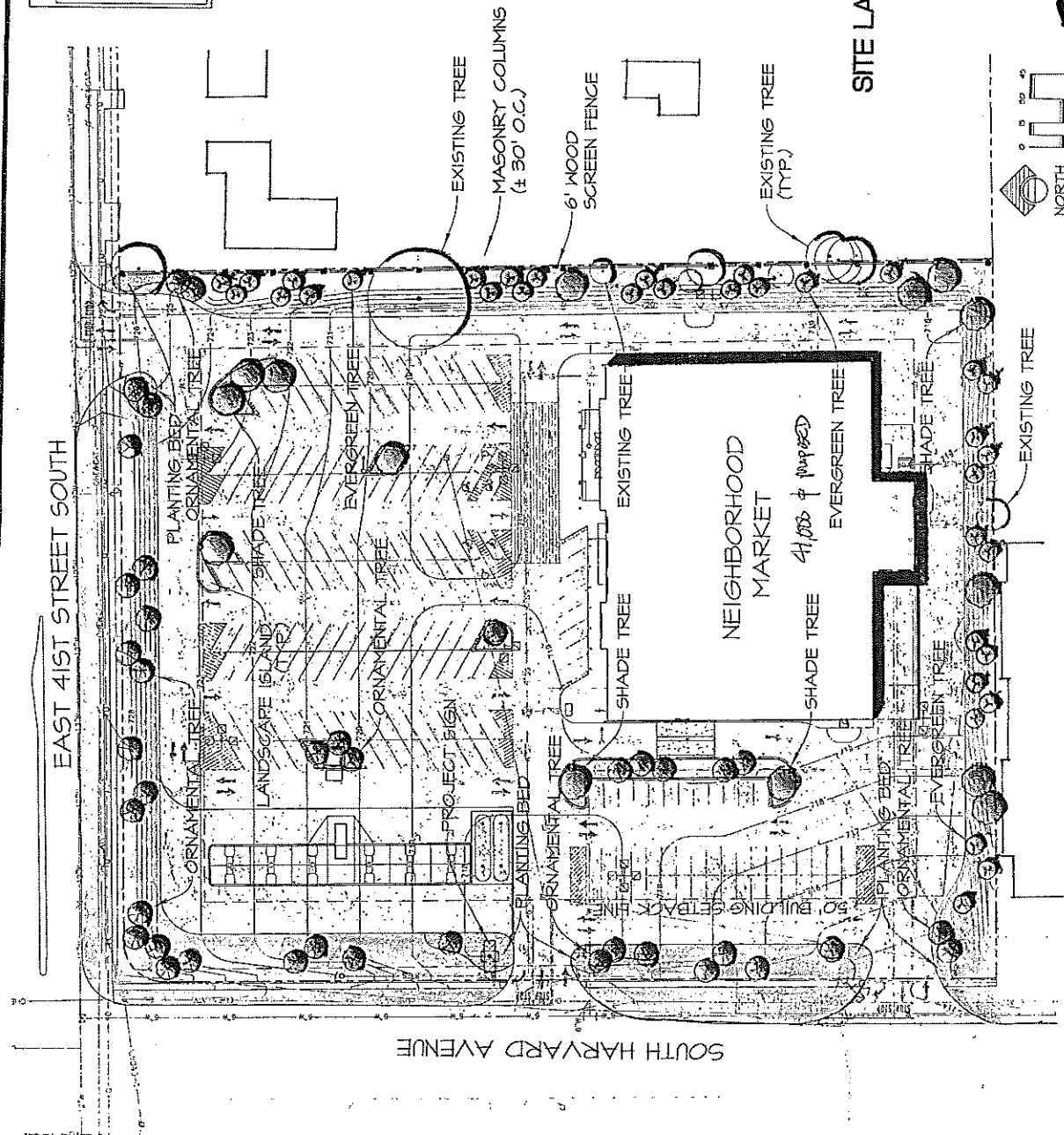
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NOTES

FINAL LANDSCAPE DETAIL PLAN SHALL COMPLY WITH ALL PLANNED UNIT DEVELOPMENT REQUIREMENTS AND WITH CITY OF TULSA LANDSCAPE ORDINANCES.

THE PROPERTY WILL HAVE AN AUTOMATIC LANDSCAPE IRRIGATION SYSTEM. ALL AREAS DISTURBED BY CONSTRUCTION WILL BE SODDED.



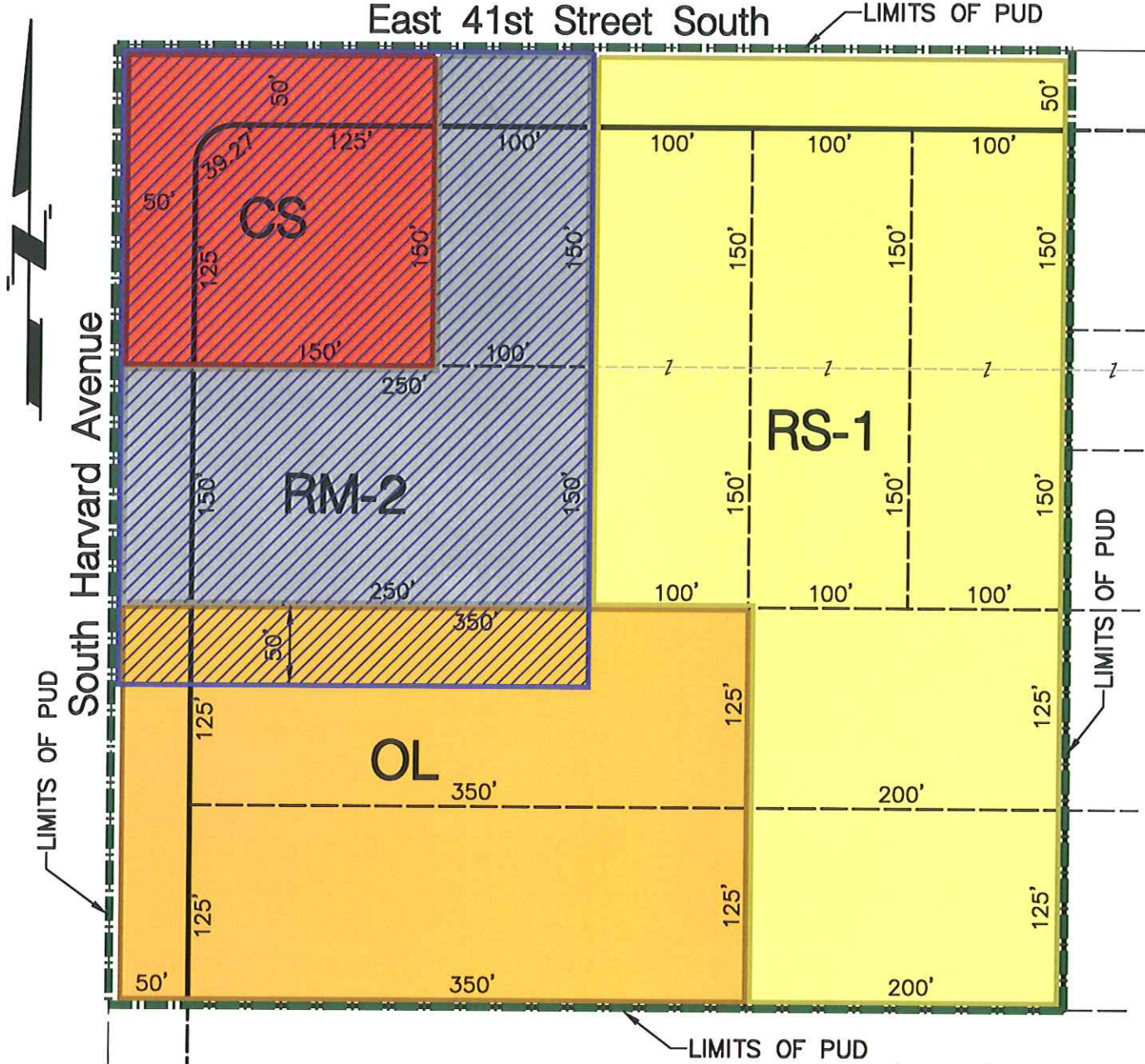
SITE LANDSCAPE CONCEPT

P.U.D. #690
Exhibit 'E-1'

WAL★MART
Neighborhood Market
EXHIBIT A-1

ADA
ARCHITECTURAL DESIGN ASSOCIATES
ARCHITECTS
TULSA, OK 74106
P.O. BOX 10000
TULSA, OK 74106-0000
405.466.1000
ada@ada-design.com

10.14



Existing Zoning

CS	40,000 SF
RM-2	65,000 SF
OL	100,000 SF
RS-1	155,000 SF
TOTAL	360,000 SF

Proposed Zoning

CS	40,000 SF
RM-2 to CS	65,000 SF
OL to CS	15,000 SF
REMAINING OL	85,000 SF
RS-1	155,000 SF
TOTAL	360,000 SF

Legend



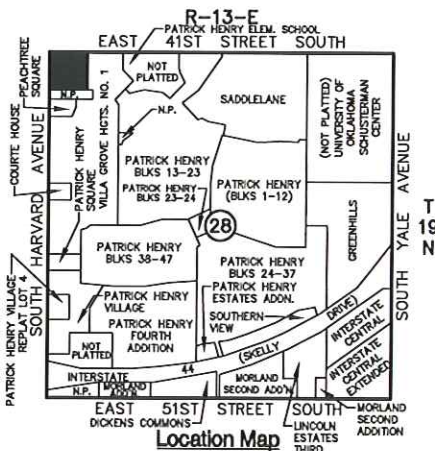
PROPOSED CS ZONING

ZONING EXHIBIT PUD NO. 761 Z-7106



SCALE IN FEET

10.15

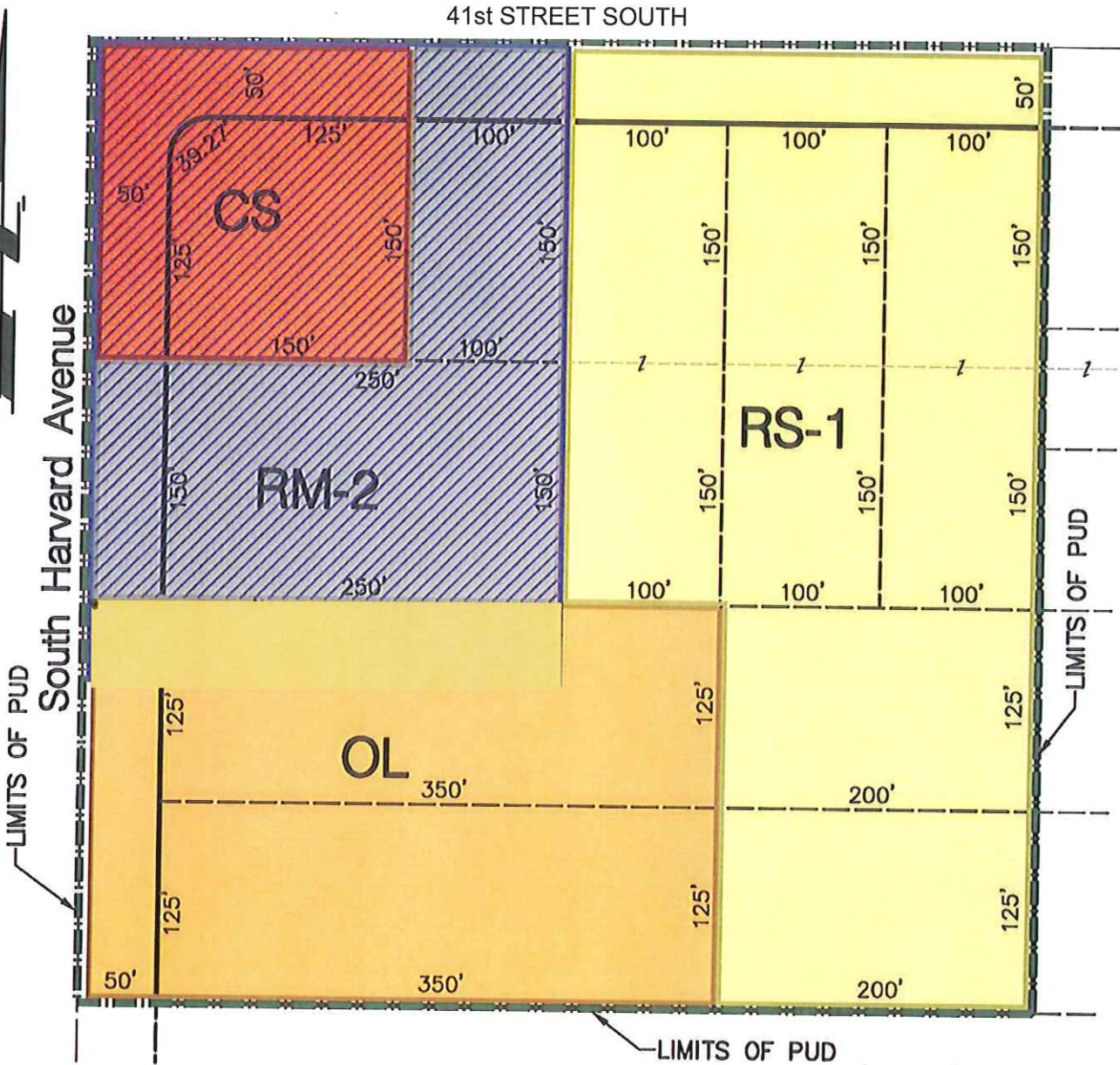


SACK AND ASSOCIATES, INC.
 Santa Fe Depot, 111 South Elgin Avenue, Tulsa, Oklahoma 74120-1816
 Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sa@sackandassociates.com
 CA Number 1783 (PE/LS) and 1482 (LA), Exp. June 30, 2009

Project: VILLA GROVE HEIGHTS ONE B1-A Drawing: EXHIBIT 23A XREF: COPYRIGHT S-811X T-SAJ2
 Drawn: GHJ Order: E581C File: 1913.28 Drawn: C Printed: 08 JUL 2008

EXHIBIT A-2

Permitted Floor Area per Underlying Zoning and the Comprehensive Plan
 CS 105,000 sf x .5 FAR per commercial zoning = 52,500 sf commercial permitted
 OL 100,000 sf x .3 FAR per office light zoning = 30,000 sf office permitted
 RS-1 155,000 sf / 16,000 sf of land area per DU = 9 Dwelling Units
 total 360,000 sf



Existing Zoning

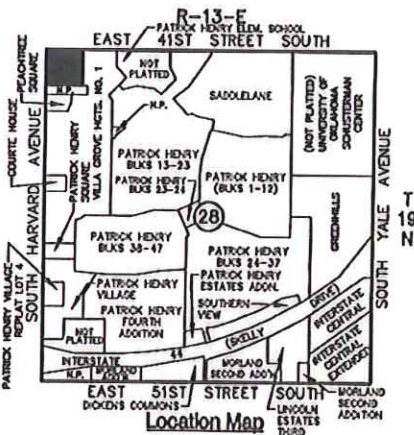
CS	40,000 SF
RM-2	65,000 SF
OL	100,000 SF
RS-1	155,000 SF
TOTAL	360,000 SF

Recommended Zoning

CS	105,000 sf
OL	100,000 sf
RS-1	155,000 sf
total	360,000 sf

Legend

PROPOSED CS ZONING



**ZONING EXHIBIT
 PUD NO. 761
 Z-7106**



SACK AND ASSOCIATES, INC.
 Santa Fe Depot, 111 South 15th Avenue, Tulsa, Oklahoma 74120-1818
 PH: 918.592.4111 Fax: 918.592.4228 E-mail: sack@sackandassociates.com
 CA Number 1783 (FE/LS) and 1162 (LA), Exp. June 30, 2009
 Project: VILLA GROVE HEIGHTS ONE B1-A Drawing: EXHIBIT 3A
 Drawn: GJJ Order: ES910 File: 101328 Drawn: 0 XREF: COPYRIGHT 9-811X T-SA2
 Plotted: 08 JUL 2008

EXHIBIT A-3

EXHIBIT A-4

PLANNING DISTRICT
9, COMPREHENSIVE PLAN
MAP IDENTIFYING
DEVELOPMENT INTENSITIES

Proposed PUD Boundary

Special Development Area -
Low Intensity Office

41st Street South

Low Intensity Residential

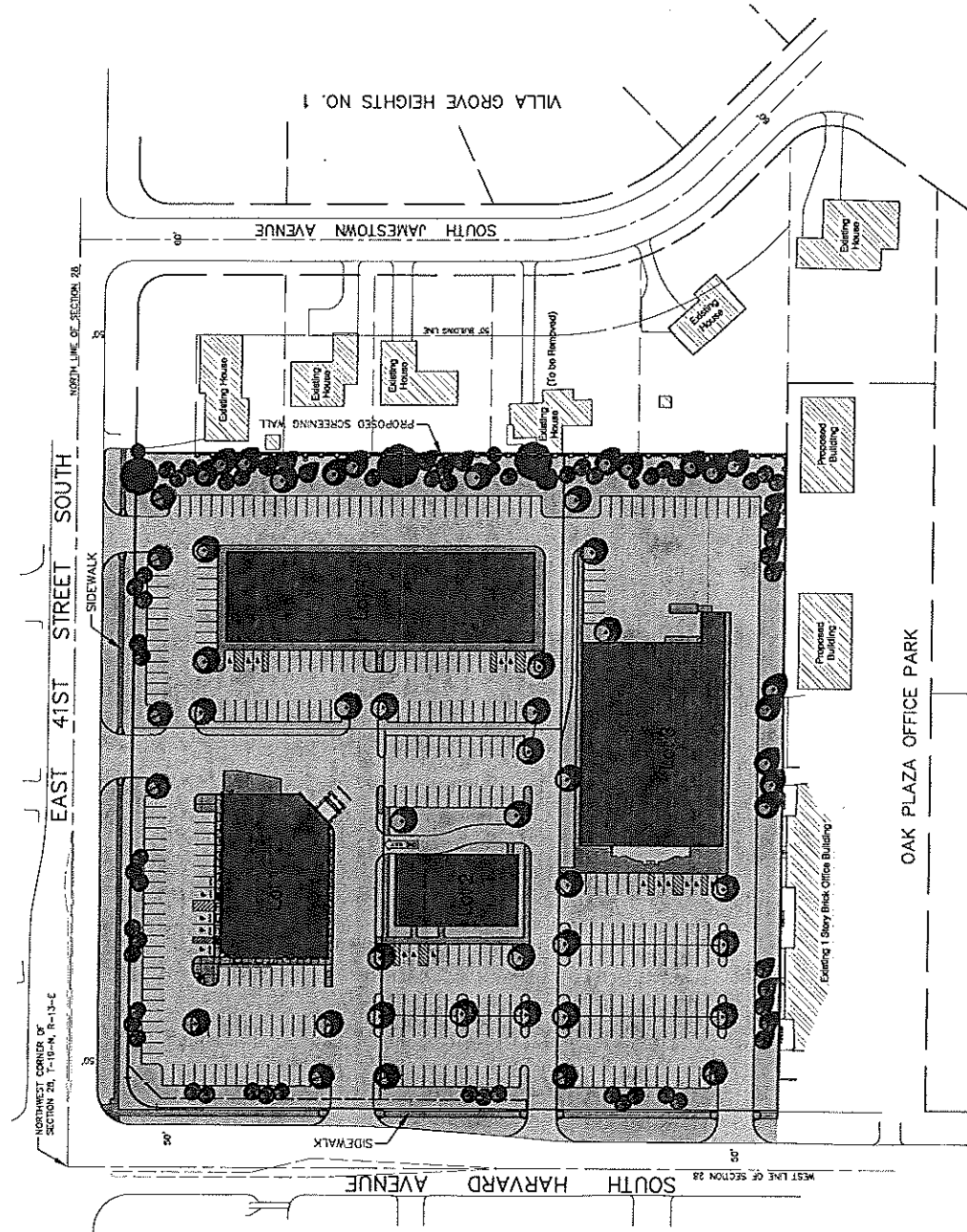
Medium Intensity Residential

Medium Intensity Commercial

SOUTH

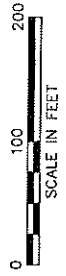
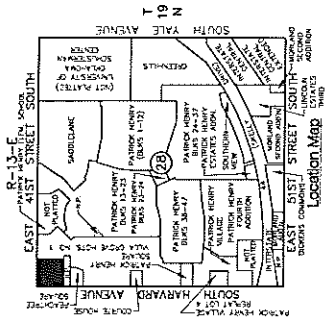
AVENUE

81.01



PEACH TREE SQUARE
OAK PLAZA OFFICE PARK
VILLA GROVE HEIGHTS NO. 1

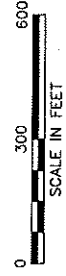
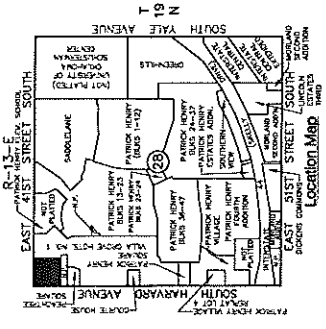
SACK AND ASSOCIATES, INC.
10000 E. 10th Avenue, Suite 100, Denver, CO 80231
Phone: 303.755.1000
Fax: 303.755.1001
Project: VILLA GROVE HEIGHTS ONE (B1-A) Drawing: 10000C
Drawn: GUY Date: 10/1/08
Checked: JLG Date: 10/1/08



Harvard Square
Concept Illustration
EXHIBIT 'A'
Planned Unit Development Number 761



SACK AND ASSOCIATES, INC.
 1500 S. GATEWAY AVENUE, SUITE 100
 SAN JOSE, CALIFORNIA 95128-1015
 TEL: (408) 253-1111 FAX: (408) 253-1115
 PROJECT: VILLA GROVE HEIGHTS ONE, D1-A, DRAWING: NUD07B
 SHEET: 01 OF 02
 DATE: 06 JUL 2008



Legend
 SFH SINGLE FAMILY HOUSING
 OFF OFFICE
 COM COMMERCIAL

Harvard Square Aerial Photograph and Adjacent Land Uses **EXHIBIT 'B'** Planned Unit Development Number 761

10.19



Howard Square

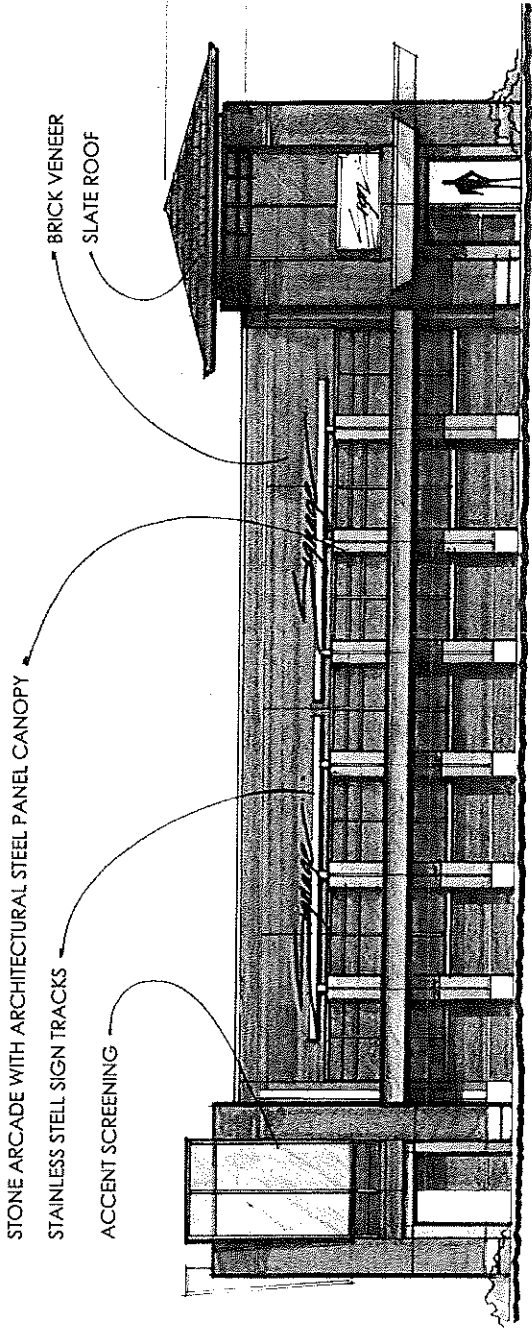
Aerial Photograph and Site

EXHIBIT 'B-1'

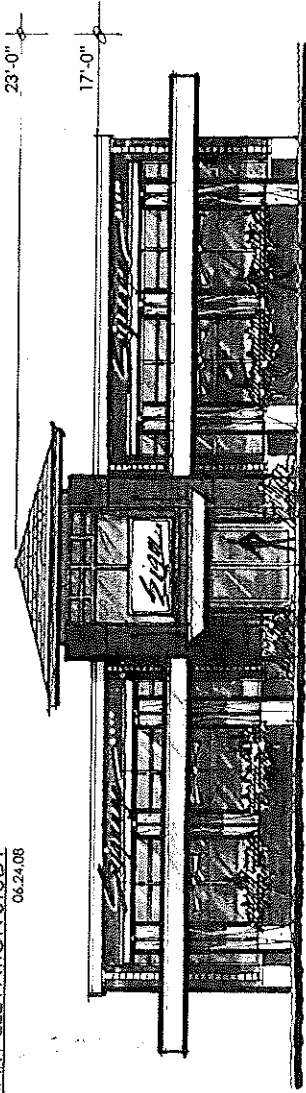
Planned Unit Development Number 761

SACK AND ASSOCIATES, INC.
Sack & Associates, Inc.
111 South Eagle Avenue, Suite 200, Pasadena, CA 91105-1818
Phone: (626) 799-1111 Fax: (626) 799-1112
CA Number: 1782 (R/C) and 1442 (A/C) Exp. 12/31/00
Project: VILLA GEMINI HEIGHTS ONE PHASE I
Drawn: GUY Order: C301C The 1013.26 Drawing: 100119
XREF: COPYRIGHT 5-11-78 T-5403
Plotted: 09 JUL 2006
Drawn: FUD

10.20



PRELIMINARY ELEVATION STUDY
1/8" 06.24.08



PRELIMINARY ELEVATION STUDY
1/8" 06.24.08

Harvard Square

Architectural Theme

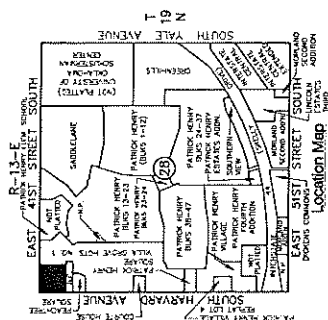
EXHIBIT 'C'

Planned Unit Development Number 761

McFarland Davies Architects

Project: VILLA BRONX, MCDONALD ONE (H-A) BRONX, NEW YORK
Drawn: McFarland Davies Architects Date: 10.3.08
Scale: 1/8" = 1'-0" Plot: 10.3.08

10.21

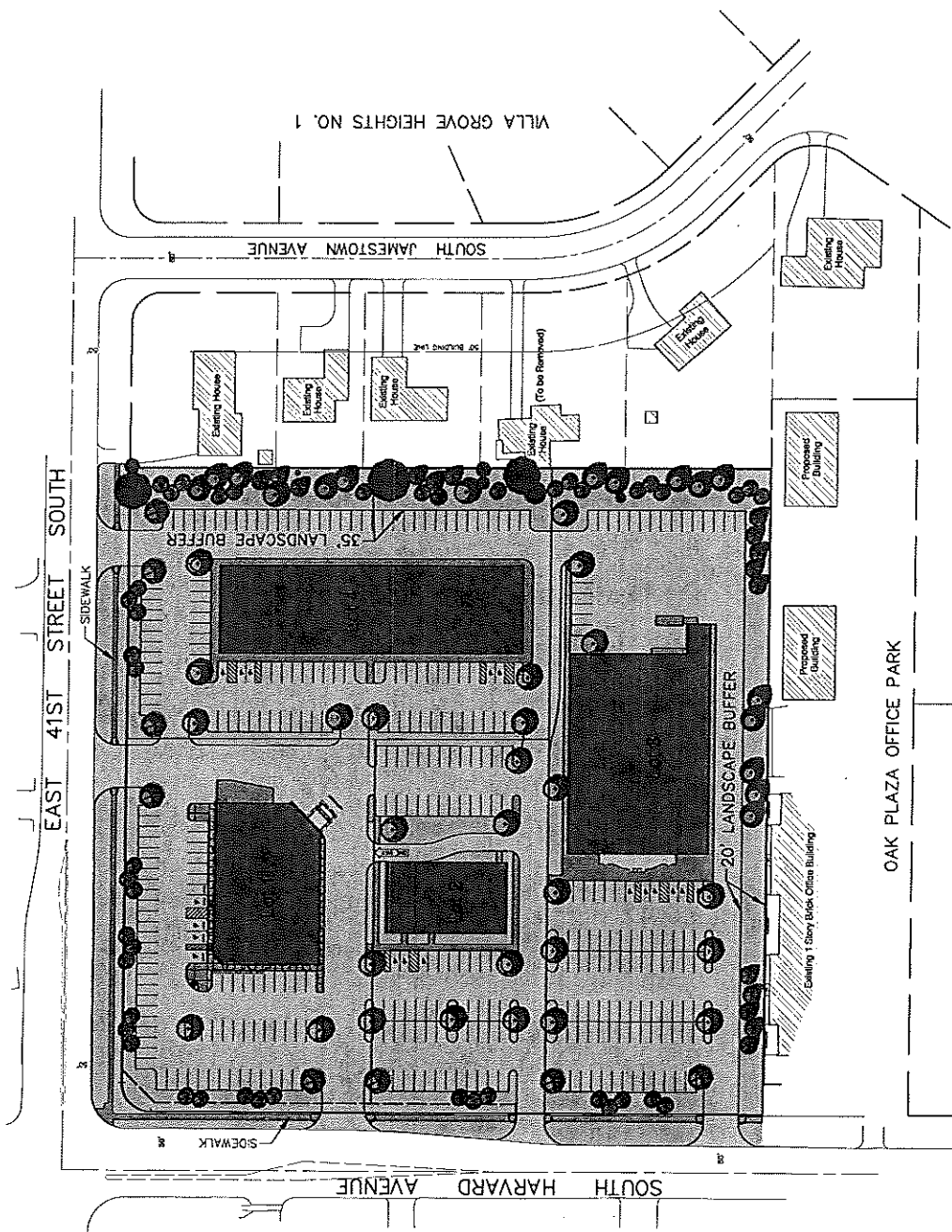


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SCALE IN FEET

Harvard Square

Landscape Concept
EXHIBIT 'D'

Planned Unit Development Number 761

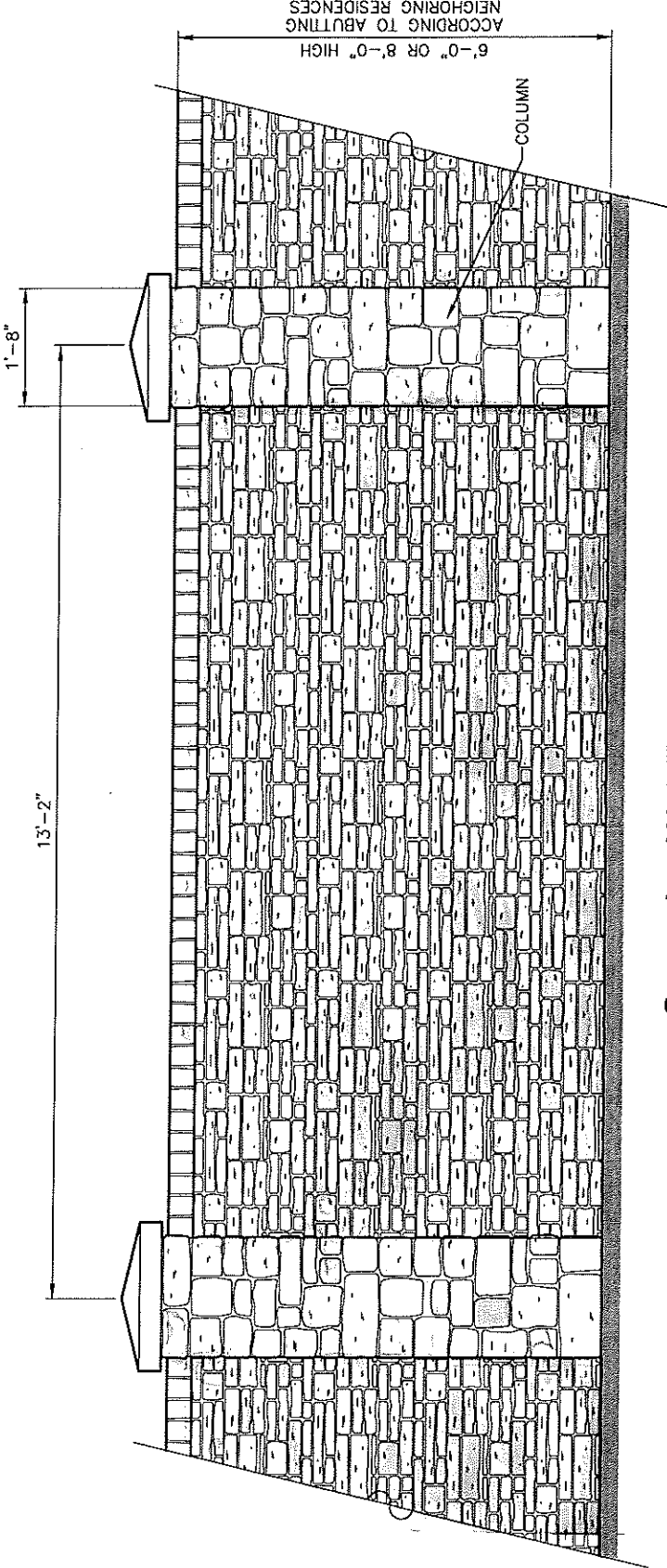


VILLA GROVE HEIGHTS NO. 1

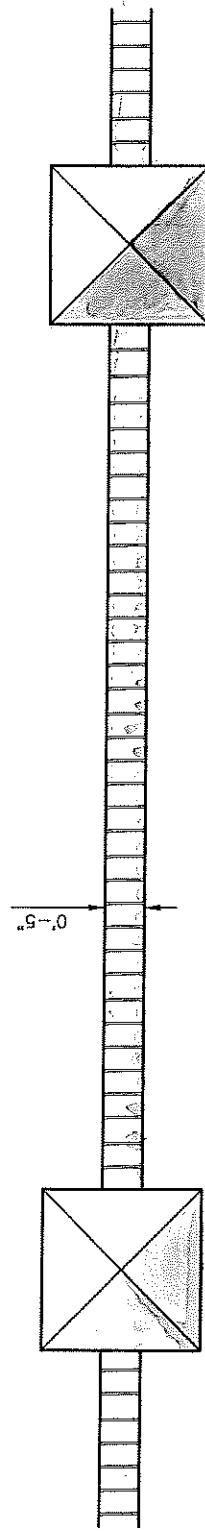
PEACH TREE SQUARE

OAK PLAZA OFFICE PARK

SACK AND ASSOCIATES, INC.
1911 19th Street, Suite 100, Oakland, CA 94612-1016
Tel: 914.592.4111 Fax: 914.592.4223 E-mail: info@sackandassociates.com
CA Number 1983 (PCA) and 1487 (LA), Exp. June 30, 2009
Project: VILLA GROVE HEIGHTS ONE B1-A, Drawing: PUD009C
Drawn: GUN, Checked: LDR/C, Date: 10/1/08, Designer: PUD
Sheet: 06 JUL 2008



Screening Wall Elevation
NOT TO SCALE









Plan
NOT TO SCALE

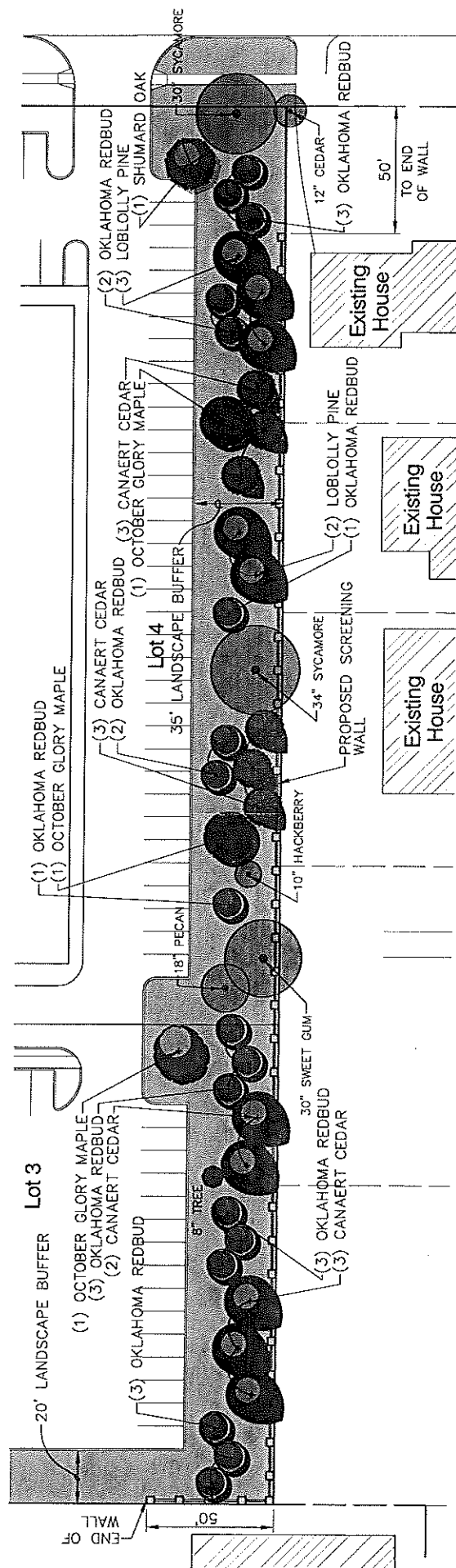
Harvard Square
East Boundary Screening Wall
EXHIBIT 'D-1'
Planned Unit Development Number 761

SACK AND ASSOCIATES, INC.
1111 S. Bascom Avenue, Suite 200
Palo Alto, CA 94304
Tel: 650/321-1111 Fax: 650/321-1112
www.sackandassociates.com
CA Number 1763 (C/C/L/S) and 1462 (L/S) Exp. June 30, 2009
Project: VILLA GROVE HEIGHTS ONE PH-A, Drawing: PU009C
Drawn: MIC. GLOSTER, E2810 Plotted: 09 JUL 2008
Scale: 1/8" = 1'-0" Drawn: PUG
Sheet: 09 JUL 2008

Plant List

KEY	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	SPACING/REMARKS
	ACER RUBRUM "OCTOBER GLORY"	OCTOBER GLORY MAPLE	3 1/2" CAL./14" HT.	B&B	MATCHED
	CERCIS RENIFORMIS "OKLAHOMA"	OKLAHOMA REDBUD	2 1/2" CAL./10" HT.	B&B	MATCHED
	JUNIPERUS VIRGINIANA "CANAERTII"	CANAERT CEDAR	15" HT.		
	PINUS TAEDA	LOBLOLLY PINE	15" HT.	B&B	
	QUERCUS SHUMARDII	SHUMARD OAK	2 1/2" CAL./12" HT.	B&B	MATCHED
	EXISTING TREE				

ABBREVIATIONS: B&B: BALLED AND BURLAPED CAL.; CALIPER, CAL.: GALLON, HT.: HEIGHT, L.F.: LINEAR FOOT, MATCHED: WITHIN 5% OF SIZE AND SHAPE, O.C.: ON CENTER (APPROXIMATE), S.F. SQUARE FOOT, SP.: SPREAD.



Harvard Square
East Boundary Landscape Details
EXHIBIT 'D-2'
Planned Unit Development Number 761

SACK AND ASSOCIATES, INC.
 Suite 100, 11 South Eagle Avenue, Tulsa, Oklahoma 74120-1816
 Tel: 918.252.4278 Fax: 918.252.4278 Email: info@sackandassociates.com
 CA Number 1783 (P/C/L) and 1482 (L/A), Exp. June 30, 2009

SACK AND ASSOCIATES, INC.

Santa Fe Depot, 111 South Fifth Avenue, Suite, Oklahoma 74107-1816
Ph: 918-582-6111 Fax: 918-582-6122 E-mail: sales@sackandassociates.com
Can Number 1785 (P/W/US) ext 1462 (A/C). Exp. date 30c, 2009

CVI

Project: VALU GPSVC RIGHTS CMC H+V Bowling: PDI001 T=2403
Drawn: VALU Order: LMAC Firm 191208 Drawn: JAO
PHILLES: RW JUL 2008

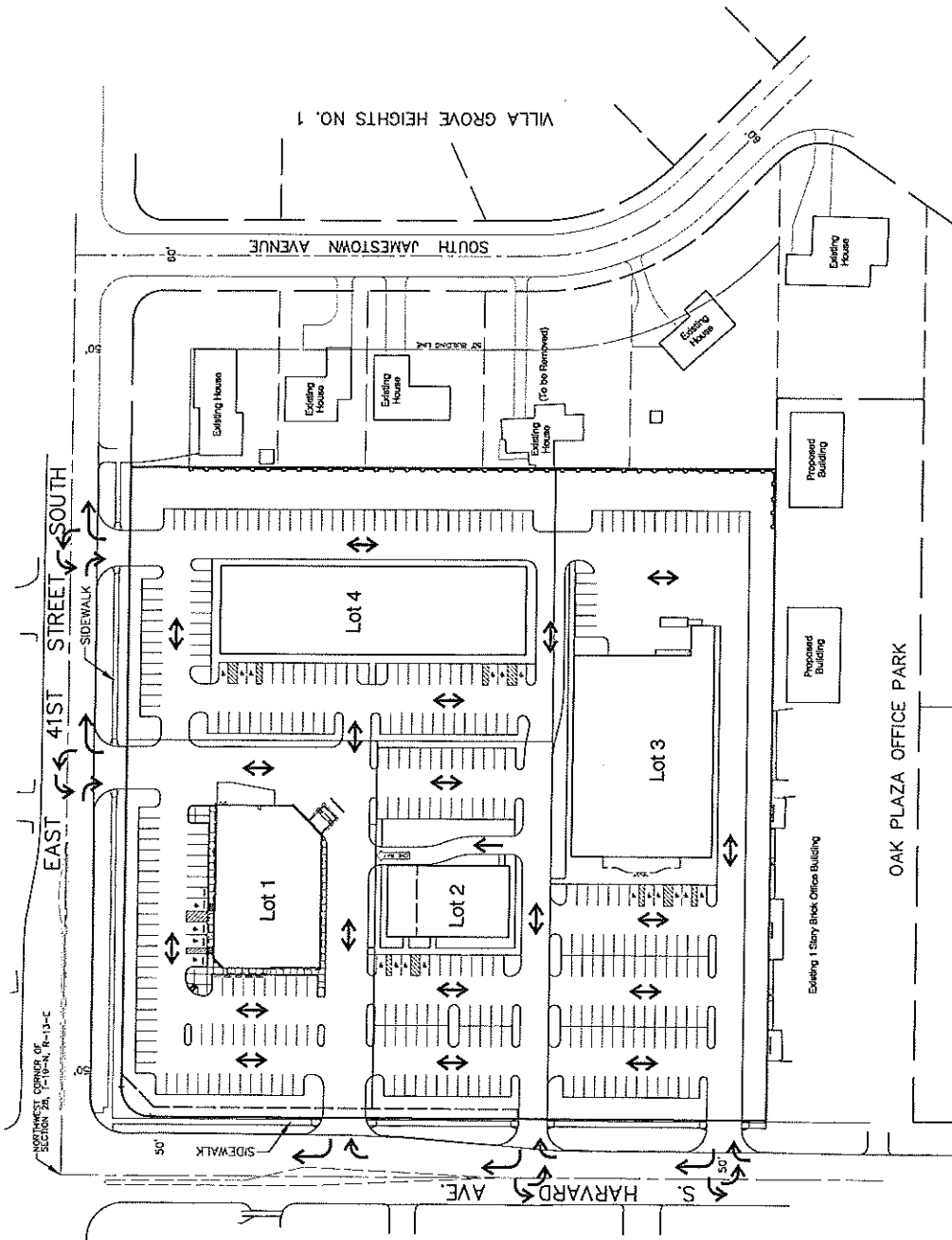
Project: VKLA GROVE HEIGHTS ONE, PH-A Drawing: PUD101
Drawn: QMJ Order: E261C File: 191.128 Order: MUO
XREFs: COMPANY: 5-1117X I-2A03
Project: 00-441-2008
DATE: 08/08/08

Project: VUCA GROUP HILLTOPS ONE, Mt-A Drawing: PUD010
 Drawn: DMJ Order: E281C File: 1013.2b Drawer: PUO
 XREF: COMPANY 5-117X 1-5AG
 Plotlet: 09 JUL 2008

COPY FILE

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Legend:

← VEHICULAR CIRCULATION

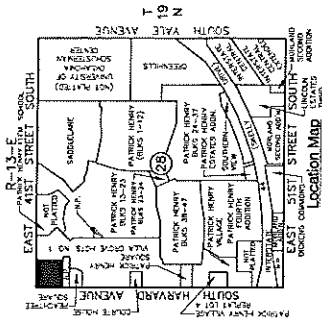
PEACH TREE SQUARE

VILLA GROVE HEIGHTS NO. 1

OAK PLAZA OFFICE PARK



SACK AND ASSOCIATES, INC.
111 South 1st Avenue, Suite 200, Tampa, FL 33601-1000
Phone: (813) 241-1111 Fax: (813) 241-1112
Project: VILLA GROVE HEIGHTS NO. 1 - A. Drawing: PD0002
Drawn: DJL Date: 10/13/03 By: DJL Date: 10/13/03
Sheet: 05 of 05



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SCALE IN FEET

Harvard Square

Access and Circulation Plan
EXHIBIT 'E'

Planned Unit Development Number 761

10.25

