

# TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2504

February 6, 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 January 23, 2008 Meeting No. 2502

#### **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. Westgate – (1327) Final Plat

(County)

South of the southeast corner of East 83<sup>rd</sup> Street North and Yale (Whirlpool Drive)

3. <u>L-20177</u> – Harden & Associates (9325)/Lot-Split

(PD 18C) (CD 5)

4422 South Mingo Road

4. LC-76 – Triarch LLC (9306)/Lot Combination

(PD 4) (CD 4)

102 South Lewis

5. <u>LC-77</u> – Joel Lake (6407)/Lot Combination

(County)

19995 South Mingo

6. **PUD-670 – Joshua Livingston** 

(PD-6) (CD-9)

3144 South Rockford Drive (Detail Site Plan for a single-family residence.)

7. PUD-586-A-5 – James Adair/St. Francis Hospital

(PD-18) (CD-8)

10505 East 91<sup>st</sup> Street South (Minor Amendment to increase overall allowable height for signs from 40 feet to 57.2 feet.)

8. PUD-440-3 – Renovations By Helms, Inc.

(PD-18b) (CD-7)

4904 East 103<sup>rd</sup> Street South (Minor Amendment to reduce the required side yard setback from 35 feet to 25.6 feet.)

9. PUD-346-B - Deshazo, Tang & Associates

(PD-18) (CD-2)

8887 South Lewis Avenue (Detail Site Plan for a parking lot expansion within Development Area A to allow 17 additional parking spaces.)

10. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

#### **PUBLIC HEARINGS**

11. <u>PUD-411-E/Z-5842-SP-7 – Lou Reynolds</u>

(PD-26) (CD-8)

Northeast corner of South Memorial Drive and East 101<sup>st</sup> Street South (PUD Major Amendment and Corridor Plan to amend development standards to create a new Development Area 1A-1.) (Continued from 1/23/08)

12. <u>Z-7077 – James W. Lane, Jr.</u>

RS-3/HP to OL/HP

North of northwest corner of East 17<sup>th</sup> Street and South Lewis Avenue (Continued from 11/17/07) (Applicant has filed a PUD application and has requested a continuance to hear this application with the PUD on March 5<sup>th</sup>.)

(PD-6) (CD-4)

13. **Z-7086 – LOI Thivan & UT Van Le** 

OM/CS to CS

Southwest corner of East 21<sup>st</sup> Street and South 109<sup>th</sup> East Avenue (Related to Item 14.)

(PD-17) (CD-5)

14. PUD-689-A - LOI Thivan & UT Van Le

(PD-17) (CD-5)

Southwest corner of East 21<sup>st</sup> Street and South 109<sup>th</sup> East Avenue (Major Amendment to abandon PUD-689 and remove the OM zoning portion from the site and extend the underlying CS zoning to the remainder of the tract.) (Related to Item 13.)

15. Z-7087 - City of Tulsa-Tulsa Airport Improvements Trust

RS-3 to IM

Land surrounding Tulsa International Airport

(PD-16) (CD-3)

16. PUD-619-C - Charles E. Norman

(PD-26) (CD-8)

North of northwest corner South Memorial Drive and East 111<sup>th</sup> Street (Major Amendment for a health club/spa with an enclosed swimming pool, an outdoor swimming pool and several minor amendments regarding height, setbacks, landscaping, signs, etc.)

#### OTHER BUSINESS

17. 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

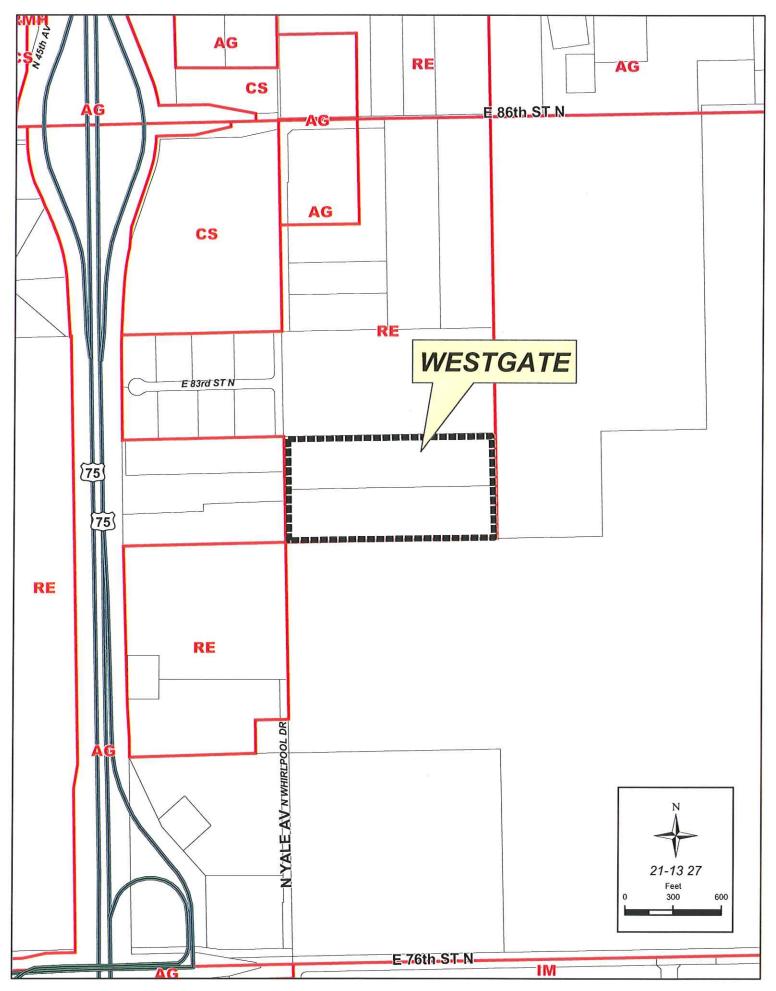
Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

## Ringing/sound on all <u>cell phones</u> and <u>pagers</u> 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** 



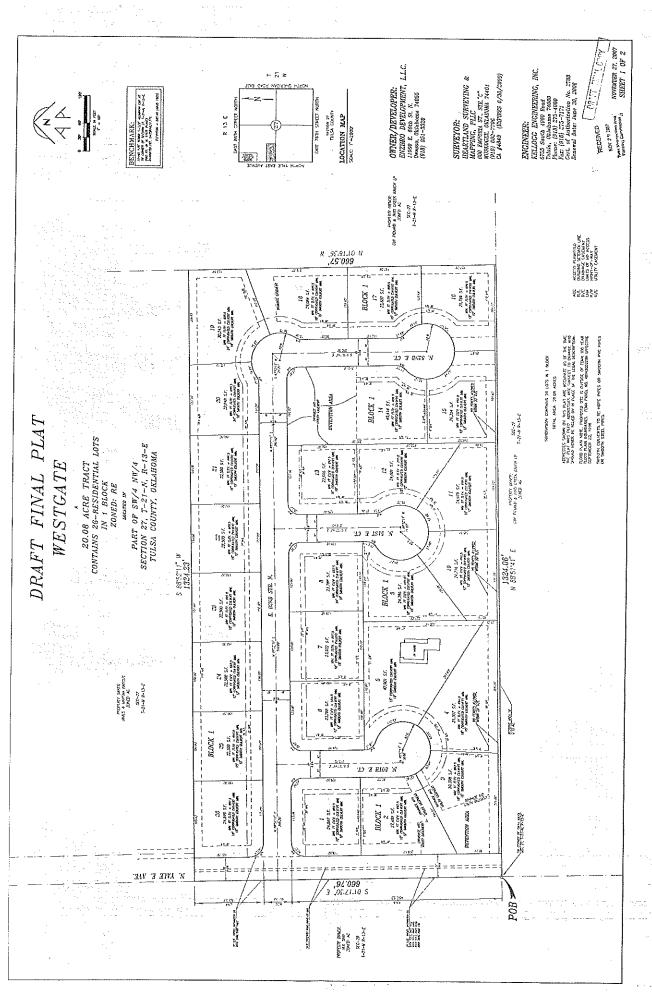


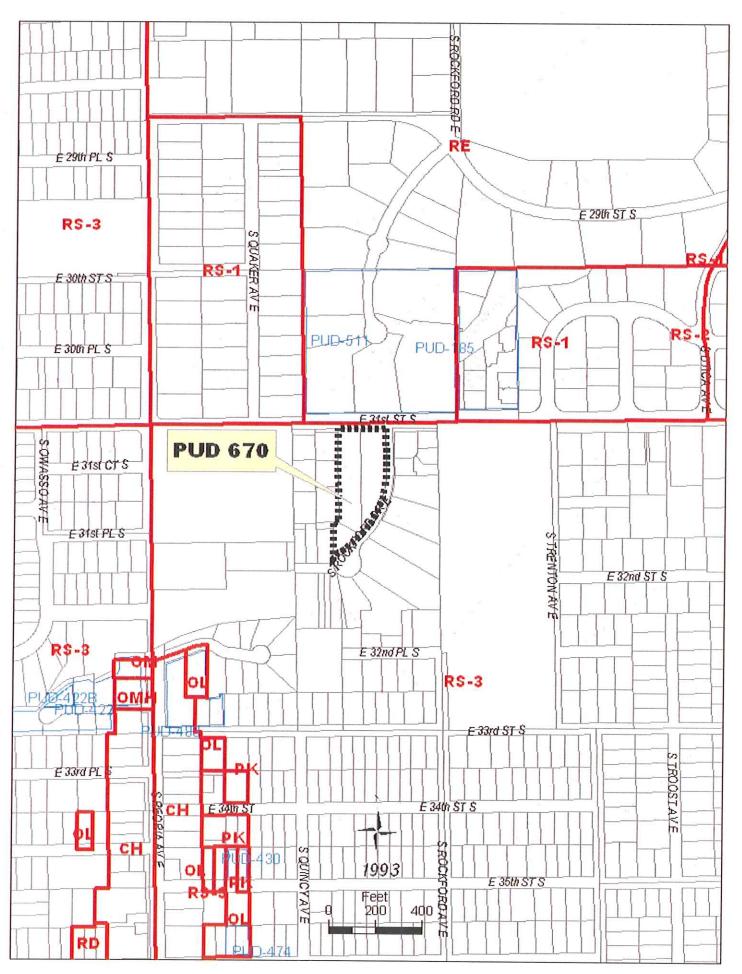
### Final Subdivision Plat

Westgate - (1327) (County)
South of the southeast corner of East 83<sup>rd</sup> Street North and Yale (Whirlpool Drive)

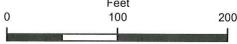
This plat consists of 27 Lots in 2 Blocks on 20.08 acres.

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









**PUD-670** 





PUD-670:

Detail Site Plan – Lot 8, Block 1 – Villarese; 3144 South Rockford Drive; RS-3/PUD; PD 6; CD 9.

The applicant is requesting approval of a detail site plan for a single-family residence located in PUD-670; Lot 8, Block 1 - Villarese. The proposed use, Use Unit 6 - Single Family Dwelling is in conformance with the PUD Development Standard.

The proposed site plan meets building, height and setback requirements, as well as minimum livability space/open space requirements.

Access to the site is provided from Rockford Drive, and a private access drive along the western boarder of the PUD. Parking requirements have been met per the Zoning Code and PUD development standards.

A front fence not to exceed a total height of 6-feet will be constructed according to PUD design standards as well as, the 5/22/03 TMAPC approved PUD "Fencing Along Rockford Drive" plan. Any site screening provided along the west boundary of the lot will be limited to wood fencing per development standards.

All other applicable PUD conditions and conditions per the RS-3 district have been met. Therefore, staff recommends **APPROVAL** of the detail site plan for Lot 8, Block 1, -Villarese.

(Note: Detail site plan approval does not constitute landscape and sign plan approval where applicable.)

BIEPLAN

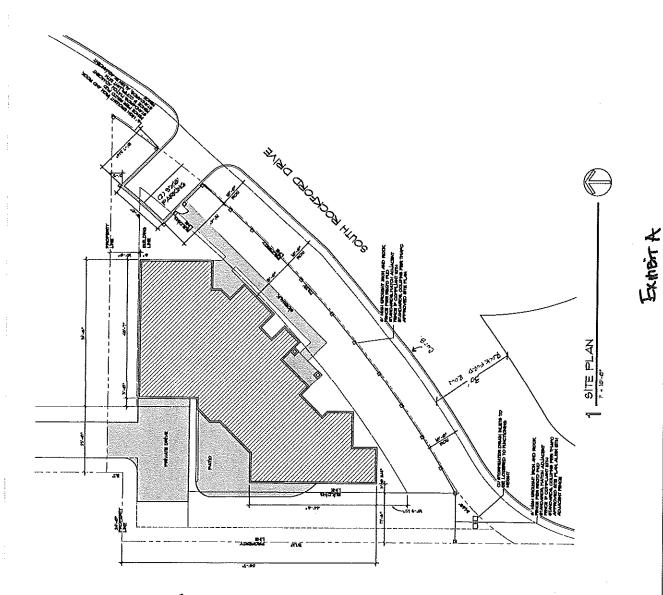
BIE



A Section 1999

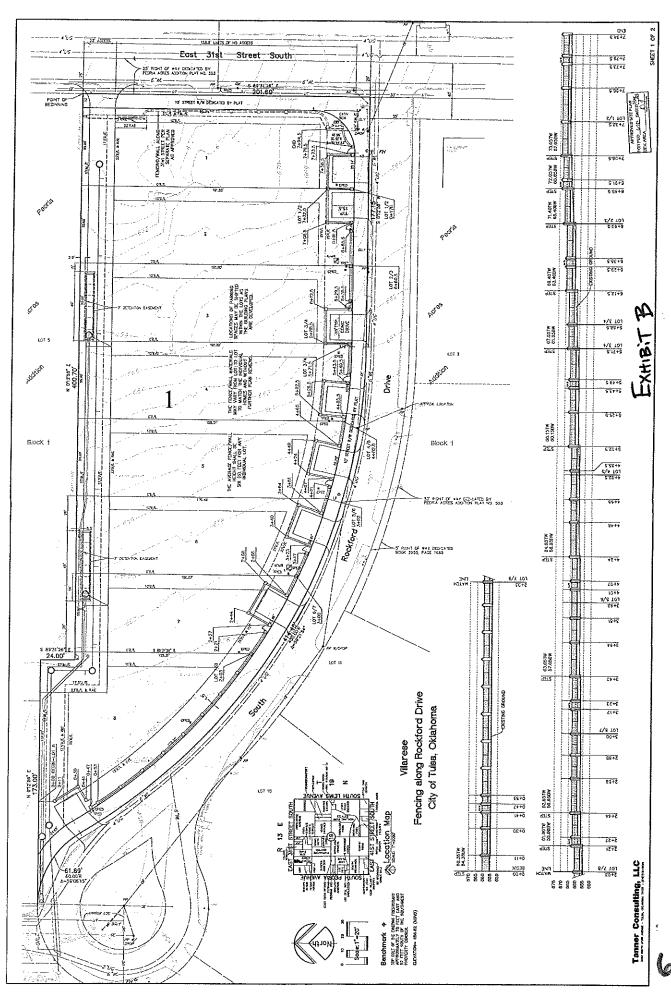
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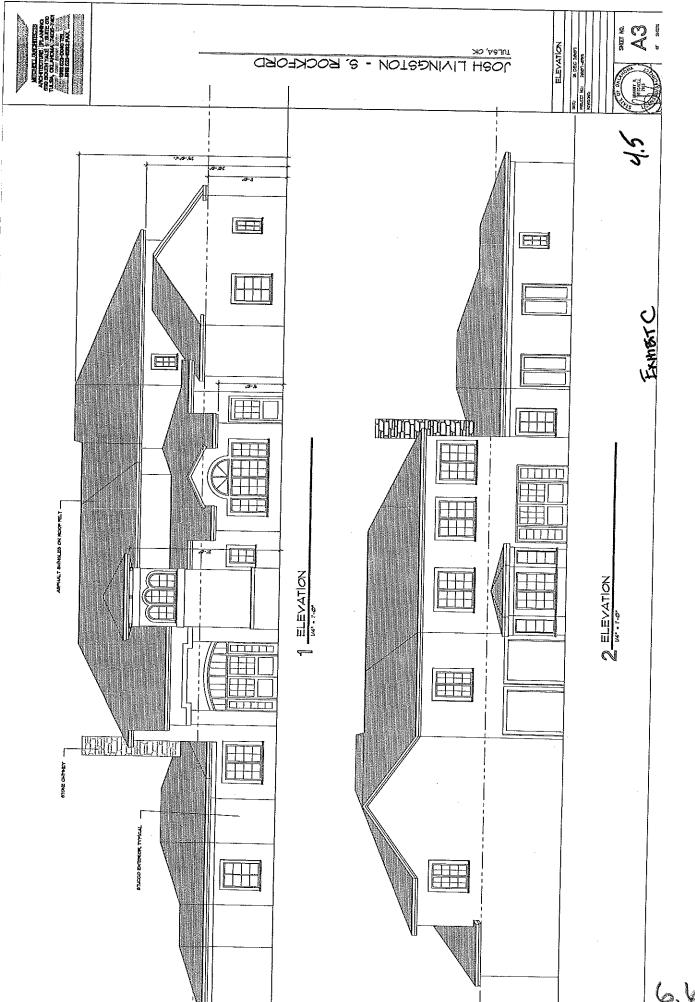
PER CITY COUNCIL B / A/ 2000



2 PARTIAL ELEVATION - TYPICAL FENCE

6.4





6.6

¶ ELEVATION



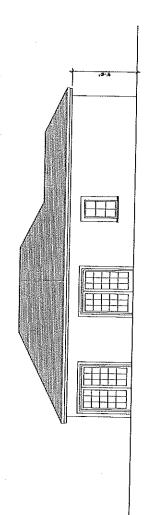




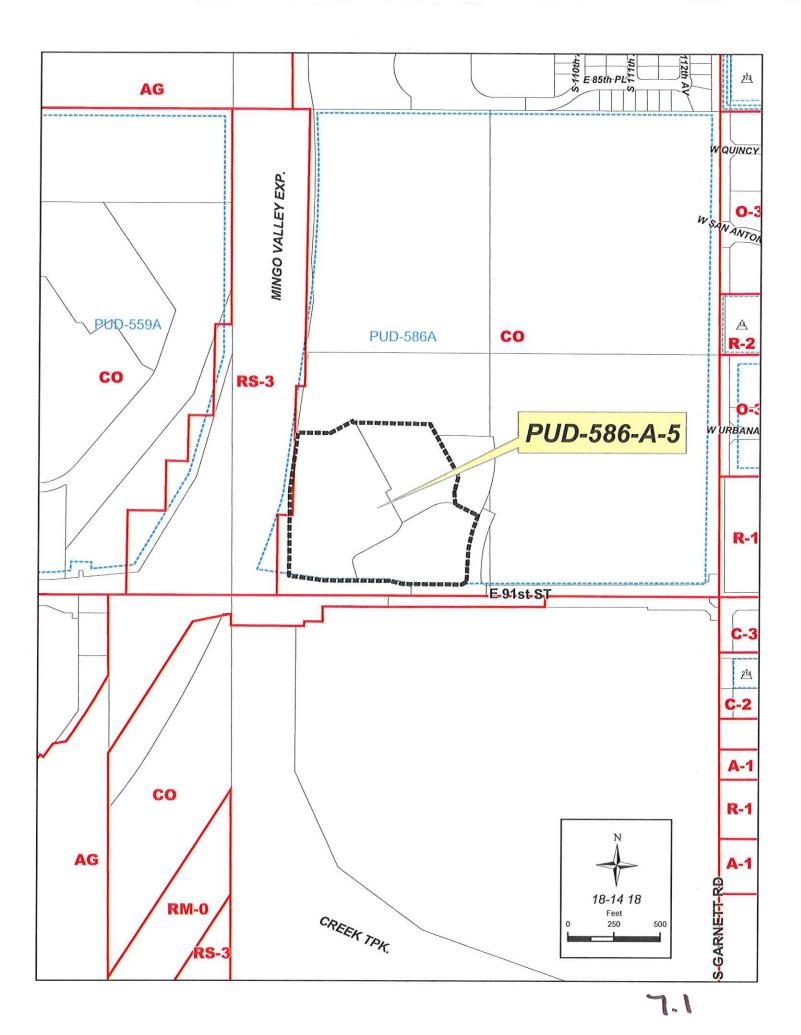


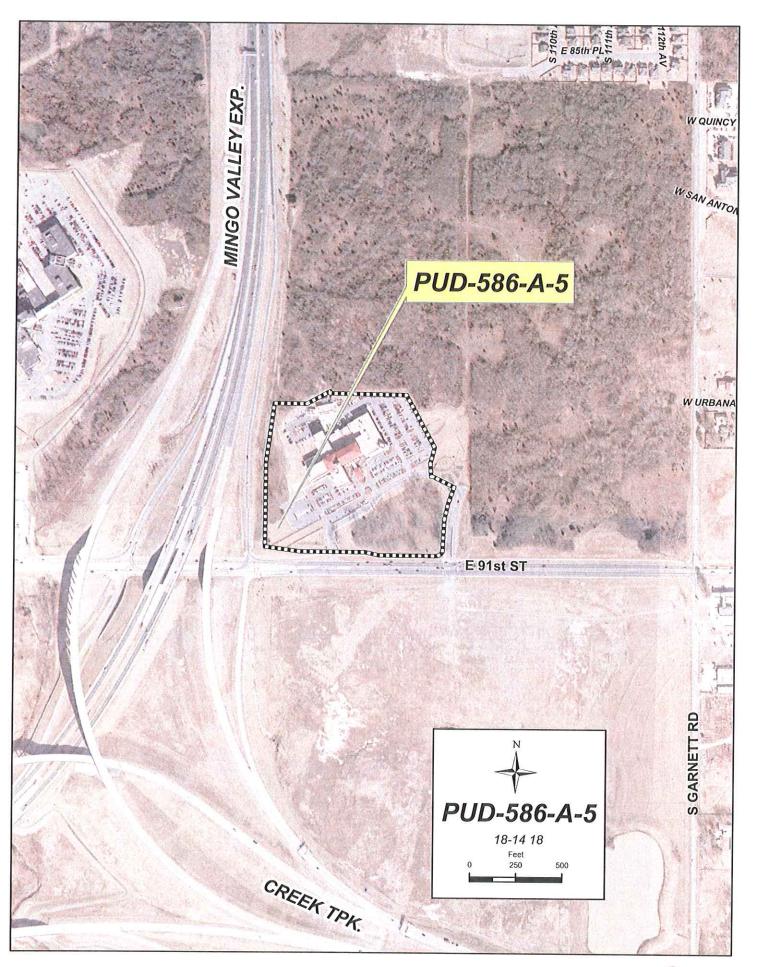


4.6

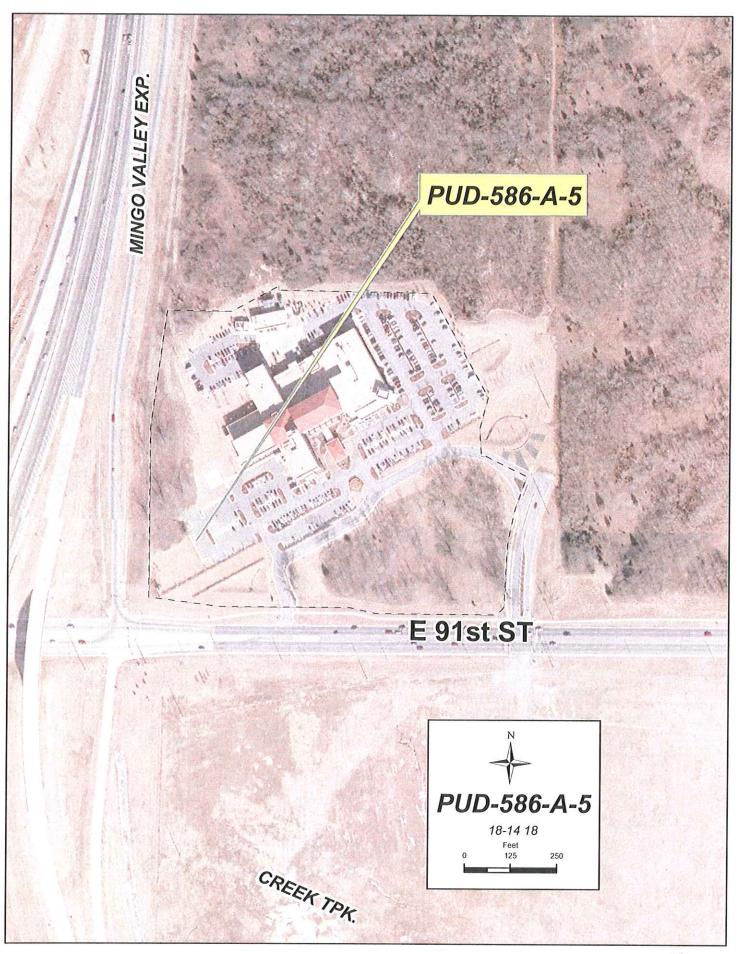


2 ELEVATION





7.2



7.3

PUD-586-A-5:

Minor Amendment – 10505 E. 91<sup>st</sup> St. S.; St. Francis Hospital; Lots 1, 2, 3 - Block 1, Arrowhead Ridge; PD 18 CD 8; CO/PUD.

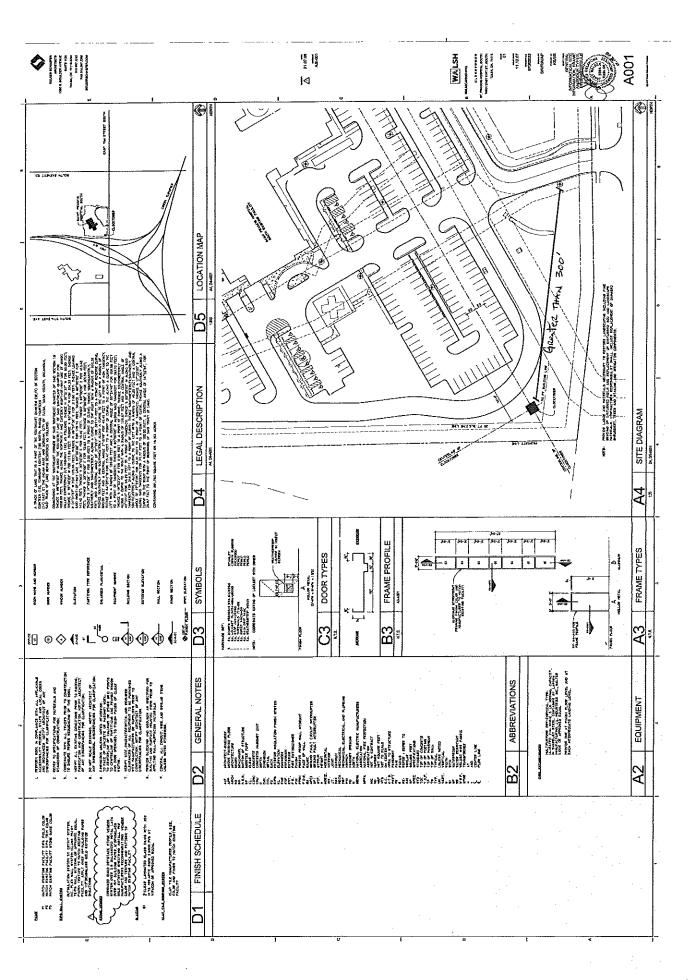
The applicant is requesting a minor amendment to PUD-586-A for the purpose of increasing the overall allowable height for a sign located in a freeway sign corridor from 40-feet, to 57-feet 2-inches to allow for construction of a clock tower with a sign affixed to the clock tower structure.

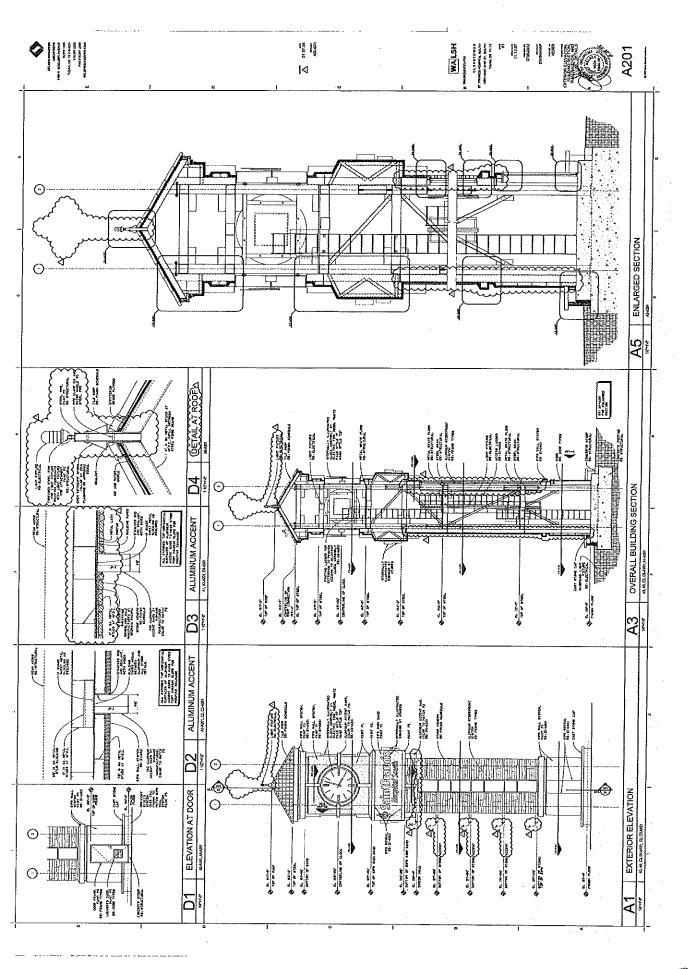
PUD development standards allow for the construction of one (1) sign along the site's Interstate 169 frontage not to exceed one foot of display surface area for each lineal foot of freeway frontage; a height limitation of 40-feet; and a separation distance of 300-feet from any other ground sign. The current proposal meets all required PUD standards with the exception of the structure's over all height.

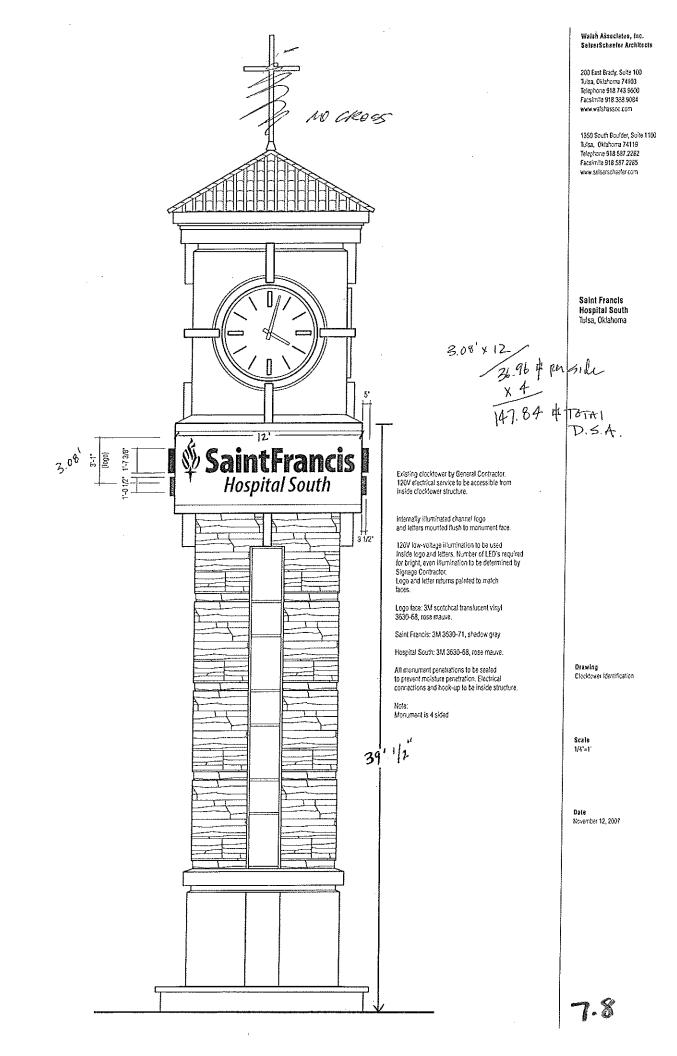
The sign as proposed would be located at the southwest corner of the property, 50-feet from the 91<sup>st</sup> Street right-of-way along the I-169 freeway sign corridor. The sign itself would not exceed the 40-foot height limitation (see applicant's exhibit A). However, being affixed to the side of the clock tower technically makes the entire clock tower structure a sign. The proposed finished height of the structure is 57-feet 2-inches, a difference of 17-feet 2-inches.

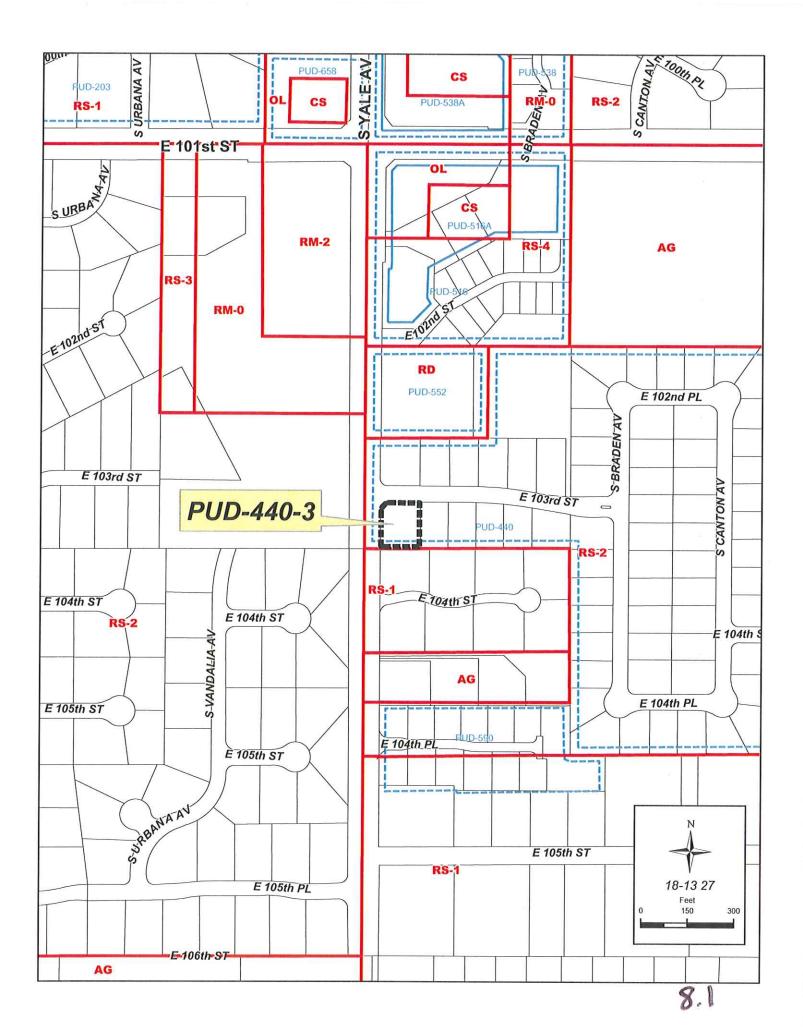
The sign itself does not exceed the allowable 40-foot height limit and the aesthetics of the clock tower structure appears to be non-obtrusive to the surrounding area. The structure will meet all applicable setback requirements and would consequently not impair traffic. Therefore, staff recommends APPROVAL of minor amendment PUD 586-A-5.

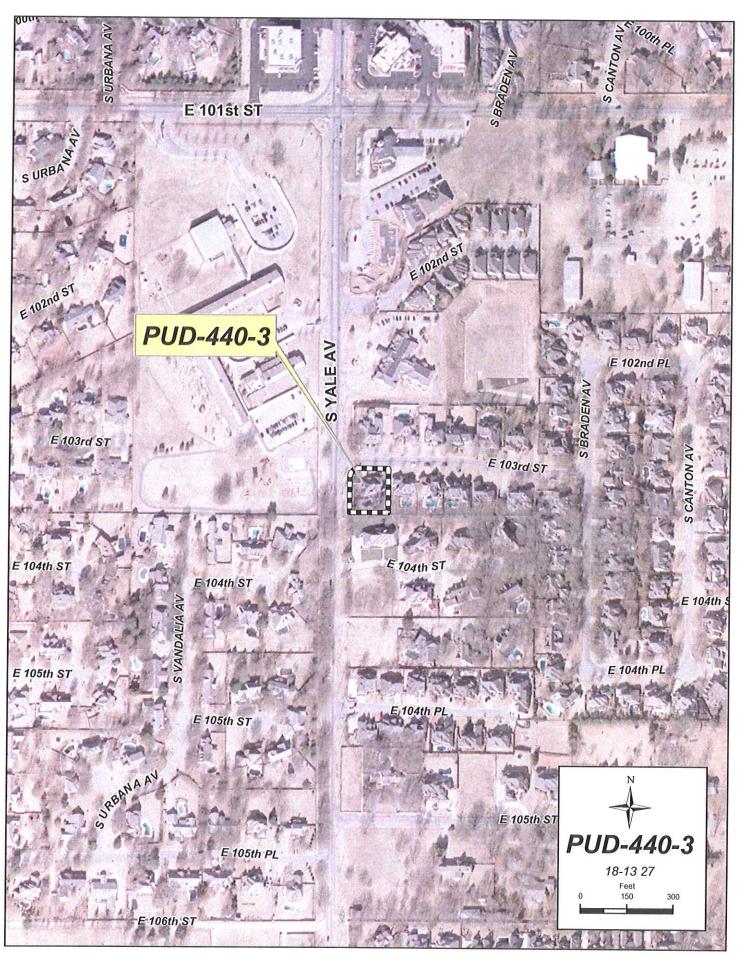
(NOTE: Approval of a minor amendment does not constitute detail plan approval)

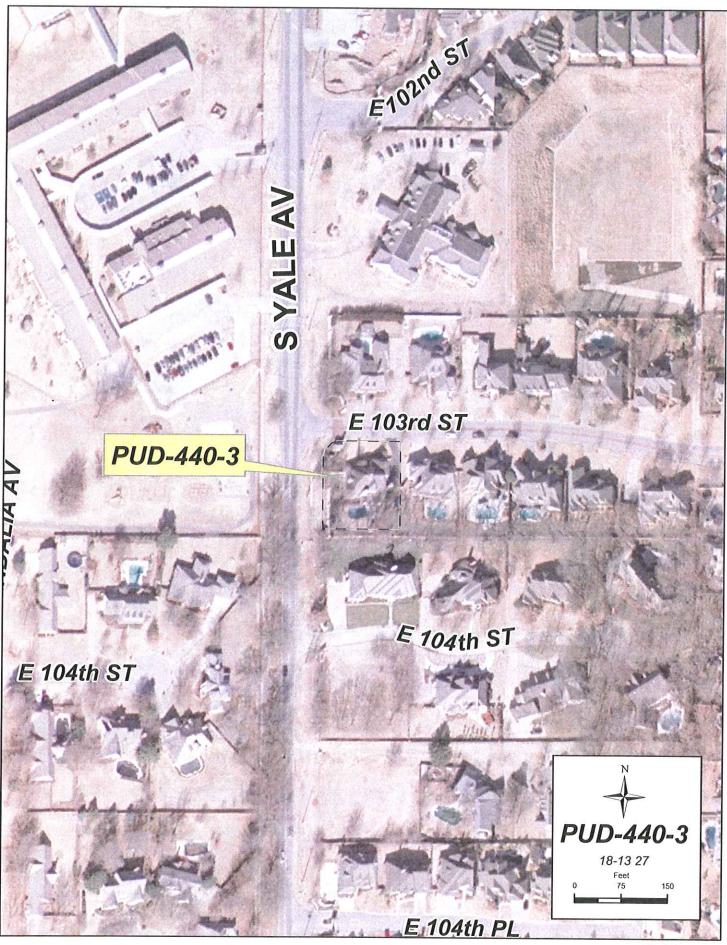












PUD-440-3:

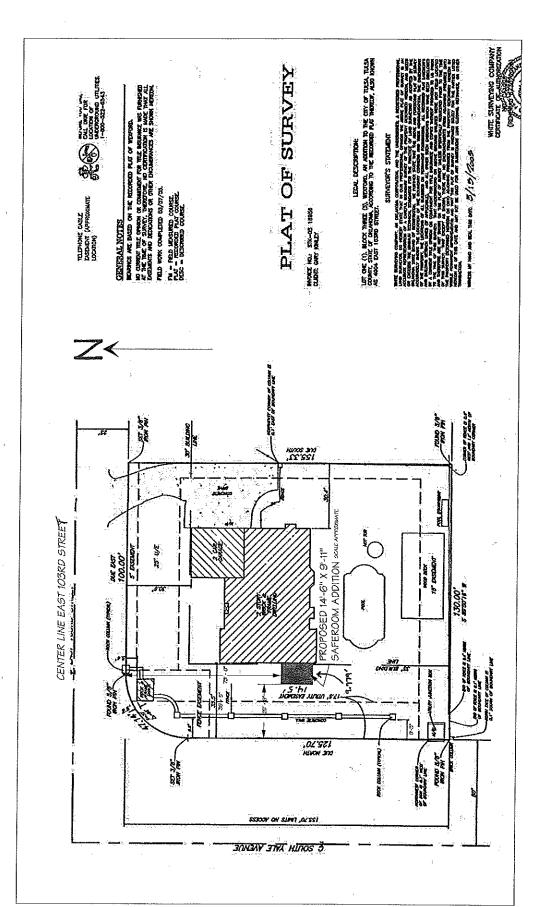
Minor Amendment – 4904 East 103<sup>rd</sup> Street South; Lot 1, Block 3 – Wexford Addition; T-R-S 8327; Atlas 2471; CZM 57; PD-18b CD-7; RS-1/PUD-440.

The applicant is requesting approval of a minor amendment to PUD-440 for the purpose of reducing the required side yard setback along Yale Avenue from the required 35 feet from the property line to 25-feet six-inches to allow for the construction of an addition to a single-family residence.

Staff has reviewed the request and finds the addition of this proposed one-story, 144 (+/-) square foot room addition to be negligible. The proposed addition would not encroach into any utility easements, and would be screened from South Yale Avenue by an existing six-foot screening fence on top of a masonry stub wall.

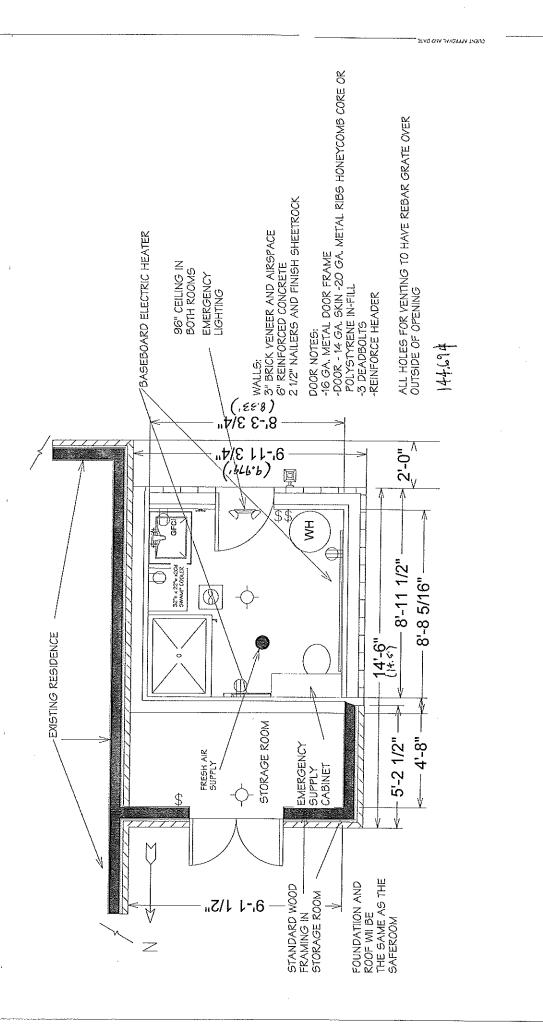
A reduction of the side yard setback along Yale Avenue to 27 feet, for the corner identified as Lot 1, Block 1 – Wexford Addition and addressed 4905 East 103<sup>rd</sup> Street South was approved in 1998 as PUD-440-2.

The additional lot coverage of this proposed room addition conforms to the PUD livability space requirement and does not exceed the 35-foot height limitation. Therefore, staff recommends **APPROVAL** of minor amendment PUD-440-3.

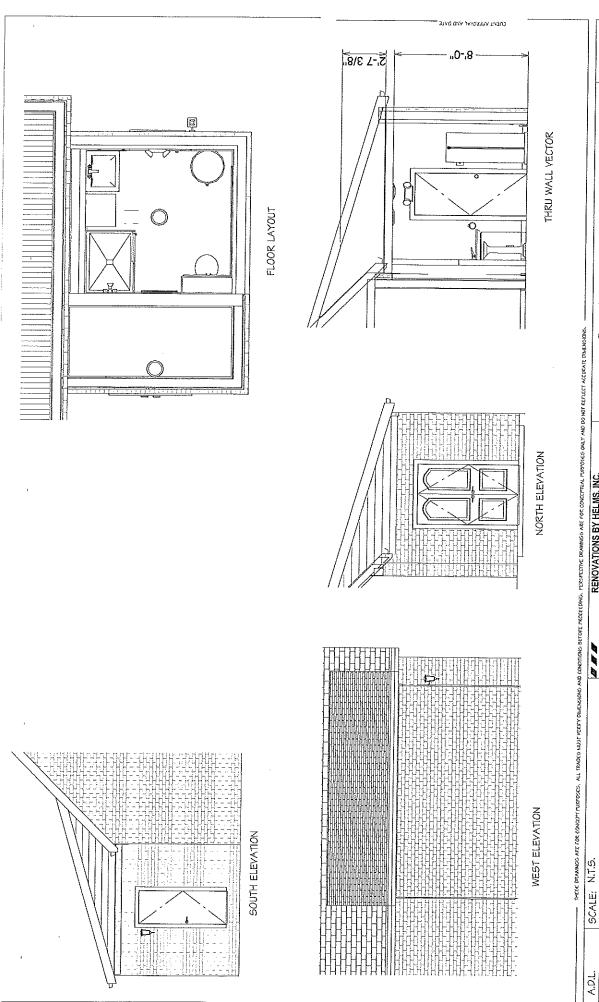


abla771-60-177 4904 EAŠT 103rd STREET 74137 TULSA, OK Gary Kinley THESC DRAININGS ARE FOR CONCEPT FURFOCES. ALL TRACES MUST FEBJY DIMENSIONS AND CONCINONS BEFORE PROTEEDING. PERSPECTIVE DRAINING ARE FOR CONCEPTIVAL FURFOCES ONLY AND DO NOT REFLECT ACTIVATE DIMENSIONS. CONCEPT DRAWINGS PREPARED FOR: 918-369-5746 - FAX 918-366-3360 RENOVATIONS BY HELMS, INC. 17 EAST DAWES AVENUE www.renovationsbyhelms.com **BIXBY, OK 74008** PLAT 1'' = 30'SCALE: 10.30.07 A.D.L.

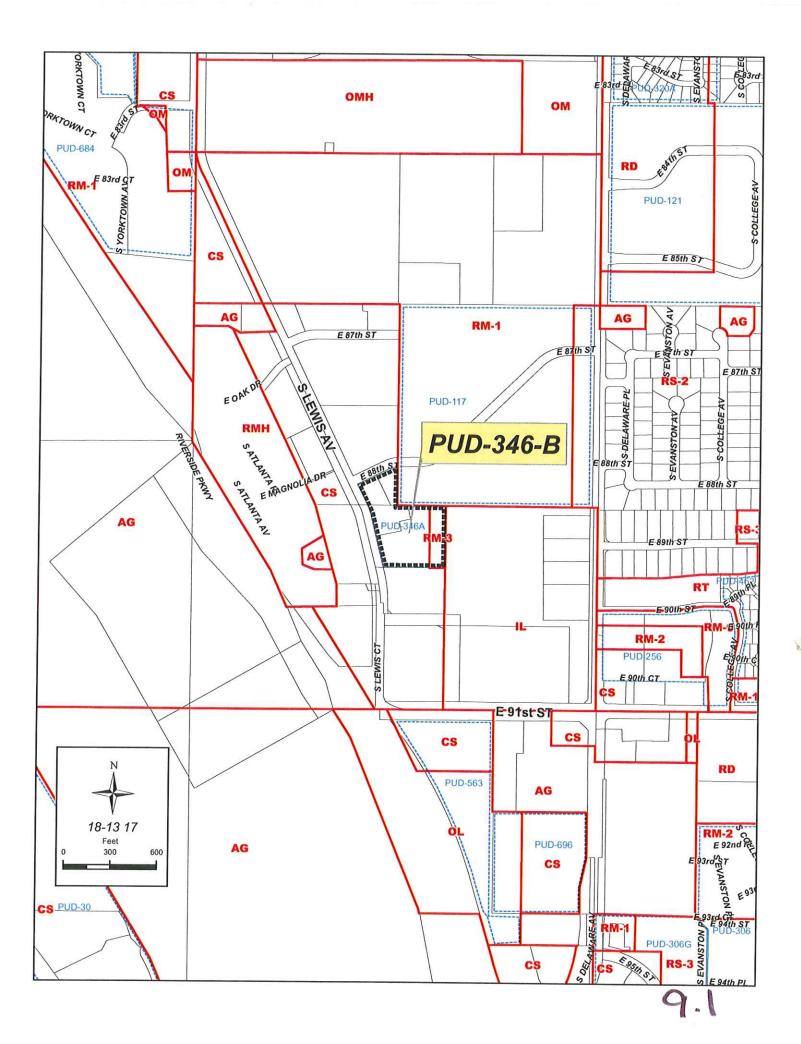
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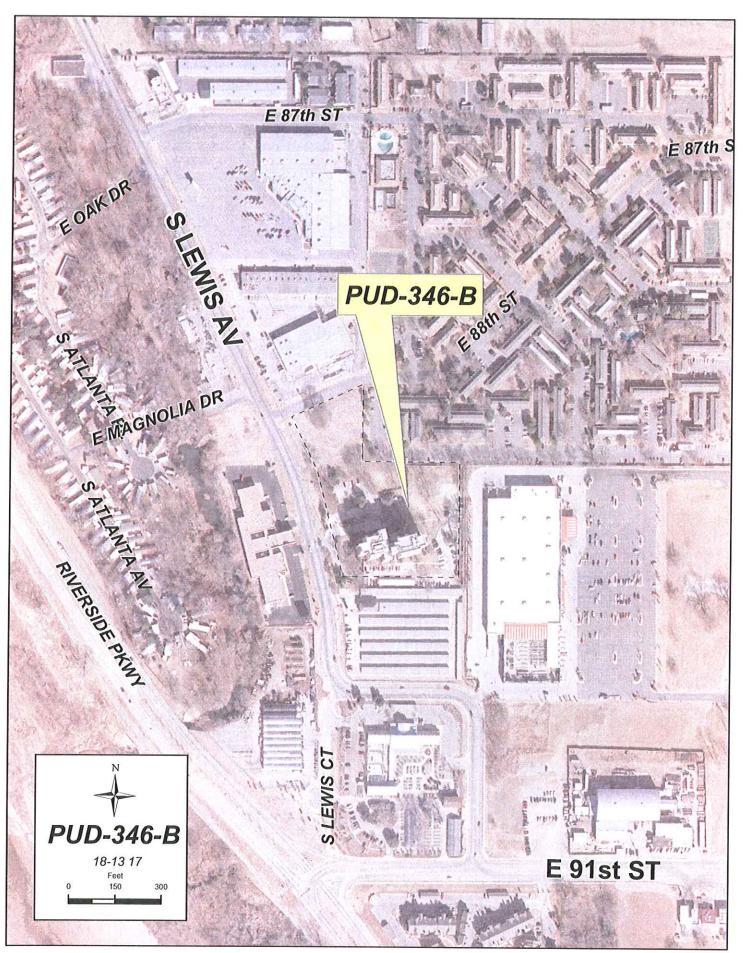


2 771-60-70 4904 EAST 103rd STREET TULSA, 0K 74137 Gary Kinley THESE DEAMINGS ARE FOR CONCERT FURDOSES. ALL TRADES MEST VEHITY DIMENSORIC AND CONDITIONS BEFORE PROCEEDING. PERSPECIAL DRAMINGS ARE FOR CONCEPTION, PURPOSES ONLY AND DO NOT RELIES AZCURATE DIMENSORIS. CONCEPT DRAWINGS PREPARED FOR: 918-369-5746 · FAX 918-366-3360 RENOVATIONS BY HELMS, INC. www.renovationsbyhelms.com 17 EAST DAWES AVENUE BIXBY, OK 74008 SAFEROOM / STORAGE ADDITION SCALE: 3/8" = 1" REV. 11.21.07 10.30.07 A.D.L.



07-09-177 Gary Kinley 4904 EAST 103rd STREET TULSA, OK 74137 CONCEPT DRAWINGS PREPARED FOR: RENOVATIONS BY HELMS, INC.
17 EAST DAWES AVENUE
BIXBY, OK 74008
918-369-5746 - FAX 918-366-3360
www.renovationsbyheims.com ELEVATIONS REV. 11.25.07 10.30.07





9.2

PUD-346-B:

Detail Site Plan - Lot 2, Block 1 - Burgundy Place;

Development Area A; 8887 South Lewis Avenue; CZM 52; PD-

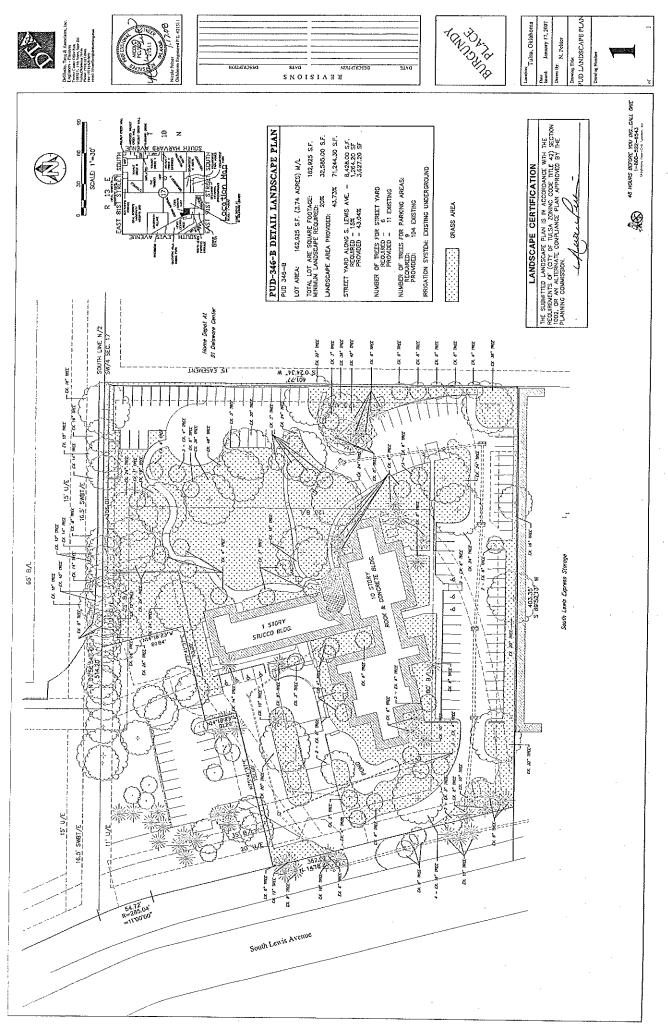
18 CD-2; RM-3/CS/PUD.

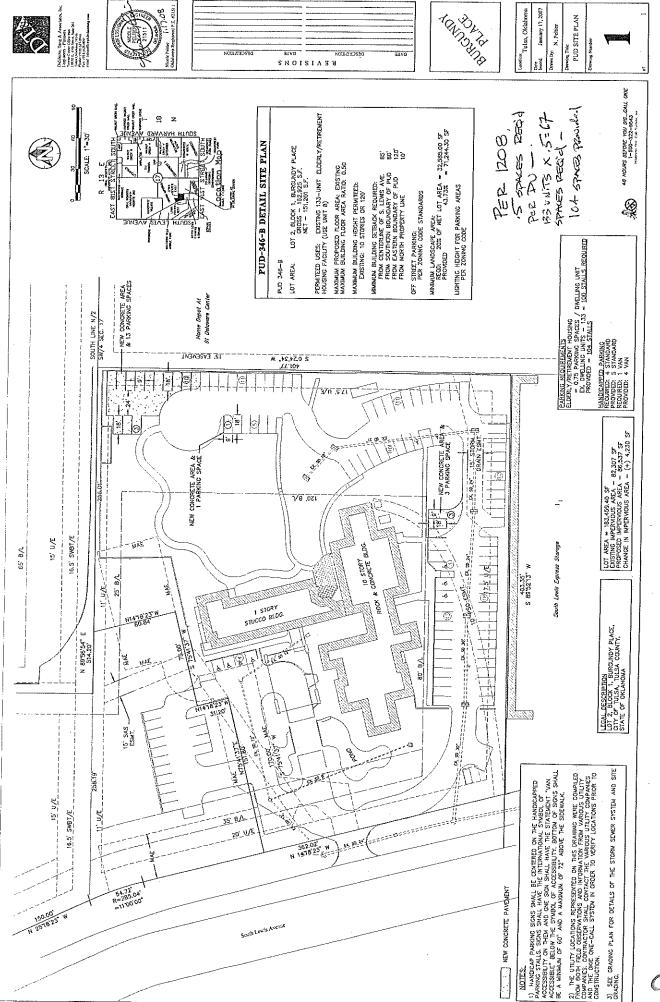
The applicant is requesting approval of a detail site plan for a parking lot expansion within Development Area A, of PUD-346-B, Lot 2, Block 1 – Burgundy Place, to allow for the addition of 17 parking spaces. The proposed use, Use Unit 10 - Off-Street Parking is in conformance with Development Standards of PUD-346-B.

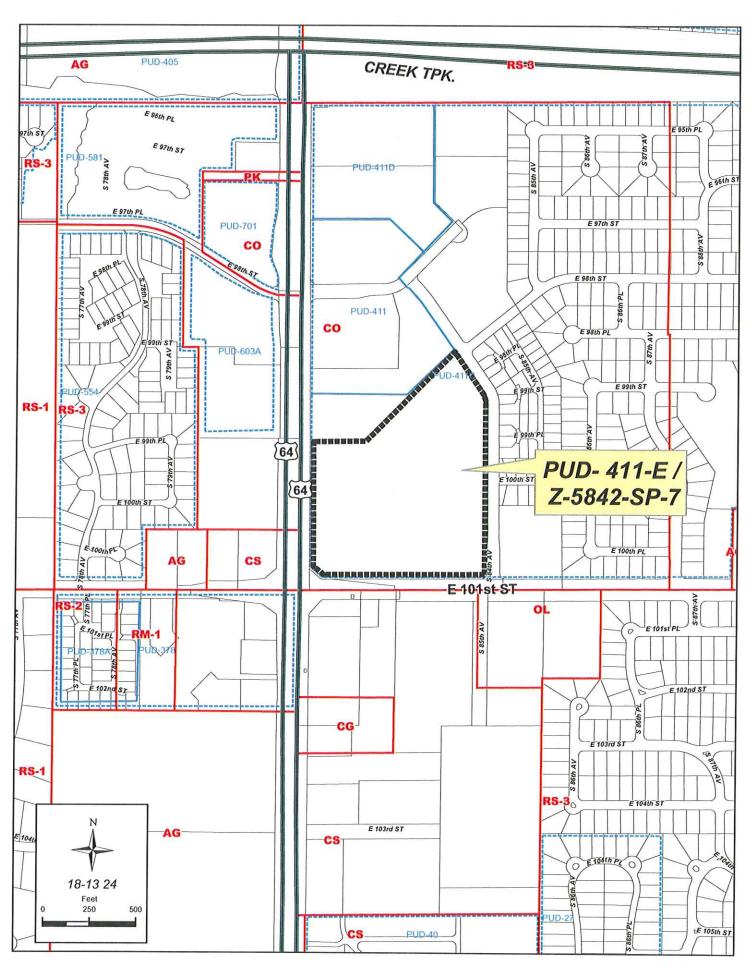
The proposed site plan meets the applicable parking requirements of Section 1208 of the Zoning Code and exceeds the open space requirement per PUD development standards and the zoning code by 23%.

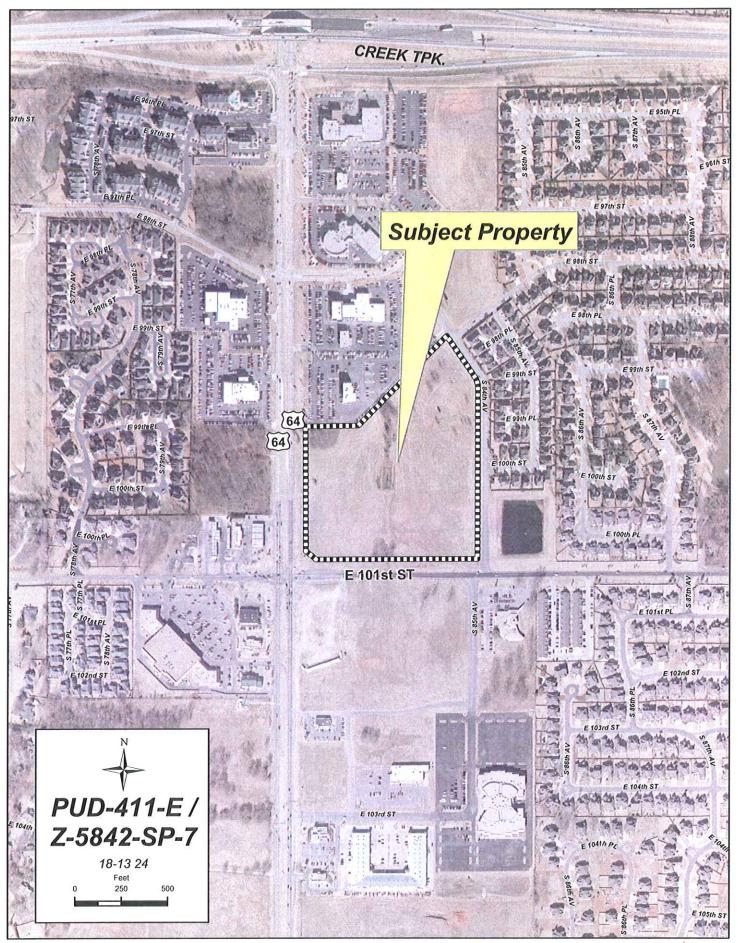
Staff finds the addition of 17 parking spaces to have little, to no negative impact on the over-all development goals of the PUD and therefore recommends **APPROVAL** of the detail site plan for PUD-346-B; Lot 2, Block 1 – Burgundy Place; Development Area A.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)









### TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: Z-5842-SP-7/PUD-411-E

**TRS** 8324

**Atlas** 2083

**CZM** 57

PD-26 CD-8

TMAPC Hearing Date: February 6, 2008

Applicant: Lou Reynolds

Tract Size: 21+ acres

(Continued from 1/23/08)

ADDRESS/GENERAL LOCATION: Northeast corner of South Memorial Drive and East 101st

Street South

**EXISTING ZONING: CO/PUD** 

**EXISTING USE: Vacant** 

ZONING ORDINANCE: Ordinance number 18102 dated December 20, 1993 established

zoning for the subject property.

PROPOSED ZONING: CO/PUD

PROPOSED USE: Shopping center

#### **RELEVANT ZONING HISTORY:**

<u>Z-6391/Z-6391-SP-1/PUD-701 April 2004:</u> All concurred in approval of a request for rezoning a 4.56± acre tract of land from RS-1 to CO/PUD with a proposed Corridor Site Plan and Planned Unit Development for automotive dealership and retail; per staff recommendation and as amended by the Planning Commission, on property located on the northwest corner of East 98<sup>th</sup> Street and South Memorial Drive.

**Z-6879/PUD-678 October 2003:** A request to rezone a 9.63 acre tract from RS-1 to RS-4 with a Planned Unit Development for residential development was filed. TMAPC and City Council concurred in denial of RS-4 and approved RS-3 zoning. After lengthy discussions and several amendments being submitted by the applicant, the PUD was approved for residential development for no more than 33 dwellings units and a minimum of two access points from a public street to the development. The property is located west of the northwest corner of E. 98<sup>th</sup> Street and South Memorial Drive and on the south side of the Creek Turnpike.

<u>Z-6579-SP-2/PUD-603-A January 2000:</u> All concurred in approving a request for a major amendment to PUD-603. The original PUD and corridor site plan designated four development areas for retail commercial and office use, including an automobile dealership on the south 2.5 acres. The major amendment was approved for two development areas on a 9.4-acre tract located on the southwest corner of East 98<sup>th</sup> Street and South Memorial Drive. Development standards and CS uses were approved for both development areas.

<u>Z-6579-SP-1/PUD-603 January 1999:</u> A Planned Unit Development and Corridor Site Plan were approved to allow proposed retail and office use on property located on the southwest corner of East 98<sup>th</sup> Street South and South Memorial Drive.

Z-6617/PUD-581 February 1998: All concurred in approval of a request for CO zoning on an 11.9-acre tract abutting the subject tract on the east. The Comprehensive Plan did not support CO zoning to a depth greater than 500' from South Memorial Drive, but staff and TMAPC concurred that the drainage way and City of Tulsa detention facility located southwest

of the property established a natural demarcation for the CO zoning to a depth of 1,320'. The accompanying PUD was also approved for a proposed multifamily development.

PUD-378-A March 1997: All concurred in approval of a proposed Major Amendment to a PUD to allow single family use of the previously approved office development on a 7± acre tract of land on property located west of the southwest corner of East 101st Street and South Memorial Drive.

<u>Z-6579 March 1997:</u> All concurred in approval of a request to rezone a 24.5-acre tract from RS-1 to CO located on the southwest corner of East 98<sup>th</sup> Street South and South Memorial Drive.

Z-6578/PUD-554 January 1997: All concurred in approval of a request to rezone a 30.8-acre tract of land from AG and RS-1 to RS-3/PUD for a single-family residential development located west of the southwest corner of East 98<sup>th</sup> Street and South Memorial Drive subject to modifications.

Z-5842-SP-6/PUD-411-D November 1994: All concurred in approval of a proposed Major Amendment and Corridor Site Plan on a 10.67± acre tract of land to increase maximum permitted floor area and allowing Use Unit 17 as a permitted use on property located north of subject property.

<u>Z-5842-SP-5/PUD-411-C October 1993:</u> All concurred in approval of a proposed Major Amendment and Corridor Site Plan on a 93± acre tract of land to modify the development areas, permitted uses and development standards to permit automobile and allied activity, office use, multi-family and single-family development on and a part of the subject property.

Z-5842-SP-4/PUD-411-B April 1993: All concurred in approval of a proposed Major Amendment and Corridor Site Plan on a 10± acre tract of land for an outdoor advertising sign on property located north of subject property.

<u>Z-5842-SP-1/PUD-411 February 1986:</u> All concurred in approval of a proposed Planned Unit Development and Corridor Site Plan on a 177± acre tract of land for mixed use development on property located on the northeast corner of E. 101<sup>st</sup> Street S. and S. Memorial drive.

<u>PUD-378 November 1984:</u> All concurred in approval of a proposed Planned Unit Development for an office and commercial development a 20± acre tract of land on property located on the southwest corner of East 101<sup>st</sup> Street South and South Memorial Drive, subject to conditions.

## AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 21± acres in size and is located Northeast corner of South Memorial Drive and East 101<sup>st</sup> Street South. The property appears to be vacant and is zoned CO/PUD-411-C.

## STREETS:

Exist. Access South Memorial Drive	<b>MSHP Design</b>	<b>MSHP R/W</b>	Exist. # Lanes
	Primary arterial	120'	4 w/ median
East 101 <sup>st</sup> Street South	Primary arterial east of Memorial; secondary arterial west of	120' (primary); 100'	4 at intersection of Memorial, down to 2 ½ mile east of
South 84 <sup>th</sup> East Avenue	Memorial	(secondary)	intersection
	N/A	N/A	2

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

SURROUNDING AREA: The subject tract is abutted on the east by 84<sup>th</sup> East Avenue and Ridge Point Villas, zoned CO/PUD-411-C; on the north by Jim Norton Center II, zoned CO/PUD-411; on the south by 101<sup>st</sup> Street South, zoned CS; and on the west by Memorial Drive, zoned CS and CO.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being medium/low to low in density. According to the Zoning Matrix, the existing CO/PUD zoning is found to be in accord with the Plan.

## STAFF RECOMMENDATION:

The proposed PUD-411-E is a 21.0146 acre tract located on the northeast corner of Memorial Drive and 101<sup>st</sup> Street South Avenue and is zoned CO/PUD.

The original PUD-411 was approved in 1986 and included 21 development areas with a wide variety of permitted uses and intensities. Four of these tracts were deleted from the PUD for construction of the Creek Turnpike, while three lots were developed as automobile dealerships, two by the Fred Jones Companies, and one by Jim Norton. In 1995 major amendment PUD-411-C was approved to modify the PUD in order to facilitate the development of a majority of the property for residential single-family homes. Approximately 90 acres of PUD-411-C have been developed as three (3) separate subdivisions: Ridge Pointe, the Jim Norton Dealership, and Trinity Restoration. Jim Norton has since been expanded twice, and Trinity Restoration has been completed. With the exception of the subject property, and Development Areas 4-A and 5-A, all of PUD 411-C has been developed, or is under development.

PUD-411-E proposes to amend development standards for the subject tract in order to create new development area 1A-1 to permit the development of a shopping center and four development out-parcels as reflected on applicants exhibits A and B. No zoning change is required as the underlying CO zoning permits more floor area and lot coverage by buildings than is required for the construction of the South Town Market Shopping Center.

Proposed access to the site is from one (1) entry at the north-west corner of the site from Memorial Drive; two (2) access drives along 101<sup>st</sup> Street South; and five (5) entries along 84<sup>th</sup> East Avenue.

Staff finds the overall development proposal to be consistent with the original intent of the PUD and finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-411-E 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-411-E as modified by staff, subject to the following conditions:

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

## **DEVELOPMENT AREA 1A-1**

## Permitted Uses:

Those uses permitted as a matter of right in Use Unit 10, Off-Street Parking, Use Unit 11, Office and Studios, including Drive-Through Banking Facilities, Use Unit 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins, Use Unit 13, Convenience Goods and Services, and Use Unit 14, Shopping Goods and Services, of the Tulsa Zoning Code and uses customarily accessory thereto.

Detail Site Plan approval is required by the TMAPC for those uses permitted as a matter of right in Use Unit 17, Automotive and Allied Activities. Automobile and light truck sales only may be permitted as alternative uses subject to the development area standards of Development Area 2.

LAND AREA (Net):

21.0146 acres

915,396 SF

## MAXIMUM BUILDING FLOOR AREA\*:

270,000 SF

Of such 270,000 SF of building floor area, 28,000 SF of building floor area will be allocated as follows:

1.	Anchor Tenant	240,000 SF
2.	Out Lot One (1)	7,000 SF
3.	Out Lot Two (2)	7,000 SF
4.	Out Lot Three (3)	7,000 SF
5.	Out Lot Four (4)	7,000 SF

<sup>\*</sup>Floor area may be re-allocated with a minor amendment.

## MAXIMUM LOT COVERAGE BY BUILDINGS:

30%

Maximum building height (top of parapet)

35 feet \*

## OFF-STREET PARKING:

Except for commercial development containing less than 100,000 square feet, as required by the applicable Use Unit of the Tulsa Zoning Code.

For a commercial mixed-use development containing 100,000 square feet or more with a common parking area, required parking may be reduced by 10% per the Tulsa Zoning Code.

## MINIMUM BUILDING SETBACKS:

From centerline of South Memorial Drive:

Within 550 feet of centerline of East 101st Street South

110 feet

<sup>\*</sup> Architectural elements may exceed maximum building height with Detail Site Plan approval.

Greater than 550 feet from the centerline of East 101st Street South 160 feet

From centerline of East 101st Street South:

Within 550 feet of centerline of South Memorial Drive 100 feet

Greater than 550 feet from the centerline of South Memorial Drive 135 feet

From centerline of South 84th East Avenue

Within 300 feet of the centerline of East 101 Street South 45 feet

Greater than 300 feet from the centerline of East 101 Street South 80 feet

## **BUILDING EXTERIOR WALLS:**

All exterior walls of any building on a lot with frontage on South 84<sup>th</sup> East Avenue shall be split faced masonry and shall be constructed of the same materials as the other walls of such building.

## BULK AND TRASH CONTAINER SETBACKS:

From the centerline of South 84<sup>th</sup> East Avenue 60 feet

# MAXIMUM ACCESS POINTS ON SOUTH 84TH EAST AVENUE

Maximum number of access points to South 84<sup>th</sup> East Avenue - 3\*\*

## LANDSCAPED OPEN SPACE:

A minimum of ten percent (10%) of the net land area shall be improved as internal landscaped open space in accordance with the Landscape Chapter of the Tulsa Zoning Code.

For purposes of calculating the landscaped street yard required under Section 1002 of the Tulsa Zoning Code, landscaping street yard setbacks only shall be as follows:

The first 500' of Memorial Drive from 101 <sup>st</sup> Street South	50'
The first 500' of 101 <sup>st</sup> Street South from Memorial Drive	50'
Remaining frontage along Memorial Drive & 101st Street South	200"

## SIGNS:

1. Ground signs shall be limited to one (1) per lot with a maximum of 160 SF of display area and 25 feet in height. There shall be a minimum 30' foot separation between ground signs;

<sup>\*</sup> No access drive shall be permitted to open directly west of a platted residential lot.

- 2. Wall signs shall be permitted not to exceed 1.5 SF of display surface area per lineal foot of building wall to which attached; and
- 3. In addition to the ground signage provided in item 1 above, a tenant directory sign shall be permitted along each arterial street with a maximum of 300 SF of display surface area and 25 feet in height. The tenant directory signs may be constructed up to 40' in height, if in addition to the minimum required setback, the setback is increased one (1) foot for every foot over 25' in total height.

## LIGHTING:

Lighting shall be arranged so as to shield and direct the light away from any residential area.

Within the East 150 feet of Development Area 1-A-1, no light standard or building-mounted light shall exceed 12 feet in height. Otherwise, no light standard or building-mounted light shall exceed 30 feet in height.

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 Formulae. Consideration of topography shall be included in the calculations.

## TRASH, MECHANICAL AND EQUIPMENT AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by a franchise utility providers), including building mounted, shall be screened from public view by the erection of a solid screening wall or fence, in such a manner that the areas cannot be seen by a person standing at ground level.

## VEHICULAR ACCESS AND CIRCULATION:

The primary vehicular access shall be permitted from the adjacent arterial streets.

There will be a Mutual Access Easement along the East boundary of Out Lots One (1) and Two (2) and between Out Lots Three (3) and Four (4).

There is an existing Mutual Access Easement between the Jim Norton tract to the North and Out Lot One (1).

## PEDESTRIAN ACCESS AND CIRCULATION:

A pedestrian circulation plan shall be required that includes the following:

(a) Sidewalks along Memorial Drive, 101st Street South and 84th East Avenue;

- (b) Pedestrian walkways through parking lot(s); a minimum of three (3) feet in width, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-street front building entrances and/or sidewalks and trails where applicable. The three (3) foot width shall not include any vehicle overhangs. Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways.
- (c) Pedestrian walkways connecting transit stops to non-street front building entrances where applicable.
- (d) Pedestrian walkways clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect.
- (e) 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.

## NO OUTSIDE STORAGE:

There shall be no outside storage of recyclable material, trash or similar materials outside of a screened receptacle, nor shall trucks or truck trailers be parked except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

## SCREENING:

Except (i) with 300 feet of the centerline of East 101<sup>st</sup> Street South; and (ii) at points of ingress and egress a six (6) foot masonry screening fence will be erected and maintained along the easterly boundary of Development Area 1-A-1.

## HOURS OF TRUCK OPERATION AND DUMPSTER SERVICE:

No idling of trucks and no trash dumpster service shall be allowed between the hours of 10:00 p.m. and 7:00 a.m.

- 3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 4. A detail landscape plan for each development area 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 on a lot within the PUD until a

detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

- 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. 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.
- 8. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
- 9. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
- 10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 11. Approval of the major amendment is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
- There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments from 1/10/08

General: No comments.

Water: Installation of a water main line will be necessary.

<u>Fire:</u> 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.

<u>Stormwater:</u> Page 8 Drainage states that on-site detention is provided, but the existing stormwater detention facility is not in the area depicted as the PUD Major Amendment area on

the Exhibits. The "existing detention pond" appears to have been constructed for the residential development at Ridge Point Villas. Please provide the documents, which state that this detention pond was sized to receive and detain the additional drainage from this proposed commercial development.

<u>Wastewater:</u> A mainline extension must be provided through the SSID process to provide sanitary sewer service to all lots within the proposed development. No connections will be allowed on the existing system located east of South 84<sup>th</sup> East Avenue. That line drains to the Ridge Pointe Lift Station, and that system is already at capacity.

<u>Transportation:</u> <u>PEDESTRIAN ACCESS AND CIRCULATION</u> (page 4): Provide sidewalks along Memorial.

<u>Traffic:</u> Dedicate an additional 10 ft of Right of Way along 101st Street adjacent to Lots 3 & 4 for a future Right Turn Bay per Subdivision Regulations. (Total of 70 feet for a Primary Approach.) Show a Mutual Access Easement running North-South between Lots 3 & 4 and another East-West between Lot 1 and the Norton Plat. Recommend a Signal Warrant Study for the proposed Traffic Signal on Memorial as well as 98 St. & Memorial and 101 ST & 84 E AVE. Clarify the maximum number of Access Points along 84th East Avenue. In order to discourage through traffic into the residential area the Traffic Engineer recommends a Right-in/Right-out Diversion Island be constructed in the middle of the north drive onto 84 E AVE.

GIS: No comments.

Street Addressing: No comments.

**County Engineer:** No comments.

# **Transportation Comments from INCOG:**

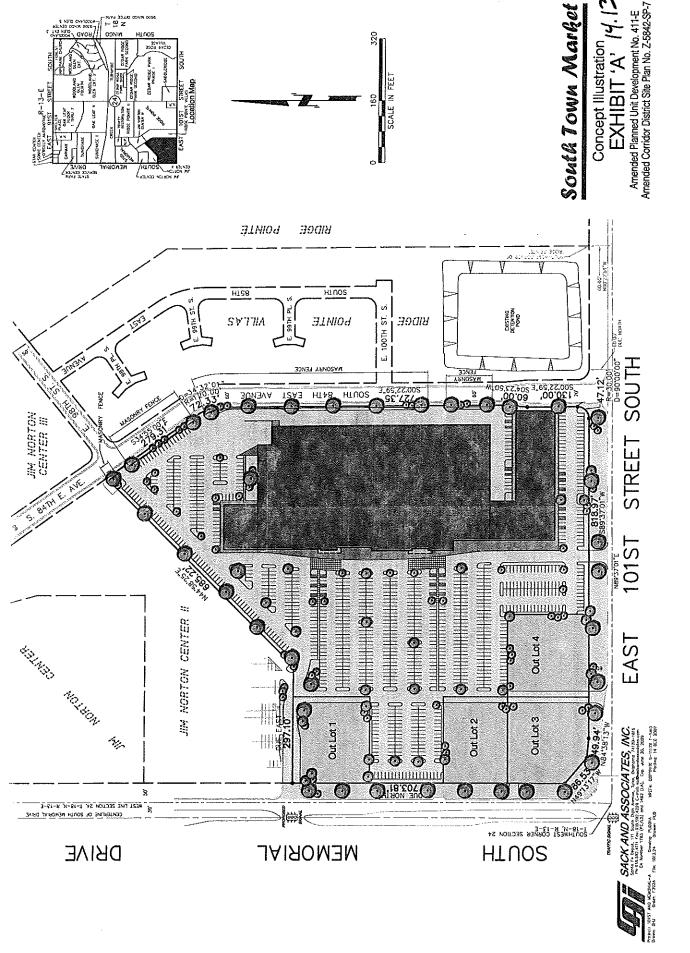
MSHP: No comment.

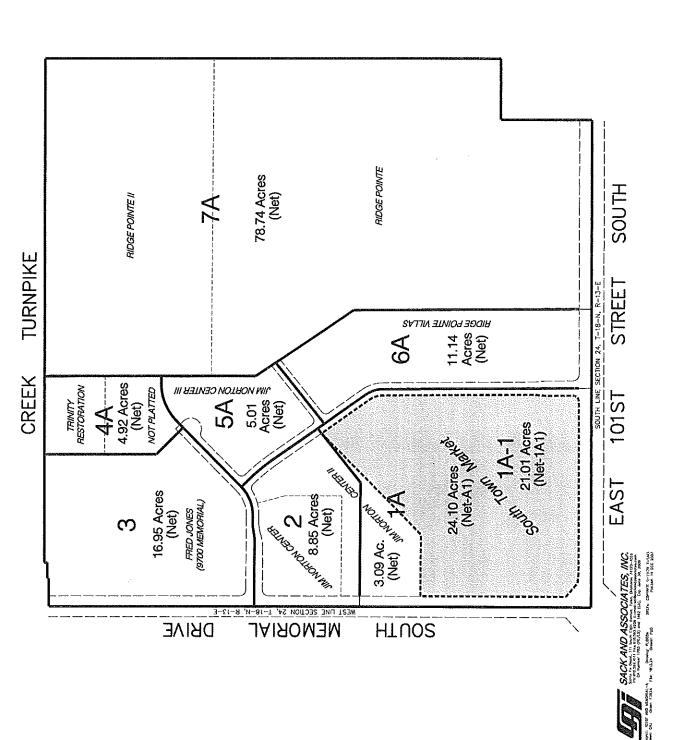
**LRTP**: Memorial Drive, between E. 101<sup>st</sup> Street S. and E. 91<sup>st</sup> Street S., planned 6 lanes. E. 101<sup>st</sup> Street S., between S. Memorial Drive and S. Mingo Road, planned 4 lanes. Creek Turnpike, between S. Memorial Drive and S. Mingo Road, planned 6 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.

TMP: No comment

**Transit**: No current or future plans for this location.

02-06-08



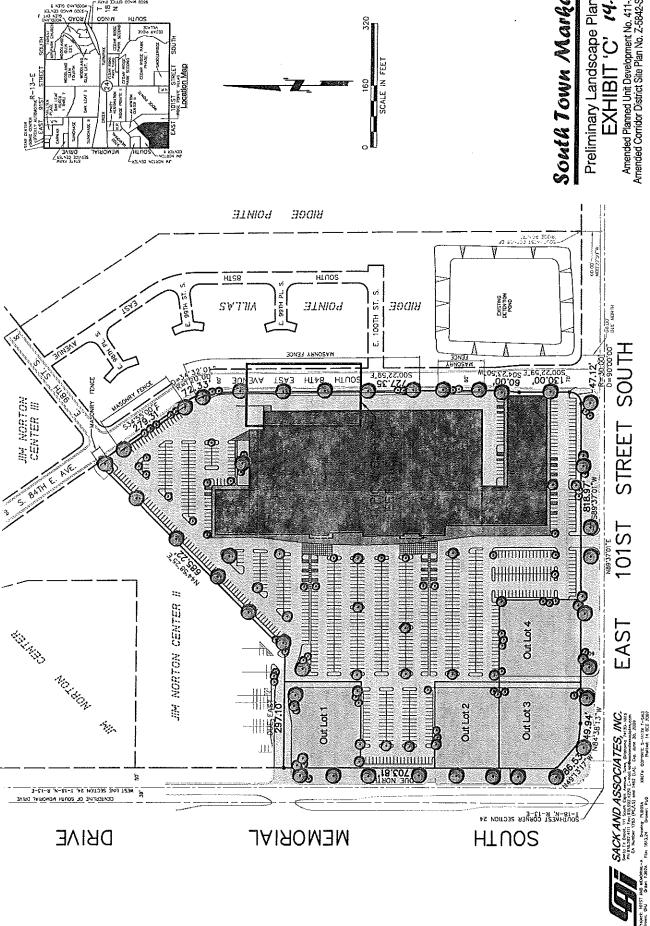


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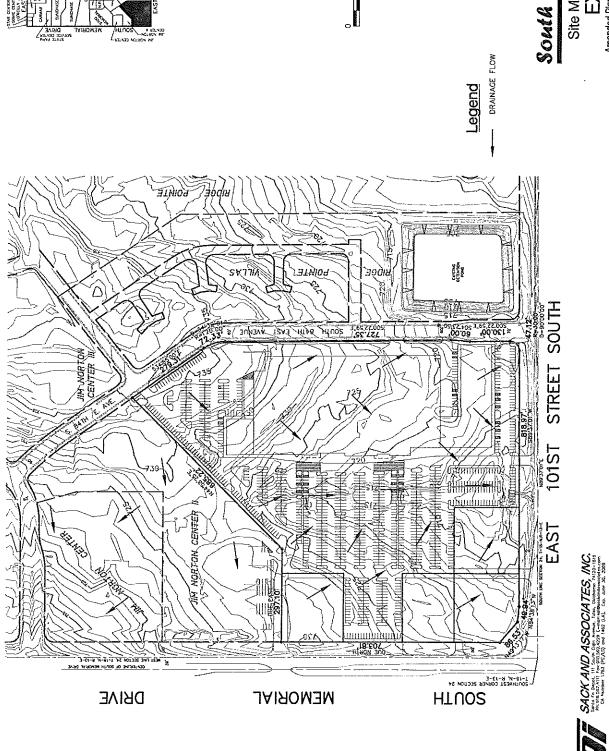


Amended Planned Unit Development No. 411-E
Amended Corridor District Site Plan No. Z-5842-SP-7



South Town Market

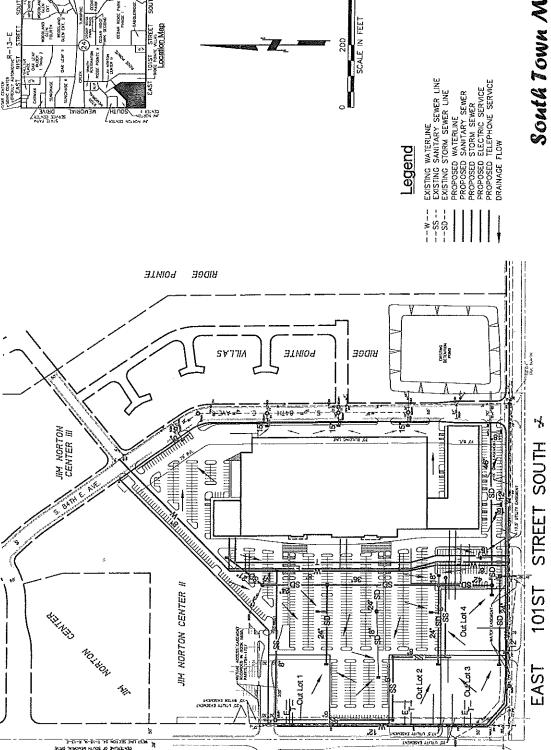
Amended Planned Unit Development No. 411-E Amended Corridor District Site Plan No. Z-5842-SP-7



# South Town Market

Site Map & Topography EXHIBIT 'D' '4.

Amended Planned Unit Development No. 411-E Amended Corridor District Site Plan No. Z-5842-SP-7



MEMORIAL

# South Town Markel

Existing & Proposed Utilities EXHIBIT 'E' '4'

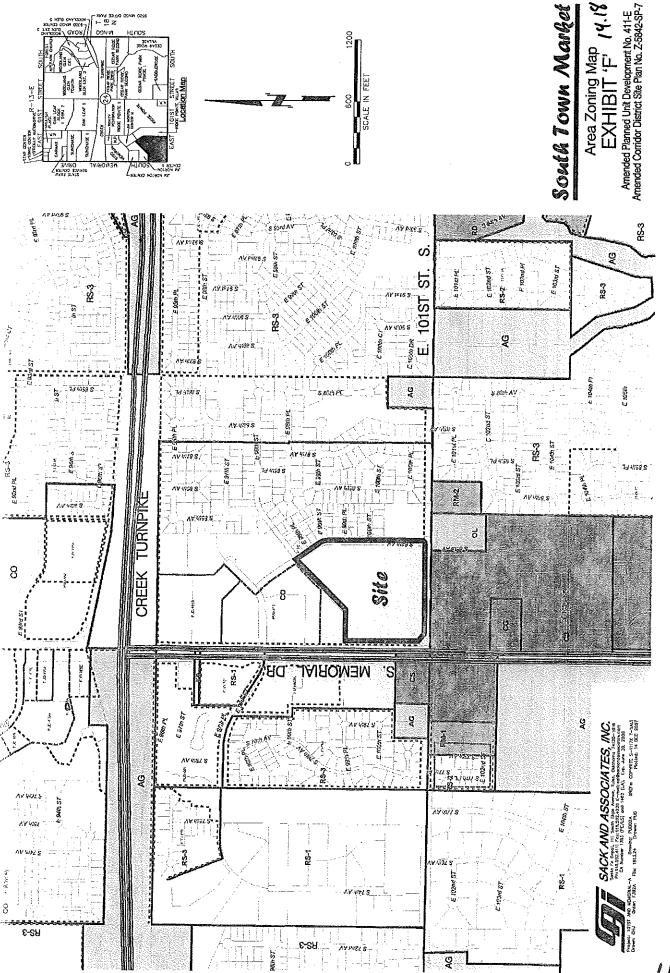
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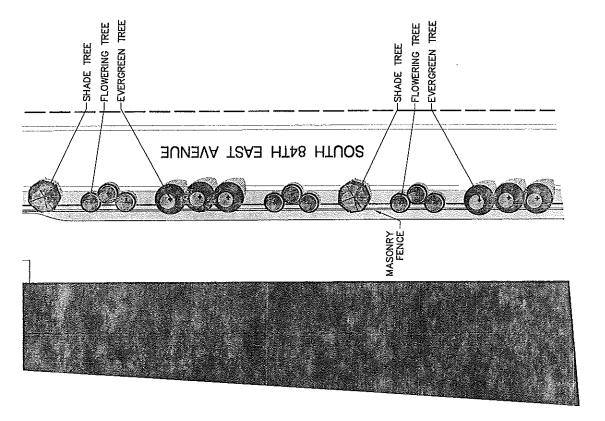
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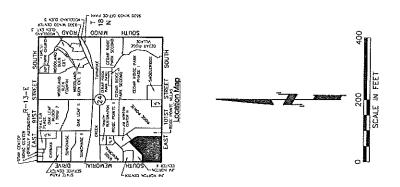
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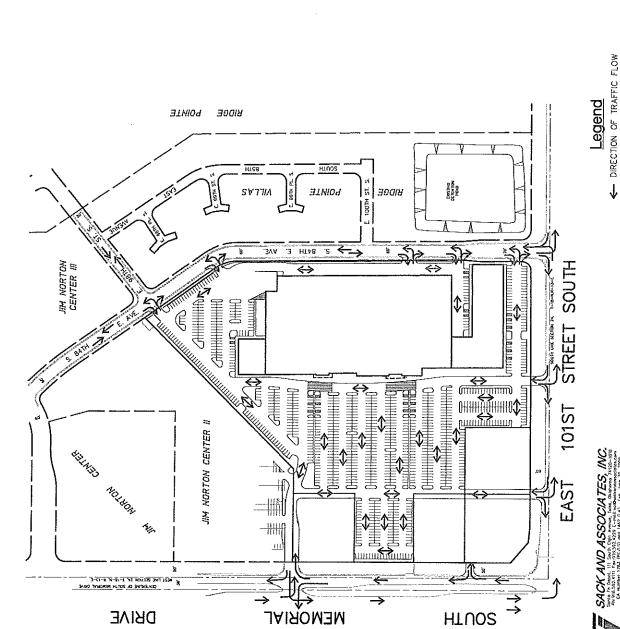
0 40 SCALE IN FEET

# South Town Market

South 84th East Avenue Frontage EXHIBIT 'C-1' M-1 Landscape Details,

Planned Unit Development Number 411-E Amended Corridor District Site Plan No. Z-5842-SP-7





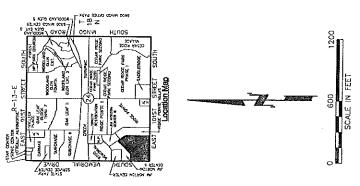
# South Town Market

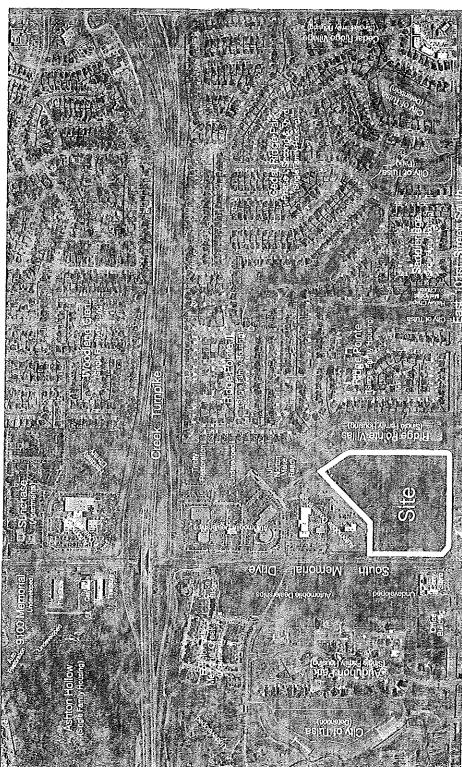
EXHIBIT 'H' 14. Circulation and Access

Amended Planned Unit Development No. 411-E Amended Corridor District Site Plan No. Z-5842-SP-7

HTUOS

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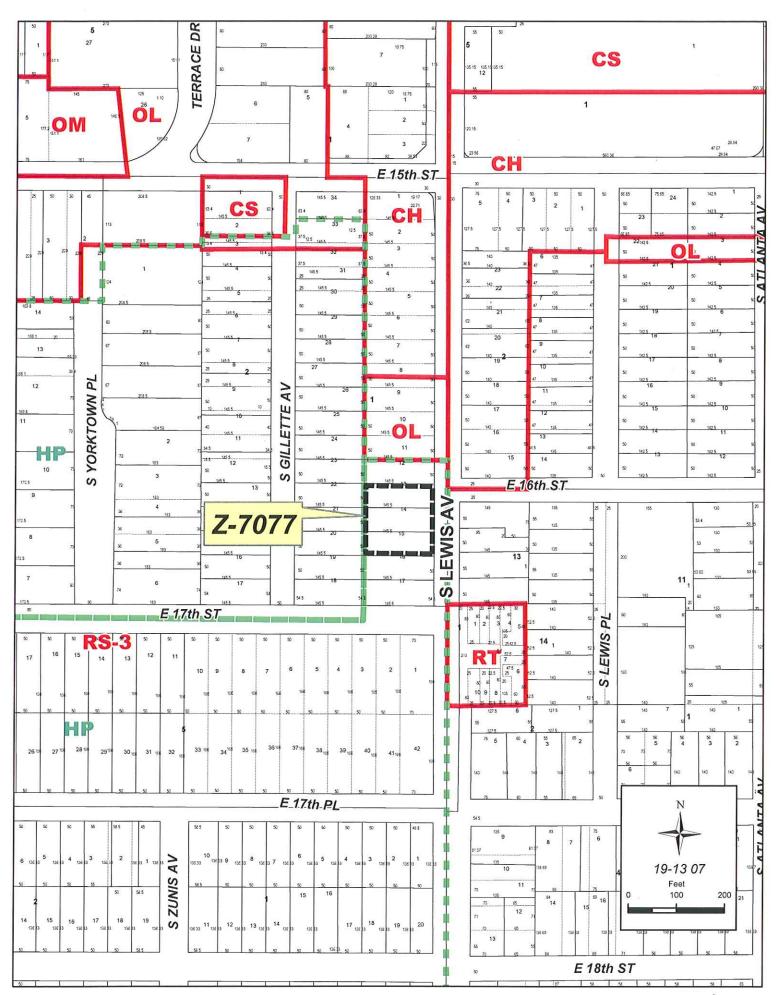




# South Town Marke

Aerial Photo-Land Uses EXHIBIT 'G' 14:21

Amended Planned Unit Development No. 411-E Amended Corridor District Site Plan No. 2-5842-SP-7



January 29, 2008

INCOG 201 W. 5<sup>th</sup> St. Suite 600 Tulsa, OK 74103

Re:

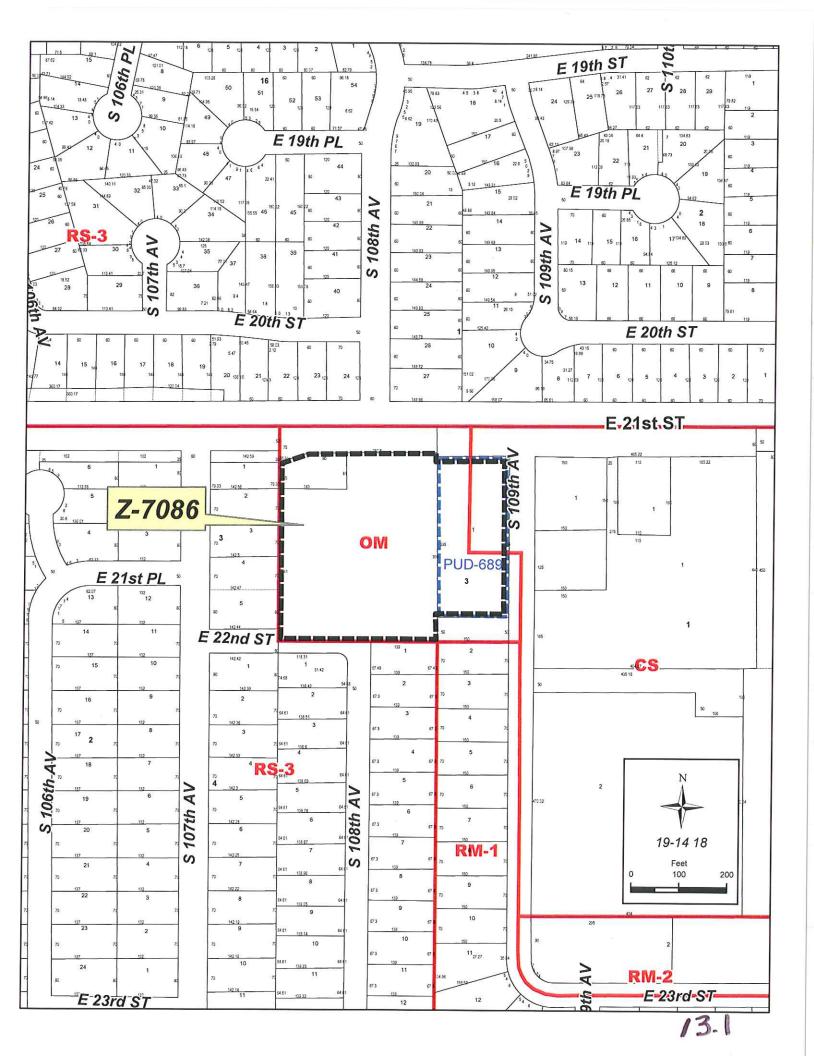
PUD Application for James W. Lane, Jr.

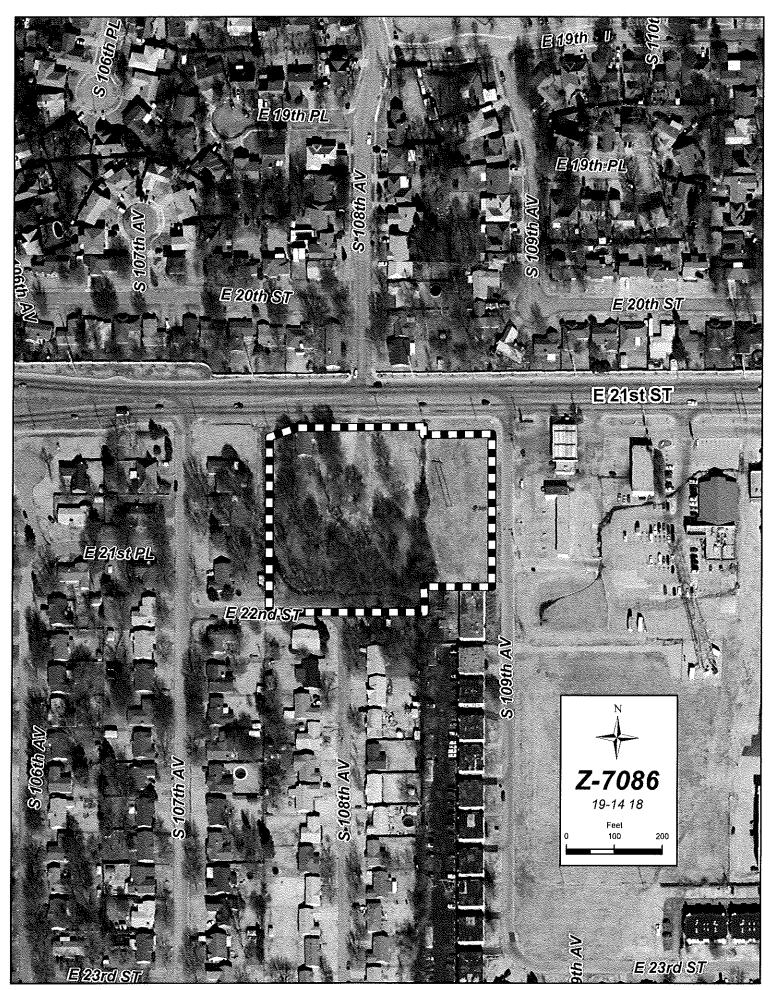
Rezoning Application Z-7077

# To Whom It May Concern:

k/you,

I would like to request that my zoning hearing be postponed so that my PUD and zoning can be heard together. If you have any questions please do not hesitate to call.





13.2



## TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION: Z-7086** 

**TRS** 9418

Atlas 746

**CZM** 39

PD-17 CD-5

TMAPC Hearing Date: February 6, 2008

**Applicant:** Kamlesh Aggarwal

Tract Size: 4.13+ acres

ADDRESS/GENERAL LOCATION: Southwest corner of East 21st Street and South 109th

East Avenue

EXISTING ZONING: OM/CS/PUD-689

**EXISTING USE:** Residential/vacant

ZONING ORDINANCE: Ordinance number 11817, dated June 26, 1970, established OM zoning for the subject property. The PUD overlay and CS underlying zoning were established by ordinance number 20675, dated September 17, 2003.

**PROPOSED ZONING:** CS (\*if approved, this application will necessitate abandonment of

**PROPOSED USE:** Retail services

the overlaying PUD)

## **RELEVANT ZONING HISTORY:**

**Z-6903 September 2003:** All concurred in approval of a request for rezoning a .39± acre tract of land from OM to CS/PUD for computer store and repair with internet coffee shop on property located southwest corner East 21st Street South and South 109th East Avenue.

PUD-689 September 2003: All concurred in approval of a request for rezoning a 1.15+ acre tract of land for computer store and repair with internet coffee shop on property located southwest corner East 21st Street South and South 109th East Avenue.

BOA-17575 November 1996: The Board of Adjustment approved a request for a special exception to allow a mini-storage facility on the tract abutting the subject tract on the west, subject to approval of a site plan by the Board prior to issuance of a building permit.

# **AREA DESCRIPTION:**

SITE ANALYSIS: The subject property is approximately 4.13+ acres in size and is located southwest corner of East 21st Street and South 109th East Avenue. The property appears to be vacant with some residential and is zoned OM/CS/PUD-689.

### STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 21 <sup>st</sup> Street South	Primary arterial	120'	4+ turn lanes
South 109 <sup>th</sup> East Avenue	N/A	N/A	2

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

**SURROUNDING AREA:** The subject tract is abutted on the east across South 109<sup>th</sup> East Avenue by commercial and mixed uses, zoned CS; on the north by single-family residential uses, zoned RS-3; on the south largely by single-family residential uses, zoned RS-3, and some multifamily mixed uses, zoned RM-1; and on the west by single-family residential uses, zoned RS-3.

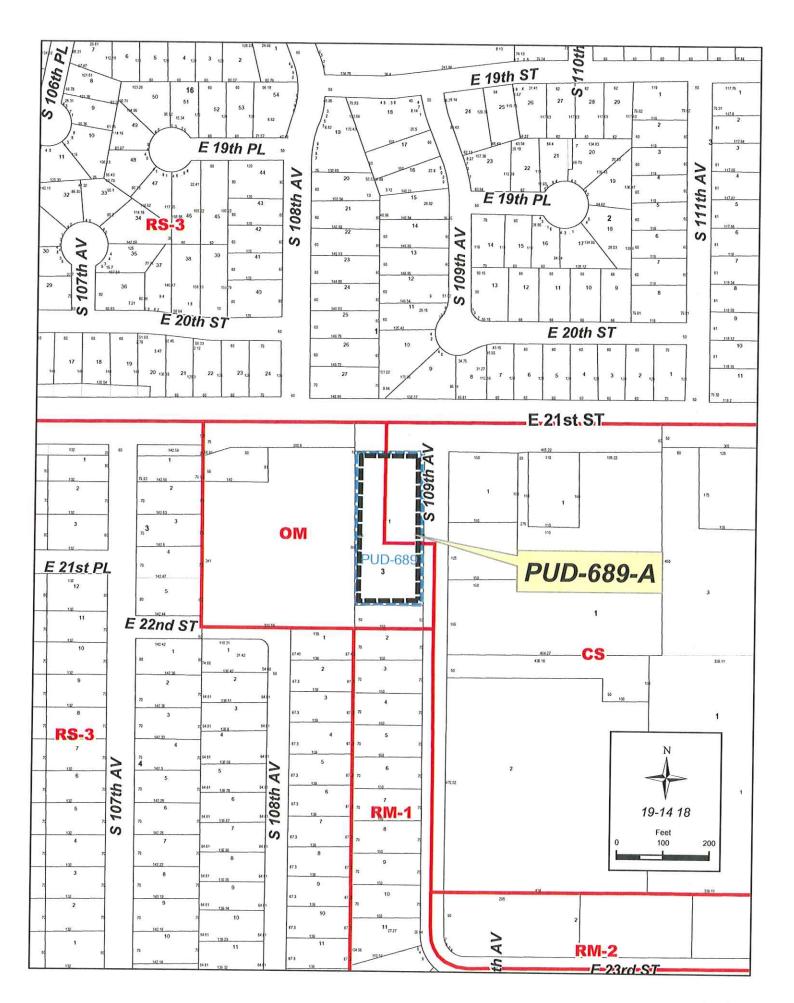
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

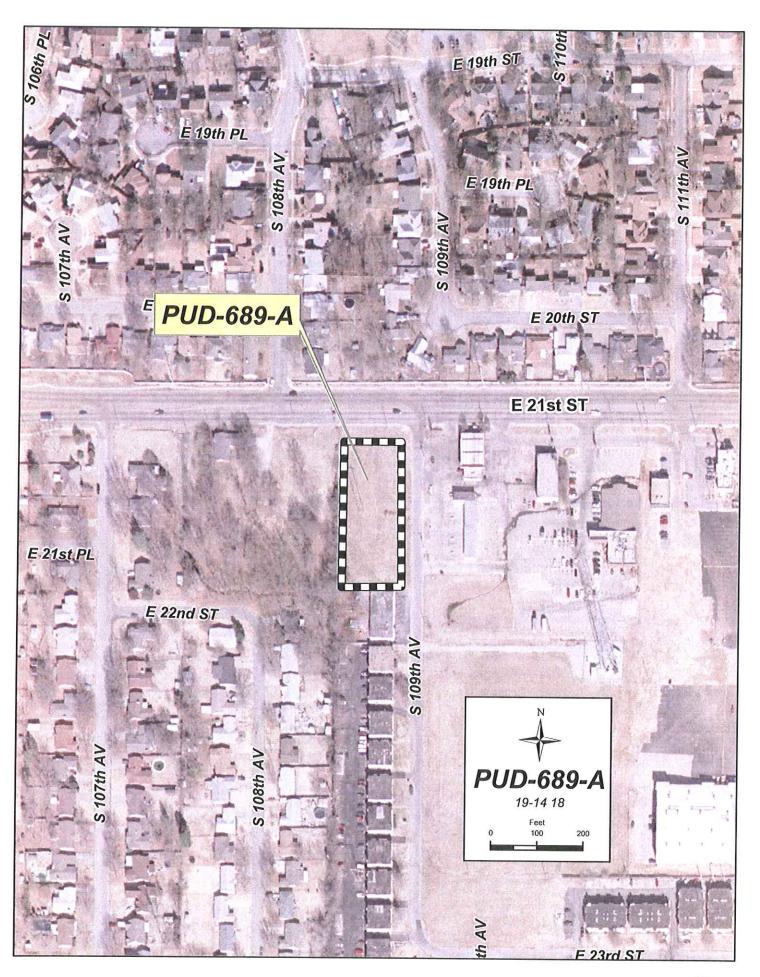
The District 17 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates the OM-zoned portion of this area as being Medium Intensity-Office land use and the CS-zoned portion as being Medium Intensity-No Specific land use. According to the Zoning Matrix, the requested CS zoning is in accord with the area designated by the Plan as Medium Intensity-No Specific land use and is not in accord with the area designated by the Plan as Medium Intensity-Office land use.

## STAFF RECOMMENDATION:

Based on the District Plan and the majority of surrounding uses, staff cannot support the requested CS zoning. The location, moreover, does not meet the Development Guidelines requirements for a medium intensity node, which requires location at the corner of an arterial/arterial intersection. Therefore, staff recommends **DENIAL** of CS zoning for the portion currently zoned OM on Z-7086.

02/06/08





## TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION:** PUD-689-A (Abandonment)

**TRS** 9418

Atlas 746

**CZM** 39

PD-17 CD-5

TMAPC Hearing Date: February 6, 2008

Applicant: Kamlesh Aggarwal

Tract Size: 4.13+ acres

ADDRESS/GENERAL LOCATION: Southwest corner of East 21st Street and South 109th

East Avenue

EXISTING ZONING: OM/CS/PUD-689

**EXISTING USE:** Residential/vacant

ZONING ORDINANCE: Ordinance number 20675 dated September 17, 2003, and 11817

dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: CS/PUD-689-A

PROPOSED USE: Retail services

## **RELEVANT ZONING HISTORY:**

**Z-6903 September 2003:** All concurred in approval of a request for rezoning a .39+ acre tract of land from OM to CS/PUD for computer store and repair with internet coffee shop on property located southwest corner East 21<sup>st</sup> Street South and South 109<sup>th</sup> East Avenue.

PUD-689 September 2003: All concurred in approval of a request for rezoning a 1.15+ acre tract of land for computer store and repair with internet coffee shop on property located southwest corner East 21<sup>st</sup> Street South and South 109<sup>th</sup> East Avenue.

BOA-17575 November 1996: The Board of Adjustment approved a request for a special exception to allow a mini-storage facility on the tract abutting the subject tract on the west. subject to approval of a site plan by the Board prior to issuance of a building permit.

## AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.13± acres in size and is located southwest corner of East 21st Street and South 109th East Avenue. The property appears to be vacant with some residential and is zoned OM/CS/PUD-689.

## STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 21 <sup>st</sup> Street South	Primary Arterial	120'	4
South 109 <sup>th</sup> East Avenue	Residential Collector	60'	2

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

SURROUNDING AREA: The subject tract is abutted on the east by Garnett Acres Addition, zoned CS; on the north by 21<sup>st</sup> Street and Magic Circle Addition, zoned RS-3; on the south by Magic Circle Second Addition, zoned RS-3/RM-1; and on the west by Mesa Park, zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 17 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 underlying OM/CS zoning is in accord with the Plan. Also, the applicant has requested to rezone the subject property to CS under rezoning application Z-7086 which is also on the February 6, 2008 agenda. The requested CS zoning is also in accord with the Plan.

## STAFF RECOMMENDATION:

This property is currently zoned OM/CS/PUD-689 and is located on the south side of 21<sup>st</sup> Street South on the west side of 109<sup>th</sup> East Avenue. The applicant is requesting abandonment of PUD-689 and has a pending rezoning application, Z-7086 requesting removal of the OM portion of the site and extending the underlying CS zoning to the remainder of the tract.

According to the Zoning Code upon abandonment of the PUD and approval by the City Council, the zoning of the tract reverts back to the underlying zoning. Staff finds that the OM zoning on the west and south of this parcel provides an adequate buffer for the residential areas located south and west of this site.

Upon abandonment of the PUD and approval by the City Council, the City Council upon an applicant's request may amend the underlying zoning of the tract. Should the rezoning request for the tract be approved the new CS zoned lot would also be buffered from the residential lots immediately to the south and west by intermediary OM zoned tracts.

Based on the aforementioned, staff recommends **APPROVAL** of major amendment PUD-689-A, permitting the abandonment of PUD-689 subject to conditions recommended by the Technical Advisory Committee during the PUD abandonment process which are approved by TMAPC.

TAC comments from 1/17/08:

PUD-689-A – Southwest corner East 21st Street and 109th East Avenue

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: Will there be a new PUD for this site?

Wastewater: No comments.

Transportation: No comments.

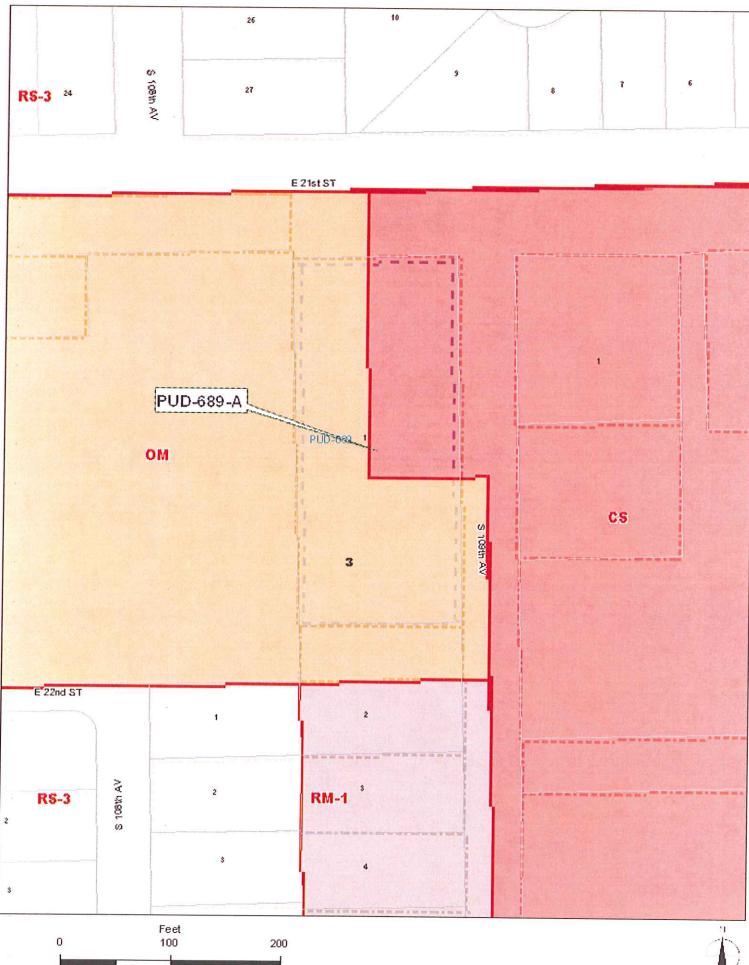
Traffic: No comments.

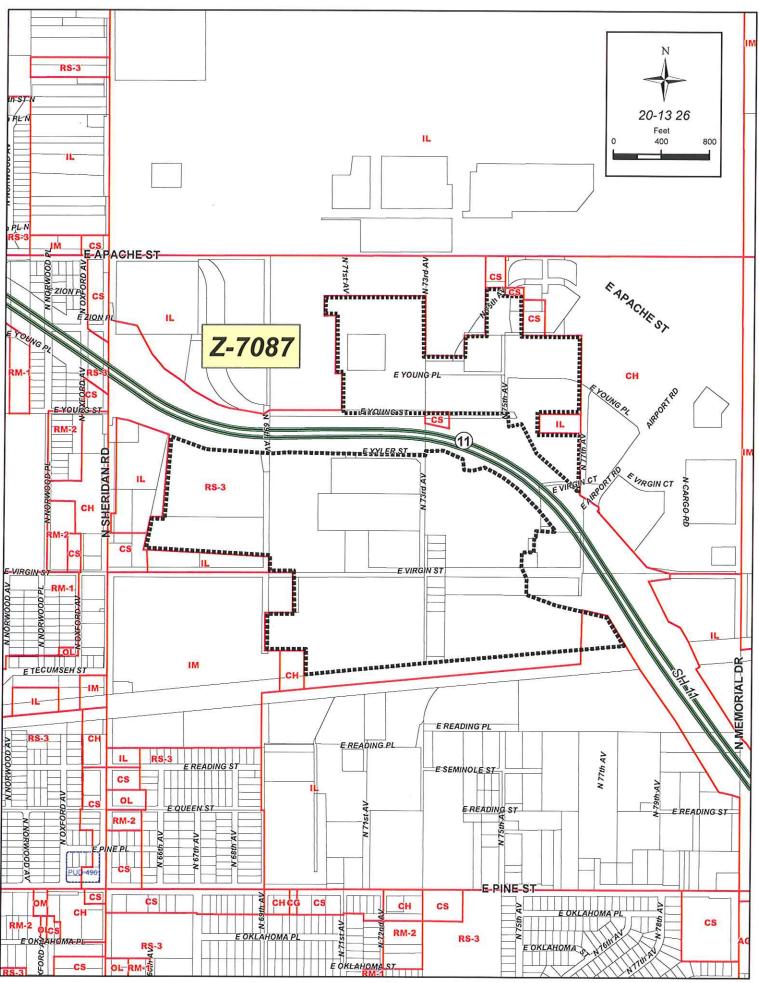
**GIS:** No comments.

Street Addressing: No comments.

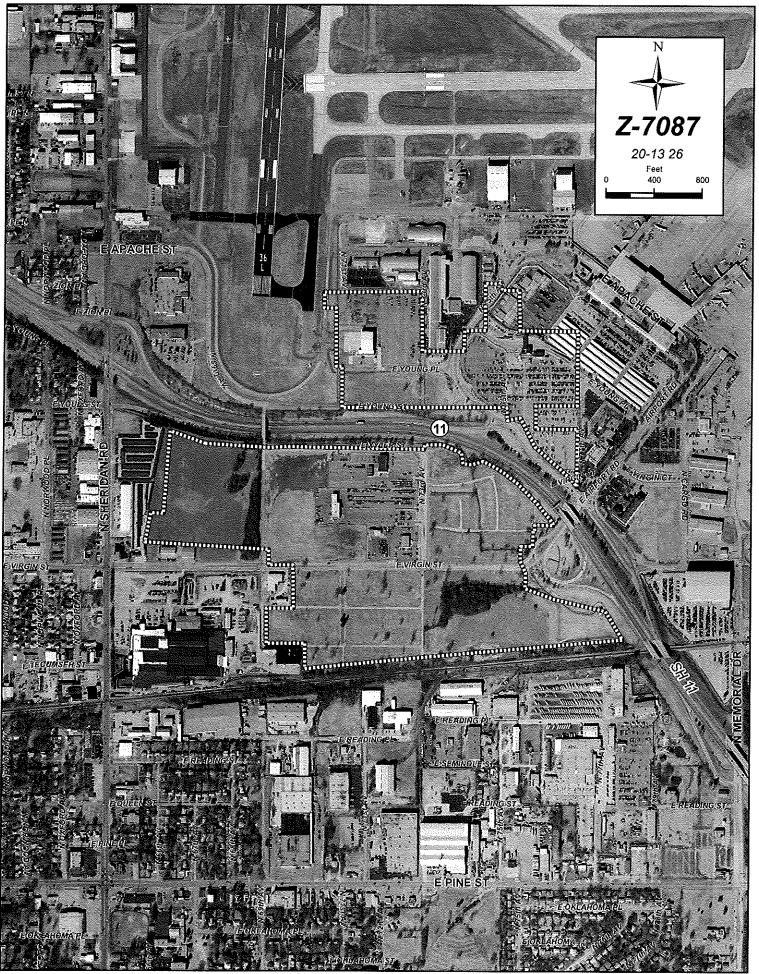
**County Engineer:** No comments.

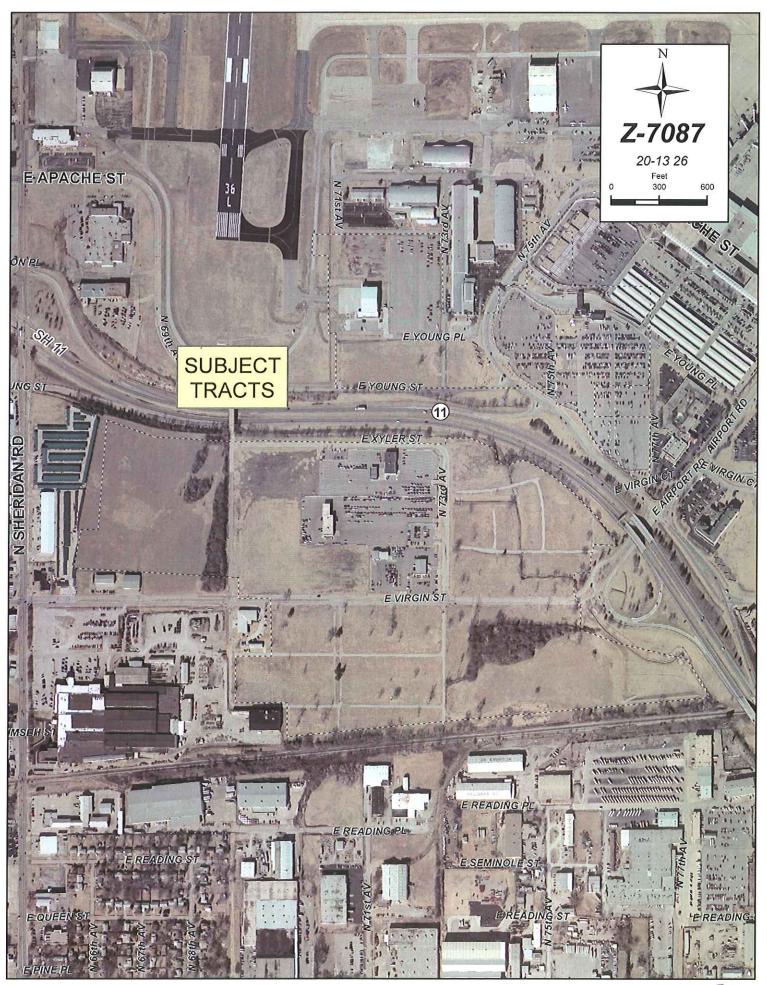
02/06/08





15.1





## TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION:** Z-7087

TRS 0326

Atlas 0

**CZM** 30

PD-16 CD-3

TMAPC Hearing Date: February 6, 2008

Applicant: C.O.T./Tulsa Airport Improvements

Tract Size: 148 + acres

Trust

ADDRESS/GENERAL LOCATION: Land surrounding the Tulsa International Airport

**EXISTING ZONING: RS-3** 

**EXISTING USE:** Vacant/Airport

ZONING ORDINANCE: Ordinance number 11910, dated June 26, 1970 established zoning for

the subject property.

PROPOSED ZONING: IM

PROPOSED USE: Airport related, car rental.

airplane repair, etc.

## RELEVANT ZONING HISTORY:

BOA-18560 November 9, 1999: The Board of Adjustment approved a Special Exception to allow an airport and airport accessory uses on property located south of the Gilcrease Expressway and most of the subject property.

Z-6618 February 1998: All concurred in approval of a request for rezoning a 1.35+ acre tract of land from RS-3 to IM on property located southeast corner of North 69th East Avenue and East Virgin Street and abutting west of a portion of subject property.

## AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 148+ acres in size and is located surrounding the Tulsa International Airport. The property appears to be -- and is zoned RS-3.

## STREETS:

Exist. Access

MSHP Design

MSHP R/W

Exist. # Lanes

Gilcrease Expressway

Expressway

varies

varies

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

SURROUNDING AREA: The subject tract is almost entirely surrounded by airport and related uses, with various Industrial and Commercial zoning designations.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 16 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates the southern part of this area as being Low Intensity-No Specific land use and the northern part as being in Special District 1 - Airport and Related Uses. According to

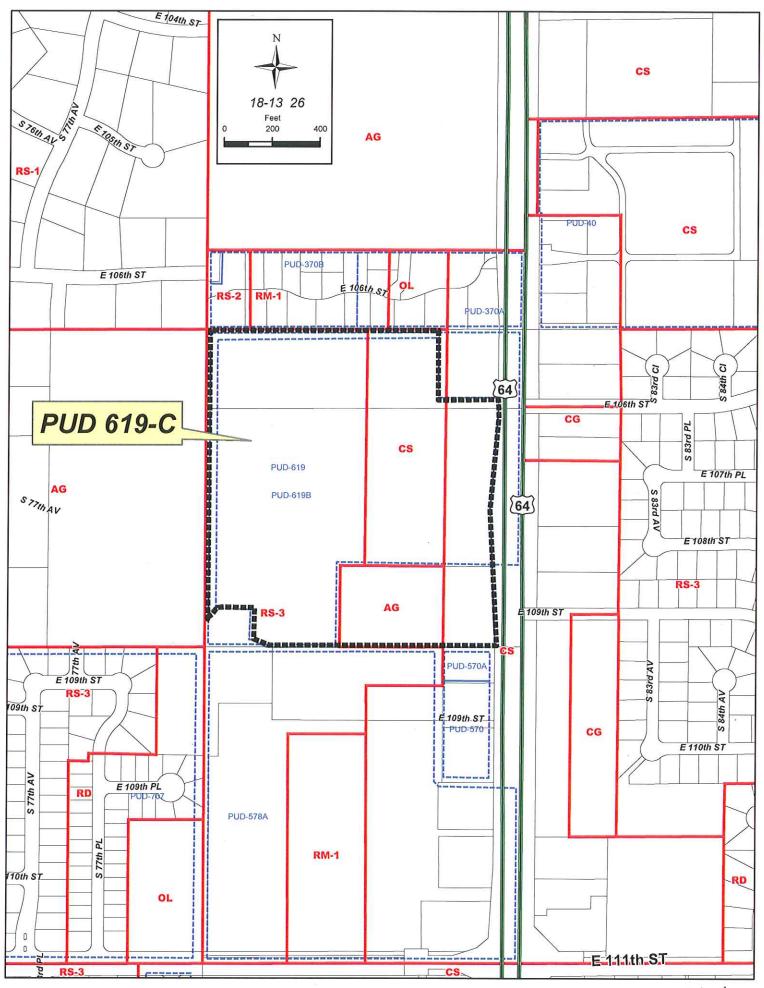
the Zoning Matrix, the requested IM zoning **may be found** in accord with the Plan designation of Special District designation and **is not** in accord with the Low Intensity-No Specific land use designation.

STAFF RECOMMENDATION:

The airport has been acquiring adjacent properties for many years for its own uses, for noise abatement purposes and to protect its perimeters. Staff can support the requested IM zoning and therefore recommends APPROVAL of IM zoning for Z-7087.

Staff further notes that if the TMAPC is inclined to approve the above zoning, they should direct staff to prepare amendments to the District 16 Plan map to enlarge Special District 1.

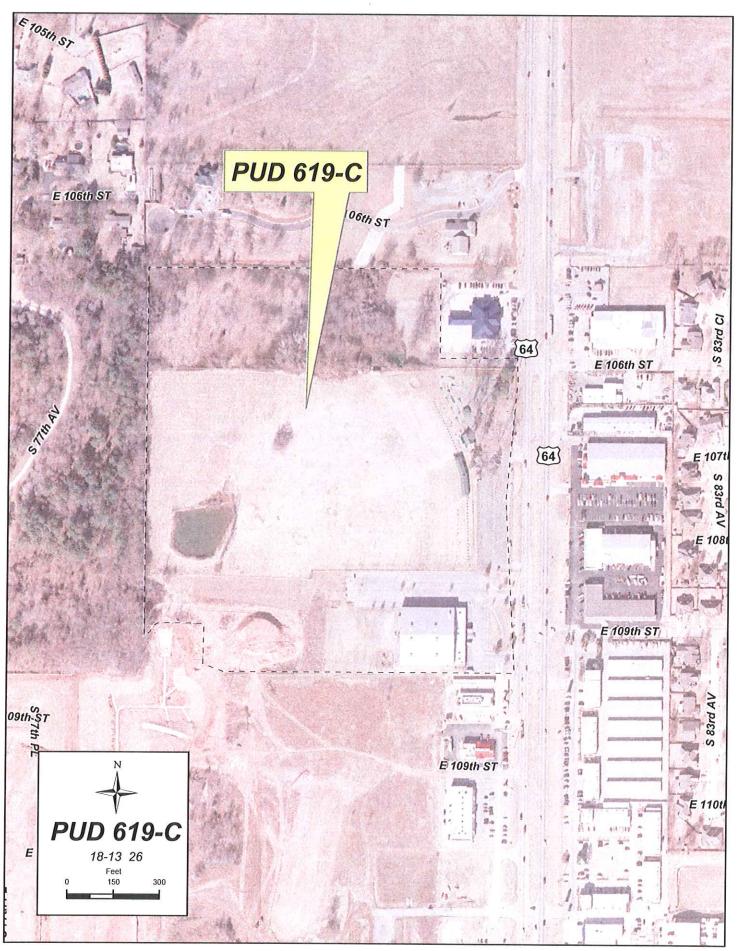
02/06/08



16.1



16.2



16.3

## TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: PUD-619-C

TRS 8326

**Atlas** 2673

**CZM** 57

PD-26 CD-8

TMAPC Hearing Date: February 6, 2008

Applicant: Charles E. Norman

Tract Size: 34.3+ acres

ADDRESS/GENERAL LOCATION: North of northwest corner of South Memorial Drive and

East 111<sup>th</sup> Street South

EXISTING ZONING: RS-3/AG/CS/PUD-619

**EXISTING USE:** Vacant

ZONING ORDINANCE: Ordinance number 21432 dated December, 2006, established zoning

for the subject property.

PROPOSED ZONING: RS-3/AG/CS/PUD-619 PROPOSED USE: Commercial

## RELEVANT ZONING HISTORY:

PUD-619-B December 2006: All concurred in approval of a proposed Major Amendment to PUD-619 on a 34.3+ acre tract of land to add property to the existing PUD for commercial use, on property located north of northwest corner of South Memorial Drive and East 111th Street South.

PUD-619-A November 2006: All concurred in approval for a proposed Major Amendment to PUD-619, with modifications to the staff recommendation, for commercial and hotel uses on a 29.34+ acre tract located on the west side of South Memorial Drive at East 106th Street and the subject property.

Z-7032 November 2006: All concurred in approval of a request to rezone a 7.46+ acre tract. of the subject property, from RS-3/OL to CS, for commercial and hotel use.

Z-6952/PUD-707 October 2004: All concurred in approving a request to rezone a 37.25+ acre tract from AG to RS-3/RD/OL and a Planned Unit Development overlay for a mixed use development with office park, single-family residential and duplex uses per staff recommendation.

Z-6922/PUD-370-B February 2004: All concurred in approving a request to rezone a 9.87+ acre tract from RM-1/RS-2/PUD to CS/OL/RM-1/RS-2/PUD and a Major Amendment to PUD with modifications made by the TMAPC pertaining to an 8 foot privacy fence on western boundary, restricting windows on the 2<sup>nd</sup> story of west walls and office buildings being residential in character.

PUD-570-A April 2001: All concurred in approval of a Major Amendment to a PUD on a .74+ acre tract to add Use Unit 18 to permitted uses, and change the parking setback from west boundary on property located north of the northwest corner of East 111th Street and South Memorial.

- Z-6795/PUD-578-A January 2001: All concurred in approval of a request to rezone 4.5 acres of the existing PUD-578 from RS-3, RM-1 and OL to CS and a Major Amendment to the PUD to consolidate the original development areas A and B, to delete the previously approved residential uses, and to establish new standards for commercial uses. The property is located in the northwest corner of East 111<sup>th</sup> Street South and South Memorial Drive.
- Z-6722/PUD-619 December 2000: A request to rezone a 34± acre tract from AG to CS/OL/RS-3 with a Planned Unit Development overlay zoning for a commercial, office and residential development. The TMAPC recommended approval per staff recommendation and the City Council concurred in approval subject to modifications of the development standards.
- <u>PUD-578 February 1998:</u> A request for a Planned Unit Development on a 35.7± acre tract, located at the northwest corner of E. 111<sup>th</sup> Street S. and S. Memorial Drive and abutting the subject tract on the south, to allow for a commercial and mixed dwelling type residential development was approved, subject to conditions.
- <u>Z-6604/PUD-570 February 1998:</u> All concurred in approval of a request to rezone a 2.7± acre tract located north of the northwest corner of E. 111<sup>th</sup> Street S. and S. Memorial and south of the subject tract from OL to CS with a PUD for a four lot commercial development.
- <u>PUD-370-A July 1997:</u> All concurred in approval of a major amendment to allow a telecommunication tower on the property abutting the subject tract on the north and to the west of the existing church that is located on the property.
- <u>PUD-378-A January 1997:</u> A request for a major amendment to change the permitted uses in development areas, in PUD-378 originally approved for an office and commercial development, from greenbelt and offices uses to a single-family gated, residential development. The property is located on the southwest corner of East 101<sup>st</sup> Street South and South Memorial Drive.
- <u>PUD-485-A February 1995:</u> All concurred in approval of a major amendment to PUD-485 to increase the permitted floor area to approximately 30% from 30,000 square feet to 38,859 square feet to accommodate a basketball and batting area and a mezzanine. The property is abutting the subject tract on the southeast east.
- <u>Z-6350/PUD-485 March 1992.</u> All concurred in approval of a request to rezone a 2.5 acre tract located abutting the subject property on the southeast east, from AG to CS to permit an indoor and outdoor athletic training center.
- BOA-14410 April 1987: The Board of Adjustment approved, per conditions, a special exception to permit a golf driving range and related activities, in an AG zoned district on the subject tract.
- Z-5973/PUD-370 September 1984: A request was made to rezone 10 acres abutting the subject tract on the north from AG to RM-1/PUD for a church and multifamily uses. All concurred in approval of RM-1 zoning on the east 350' and RS-2 on the balance of the tract and the Planned Unit Development.

# **AREA DESCRIPTION:**

SITE ANALYSIS: The subject property is approximately 36.7 + acres in size and is located north of the north-west corner of Memorial Drive and East 111<sup>th</sup> Street South. The property appears to be mostly vacant and is zoned RS-3/CS/PUD-619.

STREETS:

Exist. Access MSHP Design MSHP R/W Exist. # Lanes
South Memorial Drive Primary Arterial 120' 4

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

SURROUNDING AREA: The subject tract is abutted on the east by Memorial Drive, S & L Acres and South Country Estates, both zoned CS; on the north by Avalon Park on Memorial PRT RSB Trinity Addition Amended, zoned RM-1/RS-2; on the south by WalMart Super Center, zoned RS-3/RM-1/CS/PUD 578-A; and on the west by vacant land, zoned AG.

# RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being low intensity with a special linear development area immediately adjacent to Memorial Drive. According to the Zoning Matrix, the existing AG and RS-3 zoning is in accord with the Plan. The Comprehensive Plan states that Linear Development Areas are areas within which "certain modifications of intensity and change in zoning may be permitted". The existing CS zoning immediately adjacent to Memorial Drive - a Linear Development Area – has been found to be in accord with the Plan.

# STAFF RECOMMENDATION:

The site comprises approximately 36.7± acres located on the west side of Memorial Drive, approximately 1,310 feet north of East 111th Street South. The original Memorial Commons Planned Unit Development, PUD-619-A, was approved by the Tulsa Metropolitan Area Planning Commission on August 2, 2006 and by City Council on October 12, 2006. The Champions Athletic Complex five acre tract was acquired, and by major amendment was added to Memorial Commons in approval of major amendment PUD-619-B. PUD-619-B was approved by the Tulsa Metropolitan Area Planning Commission on October 4, 2006 and by the Tulsa City Council on November 30, 2006.

As a result of the approval of PUD-619-B, the U.S. Army Corps of Engineers require mitigation along and near the Southwest corner of the PUD, to compensate for the loss of a wet area near the center of the Development Area.

The applicant is now proposing two major amendments the PUD to allow Use Unit 19 – Hotel, Motel and Recreation for a Health Club/Spa with an enclosed swimming pool and Use Unit 20 – Commercial Recreation: Intensive, to allow for an outdoor swimming pool only, to the uses permitted within Memorial Commons. These amendments would allow for a health club/fitness center which would anchor the development of the PUD.

In order to facilitate the development of the health club/fitness center, the applicant is also requesting minor amendments to the PUD which include the following:

- 1. An increase in the maximum building height for the parapet of the health club only from 35', to 42' and the permissible height of the skylight to 57';
- Reduce the minimum building setbacks from the West boundary of the PUD from 105' to 100';
- 3. To amend the internal landscape open space requirement to permit within the south 440' of the west boundary, the location of the wet pond required by the U.S. Army Corps of Engineers and the reduction of the rows of loblolly pine trees to two rows with

a third row of trees to be determined at detail site plan review;

- 4. To permit business ground signs along the South Memorial Drive frontage per the attached Exhibit H. The signs shall be spaced no less than 100 feet apart and would allow a maximum display surface area of 80 square feet and allow a maximum height of each sign of 10 feet;
- 5. To switch previously approved multi-tenant identification sign and establish the larger sign with a maximum of 240 feet at the southern entrance along South Memorial Drive and the secondary center and tenant identification sign at the northern entrance from South Memorial Drive.
- 6. To add one monument sign at the internal entrance of the for the Health Club/Spa lot (being platted as Lot 1, Block 1, Memorial Commons) with a maximum height of 8 feet, a maximum length of 14 feet, and a maximum display surface area of 40 feet not including the masonry structure on which the display surface area will be located:
- 7. To add one monument sign on the north side of the northern entrance on South Memorial Drive for the identification of the principal entrance to the Health Club and to the permitted hotel with a maximum height of 12 feet, a maximum length of 14 feet, and a maximum display surface area of 70 feet not including the masonry structure on which the display surface area will be located;
- 8. To permit light standards located in parking areas adjacent to the Health Club which are also within 200 feet of the West boundary to be 25 feet high, while keeping the light standard maximum height of 12 feet within the remainder of the West 200 feet of the PUD, and keeping the prohibition against any lights within the West 75 feet;
- 9. To reduce the bulk and trash containers set-back from the west boundary of the PUD from 120' to 105';
- 10. To permit within the Health Club lot a Temporary Sales Office for the Health Club containing not more than 2200 square feet which shall be removed immediately after the issuance of a Certificate of Occupancy for the Health Club;

The Proposed Final Plat reflecting the changes to the approved Preliminary Plat required by the Corps of Engineers, the addition of the Champions tract (PUD 619-B) and to accommodate the Health Club/Spa are shown on Exhibit I.

Staff finds the amended uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD 619-C 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 619-C subject to the following conditions as amended by staff:

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

#### AREA:

Net:

34.3 AC

1,494,108 SF

Gross:

36.7 AC

1,597,533 SF

#### PERMITTED USES:

Permitted uses shall include the uses permitted as a matter of right in the CS -- Commercial Shopping Center District, Use Unit 19, Hotel, Motel and Recreation for a Health Club/Spa and an enclosed swimming pool use only; Use Unit 20 – Recreation: Intensive for an unenclosed swimming pool only; and uses customarily accessory to permitted uses but shall exclude Use Unit 12A.

### **MAXIMUM PERMITTED FLOOR AREA:**

Commercial

333,433.65 SF

## **MAXIMUM BUILDING HEIGHT:**

Commercial Buildings	35 FT
Hotel—Motel	75 FT
Health Club/Spa	35 FT
Parapet	42 FT
Skylight	57 FT

#### MINIMUM BUILDING SETBACKS:

## Commercial Buildings:

From South Memorial Drive right-of-way	70 FT
From the west boundary	100 FT
From the north boundary	50 FT
From the south boundary	25 FT

#### Hotel-Motel:

From South Memorial Drive right-of-way	350 FT
From the west boundary	600 FT
From the north boundary	50 FT
From the south boundary	25 FT

Internal building setbacks shall be established by the detail site plan review.

#### OFF-STREET PARKING:

Off-street parking as required by the applicable Use Units.

#### MINIMUM INTERNAL LANDSCAPED OPEN SPACE:

A minimum of 10% of the net land area shall be improved in accord with the Landscape Chapter of the Tulsa Zoning Code as internal landscaped open space, which shall include at least five feet of public street frontage landscaped area.

A landscaped open space not less than 75 feet in width shall be located along the west boundary of the planned unit development. A minimum of 57.5 feet of the 75 feet width shall be planted in trees as a buffer zone, on a spacing of not more than 177 square feet per loblolly pine tree or southern magnolia tree (each tree 15 feet on center from the next) except within the South 440 feet of the West boundary where the wet pond required by the Corps of Engineers is located within which three rows trees shall be planted, two rows of loblolly pine trees shall be planted and one row which may require varying species to be determined at detail landscape plan review. Canarti Juniper trees shall be positioned between all loblollies or magnolias on a checkerboard pattern. All trees shall be one gallon size when planted. The entire buffer zone shall have irrigation provided and any trees dying shall be replaced in a timely manner and at the expense of the then-property owner(s).

For purposes of calculating the landscaping required under Section 1002 of the Tulsa Zoning Code, the South Memorial Drive street-yard shall be considered as 50 feet from the west right-of-way line.

#### **SCREENING:**

An 8-foot solid masonry wall shall be erected along the west boundary of the PUD, the design of which shall be determined at detail site plan review.

#### ACCESS AND CIRCULATION:

According to the Long-Range Transportation Plan, South Memorial Drive is scheduled to be widened to six lanes in 2008. Therefore, staff recommends that a Traffic Impact Study be performed by a Professional Consulting Engineer prior to the design stage (PFPI) in order to determine the best traffic control solutions. The Comprehensive Plan calls for an east-west collector street at approximately 106<sup>th</sup> Street South.

Mutual access shall be provided from the current Champions Athletic Complex to PUD 570-A (Sonic) via a mutual access easement as currently provided on the Champions Athletic Complex plat. Additional access easements to the south boundary in common with PUD 578-A (Wal-Mart) and also at the property's northeast corner (First Priority Bank) shall be provided. These mutual access easements shall be located so as to assure cross access would be possible if and when the adjacent property owners choose to open access on their properties.

#### PEDESTRIAN CIRCULATION:

- (a) Pedestrian circulation shall be provided by sidewalks along South Memorial Drive, on both sides of the major driveways and within the parking areas per letters c and d below.
- (b) Pedestrian access-ways through the parking lots to the buildings shall be separated by no more than 400 feet.
- (c) Pedestrian walkways shall be clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect.
- (d) Sidewalks or walkways which cross vehicular aisles or driveways shall be distinguished as follows: by a continuous raised crossing, by using contrasting paving material and/or by using high contrast striping.

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(e) Pedestrian access shall be provided from sidewalks along South Memorial Drive to the entrances of buildings fronting South Memorial Drive.

### SIGNS:

- A maximum of four business ground signs permitted on the South Memorial Drive frontage, each not to exceed 80 square feet of display surface area and 10 feet in height.
- 2) One center/tenant identification ground sign shall be permitted at the southern entrance on South Memorial Drive with a maximum of 240 square feet of display surface area and 25 feet in total height.
- 3) One center/tenant identification ground sign shall be permitted at the northern entrance on South Memorial drive with a maximum of 160 square feet of display surface area and 25 feet in height.
- 4) Wall signs shall be permitted not to exceed 2.0 square feet of display surface area per lineal foot of the building wall to which it is attached. The length of a tenant wall sign shall not exceed 75% of the frontage of the tenant space. No wall signs shall be permitted on the west-facing walls of the building within 650 feet of the west boundary of the PUD.
- 5) Building directories and occupant identity signs may be attached to building walls as permitted under the Zoning Code. Tenant signs on west facing walls shall not exceed one-half of a square foot in display surface area.
- 6) One monument sign shall be permitted at the principal entrance to the Health Club/Spa lot (Lot 1, Block 1, Memorial Commons) with a maximum height of 8 feet, a maximum length of 14 feet, and a maximum display surface area of 40 feet not including the masonry structure on which the display surface area will be located.
- 7) One monument sign shall be permitted on the north side of the northern entrance on South Memorial Drive for the identification of the principal entrance to the Health Club/Spa and the permitted hotel with a maximum height of 12 feet, a maximum length of 14 feet, and a maximum display surface area of 70 feet not including the masonry structure on which the display surface area will be located\*.

Actual location and spacing will be determined at detail sign plan review.

#### LIGHTING:

Light standards within 200 feet of the west boundary shall not exceed 12 feet in height. Light standards within parking areas within the Health Club/Spa lot (Lot 1, Block 1, Memorial Commons) may be 25 feet high. Light standards within the remainder of the planned unit development shall not exceed 25 feet in height.

No outdoor lighting shall be permitted within the west 75 feet of the planned unit development.

All lights, including building mounted, shall be hooded and directed downward and away from the west and north boundaries of the PUD. 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 AG or RS zoned areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography shall be included in the calculations.

#### **EXTERIOR WALL MATERIALS:**

All exterior walls of buildings within 300 feet of the west boundary of the PUD shall be constructed of similar materials as the side and front walls of such buildings and shall be of a color complementary with the side and front walls. All items affixed thereto shall be painted to match the building (this may exclude those portions of utility-owned meters prohibited from painting by the utility company).

## TRASH, MECHANICAL AND EQUIPMENT AREAS:

Bulk and trash containers shall be set back from the west boundary of the PUD a minimum distance of 105 feet and shall be screened from view from the west. All screening materials shall be similar to the building materials and of a complimentary color. All screens shall be maintained by the owners of Memorial Commons and not be allowed to fall into disrepair or unsightliness.

Notwithstanding the screening fence along the west boundary of the PUD, all trash, mechanical, electrical, HVAC and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level adjacent at the west boundary of, or the west 300 feet of the north boundary of the PUD. All screens other than the screening fence along the west boundary of the planned unit development shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. All screens and fences shall be maintained by the owners of Memorial Commons and not be allowed to fall into disrepair or unsightliness.

#### **BUILDING REAR PARAPETS:**

All walls facing west and all walls facing north within 300 feet of the west boundary of the planned unit development shall be built with a four to six-foot parapet to conceal roof-mounted vents and equipment from any persons standing at ground level. Such building parapets shall be constructed on all buildings having their rear wall facing west or which are within 300 feet of the west boundary and facing north, provided, no such parapet shall be required to exceed six feet in height above the roof deck level immediately adjacent.

#### TEMPORARY SALES OFFICE FOR HEALTH CLUB/SPA:

A Temporary Sales Office for the Health Club/Spa containing not more than 2200 square feet may be located on the lot (Lot 1, Block 1, Memorial Commons) to be occupied by the Health Club/Spa subject to Detail Site Plan approval. The Temporary Sales Office may not be occupied longer than 6 months prior to the opening of the main health club/spa facility and shall be removed immediately after the issuance of a Certificate of Occupancy for the Health Club/Spa.

#### NOTICE:

Any future applications for use by exception or rezoning within the PUD, including lot splits/lot combinations will require advanced notice to all property owners within 300 feet of the Memorial Commons exterior boundaries plus the owners of the 46 acre property located at 10400 South Memorial Drive currently owned by Mr. A.J. (Tony) Solow. Such notice shall be given by both the owners of Memorial Commons and the TMAPC staff.

- 3. Other conditions of PUD 619-A not amended by PUD 619-C including reference to the agreement between Mr. Charles Norman and Mr. Alan W. Carlton, dated July 26, 2006 and noted as Exhibit 'A' to PUD 619-A, shall remain in full force and effect.
- 4. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- A detail landscape plan for each development area 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.
- 6. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 7. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
- 8. 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.
- 9. All private roadways and access drives shall have a minimum right-of-way of 30' and be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
- 10. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
- 11. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of

record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.

- 12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 13. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
- 14. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
- 15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers be not 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 from 1/17/08:

PUD-619-C -West side of Memorial Drive at East 106<sup>th</sup> Street

General: No comments.

Water: A water main extension line (looped) will be required.

<u>Fire:</u> 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.

<u>Stormwater:</u> On Page 2, what is the purpose of the Corps of Engineers required Wet Pond? Is it for wetlands mitigation, or does it serve a stormwater detention purpose? Does it change the previously approved drainage patterns within this PUD area?

<u>Wastewater:</u> No objection to the PUD amendment. However, the proposed 17.5' perimeter easement adjacent to the proposed Wet Pond may be too small to accommodate both the proposed sanitary sewer and the proposed screening wall. It should be enlarged to a 20' Utility Easement to match the rest of the proposed perimeter easements for the development.

<u>Transportation:</u> No comments.

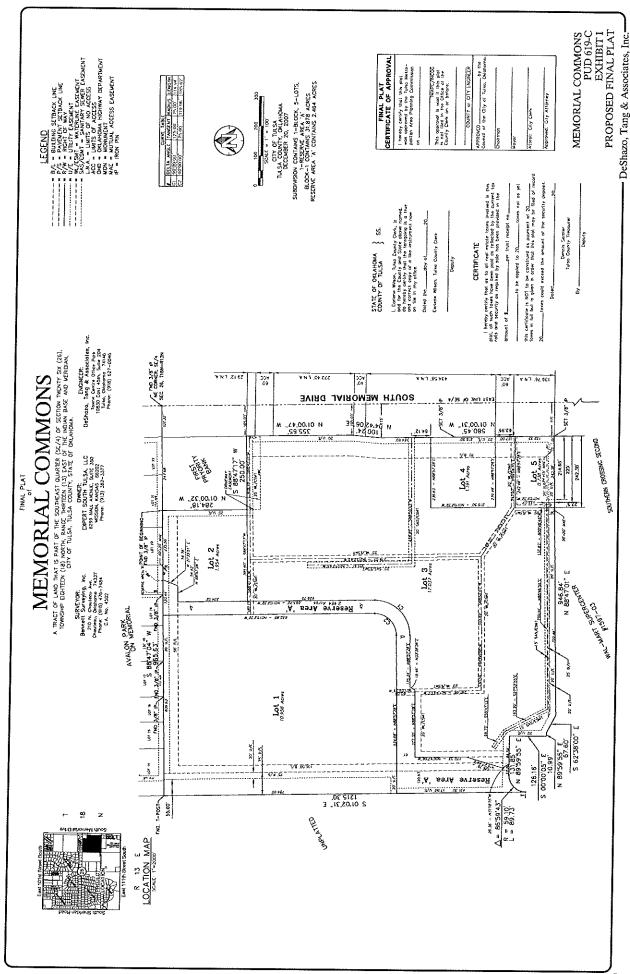
<u>Traffic:</u> A Traffic Impact Study is recommended for the two major intersections and should include an evaluation of the need for an eastbound dual left turn at 109th Street. Both the north and south entries shall align with the existing median opening and the intersection details shall be approved by the Traffic Engineer due to the significant entryway widths. Recommend modifying both northbound turn bays on Memorial in order to increase their capacity. Mutual Access to the south has been met by the proposed access drive. Lots 1 & 2 shall be provided access via a Mutual Access Easement to Memorial. Relocate the east drive of Lot #5 within the approach to the proposed signalized intersection at least 100 ft west of Memorial to reduce congestion.

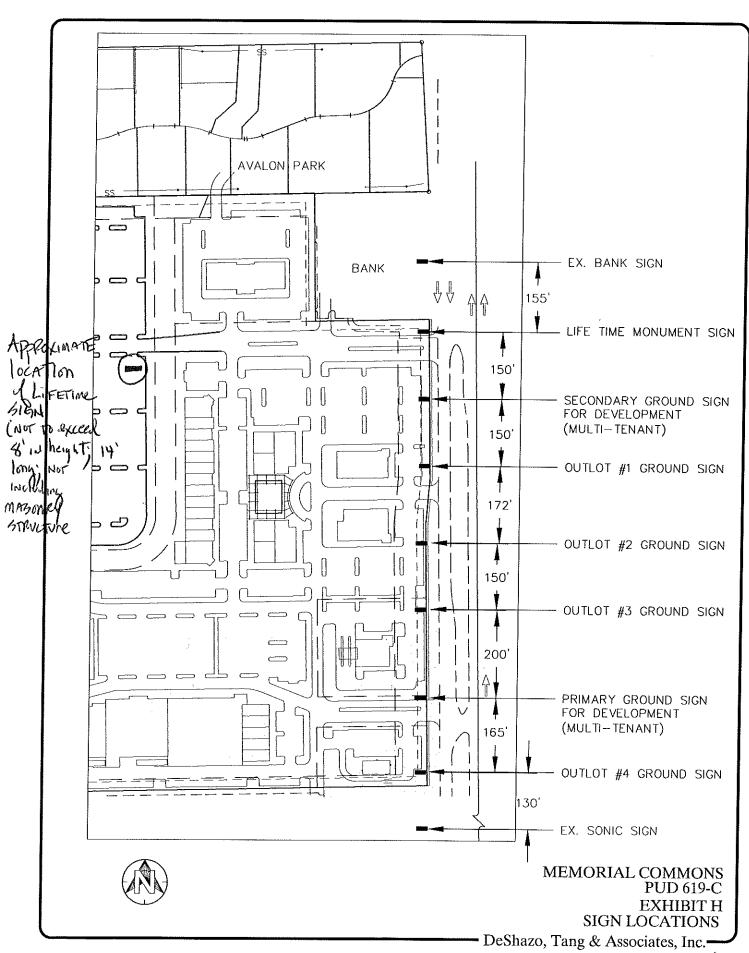
GIS: No comments.

Street Addressing: No comments.

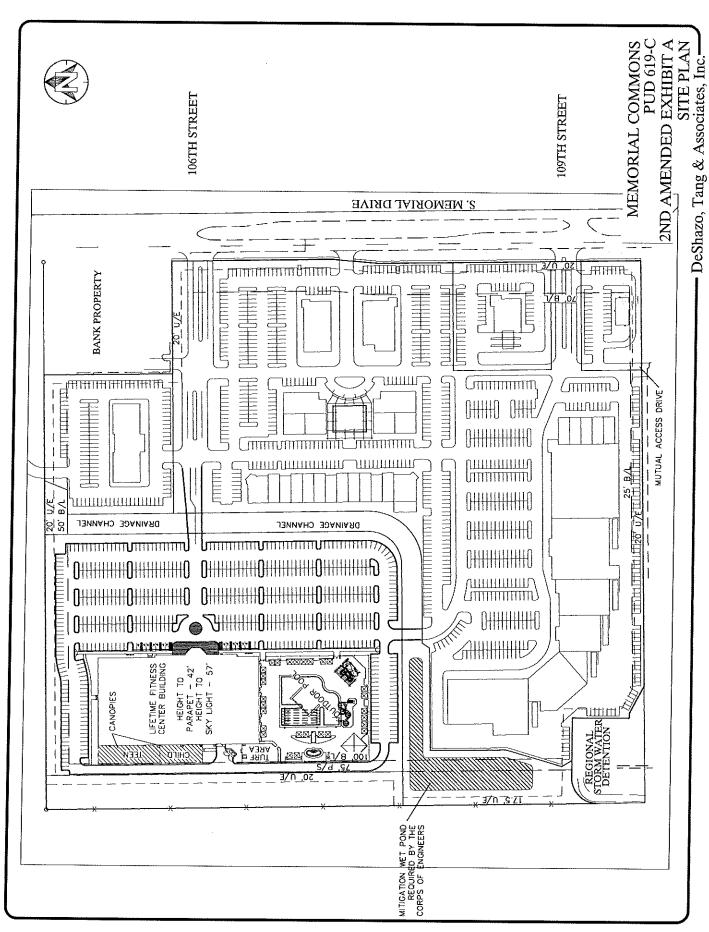
County Engineer: No comments.

02/06/08





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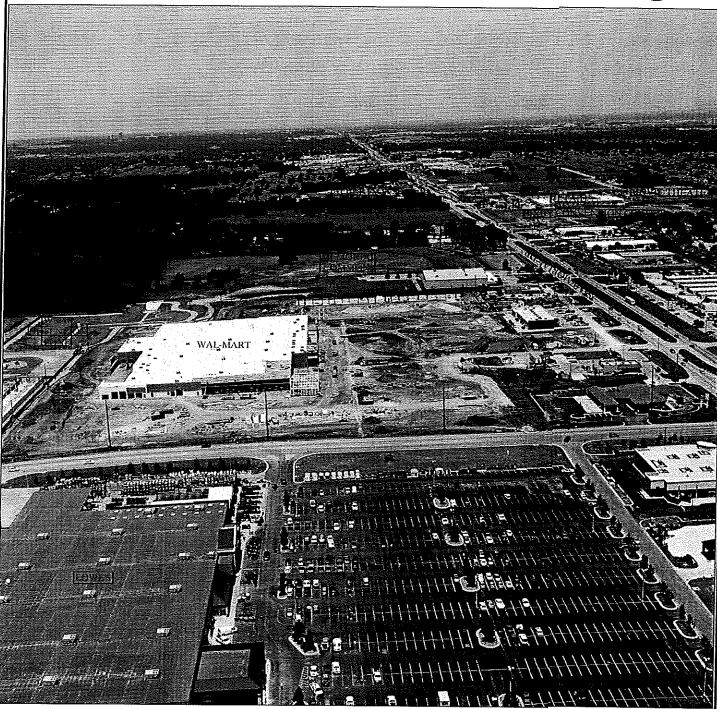




MEMORIAL COMMONS
PUD 619-C
AMENDED EXHIBIT B
AERIAL PHOTOGRAPH LAND USES

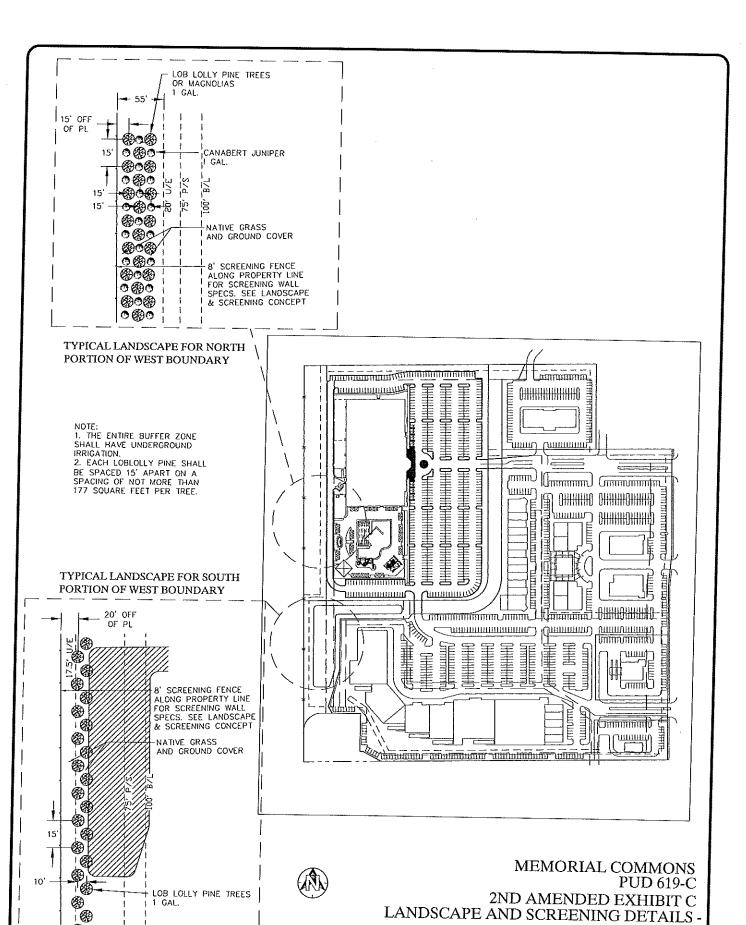
- DeShazo, Tang & Associates, Inc.





**MEMORIAL COMMONS** PUD 619-C AMENDED EXHIBIT B1 AERIAL PHOTOGRAPH -LAND USES

- DeShazo, Tang & Associates, Inc.



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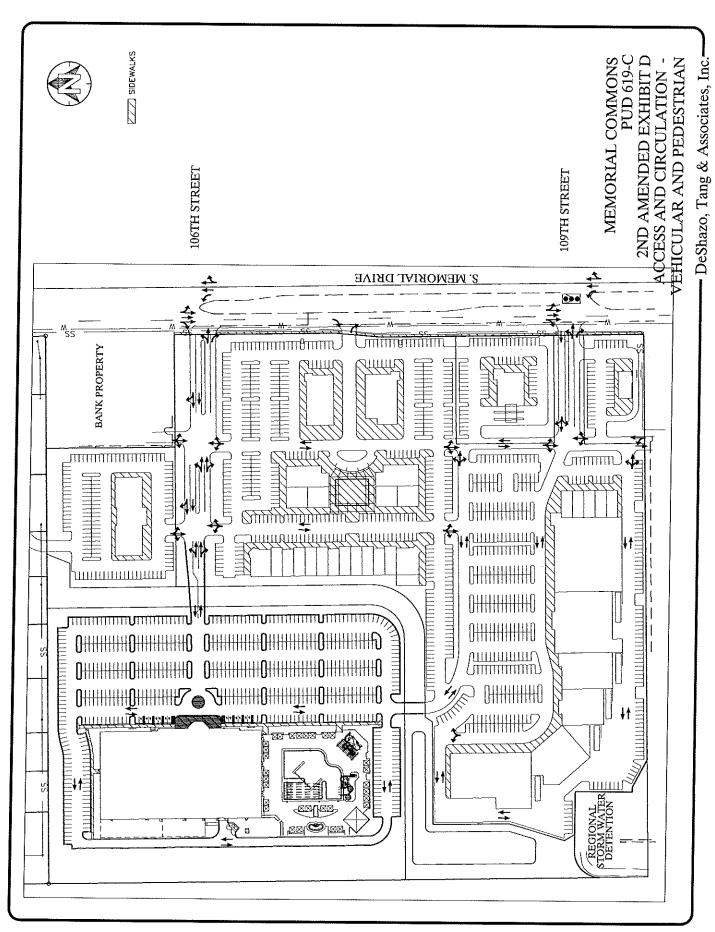
- DeShazo, Tang & Associates, Inc.

**WEST BOUNDARY** 

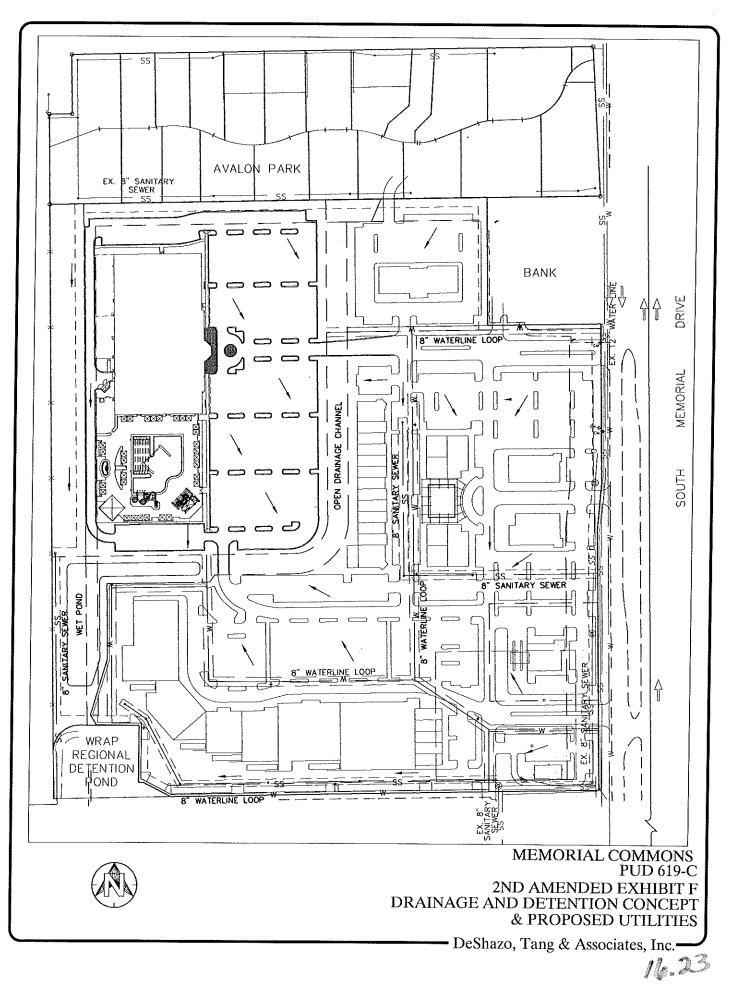




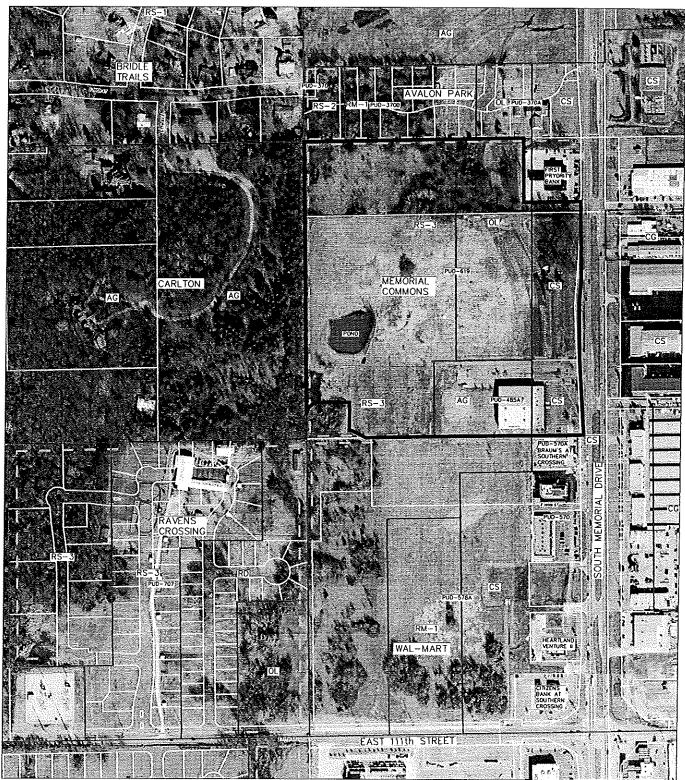
**MEMORIAL COMMONS** PUD 619-C AMENDED EXHIBIT E SITE MAP, TOPOGRAPHY & EXISTING UTILITIES DeShazo, Tang & Associates, Inc.



16.22







**MEMORIAL COMMONS** PUD 619-C AMENDED EXHIBIT G - DeShazo, Tang & Associates, Inc. AREA ZONING MAP