

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1931
Wednesday, June 9, 1993, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Neely	Gardner	Linker, Legal
Broussard		Hester	Counsel
Carnes, 2nd Vice Chairman		Stump	
Dick			
Doherty, Chairman			
Horner			
Midget, Mayor's Designee			
Pace			
Parmele, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, June 8, 1993 at 12:08 p.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of May 26, 1993, Meeting No. 1929:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-2** (Broussard, Carnes, Doherty, Midget, Pace, Parmele, Wilson "aye"; no "nays"; Ballard, Horner "abstaining"; Dick, Neely "absent") to **APPROVE** the minutes of the meeting of May 26, 1993 Meeting No. 1929.

REPORTS:

Report of Receipts and Deposits:

Mr. Gardner presented the Report of Receipts and Deposits and advised that all items were in order.

TMAPC Action; 9 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick, Neely "absent") to **APPROVE** the Report of Receipts and Deposits for the month ended May 31, 1993.

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Director's Report:

Mr. Gardner advised that a letter would be forthcoming from County Commissioner John Selph requesting changes to the County Zoning Code regarding after-hours clubs.

COMPREHENSIVE PLAN:

Certification that Tulsa Development Authority Plan amendments are in conformance with the District 2 Plan, a part of the comprehensive Plan for the Tulsa Metropolitan Area - amendments affect the NE and NW corners of Pine Street and Cincinnati Avenue.

There were no interested parties present.

TMAPC Action; 10 members present:

On MOTION of CARNES, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Neely "absent") to FIND the TDA proposal of reclassifying the Pine and Cincinnati intersection to Low Intensity-Residential or Low Intensity-No Specific Land Use to be in conformance with the Comprehensive Plan.

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ZONING PUBLIC HEARING:

ZONING PUBLIC HEARING

Application No.: CZ-203 Present Zoning: RS
Applicant: Alice Sanches Proposed Zoning: CG
Location: Northwest corner of 17th Street South and Coyote Trail
Date of Hearing: June 9, 1993
Presentation to TMAPC: Paul Vestal

Relationship to the Comprehensive Plan:

The District 23 Plan, a part of the Sand Springs Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Rural Residential.

According to the Zoning Matrix the requested CG District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 1 acre in size and is located at the northwest corner of 17th Street South and Coyote Trail. It is nonwooded, gently sloping, contains a mobile home used as a convenience store and is zoned RS.

Surrounding Area Analysis: The tract is abutted on the north and west by mobile homes and single-family dwellings zoned RS; on the east by a mobile home park zoned RMH; and on the south by vacant property zoned AG.

Zoning and BOA Historical Summary: At their April 29, 1993 meeting the County Board of Adjustment approved a residential mobile home on the subject tract, but denied a use variance to permit a convenience store and truck storage on the site.

Conclusion: The tract is surrounded on three sides by residential development. Many of the uses allowed in the CG district would be injurious to the residential area.

Therefore, Staff recommends **DENIAL** of CG zoning or any other commercial zoning for CZ-203.

Applicant's Comments

Paul Vestal

2431 E. 51st St. 74105

Mr. Vestal, attorney for the applicant, advised that Ms. Sanches purchased the subject property under contract that indicated it was commercial property. He announced the presence of area residents in support of a convenience store at this location. Mr. Vestal declared that a convenience store would complement the area. He revealed that since Ms. Sanches has purchased the property it has improved in appearance and upkeep. Mr. Vestal explained that the existing building had been previously used as a real estate office and would be easily converted to a convenience store. He explained that Ms. Sanches is seeking a zoning change rather than take the seller of the property to court over misrepresenting the property as commercial. Mr. Vestal presented photographs of the existing store.

Mr. Carnes asked if the applicant was also requesting truck storage.

Mr. Vestal replied that the applicant would like to have the zoning changed to allow a convenience store.

Interested Parties Supporting the Requested Zoning Change

Maxine Klineveley	1620 S. 266th West Ave., Sand Springs	74063
Chuck Burnley	Rt. 3, Box 743D, Sand Springs	74063
Kelly McCallum	Rt. 3, Box 797, Sand Springs	74063
Laura Redinsteiner	26503 W. 17th St. Sand Springs	74063
Don R. LeGrande	26303 W. 17th, Box 764, Sand Spring	74063
Keith Napier	26303 W. 16th Ct., Lot 71, Sand Springs	74063

The above-listed individuals made the following comments:

The subject tract was advertised as commercial property and was previously used as a real estate office.

The manner in which the subject tract is currently used has been a betterment to the community.

It was acknowledged that, in the past, area truck drivers have used the lot for parking. In the winter when roads were impassable, Ms. Sanches allowed area residents to park vehicles in the lot.

Residents stated that the prices of products offered by the convenience store are much less than those offered by the next-closest convenience store.

Area residents are within walking distance of the subject store when winter weather prohibits travel.

It was noted that the safety of area children was of concern, and by having a convenience store at this location, these children did not have to travel to the next convenience store, which is one mile away, where they must cross a dangerous four-lane highway.

It was noted that the next-closest convenience store is located next to a beer bar, making for a dangerous situation for those who must frequent it.

Ms. Wilson asked how long a convenience store has been in business at this location.

One resident replied that the store has been in operation for approximately two months.

Applicant's Rebuttal

In response to earlier protests regarding the parking of trucks on the subject tract, Mr. Vestal presented photographs of trucks parked on other residential lots in the area. He presented photographs of the subject lot containing road equipment, a commercial sales sign, and giving a general layout of the land.

TMAPC Comments

There was discussion among the Planning Commission over the conditions to be met should the subject property be zoned CS.

Mr. Gardner advised that CS zoning would accommodate the convenience store, but what the property is used for in storage of trucks requires light-industrial zoning. It was noted that the Board of Adjustment had previously denied a variance.

Mr. Vestal advised that the truck parking is exaggerated and the applicant is not attempting to get the property rezoned in order to park trucks.

In response to a request from Mr. Midget, Mr. Gardner explained the uses allowed under CG and CS zoning.

It was the consensus of the Planning Commission that they would be reluctant to approve either CG or CS zoning, especially since the Board of Adjustment voted to deny a convenience store, and expressed reluctance to reverse the BOA recommendation to overturn this case. The Planning Commissioners noted that the tract is

surrounded on three sides by residential development and many uses allowed in the CG district would be injurious to the residential area and would be contrary to the Comprehensive Plan. It was noted that a temporary use for a real estate office on site for sales in a development is not considered commercial use according to the Zoning Code.

TMAPC Action; 10 members present:

On MOTION of PARMELE, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Neely "absent") to DENY CG zoning for CZ-203.

LEGAL DESCRIPTION

Lot 1, Block 3, Keystone Manor Suburban Acres, Tulsa County, Oklahoma.

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ZONING PUBLIC HEARING

Application No.: PUD 500 Present Zoning: CS, RM-1 & RS-3
Applicant: Charles Norman Proposed Zoning: PUD
Location: Northeast corner of 81st Street South and Yale Avenue.
Date of Hearing: June 9, 1993
Presentation to TMAPC: Charles Norman

The applicant is proposing a 100,000 SF commercial development at the northeast corner of 81st Street South and Yale Avenue. The tract is abutted to the north by apartments zoned RM-1 and RS-3, on the northern portion of the east boundary by single-family dwellings zoned RS-3 and PUD 457, on the southern portion of the east boundary by vacant land zoned OL, on the south across 81st Street by vacant land zoned CS and RM-1 and PUD 389 and to the west across Yale Avenue by a shopping center zoned CS, RM-1 and PUD 176.

The subject tract has a combination of CS, RM-1 and RS-3 zoning and currently contains a drive-in bank which would be removed. The southern portion of the tract contains a flood fringe area produced by Vensel Creek. The proposal is to develop an open drainage channel along the eastern boundary of the tract and then direct runoff into a box culvert along the south side of the tract.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 500 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 500 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)	9.22 Acres	401,633 SF
(Net)	7.62 Acres	332,114 SF

****Permitted Uses:** Uses permitted as a matter of right in the CS-Commercial Shopping District, except no Use Unit 19 uses are allowed anywhere in the PUD, and no Use Unit 12a uses are allowed in the east or north 300' of the PUD.

Maximum Building Floor Area: 100,000 SF

Maximum Building Height: 35'
Off-Street Parking: As required by the applicable use unit of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the centerline of S. Yale Ave. 110'
From the centerline of E. 81st St. 100'
From the east boundary of the PUD 75'
**From the north boundary of the PUD 20'*
*Plus 2' of additional setback for each 1' of building height in excess of 15'.

Minimum Parking Space Setback From East Boundary: 50'

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space. Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

****Screening:**

A screening fence shall be provided on the northern boundary of the PUD except the west 25'. Screening and/or a landscape buffer shall be provided along the portion of the eastern boundary abutting RS-3 zoned property. The exact type and location of the screening/buffering shall be determined as part of the Detail Site Plan review.

****Changes made at Planning Commission meeting; see motion.**

Signs:

1. Two ground signs shall be permitted along the South Yale street frontage and one ground sign along the East 81st street frontage. Ground signs shall not exceed 25' in height and 150 SF of display surface area.
2. Wall signs shall be permitted, not to exceed 1 SF of display surface area per lineal foot of the building wall to which attached. No wall signs are permitted on the north or east walls of buildings if such walls are within 300' of the north or east boundary of the PUD.

3. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and required parking, 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 submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for that development area prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
5. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level. No trucks or truck trailers are allowed to be parked or used for storage on the site. Such vehicles shall only be allowed in the PUD during loading and unloading or when there for repair or construction work.
- **7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 30' feet and shall be set back at least 2' from the north and east boundary of the PUD for every foot of height of the light.

No lighting of the north or east walls of any building shall be permitted other than accent and security lighting which shall be hooded and directed downward or upward to prevent spillover lighting.

Other building mounted lights shall be hooded and directed downward to prevent spill over lighting.

**Changes made at Planning Commission meeting; see motion.

8. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
9. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code has 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, making the City beneficiary to said Covenants.
10. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.
- **11. Condition added - see motion.

TMAPC Comments

Chairman Doherty referred to a letter from Donald Pray, attorney for Holland Lakes Homeowners Association, making suggested conditions and asked whether these had been incorporated into the recommendation.

Mr. Stump reviewed the use limitations which have been incorporated in the Staff recommendation.

Applicant's Comments

Mr. Charles Norman, attorney representing the applicant, gave a history of the property. Mr. Norman advised that the applicant is in the process of finalizing a letter of agreement with the Department of Public Works and will agree to dedicate all of the right-of-way required for the intersection revision and easements for stormwater drainage improvements necessary to undertake the public project. He described current stormwater drainage at the site and declared that future use of the property will require that stormwater from off-site be received and conveyed to the south. He informed that Holland Lakes incorporates a drainage channel which has been beautified with holding ponds and it serves as a drainage channel when there is storm water runoff. Mr. Norman explained the proposed future drainage plan for the area. He explained that the application is to prepare the subject property for development when this improvement is completed.

Mr. Norman asked for modification of the following Staff recommendations:

Permitted Uses:

Uses permitted as a matter of right in the CS-Commercial Shopping District, except no Use Unit 19 and 12a uses are allowed anywhere in the PUD.

Maximum Building Height:

25'*

*The building height may be up to 30' if found appropriate by TMAPC when the detail site plan is reviewed.

Minimum Building Setbacks:

From the north boundary of the PUD

10'*

*Plus 2' of additional setback for each 1' of building height in excess of 15'.

Signs:

2. Wall signs shall be permitted, not to exceed $\pm 1 \frac{1}{2}$ SF of display surface area per lineal foot of the building wall to which attached. No wall signs are permitted on the north or east walls of buildings if such walls are within 300' of the north or east boundary of the PUD.

Lights:

Add to lighting requirements: No freestanding lights on the east side of the building shall be in excess of 12' in height.

Mr. Norman addressed the drainage suggestions made by Holland Lakes Association and advised that he is not able to concur with the enclosure of the drainage along the east boundary of the property. As a result of preliminary engineering work, the best solution will be to pick up the 48" and 36" pipes within the Lodge and carry them to a drainage swale to pick up drainage coming out of Holland Lakes. This design will permit better preservation of trees in the area and permit slopes upon which trees can be planted better than with enclosed construction.

Mr. Norman addressed the subject of a screening fence at the west side of the vacant lots requested to be 7' in height. He advised that the applicant does not object to that, but advised that this is not a desirable height for a fence. Mr. Norman asked that this be determined when the two vacant lots are developed.

In regard to preservation of trees in the development of the drainage plan, Mr. Norman explained that in a letter from the City they are requiring property owners remove all trees that are in the way of the drainage. He explained that a large part of the trees will probably have to be removed since this area is heavily overgrown. Mr. Norman assured the Planning Commission that the engineer will make every effort to preserve as many trees as possible and still accommodate the stormwater.

In response to Ms. Wilson's question regarding screening of roof-mounted equipment from ground view, Mr. Norman explained that the screening would be from ground view only on the subject property. He explained that the applicant will meet the spirit of the screening intent when detail site plans are submitted.

Interested Parties

Donald Pray

8008 S. Erie Ave. 74136

Mr. Pray, resident and attorney for the Holland Lakes Homeowners Association, advised having met with Mr. Norman to work out areas of disagreement. He advised that area residents would like further attention to the drainage issue. Mr. Pray conveyed area homeowners' request that drainage from the Lodge to the north of the subject property be buried and enclose drain as it borders Holland Lakes Addition Lots 9 and 10, Block 1 until the confluence with the drainage easement along the south side of Holland Lakes. By covering and enclosing this drain it will permit a greenbelt bordering the subject property where it is contiguous to Lots 9 and 10, Block 1 of Holland Lakes. This greenbelt should be designed to retain trees with a minimum diameter of 3".

John Thompson

8016 S. Darlington 74136

Dr. Thompson presented a letter from Susan Waters on behalf of area residents supporting changes made to the proposal for PUD 500 and listing areas of concern which have not been resolved.

Dr. Thompson, a resident of Holland Lakes and representative of area residents, voiced concern over preservation of a greenbelt of trees between the subject tract and Holland Lakes. He expressed support of enclosed drainage. Dr. Thompson conveyed concern over effects of proper drainage and the potential for flooding in the neighborhood should close scrutiny not be given to the drainage issue. He also urged that construction not begin until improvements are completed at 81st Street and Yale Avenue. Dr. Thompson declared that the intersection is presently congested and the additional traffic created by a shopping center before improvements would create a hazardous situation. He asked that the greenbelt of trees remain, the strip zoned RS-3, and that the drainageway be placed west of the greenbelt so there is a natural separation between the commercial development and the neighborhood.

Dr. Thompson answered questions from the Planning Commission regarding screening.

Applicant's Rebuttal

Mr. Norman noted that the RS-3 strip is 100' wide and was put there as part of the 81st Street and Yale Avenue special study in mid-1970 to force a PUD. He explained that whatever use is made of the property, the drainage must be corrected and will require the changing of the current channel and existing trees. Mr. Norman pointed out that removal of the trees will be a function of engineering. He expressed concern over the request for drainage on the west side of the two lots to be enclosed, and indicated that a 60" pipe down the boundary line will preclude planting of trees on top of it. Mr. Norman pointed out that at the time of development, if there is screening behind the two single-family lots, they will not be able to see a drainage swale or enclosed pipe.

There was a lengthy discussion among the Planning Commission over the possible loss of existing trees on the east side of the PUD by

relocating the drainage channel and the consequences of locating a drainage pipe further west underground on the property.

Mr. Norman posed no objection to attempting, at the time of design, to preserve as many trees as possible consistent with the requirements of the City.

The Planning Commission suggested obtaining a statement of intent to preserve as many trees as possible through this PUD and under detail site plan work out the exact location of the channel.

TMAPC Review Session

It was the consensus of the Planning Commission to make clear that they are encouraging the engineering design be such to keep a maximum number of trees in the northeast area.

There was discussion over erecting a fence between the commercial property and residential. It was noted that often when residential areas develop first and the fence is already in existence, it has been the desire of the residential property owner to maintain his own fence. Ms. Pace stated that she wants to ensure there is a separation of land uses that will be definite even if all the trees must be removed.

Mr. Gardner noted that at the time of detail site plan, Staff will be carefully scrutinizing the eastern boundary adjacent to the residential subdivision. He described methods of how screening may be accomplished.

Mr. Stump pointed out that there is a possibility that the City of Tulsa may make the storm drainage improvements, which would mean no site plan would be reviewed by the Planning Commission.

Mr. Norman informed that the City is about to agree to do the grading according to a plan they have approved if the property owner provides all the right-of-way and all easements, and the property owner removes the trees the City plan requires to be removed. He declared that the applicant is agreeable to attempting to preserve the trees along the northeast corner if it is consistent with the engineering plan.

Mr. Stump advised that the applicant's site plan indicates a channel along the eastern boundary and a gap between there and parking areas. He suggested reversing that gap and placing it against the residential area. Mr. Stump suggested the Planning Commission make a condition that the eastern 20' - 25' be prohibited from being a drainage easement, but to remain as a greenbelt adjacent to RS-1 with the exception of the areas needed to transport water east/west.

Mr. Norman assured the Planning Commission that the applicant would do whatever is reasonable and customary regarding screening for the two vacant lots and pointed out the owners are not in attendance. Mr. Norman pointed out the City will not allow the trees to

obstruct the flow of stormwater to create dams; however, in the northeast corner the applicant will preserve as many trees as possible.

Mr. Parmele made a motion to approve PUD 500 with amendments as requested by Mr. Norman and as amended by Staff.

Chairman Doherty stated that he did not trust Stormwater Management to engineer this and preserve as many trees as possible.

Mr. Pray asked that the Planning Commission protect this area against the engineers.

Ms. Wilson asked Mr. Linker if a condition could be attached such that the engineering design on the drainage will include keeping the maximum number of existing trees in the northeast area in order to preserve the existing visual buffer and prohibit the east 20 - 25' from being a drainage easement, the area adjacent to single-family lots.

Mr. Linker advised that specific wording could be transmitted and if it could not be done, engineering could return it to the Planning Commission.

Dr. Thompson advised that he would like to see a buffer of 75'.

Regarding the 12' freestanding lights to the east, Mr. Stump suggested adding verbiage to indicate if there is an out-building at the northeast corner of the intersection of Yale and 81st, it may have lights to the east of it (no freestanding lights over 12' in the east 100' of the development).

Mr. Norman conceded that Staff recommendation for signage would be accepted.

Ms. Wilson offered an amendment to the motion to add condition #11 stating that the eastern 50' adjacent to the single-family lots will be prohibited from being a drainage easement in order to maintain the maximum number of existing trees in the existing greenbelt area to preserve the existing visual buffer. Modification of this 50' greenbelt would be allowed by minor amendment if required to properly engineer the drainageway. (The north edge of the channel coming from the east will be the southern boundary of the reserved area.)

Mr. Parmele advised that he would be voting against the amended motion because he feels the Planning Commission lacks expertise in engineering to place conditions in an area which they lack sufficient knowledge.

Chairman Doherty advised that he will support the amended motion because the Planning Commission is not requiring design, but is taking the only means available to get the attention of those who are designing and implementing the process.

TMAPC Action; 9 members present:

On MOTION of WILSON, the TMAPC voted 8-1-0 (Ballard, , Carnes, Dick, Doherty, Horner, Midget, Pace, Wilson "aye"; Parmele "nay"; no "abstentions"; Broussard, Neely "absent") to AMEND the main motion by adding the following condition #11:

The eastern 50' adjacent to the single-family lots will be a greenbelt which maintains the maximum number of existing trees to preserve the existing visual buffer and is prohibited from being a drainage easement. This requirement may be modified by minor amendment.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to recommend APPROVAL of PUD 500 as recommended by Staff with the following amendments:

Permitted Uses:

Uses permitted as a matter of right in the CS-Commercial Shopping District, except no Use Unit 19 or 12a uses are allowed anywhere in the PUD.

Maximum Building Height:

25'*

*The building height may be up to 30' if found appropriate by TMAPC when the detail site plan is reviewed.

Minimum Building Setbacks:

From the north boundary of the PUD

10'*

*Plus 2' of additional setback for each 1' of building height in excess of 15'.

Lights

7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 30' feet and shall be set back at least 2' from the north boundary of the PUD for every foot of height of the light.

No lighting of the north or east walls of any building shall be permitted other than accent and security lighting which shall be hooded and directed downward or upward to prevent spillover lighting.

Other building mounted lights shall be hooded and directed downward to prevent spill over lighting.

No freestanding lights within 100' of the east boundary of the PUD shall be in excess of 12' in height.

11. The eastern 50' adjacent to the single-family lots will be a greenbelt which maintains the maximum number of existing trees to preserve the existing visual buffer and is prohibited from being a drainage easement. This requirement may be modified by minor amendment.

Ms. Wilson instructed Staff that the drainage issue be flagged and a copy of the minutes be transmitted to Stormwater Management.

LEGAL DESCRIPTION

All of Lot 1 in Block 1 of The Valley, an Addition to the City of Tulsa, Tulsa, County, Oklahoma, and a Tract of land, that is part of the W/2, SW/4, SW/4, Section 10, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to-wit: Starting at the Southwest corner of said Section 10; thence S 89°55'24" E along the Southerly line of Section 10 for 50.00' to the Point of Beginning of said tract of land; thence due North and parallel to the Westerly line of Section 10 for 372.74'; thence S 89°56'45" E along an extension of, and along the Southerly line of Block 1 of The Valley, an Addition to the City of Tulsa, Tulsa County, Oklahoma, for 610.73' to a point that is the southeast corner of said Block 1, said point being on the Easterly line of the W/2, SW/4, SW/4; thence S 00°00'30" E along said Easterly line for 372.98' to a point on the Southerly line of Section 10' thence N 89°55'24" W along said Southerly line for 610.79' to the Point of Beginning of said tract of land.

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OTHER BUSINESS

Z-5970-SP-2-a Minor Amendment to Corridor Site Plan - north of the northeast corner of 101st East Avenue and 71st Street South.

AND

PUD 481 Revised Detail Site Plan - Lot 2, Block 1, Mingo Market Place

The applicant is proposing to amend the layout of commercial buildings on Lot 2, Block 1 of Mingo Market Place in Development Area A of PUD 481. The major change is that the new buildings will extend west from the Homebase store rather than north from the Petsmart store. The new parking lot layout and traffic circulation pattern are both acceptable to Staff. Also, the building placement conforms to the development standards of PUD 481. Staff would note that some of the parking spaces will not be within 75' of a landscaped area as required by the proposed landscape ordinance, but this is a revision to a shopping center which had Detail Site Plan Approval prior to those standards being finalized. The Staff, therefore, recommends **APPROVAL** of the amendment to the Corridor Site Plan and the Revised Detail Site Plan for Lot 2, Block 1, in Development Area A of PUD 481.

The applicant expressed agreement with Staff recommendation

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Neely "absent") to **APPROVE** Z-5970-SP-2-a, L-17718 and Revised Detail Site Plan for Lot 2, Block 1 in PUD 481 as recommended by Staff.

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PUD 411 Detail Landscape Plan for Lots 2 and 3 and portions of Lot 1, Block 1 of 9700 Memorial - southeast corner of Mingo Valley Expressway and Memorial Drive.

The applicant has submitted a Detail Landscape Plan for Lots 2 and 3 and has proposed to add 22 additional trees to Lot 1 of 9700 Memorial.

Staff compared the proposals for Lots 2 and 3 to the standards proposed in the draft landscape ordinance. The following is the result of that comparison:

<u>Lot 2</u>	<u>Landscape Ordinance</u>	<u>Proposed</u>
Street yard trees	20	10
Parking area trees	<u>4</u>	<u>18</u>
Total trees	24	28

All parking within 75' of a landscaped area	Yes	Yes
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<u>Lot 3</u>	<u>Landscape Ordinance</u>	<u>Proposed</u>
Street yard trees	21	14
Parking area trees	<u>4</u>	<u>19</u>
Total trees	25	33

All parking areas within 75' of a landlocked area	Yes	Yes
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Due to the age of the PUD, the additional trees proposed for Lot 1 and the total trees and other landscaping proposed for Lots 2 and 3, Staff recommends **APPROVAL** of the Landscape Plans as submitted.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Neely "absent") to **APPROVE** PUD 411 Detail Landscape Plan for Lots 1, 2, and 3, Block 1, 9700 Memorial as recommended by Staff.

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PUD 411 Revised Detail Site Plan for Lot 2, Block 1, of 9100 Memorial - south of the southeast corner of the Mingo Valley Expressway and Memorial Drive.

The applicant is proposing a revision to his approved site plan for Lot 2, Block 1 of 9700 Memorial, which replaces parking area with a 3,610 SF used car sales building. Staff can support the request with revision to the site plan. First, the north-south travelways on the east side of the building and at the western end of the tract must be opened so that cars can access Lot 3 from the service road on the east side of Lot 2. Without this, Lot 3's access would definitely violate Section 804 of the Corridor Chapter of the Zoning Code. The second item is the 120' high flag pole that is proposed. Since this flag pole is planned to be lighted 24 hours per day and display a corporate flag, as well as an American flag, Staff believes it should be no higher than a billboard. Therefore, Staff recommends the maximum height be 50'. With these changes, Staff recommends **APPROVAL** of the Revised Detail Site Plan.

Applicant's Comments

Wayne Alberty

In response to questions from the Planning Commission, Mr. Alberty reported that Turnpike Ford is presently flying the Oklahoma State flag at 125' and Riverside Chevrolet is flying the American flag. Mr. Alberty expressed agreement with Staff recommendation regarding openings on the median. However, he pointed out that the business is located at the center of the site, and felt, since there are no specified height requirements in the corridor district, that the applicant should be allowed to have the requested flag pole height. Mr. Alberty agreed to limit the flag to only the American and/or state flag; no corporate flag.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Neely "absent") to **APPROVE** PUD 411 Revised Detail Site Plan for Lot 2, Block 1, 9700 Memorial per Staff recommendation except one flag pole is permitted to a height of up to 120' if only the American and/or state flag are flown (no corporate flag).

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SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Fasco Industrial Park (2203) (PD-16) (CD-3)

(IL)

Staff Comments

Mr. Stump advised that all releases have been received and Staff was recommending approval.

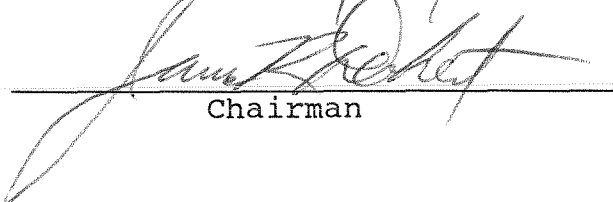
TMAPC Action; 8 members present:

On MOTION of , the TMAPC voted 8-0-0 (Ballard, Dick, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Neely "absent") to APPROVE the Final Plat of Fasco Industrial Park and RELEASE same as having met all conditions of approval as recommended by Staff.

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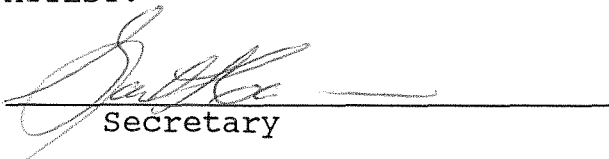
There being no further business, the Chairman declared the meeting adjourned at 3:28 p.m.

Date Approved: 6/23/93



Chairman

ATTEST:



Secretary

