

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1977

Wednesday, June 1, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Carnes, 2nd Vice
Chairman
Doherty
Harris
Horner
Midget, Mayor's
Designee
Pace
Parmele
Chairman
Wilson

Members Absent

Ballard
Broussard
Neely

Staff Present

Gardner
Hester
Matthews
Stump

Others Present

Jackere, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, May 31, 1994 at 1:11 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:40 p.m.

Minutes:

Approval of the minutes of May 18, 1994, Meeting No. 1975:

On **MOTION** of, **CARNES** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the minutes of the meeting of May 18, 1994 Meeting No. 1975.

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REPORTS:

Chairman's Report:

Chairman Parmele reported on information received that at the May 26 City Council meeting where he was informed by the City Attorney that the City Council was not required to adopt TMAPC changes to the Subdivision Regulations, but only receive a report of action taken.

Mr. Gardner informed of how the matter was handled in the past and noted that such changes must be reported to the City Council and the Board of County Commissioners, then recorded with the County Clerk.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson informed that the Budget and Work Program Committee will meet at the conclusion of the TMAPC meeting.

Comprehensive Plan Committee

Mr. Carnes reported that the Comprehensive Plan Committee will also meet at the conclusion of the TMAPC meeting.

Rules and Regulations Committee

Mr. Doherty reported on proposed revisions to the TMAPC Rules of Procedure dealing with procedure when items are placed on the agenda and supporting information required with applications. He reviewed the following:

PROPOSED AMENDMENTS TO TMAPC RULES OF PROCEDURE

F. Meetings

5. Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the approved TMAPC annual planning calendar. New items shall not be added to the final agenda mailed to TMAPC on Friday preceding the regularly scheduled Wednesday meeting unless authorized by the Chairman.
6. It is the policy of the commission that sufficient supporting information, such as a plot plan, plat of survey, etc., be filed with the application in order for the Staff and Commission to have time to evaluate the proposal. If Staff concludes that sufficient supporting information has not been provided, Staff shall consider the application as incomplete and shall not place the item on the agenda.

Mr. Doherty then made a motion to revise TMAPC Rules of Procedure to incorporate the proposed language. The motion was seconded by Mr. Horner.

Ms. Wilson questioned inclusion of the text *unless authorized by the Chairman*. She informed that the intent was to determine a cutoff for items coming to Staff and not add anything to the agenda. Ms. Wilson made a motion to strike *unless authorized by the Chairman*. The motion was seconded by Ms. Pace.

Chairman Parmele informed that the language in question would provide flexibility in case of hardship and extenuating circumstances and would not be usual procedure.

Mr. Gardner explained that Staff inserted that language to enable the Planning Commission to waive policy in unique circumstances.

There was discussion among the Planning Commission over the need for the subject language. Ms. Wilson withdrew her motion.

TMAPC Action; 6 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **REVISE** TMAPC Rules of Procedure to the following:

F. Meetings

5. Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the approved TMAPC annual planning calendar. New items shall not be added to the final agenda mailed to TMAPC on Friday preceding the regularly scheduled Wednesday meeting unless authorized by the Chairman.
6. It is the policy of the commission that sufficient supporting information, such as a plot plan, plat of survey, etc., be filed with the application in order for the Staff and Commission to have time to evaluate the proposal. If Staff concludes that sufficient supporting information has not been provided, Staff shall consider the application as incomplete and shall not place the item on the agenda.

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Director's Report:

Resolution #1975:752 amending the District 6 Plan map and text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Chairman Parmele announced that this Resolution was approved May 25 for adoption.

TMAPC Action; 6 members present:

On **MOTION** of, **CARNES** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** Resolution #1975:752 amending the District 6 Plan map and text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area..

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Mr. Gardner informed that Walgreens withdrew application PUD 515 before Staff processed it and requested permission to refund all but \$100 of the fees paid. Chairman Parmele so instructed Staff.

SUBDIVISIONS:

PRELIMINARY PLAT:

Morningridge II (2202)

(PD-11)(CD-1)

East of the northeast corner of North Yukon Avenue and East Apache Street

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Herbert recommended the access point to East Apache Street have a dimension.

Matthews asked how the waste flow would be handled with Sack responding it would follow gravity to the south.

Miller recommended that a 40' ONG easement along East Apache Street be shown and referenced with a book and page.

Pierce recommended 5' easements between lots One and Two and between lots Nine and Ten.

Morningridge II is a residential single-family subdivision which contains 10 lots. This plat is located in the City of Tulsa but is within Osage County.

Staff would offer the following comments and/or recommendations:

1. Acreage on face of plat and in deed of dedication do not match.
2. Correct number of lots to 10 on face of plat.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
4. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).

9. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
15. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
20. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
21. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** of **MORNINGRIDGE II**, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of Morningridge II as recommended by Staff.

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Southwest corner of East 71st Street South and South Garnett Road

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Sack passed out a site plan for the subject tract.

French stated that both access points on East 71st Street South would be right turn only due to the median.

Sack mentioned that Lot 1 would probably be used by a convenience store.

Albertson's #2237 contains two lots and 6.14 acres. Z-6444 and the accompanying PUD-512 are set for public hearing before the TMAPC on May 11, 1994. This plat will not be transmitted for preliminary approval to the TMAPC until the rezoning ordinance has been published.

Staff would offer the following comments and/or recommendations:

1. All conditions of PUD-512 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
3. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).

11. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
18. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
19. The Zoning Application Z-6444 shall be approved and the ordinance or resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
20. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
21. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
22. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to **APPROVE** the **PRELIMINARY PLAT** of **ALBERTSON'S #2237**, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of **Albertson's #2237** subject to conditions recommended by Staff.

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Charity Baptist Church (1694)

(PD-17)(CD-6)

East of the southeast corner of East 21st Street South and South 129th East Avenue

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Jones pointed out that this plat was originally submitted and reviewed as a preliminary plat but only recommended for sketch plat due to the street closing issue which was not resolved. Jones stated that both the TMAPC and City Council had approved the street closing and that the plat was now ready for preliminary approval.

Matthews asked if any changes were on this plat and both Jones and Sack answered there were none.

Minutes and conditions of the sketch plat are listed below:

Jones presented the plat with Greg Wise in attendance.

Jones stated that a public hearing was set to consider the closing of South 135th East Avenue.

French stated that the property would be better served by a public street off of East 21st Street and that the Traffic Engineering Department would work with the engineer on the location.

Miller pointed out that a gas line along East 21st Street existed and should be shown on the plat.

Charity Baptist Church is a one-lot, 4.09-acre plat that was approved by the Board of Adjustment for church use. This property is a replat of two lots of Smittle Addition and will require a portion of South 135th East Avenue to be vacated.

Staff would offer the following conditions and/or recommendations:

1. The underlying plat shall be properly vacated in accordance with current legal procedures. (Not a condition of plat approval, advisory only.)
2. South 135th East Avenue shall be properly vacated prior to the final plat being filed of record.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
4. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.

7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
 8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
 9. Street names shall be approved by the Department of Public Works and shown on plat.
 10. All curve data, including corner radii, shall be shown on final plat as applicable.
 11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
 12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
 13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
 14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
 15. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
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16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
 17. The key or location map shall be complete.
 18. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
 19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
 20. This plat has been referred to Catoosa because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
 21. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
 22. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MATTHEWS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** of **CHARITY BAPTIST CHURCH**, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of Charity Baptist Church as recommended by Staff.

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Helmerich Estates (PUD-511)(1893)

(PD-6)(CD-9)

E. of the NE/c of E. 31st St. S. & S. Peoria Ave.

Chairman Parmele announced that the applicant has requested a continuance to June 8, 1994.

TMAPC Action; 6 members present:

On **MOTION** of, **CARNES** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **CONTINUE** the **PRELIMINARY PLAT** of Helmerich Estates to June 8, 1994.

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PLAT WAIVER REQUEST: SECTION 213:

Z-4011 (Unplatted)(2003)

(PD-2)(CD-3)

3321 North Lewis Avenue

Jones presented the waiver with two representatives of the church in attendance at the TAC meeting.

Cotner stated that drainage must flow to an existing right-of-way and away from the abutting residential area.

Cyganovich asked if all right-of-way for the abutting streets had been dedicated.

Jones answered that it had appeared to be dedicated with David Weaver in agreement. Jones stated he would check and if full dedication was not in place, it should meet the Major Street Plan. David Weaver concurred.

Jones stated that an access control agreement would be required by Traffic Engineering.

Z-4011 rezoned a 3.48-acre tract (230' X 660') from RS-3 to CG in November 1971. Although the City Commission did not have the authority to waive the plat, they did note that a plat should not be required.

It is now requested to waive the platting requirement on the south 414.81' of the tract to permit construction of a church. All necessary right-of-way for both North Lewis Avenue and East 33rd Street North appear to be dedicated. The tract is less than the 2.5-acre size used as the maximum.

Staff would recommend **APPROVAL** of the Subdivision Plat Waiver for the south 414.81' of Z-4011 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.
4. Dedication, if needed, of additional right-of-way to meet the Major Street Plan.

On the **MOTION** of **COTNER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PLAT WAIVER** of the south 414.81' of **Z-4011** subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of, **HORNER** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the PLAT WAIVER of the south 414.81' of Z-4011.

PUD-508 (Woodward Park)(793) (PD-6)(CD-4)
NW/c of E. 21st St. S. & S. Yorktown Ave.

Chairman Parmele announced that the applicant has requested a continuance to June 8.

TMAPC Action; 6 members present:

On **MOTION** of, **WILSON** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **CONTINUE** PUD 508 PRELIMINARY PLAT to June 8, 1994.

CHANGE OF ACCESS ON RECORDED PLAT:

Villa Grove Heights #1 (2893)
4431 S. Harvard Ave.

(PD-6)(CD-7)

Mr. Stump informed that this is establishment of access which was platted before limits of no access were required. He informed that this meets Traffic Engineer's requirements for locating the access point and Traffic Engineering and Staff recommend approval.

TMAPC Action; 6 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **APPROVE** the CHANGE OF ACCESS ON RECORDED PLAT for Villa Grove Heights #1 as recommended by Staff.

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LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17889 State Assoc. of Freewill Baptist Churches(3403)
4928 E. Latimer

(PD-16)(CD-3) RS-3
(PD-2)(CD-1)

L-17895 TDA (2502)

RS-4

Reading, East of Frankfort

L-17897 Jerry Carman (3193)

(PD-18)(CD-9)

5327 S. Wheeling

RS-3

L-17898 Gerald Bowden (2584)

(PD-19)(County)

17926 E. 101st

AG

L-17899 Circle K Corporation (1302)

(PD-25)(CD-1)

900 Block of E. 36th St. N.

CS/RS-3

L-17900 Roland & Associates (874)

(PD-19)(County)

12802 E. 138th St.

RS

L-17901 PRC Properties (2790)

(PD-23)(County)

4614 S. 209th W. Ave.

AG

L-17902 Harold L. Brooks, M.D. (3483)

(PD-26)(CD-8)

5008 E. 117th St. S.

RS-1

L-17903 Steve Cowen (883)

(PD-18)(CD-2)

7100 S. Columbia Pl.

RS-1

L-17904 Ruthie M. Hutton (2702)

(PD-11)(CD-1)

1428 N. Olympia Ave.

RS-3

L-17905 Freda L. Conley (892)

(PD-10)(CD-1)

817 S. 57th W. Ave.

RM-2

Staff Comments

Mr. Stump announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

TMAPC Action; 6 members present:

On **MOTION** of, **CARNES** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **RATIFY** the above-listed lot-splits having received prior approval.

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CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD-510**

Applicant: Charles C. Boyd

Location: On the west side of Yale Avenue North and south of East 12th Street South.

Date of Hearing: June 1, 1994

Presentation to TMAPC: Charles Boyd

The Will Rogers United Methodist Church is proposing a PUD containing church, commercial and single-family uses on a 4.6-acre tract on the west side of Yale Avenue that includes the right-of-way of East 12th Street South. The PUD currently contains a church, a 3,700 SF commercial building, eight single-family dwellings and a large parking lot. The proposed use is ultimately to be church facilities and accessory off-street parking with portions of the 12th Street right-of-way used for parking as well as the areas currently occupied by dwellings and commercial buildings. In the interim, the existing commercial building would continue under its current use and the single-family dwellings would be used to house church staff, missionaries and church classes.

The proposed uses are a significant intrusion into an existing residential area, but with properly designed buffering, screening and landscaping, the negative effects could be minimized. In order to more logically present the Staff Recommendation, Staff has divided the PUD into the following Development Areas:

- Area A** - the area of the PUD north of the 12th Street right-of-way and east of the Winston Avenue right-of-way
- Area B** - the area of the PUD south of the north right-of-way line of 12th Street
- Area C** - the area of the PUD west and east of the east right-of-way line of Winston Avenue

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-510 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-510 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):

5.62 acres

DEVELOPMENT AREA A:

Permitted Uses:

Entire Development Area: Church and customary accessory uses
North 50' of Development Area: Use Units 11, 13 and 14

Maximum Building Floor Area:

Church Uses: 75,000 SF
Commercial Office Uses: 4,700 SF

Minimum Landscaped Open Space: 10%

Minimum Off-Street Parking: As required by the Tulsa
Zoning Code for the
applicable Use Unit,

Maximum Building Height: 2-story

Minimum Building Setback:

From north boundary of PUD: 0'
From centerline of Yale Ave.: 100'
From centerline of Winston Ave.: 50'
From south boundary of Development Area
(if 12th Street is closed): 5'

Minimum Setback for Off-Street Parking:

From centerline of Yale Ave.: 50' *
From centerline of Winston Ave.: 25'

Screening Requirements: none

* Unless requested by the Board of Adjustment

DEVELOPMENT AREA B:

Permitted Uses:

Use Unit 6 and accessory off-
street parking for the church

Maximum Dwelling Units: 2

Bulk and Area Requirements:

As required in the RS-3
District for Use Unit 6 uses

Minimum Setbacks for Off-Street Parking:

From centerline of Winston Ave.: 50'
From centerline of Yale Ave. within
15' of the south PUD boundary: 70'

Minimum Landscaped Open Space: 10% **

** Development Area B shall comply with the requirements of Chapter 10 of the Tulsa Zoning Code.

DEVELOPMENT AREA C:

Permitted Uses:

Use Unit 6 and church and customary
accessory uses

Maximum Dwelling Units: 7

Bulk and Area Requirements:

As required in the RS-3 District for
Uses Unit 6 uses

Minimum Setbacks for Off-Street Parking:

From centerline of Winston Ave.:	30'
From centerline of 12th Street:	40'

From west boundary of PUD:	5'
<u>Minimum Landscaped Open Space:</u>	10% ***

*** *Development Area C shall comply with the requirements of Chapter 10 of the Tulsa Zoning Code.*

3. Landscaped Open Space covering at least the following areas shall be provided when off-street parking is established:
 - a) The west 25' of the south 70' of Development Area B;
 - b) The east 35' of the south 15' of Development Area B;
 - c) The south 10' and west 5' of Development Area C.
- *4. A screening fence meeting the requirements of Section 212 of the Tulsa Zoning Code shall be provided at the following locations when off-street parking is established:
 - a) Along the southern boundary of Development Area B, except the east 25' and where an acceptable vegetative screen is provided;
 - **b) Along the east side of the landscaped area required in the southwest corner of Development Area B;
 - c) Along the west side of the landscaped area required in the southeast corner of Development Area B;
 - d) Near the southern boundary of Development Area C on the north side of the landscaped area required there; and
 - **e) Along the west boundary of Development Area C, except the south 10'.
5. No access to off-street parking areas accessory to church use in Development Area C shall be permitted from 12th Street. In Development Area B, all access to parking areas shall be off 12th Street. Portions of the 12th Street right-of-way south of Winston Avenue may be used for off-street parking if approved by the City of Tulsa and the Board of Adjustment, so long as 12th Street remains open.
6. Off-street parking provided in Development Areas B and C may be used to meet the off-street parking requirements of uses in Development Area A.
7. No ground or wall signs are permitted in Development Areas B and C. One ground sign is permitted in Development Area A which shall be adjacent to Yale Avenue and shall not exceed 6' in height nor 60 SF of display surface area. Wall signs are permitted on the commercial building not to exceed 2 SF per lineal foot of building wall to which it is attached.
8. 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.

* Modified by the Planning Commission.

** Deleted by the Planning Commission.

9. 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.
10. 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.
11. All trash, mechanical and equipment areas for non-residential uses shall be screened from public view by persons standing at ground level.
12. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet in Development Areas B and C.
13. 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.
14. 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.

Applicant's Comments

Chief Boyd

4998 East 26th Street 74114

Mr. Boyd informed that seven parking spaces on Yale will require Board of Adjustment (BOA) variance for parking setback. He referred to 4a of Development Area B southern boundary indicating a chain link fence and crape myrtle along the west residential lot and a 5' 6" fence along the other residence at the request of those residents. Regarding the requirement for a fence and landscaping along the southern boundary of Area C and the southwest corner of Area B, he asked that the fence be waived allowing just landscaping.

Interested Parties

Jennifer & Jason Johnson

1127 South Vandalia 74112

Ron Miller

1148 South Vandalia 74112

The interested parties expressed agreement with the recommendations.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 510 as recommended by Staff except deleting 4b and 4e and modifying 4a to read as follows:

4a. Along the southern boundary of Development Area B abutting Lot 1, Block 1 Franklin Heights except only 5'6" high and not the east 25'. Also along the southern boundary of Development Area B abutting Lot 8, Block 1, Franklin Heights except a 4' chain link fence with crape myrtles planted on the north side.

* * * * *

Application No.: **PUD 306**

Applicant: Roy Johnsen

Location: East of the northeast corner of East 101st Street South and South Delaware Avenue.

Date of Hearing: June 1, 1994

Chairman Parmele informed that the applicant has requested a three week continuance to June 22, 1994.

TMAPC Action; 6 members present:

On **MOTION** of, **CARNES** the TMAPC voted **6-0- 0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to **CONTINUE** PUD 306-C to June 22, 1994.

* * * * *

ZONING PUBLIC HEARING

Application No.: **PUD-316-6**

Applicant: Ray Grimshaw

Location: Minor Amendment to reduce required livability space - 8425 East 93rd Street South.

Date of Hearing: June 1, 1994

Presentation to TMAPC:

The applicant is requesting the TMAPC to reduce the required livability space on Lot 16, Block 1, Oak Leaf II from 4,000 SF to 3,741 SF. The lot in question contains only 6,400 SF rather than the RS-3 minimum of 6,900 SF, but is required to have RS-3 livability space. Because of the size of this lot, Staff feels the reduction in livability space is appropriate and therefore recommends **APPROVAL** as requested.

TMAPC Action; 7 members present:

On **MOTION** of, **CARNES** the TMAPC voted **7-0- 0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 316-6 Minor Amendment as recommended by Staff.

* * * * *

Application No.: **PUD-388-B-1**

Applicant: Roy Johnsen

Location: North of the northwest corner of East 71st Street South and South Trenton Avenue.

Date of Hearing: June 1, 1994

Presentation to TMAPC: Roy Johnsen

Minor Amendment to Development Area Boundaries and Development Standards

The applicant is proposing the following amendments to PUD-388-B:

1. Increase of permitted floor area within Development Area 2 (office) from 3,000 square feet to 3,600 square feet.
(Existing underlying zoning permits substantially more floor area than initially allocated and the footprint and height of the proposed building as depicted on the approved Site Plan does not change as additional floor area will be located within attic area.)
2. Relocation of approved mini-storage ground sign (25' height, 150 SF display surface area) from original Development Area 3 to southeast corner of original Development Area 2.
3. Reconfiguration of development area boundaries to include Mutual Access Easement within Development Area 3 (mini-storage) and to conform actual paved drive area to development area boundaries.

The proposed amendments result in the following land area and floor area allocations:

	<u>Land Area</u>	<u>Land Area</u>
Development Area 1 - Office	10,400 SF	3,000 SF
Development Area 2 - Office	9,958 SF	3,600 SF
Development Area 3 - Mini-Storage	<u>171,674 SF</u>	<u>71,900 SF</u>
	192,032 SF	78,500 SF

Staff can support all of the requested changes with the exception of allowing a 25' high ground sign containing 150 SF on Trenton Avenue. Trenton is a minor street with exclusively residential development on its east side and on the west side, the two residential-style offices in Development Areas 1 and 2 and single-family residential to the north of that. Without a PUD, a ground sign would not be permitted on this lot. Staff recommends the

maximum ground sign permitted within 150' of the centerline of Trenton Avenue be a non-flashing, 6' high monument sign with a maximum display surface area of 72 SF. More than 150' from the centerline of Trenton Avenue the ground sign standards would be the same as presently exist for Development Area 3. With that modification, Staff recommends **APPROVAL** of Minor Amendment PUD-388-B-1.

Applicant's Comments

Mr. Johnsen distributed photographs of the subject property and surrounding area and presented a history of the development. He noted that the original approval provided for a mini-storage ground sign, 25' high and 150 SF of display surface area. The site plan depicted the sign on Trenton, but stated *within the south 50' of the third development area*, which is the mini-storage area. Mr. Johnsen gave a description of the proposed sign. He noted that this sign is more than 300' south of the northernmost boundary of the property, with two office buildings, a mini-storage, and landscaping before coming to the sign. Mr. Johnsen doubted whether the sign can be seen from the home on the corner where the screening fence is being erected by the home owner is complete. He does not believe other homes in the area will have a view of the sign. Because of the separation from the sign and single-family residences, he believes this is appropriate signage and does not exceed what was previously approved. Mr. Johnsen explained the reason for moving the sign is for more exposure from Trenton and visibility from 71st Street.

Mr. Carnes deemed the electronic message board to be inappropriate.

Mr. Parmele noted that the construction is in character with the neighborhood, but perceives placing the sign 25' high in front of the office buildings will detract from the residential quality.

Mr. Johnsen requested signage of 100 SF and 18' high.

There was discussion among the Planning Commission over placement of the sign. It was the consensus of the Planning Commission that the sign be 18' high, 100 SF, set back 20' to the west, and no electronic message board.

Mr. Johnsen expressed agreement with the modified recommendation.

TMAPC Action; 6 members present:

On **MOTION** of, **CARNES** the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Midget, Neely "absent") to recommend **APPROVAL** of PUD 388-B-1 MINOR AMENDMENT as recommended by Staff with ground signage amended to:

One ground sign a maximum of 18' high, 100 SF, set back a minimum of 20' to the west of Trenton Avenue right-of-way, and no electronic message board. If setback is at least 150' west of the centerline of Trenton Avenue, the ground sign may be up to 25' high and 150 SF and no electronic message board.

* * * * *

Application No.: **PUD-260-B-2**

Applicant: Jim Compton

Location: East of the northeast corner of East 71st Street South and South Yale Avenue.

Date of Hearing: June 7, 1994

Presentation to TMAPC:

Minor Amendment to sign standards of Lot 4, Block 1, Hyde Park Amended

Currently, Lot 4 is allowed an 8' high ground sign with a maximum display surface area of 64 SF. The applicant is requesting to increase this to a 23' high sign containing 100 SF for Sonic Drive-in. The ground sign on the lot to the east is 21 1/2' tall and the ground sign to the west on Lot 3 in the PUD is 18' tall and was approved for 77 SF. Staff can support the change, since this PUD was amended to allow a wide variety of commercial uses, and similar signage has been allowed to the east and west. Therefore, Staff recommends the ground sign standards for Lot 4, Block 1 of Hyde Park Amended be changed to:

Maximum Ground Signs:	1
Maximum Height:	23'
Maximum Display Surface Area:	100 SF

DETAIL SIGN PLAN

If Minor Amendment PUD-260-B-2 is approved, Staff recommends **APPROVAL** of the 23' high ground sign as proposed.

TMAPC Action; 7 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **7-0- 0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to recommend **APPROVAL** of PUD 260-B-2 MINOR AMENDMENT.

TMAPC Action; 7 members present:

On **MOTION** of, **CARNES** the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 260-B DETAIL SIGN PLAN for Lot 4, Block 1 as recommended by Staff.

* * * * *

Application No.: **PUD-489-4**
Applicant: Planning Design Group
Location: East of the northeast corner of East 71st Street South and South Mingo Road
Date of Hearing: June 1, 1994

Minor Amendment to allow occupancy prior to installation of landscaping
for "1/2 Price" store

The applicant is requesting to open the "1/2 Price" store in 71 Mingo Center prior to all the landscaping being installed in Lots 3 and 6. They would like the deadline for completion of installation of the landscaping to be June 30, 1994, with occupancy June 1. Staff can support this 30-day extension and recommends **APPROVAL** as requested.

TMAPC Action; 7 members present:

On **MOTION** of, **DOHERTY** the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to recommend **APPROVAL** of PUD 489-4 MINOR AMENDMENT as recommended by Staff.

* * * * *

OTHER BUSINESS

PUD-388-B-1: Minor Amendment to Development Area Boundaries and Development Standards - north of the northwest corner of East 71st Street South and South Trenton Avenue

DETAIL SITE PLAN

If PUD-388-B-1 is approved as recommended, Staff recommends **APPROVAL** of the revised Detail Site Plans for Development Areas 1, 2 and 3 with the exception of the ground sign on Trenton Avenue which would not comply with the PUD conditions.

TMAPC Action; 7 members present:

On **MOTION** of, **CARNES** the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 388-B DETAIL SITE PLAN as recommended by Staff.

NOTE: Detail Sign Plan for a ground sign did not comply with the PUD conditions approved in PUD 388-B1; therefore, it could not be approved.

* * * * *

PUD-495: Detail Sign Plan for Walmart Super Center located at the northwest corner of East 81st Street South and South Lewis Avenue - **Addendum to Staff Recommendation**

The applicant met with Staff on this date and revised the Detail Sign Plan to reduce the height of the proposed ground sign at the northeast corner of the site from 30' to 25' tall and to also delete all signs from the west elevation.

Total signage proposed by this plan is as follows:

Ground Signs:

- 1 - Northeast corner on South Lewis Avenue, 25' tall with an area of 172.4 SF
- 1 - Southwest corner on East 81st Street South, 25' tall with an area of 172.4 SF
- 1 - Ground sign in the parking lot adjacent to the northeast corner of the building, 20' tall with an area of 32.0 SF

Wall Signs:

East Elevation (fronts Lewis): 573.57 SF

Sign on east facade of Auto Service Area: 132.23 SF

The proposed/revised Detail Sign Plan for the Walmart Super Center meets the requirements of PUD-495. Therefore, Staff now recommends **APPROVAL** of the Detail Sign Plan for Walmart.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 495 DETAIL SIGN PLAN as recommended by Staff.

* * * * *

PUD-202-B: Revised Detail Sign Plan - southwest corner of East 63rd Street South and South Memorial Drive - Lots 1 and 2, Block 2, Shadow Mountain II

The applicant is proposing to replace a recently removed wall sign (UNISYS) with a larger wall sign at the same location on the building. It would be a 130 SF sign which would be placed near the top of the north side of the 8-story office building on the lot. There are still, however, three signs on the lot which is the maximum number permitted by the zoning ordinance for this lot. Staff recommends **APPROVAL** of this new sign only if one of the existing signs is removed.

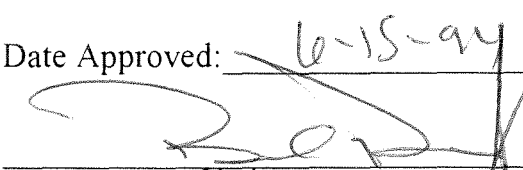
TMAPC Action; 7 members present:

On **MOTION** of, the TMAPC voted **7-0- 0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 202-B DETAIL SIGN PLAN as recommended by Staff, subject to removal of an existing sign.

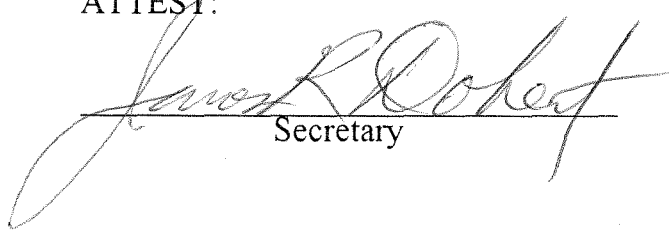
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There being no further business, the Chairman declared the meeting adjourned at 2:35 p.m.

Date Approved: 6-15-94


Chairman

ATTEST:


Secretary

PUD-495: Detail Sign Plan for Walmart Super Center located at the northwest corner of East 81st Street South and South Lewis Avenue - **Addendum to Staff Recommendation**

The applicant met with Staff on this date and revised the Detail Sign Plan to reduce the height of the proposed ground sign at the northeast corner of the site from 30' to 25' tall and to also delete all signs from the west elevation.

Total signage proposed by this plan is as follows:

Ground Signs:

- 1 - Northeast corner on South Lewis Avenue, 25' tall with an area of 172.4 SF
- 1 - Southwest corner on East 81st Street South, 25' tall with an area of 172.4 SF
- 1 - Ground sign in the parking lot adjacent to the northeast corner of the building, 20' tall with an area of 32.0 SF

Wall Signs:

East Elevation (fronts Lewis):	573.57 SF
Sign on east facade of Auto Service Area:	132.23 SF

The proposed/revised Detail Sign Plan for the Walmart Super Center meets the requirements of PUD-495. Therefore, Staff now recommends **APPROVAL** of the Detail Sign Plan for Walmart.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 495 DETAIL SIGN PLAN as recommended by Staff.

* * * * *

PUD-202-B: Revised Detail Sign Plan - southwest corner of East 63rd Street South and South Memorial Drive - Lots 1 and 2, Block 2, Shadow Mountain II

The applicant is proposing to replace a recently removed wall sign (UNISYS) with a larger wall sign at the same location on the building. It would be a 130 SF sign which would be placed near the top of the north side of the 8-story office building on the lot. There are still, however, three signs on the lot which is the maximum number permitted by the zoning ordinance for this lot. Staff recommends **APPROVAL** of this new sign only if one of the existing signs is removed.