

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2053

Wednesday, January 24, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes,
Chairman
Dick
Doherty, 1st Vice
Chairman
Horner
Ledford
Midget, Mayor's
Designee
Pace, Secretary

Members Absent

Boyle
Gray
Taylor

Staff Present

Gardner
Hester
Jones
Matthews
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, January 22, 1996 at 2:15 p.m., in the office of the County Clerk at 2:08 p.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of January 10, 1996, Meeting No. 2051:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Dick, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Gray, Midget, Taylor "absent") to **APPROVE** the minutes of the meeting of January 10, 1996 Meeting No. 2051.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford informed that at the Comprehensive Plan Committee meeting of January 17, the committee voted to find the Capital Improvements Project (CIP) requests of the City of Tulsa to be in accord with the Comprehensive Plan. He noted that this item will be heard on today's agenda.

Rules and Regulations Committee

Mr. Doherty reminded the Planning Commission of the letter Chairman Carnes wrote to the Mayor expressing TMAPC's concern over the City employing only one Zoning Enforcement Officer. He announced that the City has now employed one additional officer. Chairman Carnes instructed Staff to write a letter to the Mayor thanking her for responding to their concerns.

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SUBDIVISIONS:

PRELIMINARY PLAT:

Hunter's Pointe II (PUD 540) (2183)

(PD-26) (CD-8)

West side of South Yale Avenue at East 97th Street South.

Jones presented the plat with Ted Sack and Roy Johnsen present at the TAC meeting.

Discussion was made regarding the access of the private street.

Pierce requested several internal easements which were agreed to.

HUNTER'S POINTE II is a 17-acre residential single-family subdivision that contains 51 lots and is PUD 540 (pending). The development proposes private streets and has access via East 97th Place South which was platted with Hunter's Pointe.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required) and to permit cul-de-sac streets of more than 500' in length.
2. Show "PUD 540" under name of plat.
3. The developer should assure access on East 97th Place South which is a private street.
4. All conditions of PUD-540 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.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)

7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
17. 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 plat release.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. The zoning application Z-6510 shall be approved and the ordinance or resolution therefor published before final plat is released. (Plat shall conform to the applicable zoning approved.)
24. This plat has been referred to Bixby and Jenks 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.
25. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
26. 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 recommend APPROVAL of the Preliminary Plat of Hunter's Pointe II, subject to all conditions listed above.

Jones reminded the representatives that the plat would not be transmitted to the TMAPC until the PUD ordinance had been published. He asked that they track the ordinance and notify him approximately three weeks prior to its publication.

Staff Comments

Mr. Jones informed of revisions to the preliminary plat, noting that some of the lots along the west boundary in Block 1 were enlarged to meet PUD requirements. Staff recommends **APPROVAL** of the preliminary plat subject to conditions.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Midget, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT for Hunter's Pointe II as recommended by Staff and **WAIVE** the Subdivision Regulations to permit a scale of 1" = 60' and to permit cul-de-sac streets of more than 500' in length.

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Coventry Garden's (PUD 469) (1814)

(PD-15) (County)

East of the northeast corner of East 96th Street North & North Mingo Road.

Jones presented the plat with Jeff Tuttle in attendance at the TAC meeting.

Tuttle submitted a revised plat with all streets being public.

Rains requested that the exact location and size of the islands be identified with dimensions.

Miller requested an underground meeting to avoid conflicts with landscaping and utilities in the reserve areas.

Coventry Gardens is a 12.84-acres residential single-family subdivision plat that contains 44 lots and is part of PUD 469. The subdivision proposes private internal streets with access off a public collector. The TAC reviewed the plat on December 21, 1995 and tabled the request until several concerns could be worked out. The applicant has now submitted a revised plat for review and consideration.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations which require 15 days notice of the plat to 7 days.
2. A letter from an attorney is required which states that the L.L.C. is duly formed and that the individual signing the plat has the authority to do so.
3. Release letter from the City of Owasso as to water and sewer service.
4. Several changes to Deed of Dedication portion of the plat.
5. All conditions of PUD 469 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.
6. Utility easements shall meet the approval of the utilities. Coordinate with Sub-surface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
7. Water and sanitary sewer plans shall be approved by the City of Owasso prior to release of final plat. (Include language for W/S facilities in covenants.)
8. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
9. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.
10. Street names shall be approved by the County Engineer and shown on plat.

11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
13. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
14. Limits of Access or LNA as applicable shall be shown on plat as approved by the County Engineer. Include applicable language in covenants.
15. It is recommended that the Developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
16. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
17. 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 is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to Owasso 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.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. All other Subdivision Regulations shall be met prior to release of final plat.

On Motion of Miller, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the Preliminary Plat of Coventry Gardens, subject to all conditions listed above.

Staff Comments

Mr. Jones informed that it is anticipated that this same type of development will be permitted to occur as a wrap-around buffer from the commercial zoning located at the corner of the subject tract. He disclosed the importance of conveying to potential property owners that the tract is not in the city limits of Owasso, but served by Tulsa County, by printing such information on the face of the plat.

Mr. Doherty inquired if the streets are adequate for anticipated future development in the area.

Mr. Jones informed that if additional phases develop, there will be increased traffic utilizing the one entrance; however, until a full street loop is connected a slight congestion problem may be experienced.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; "abstaining"; Boyle, Gray, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT for Coventry Garden's as recommended by Staff and **WAIVER** of the Subdivision Regulations which require 15 days notice to permit 7 days notification.

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PLAT WAIVER, SECTIONS 213 AND 260:

BOA-17285 (Sunny Brook) (3602)

(PD-2) (CD-1)

Southwest corner of East Pine Street & North Peoria Avenue.

Jones presented the request with no representative present at the TAC meeting.

Discussion took place regarding the right-of-way of East Pine Street and the location of the existing building.

Somdecerrf requested right-of-way dedication along East Pine Street to meet the Major Street Plan.

The Board of Adjustment is scheduled to hear a special exception to permit a YMCA at an existing facility and if approved, the property will be subject to the platting requirement. As the site plan shows, all improvements are existing and an interior remodel permit is being sought.

Based on the size of the tract, no new exterior construction proposed and existing subdivision plat, staff is supportive of the requested plat waiver.

Staff recommends APPROVAL of the plat waiver for BOA-17285, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On the motion of McGill, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the plat waiver for BOA-17285, subject to all conditions listed above.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to **APPROVE** the PLAT WAIVER for BOA-17285 as recommended by Staff and **WAIVER** of the Major Street and Highway Plan regarding right-of-way dedication on East Pine Street because of the location of the existing building.

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CBOA-1397 (Unplatted) (2092)

(PD-9) (County)

Northeast corner of South 61st West Avenue & West 41st Street South.

Jones presented the plat waiver request with Bruce Mason and Jim Doherty present at the TAC meeting.

Doherty stated that due to money and time, the church wished to waive the platting requirement to permit this expansion; however, before any additional expansion is done, a subdivision plat will be filed.

Pierce requested an additional easement of either 10' or 17.5' along West 41st Street. The applicant was in agreement.

Rains noted that the eastern access point has been eliminated and that an access control agreement was not necessary.

Tulsa County Board of Adjustment case 1397 is a special exception request to permit church use on a 10-acre tract located at the northeast corner of West 41st Street South and South 61st West Avenue. The Board of Adjustment approved both church and day care use on the northwest 2.3 acres in the past. A plat waiver was approved in 1988 for that 2.3 acre portion of the total 10 acres which contains the existing building. The applicant is now requesting the Board to approve the expansion as per the submitted master plan.

Based on the size of the tract and the proposed expansion, Staff feels it is time to file a subdivision plat on the property to provide for appropriate utility easements, access points and other information to accommodate the expansion. With the lack of a record search procedure with Tulsa County, tracking future building permits for compliance would be difficult. A one lot, one block plat could be expedited so time delay would be minimal.

Staff recommends DENIAL of the plat waiver for CBOA-1397.

On Motion of Rains, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the plat waiver for CBOA-1397, subject to the additional easement and this building expansion only.

TMAPC Comments

Mr. Doherty informed that at the request of County Commissioner John Selph, he represented the applicant at the TAC meeting and will be abstaining from Planning Commission discussion. Mr. Doherty then left the room.

TMAPC Action; 8 members present:

On **MOTION** of **LEDFOORD**, the TMAPC voted 7-0-1 (Ballard, Carnes, Dick, Horner, Ledford, Midget, Pace "aye"; no "nays"; Doherty "abstaining"; Boyle, Gray, Taylor "absent") to **APPROVE** the PLAT WAIVER for CBOA-1397 with the condition that any additional expansion or building permit application will require that a subdivision plat be filed as recommended by Staff.

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FINAL APPROVAL:

The Gardens (3094)

(PD-17) (CD-5)

South of the southwest corner of East 41st Street & South Garnett Road.

Chairman Carnes announced request for continuance of this item to February 7, 1996.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Midget, Taylor "absent") to **CONTINUE FINAL APPROVAL** of The Gardens to February 7, 1996.

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Star Center 4 (2983)

(PD-26) (CD-2)

Southeast corner of East 101st Street South & South Delaware.

Staff Comments

Mr. Jones announced that Star Center 4 is a one-lot, one-block subdivision plat. He informed that all release letters have been received and Staff recommends **APPROVAL** subject to final approval from the Legal Department of the final wording of the Deed of Dedication and Restrictive Covenants.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to **APPROVE** the FINAL PLAT of Star Center 4 as having met all conditions of approval as recommended by Staff and upon final approval from the Legal Department.

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APPROVAL OF RESTRICTIVE COVENANTS:

PUD 537 (Meadowbrook Heights) (494)
405 South 129th East Avenue.

(PD-17) (CD-6)

Staff Comments

Mr. Jones announced that PUD 537 is a mini-storage PUD that was approved by the Planning Commission at an earlier meeting. He informed that the applicant has submitted PUD conditions to Staff. Mr. Jones advised that Staff and the Legal Department has reviewed the conditions and are in agreement with them. He stated that Staff recommends **APPROVAL** as presented.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to **APPROVE** the RESTRICTIVE COVENANTS for PUD 537 as recommended by Staff.

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VACATION OF SUBDIVISION PLAT:

Partial vacation of plat of Sooner Electrical Supply Addition, Plat number 3730, Tulsa, Oklahoma.

Partial vacation of plat, Union Building, Plat number 4535, Tulsa, Oklahoma.

Partial vacation of plat of Chancellor Acres, Plat number 781. Tulsa, Oklahoma.

Staff Comments

Mr. Jones informed that Valley Crossing Final Plat was approved at the January 17 TMAPC meeting. He informed that these requests are to vacate the underlying plats so the new plat will not be encumbered by any additional easements, dedications, etc. Mr. Jones stated that Staff and the Legal Department have not been allowed sufficient time to review the vacation of plat and follow established procedures for vacation of plat.

Applicant's Comments

Charles Norman suggested that this procedure be reviewed by the Rules and Regulations Committee so that if there is vacation of a preliminary plat requested, it can be submitted along with the preliminary plat for concurrent review by the Technical Advisory Committee. Mr. Norman informed that the problem has been worked out with the title company, and if necessary, the vacation requests will be processed at another time.

The Chairman declared the items stricken from the agenda.

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Application No.: **Z-6521 and PUD 542**

Applicant: Roy Johnsen

Location: North of the northwest corner of 91st Street & Sheridan Road.

Date of Hearing: January 24, 1996

Presented to TMAPC: Roy Johnsen

Present Zoning: AG

Proposed Zoning: RS-1

Applicant's Comments

Mr. Johnsen requested a continuance to February 7, 1996 in order to complete design of the main street through the project. He informed of discussing the continuance request with interested parties who expressed no objection to the continuance.

TMAPC Action; 7 members present:

On **MOTION** of **DICK**, the TMAPC voted **7-0-0** (Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Gray, Taylor "absent") to **CONTINUE** Z-6521 and PUD 542 to February 7, 1996.

ZONING PUBLIC HEARING:

Z-6522, PUD 306-E and Z-6522-SP-1 were heard simultaneously.

Application No.: **Z-6522**

Applicant: Charles Norman

Location: South Delaware Avenue, south of Vensel Creek Channel and north of the Creek Turnpike right-of-way.

Date of Hearing: January 24, 1996

Presented to TMAPC: Charles Norman

Present Zoning: RM-1/RS-3/PUD

Proposed Zoning: CO/PUD

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Corridor.

According to the Zoning Matrix the requested CO is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 18.4 acres in size and is located on the east side of S. Delaware Avenue, south of the Vensel Creek Channel and north of the Creek Turnpike Right-of-way. It is sloping, non-wooded, vacant and zoned RS-3/PUD-306.

Surrounding Area Analysis: The subject tract is abutted on the north by the Vensel Creek Channel, the Creek Turnpike right-of-way on the south and S. Delaware Avenue on the east. The property is vacant and zoned RS-3/PUD-306.

Zoning and BOA Historical Summary: The northeast corner of S. Delaware Avenue and E. 101st Street S., south of the subject tract, has been approved for commercial uses within the PUD and 57 acres that is located south of the Creek Turnpike to the southeast of the subject tract has been approved for school use within the PUD.

Conclusion: The subject tract is within an area that is designated Low Intensity - Corridor by the Comprehensive Plan and is within close proximity to the Creek Turnpike. Therefore, Staff can support the request and recommends **APPROVAL** of CO zoning for Z-6522.

Staff Comments

Mr. Gardner pointed out that it has been the policy of Staff to not recommend intensifying land use in this particular area until all elements of the planning efforts for the street improvement come together. He deemed that the City has control of those properties required for improvement of streets, etc. Mr. Gardner stated that without street improvements, it is impossible to service these kinds of intensities.

Applicant's Comments

Mr. Norman distributed a concept illustration of the proposed application. He discussed the need for an ice sports facility in Tulsa to promote amateur ice sports and a possible practice arena. Mr. Norman discussed access to the facility, pointing out that the use for a sports facility would be during off-peak periods regarding traffic generation. He informed that construction of the south end of the Riverside Parkway beginning at 101st Street is scheduled to begin in the Spring of 1996, and accommodations have been made to provide continuous access to the subject tract during construction. He revealed that after construction of Riverside Parkway, the tract will have access to the Parkway only as depicted on the concept rendering. Mr. Norman expressed agreement with Staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to recommend **APPROVAL** of CO zoning for Z-6522 as recommended by Staff.

LEGAL DESCRIPTION FOR Z-6522

These proposals are for property described as: part of the N/2, SE/4, Section 20, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, according to the U.S. Government survey thereof, more particularly described as follows, to-wit: commencing at the southwest corner of said SE/4; thence N 01°06'03" W along the West boundary of said SE/4 a distance of 1,989.80'; thence N 88°56'42" E a distance of 60.00' to the point of beginning; thence N 74°21'40" E a distance of 0.00'; thence on a curve to the left having a radius of 660.00' a distance of 437.51'; thence N 36°22'48" E a distance of 0.00'; thence on a curve to the right having a radius of 417.79' a distance of 413.58'; thence S 86°54'05" E a distance of 924.11'; thence S 38°52'43" W a distance of 0.00'; thence on a curve to the left having a radius of 2,059.86' a distance of 25.93'; thence S 38°09'26" W a distance of 479.45'; thence S

51°53'59" W a distance of 203.70'; thence S 61°27'34" W a distance of 0.00'; thence on a curve to the right having a radius of 1,095.92' a distance of 525.73'; thence S 88°56'42" W a distance of 200.28'; thence N 60°05'29" W a distance of 58.31'; thence S 88°56'42" W a distance of 100.00'; thence S 57°58'52" W a distance of 58.31'; thence S 88°56'42" W a distance of 200.00'; thence N 42°26'26" W a distance of 80.34' to a point 60.00' from the West boundary of said SE/4; thence N 01°06'03" W 60.00' from and parallel to the West boundary of said SE/4 a distance of 244.23' to the Point of Beginning, and located east of S. Delaware Avenue, north of the Creek Turnpike and south of Venzel Creek Channel, Tulsa, Oklahoma.

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Application No.: **PUD 306-E** Major Amendment

Applicant: Charles Norman

Location: Northeast corner of Delaware Avenue and the Creek Turnpike Avenue and the Creek Turnpike.

Date of Hearing: January 24, 1996

Presented to TMAPC: Charles Norman

PUD 306-E proposes to amend the permitted uses and development standards for development Area F and a small portion of development Area H in PUD 306. These areas were originally approved for multifamily dwellings.

The applicant is proposing an office and commercial recreation development under Corridor zoning (Z-6522) and has also filed a Corridor Site Plan with the PUD and rezoning request. There are proposed to be two development areas, with Area A, the eastern portion of the PUD, being the site of a large building containing ice and roller skating rinks and other floor sport courts as well as food service, restaurant facilities, video game areas, retail sports shops and offices. All such uses would be within buildings except that outside exercise, sports and training facilities including jogging paths, volleyball, basketball and tennis courts are proposed.

Development Area B, the western portion of the PUD, is proposed for primarily office uses and one lot which would have a restaurant other than a drive-in restaurant. Also exterior exercise, sports and training facilities may be developed in this area.

The Corridor Site Plan which was submitted (Z-6522-SP-1) does not contain exact locations for buildings, parking or other uses, but is conceptual in nature. It is proposed that the PUD Detail Site Plan approval process would determine the exact location, size and type of actual buildings and uses.

1. 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-306 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 306-E 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 (Net)

18.391 acres

Development Area A

Permitted Uses:

Ice and roller skating rinks and other floor sports courts, health club, exercise, sports and training facilities, including jogging paths, volleyball, basketball and tennis courts, electronic and video game areas, food service and restaurant facilities, retail sports and pro shops, and offices, studios and support services as permitted in Use Unit 11 and uses customarily accessory to the permitted uses. All of the permitted uses shall be conducted within enclosed buildings except that exterior exercise, sports and training facilities, including jogging paths, volleyball, basketball and tennis courts are permitted.*

Maximum Building Floor Area: 120,000 sf

Maximum Lot Coverage 25%

Maximum Building Height 50'

Minimum Building Setbacks

From north boundary of dev. area 40'

From south boundary of dev. area 40'

From west boundary of dev. area 100'

Minimum Landscaped Area: 10% of lot

Maximum Signage:

- a) One ground sign shall be jointly used by owners of lots in Development Areas A and B with a maximum 240 square feet of display surface area and 25 feet in height. The permitted ground sign shall be located within the west 50 feet of Development Area B.
- b) Wall signs shall be permitted not to exceed 1 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed seventy-five percent of the frontage of the building and no wall signs are permitted on north facing walls.

* The appropriateness of uses, other than ice and roller skating rinks and other floor sports courts, shall be determined a Detail Site Plan review.

Development Area B

Permitted Uses:

Offices, studios and support services uses as permitted in Use Unit 11, one detached eating establishment other than a drive-in not exceeding 8,000 square feet of gross floor area, and exterior exercise, sports and training facilities,

including jogging paths, volleyball, basketball and tennis courts and uses customarily accessory to the permitted uses.*

Maximum Building Floor Area:	115,000 sf
Maximum Lot Coverage	30%
Maximum Building Height	40'
Minimum Building Setbacks	
From north south and east boundary of dev. area	20'
From west boundary of dev. area	50'
Minimum Landscaped Area:	15% of lot
Maximum Signage:	
a) Wall signs shall be permitted not to exceed 1.0 square feet of display surface area per lineal foot of building wall to which attached. The length of a tenant wall sign shall not exceed seventy-five percent of the frontage of the building and no signs are permitted on north-facing walls if within 150' of the north boundary of the development area.	
b) The ground sign as provided for in the standards for development area A is permitted as well as one monument-style sign at the entrance to the office area which shall not exceed 10' in height nor 64 sf in display surface area.	

*The appropriateness of uses, other than Use Unit 11 uses and one Use Unit 12 use, shall be determined at the time of Detail Site Plan review.

3. Due to the distance between the north boundary of PUD 306 E and the residential development to the north, no screening fence is required. Instead a landscaped strip, which may include berms, shall be provided to break up the appearance of the large building in Area A and the large parking lots in the PUD.
4. 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 parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
5. 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.
6. 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.
7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.

8. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 45 feet.
9. 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.
10. No Building Permit shall be issued until the requirements of Section 1170E 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.
11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to recommend **APPROVAL** of PUD 306-E Major Amendment as recommended by Staff.

LEGAL DESCRIPTION FOR PUD 306-E

These proposals are for property described as: part of the N/2, SE/4, Section 20, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, according to the U.S. Government survey thereof, more particularly described as follows, to-wit: commencing at the southwest corner of said SE/4; thence N 01°06'03" W along the West boundary of said SE/4 a distance of 1,989.80'; thence N 88°56'42" E a distance of 60.00' to the point of beginning; thence N 74°21'40" E a distance of 0.00'; thence on a curve to the left having a radius of 660.00' a distance of 437.51'; thence N 36°22'48" E a distance of 0.00'; thence on a curve to the right having a radius of 417.79' a distance of 413.58'; thence S 86°54'05" E a distance of 924.11'; thence S 38°52'43" W a distance of 0.00'; thence on a curve to the left having a radius of 2,059.86' a distance of 25.93'; thence S 38°09'26" W a distance of 479.45'; thence S 51°53'59" W a distance of 203.70'; thence S 61°27'34" W a distance of 0.00'; thence on a curve to the right having a radius of 1,095.92' a distance of 525.73'; thence S 88°56'42" W a distance of 200.28'; thence N 60°05'29" W a distance of 58.31'; thence S 88°56'42" W a distance of 100.00'; thence S 57°58'52" W a distance of 58.31'; thence S 88°56'42" W a distance of 200.00'; thence N 42°26'26" W a distance of 80.34' to a point 60.00' from the West boundary of said SE/4; thence N 01°06'03" W 60.00' from and parallel to the West boundary of said SE/4 a distance of 244.23' to the Point of Beginning, and located east of S. Delaware Avenue, north of the Creek Turnpike and south of Venzel Creek Channel, Tulsa, Oklahoma.

Application No.: **Z-6522-SP-1** Corridor Site Plan
Applicant: Charles Norman
Location: Northeast corner of Delaware Avenue and the Creek Turnpike.
Date of Hearing: January 24, 1996
Presented to TMAPC: Charles Norman

The applicant is proposing that the development standards of PUD 306-E act as the standards for the Corridor Site Plan. The Detail Site Plan required in the PUD will provide the exact location, size and types of buildings and uses which are to be built. If PUD 306-E is approved, Staff recommends **APPROVAL** of Z-6522-SP-1.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Gray, Taylor "absent") to recommend **APPROVAL** of the **CORRIDOR SITE PLAN** for Z-6522-SP-1 as recommended by Staff.

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Application No.: **Z-6140-SP-1A** Minor Amendment
Applicant: Roy Johnsen
Location: Southwest corner of Memorial Drive and the Creek Turnpike.
Date of Hearing: January 24, 1996
Presented to TMAPC: Roy Johnsen

The requested amendment is to increase the permitted floor area in Development Area A (Lot 1, Block 1) from 8,000 sq ft to 11,000 sq ft. The uses permitted remain unchanged, Use Unit 11 including drive-in banking facilities. This is a 37.5% increase in floor area and as such would not be classified as a minor amendment according to the TMAPC's adopted Rules of Procedure. The applicant is asking for a waiver of this requirement. Since the floor area ratio with the increase would still be within the ratio allowed in an OL district, Staff recommends **APPROVAL** of the waiver of rules and the minor amendment.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Gray, Taylor "absent") to **WAIVE** TMAPC Rules of Procedure to allow this item to be considered as a Minor Amendment, rather than a Major Amendment, as recommended by Staff.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Dick, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Gray, Taylor "absent") to recommend **APPROVAL** of Z-6140-SP-1a MINOR AMENDMENT to the Corridor Site Plan as recommended by Staff.

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OTHER BUSINESS:

Review of Capital Improvements Project (CIP) requests, City of Tulsa, and certification as being in accord with the Comprehensive Plan.

Staff Comments

Dane Matthews announced that this is part of the TMAPC's annual review of the City's projects that have been submitted by the operating departments and some of the Neighborhood Associations. She reported that Staff finds the CIP requests in accord with the Comprehensive Plan.

Interested Parties

Roy Gann

10102 South Delaware 74137

Mr. Gann requested clarification of the CIP request to reconstruct and extend Harvard Avenue, noting that the Jenks school system passed a tax proposition that included improving a portion of Harvard. He deems this to be double taxation unless a distinction is made between the two projects, and he requested clarification of the two issues.

Ms. Matthews explained that the sales tax portion of the CIP request is for engineering of the project from the turnpike south to 101st Street.

Mr. Gardner explained that section line roads are traditionally the responsibility of the City to improve, and since Harvard Avenue was not extended all the way to 101st Street originally, the plan is to extend it to 101st Street going west of the section line and paralleling the east boundary of what is now school property. Mr. Gardner informed that the reason for having the City extend the street was based on the fact that this is a section line road. He explained the Jenks school system will be dedicating right-of-way to the City for future development of the street.

TMAPC Action; 7 members present:

On **MOTION** of **LEDWORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Ledford, Pace "aye"; no "nays"; "abstaining"; Boyle, Gray, Midget, Taylor "absent") to **CERTIFY** that the Capital Improvements Project requests for the City of Tulsa are in accord with the Comprehensive Plan.

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There being no further business, the Chairman declared the meeting adjourned at 2:25 p.m.

Date Approved: 2. 7. 96


Chairman

ATTEST:


Secretary