

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2087

Wednesday, October 16, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes, Chairman
Dick
Gray
Horner
Ledford
Midget, Mayor's
Designee
Pace, Secretary
Westervelt

Members Absent

Jim Doherty

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, October 14, 1996 at 10:15 a.m., in the office of the County Clerk at 10:11 a.m., as well as in the Reception Area of the INCOG offices at 10:22 a.m.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of October 2, 1996, Meeting No. 2085:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent") to **APPROVE** the minutes of the meeting of October 2, 1996 Meeting No. 2085.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford informed the Commission that the Comprehensive Plan Committee met today. The Committee overwhelmingly supported the Indian Acres Redevelopment Project, finding it in conformance with the Comprehensive Plan.

Rules and Regulations Committee

Mr. Gardner informed the Commission that the Rules and Regulations Committee will be meeting on October 23, 1996 following the TMAPC meeting to continue discussion on multifamily and commercial building setbacks. The continuation date for the public hearing on this item is November 6, 1996.

Community Participation Committee

Ms. Gray informed the Commission the Community Participation Committee will be meeting today following the TMAPC meeting in regards to Chairs and Vice-Chairs for each Planning District.

Director's Report:

Mr. Gardner stated there are two (2) items scheduled for the October 17, 1996 City Council meeting. Dane Matthews will be present, representing staff. Joe Westervelt will be in attendance for the TMAPC.

SUBDIVISIONS:

Plat Waiver, Section 260 or Section 213:

CBOA-1456 (Unplatted) (3684)

(PD-19) (County)

114th Street South, west of South 193rd East Avenue

TAC Comments:

Jones presented the request with Lee Ann Fager in attendance.

Pierce stated that a separate utility easement will be required to provide electrical service to the tract. Ms. Fager was in agreement.

Tulsa County Board of Adjustment case number 1456 is a special exception request to permit a cellular tower in an AG-zoned district. The application, which will be heard on October 15, will be subject to the platting requirement if approved.

Based on the proposed use and AG zoning, staff is supportive of the requested plat waiver. Any additional board action or rezoning would again trigger the platting requirement.

Staff recommends Approval of the plat waiver for CBOA-1456 as requested.

On the Motion of French, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for CBOA-1456 as requested.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent ") to **APPROVE** the Plat Waiver for CBOA-1456 subject to a separate utility easement being provided for electrical service to the tract as recommended by TAC.

* * * * *

Z-6565 (Bellair Heights) (1693)
3322-3330 East 30th Street South

(PD-6) (CD-7)

TAC Comments:

Jones presented the application with Steve Schuller present.

Schuller stated that a parking lot existed on one of the tracts and the facility will serve the commercial property to the west.

Rezoning application Z-6565 is a request to rezone two existing lots from RS-3 to OL. The approximate .3 acre tract is located west of the southwest corner of East 30th Street and South Jamestown Avenue and is proposed for an off-street parking lot. According to the applicant's submitted site plan, a 12' utility easement exists abutting the subject tract to the west.

Based on the existing subdivision plat, size of tract and proposed use, staff is supportive of the requested plat waiver.

Staff recommends Approval of the plat waiver for Z-6565 subject to the following conditions:

1. Paving and drainage plan approval by the Department of Public Works in the permit process.
2. Utility extension or easements, if required.

On the Motion of Nelson, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for Z-6565, subject to the conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent ") to **APPROVE** the Plat Waiver for Z-6565 subject to paving and drainage plan approval by the Department of Public Works during the permitting process and any utility extension or easements that may be required as recommended by TAC.

Z-6564 (Morland Addition) (2893)
3707 East 51st Street South

(PD-18) (CD-7)

TAC Comments:

Jones presented the request with Charles Norman present.

Jones explained that the request is to permit commercial use in an existing building and no new construction is proposed.

Norman added that a few additional parking spaces may be added in which plans would be reviewed in the permit process.

On the Motion of Herbert, the Technical Advisory Committee voted unanimously to recommend approval of the plat waiver for Z-6564, subject to the following conditions:

1. Paving and drainage plan review by the Department of Public Works in the permit process.
2. Utility easements and/or extensions if required.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent ") to **APPROVE** the Plat Waiver for Z-6564 subject to paving and drainage plan approval by the Department of Public Works in the permitting process, any utility easements and/or extensions that may be required, as recommended by TAC and approval of Z-6564.

Final Plat Approval:

21st and Broken Arrow Addition (1793)

(PD-6) (CD-9)

East 21st Street South & the Broken Arrow Expressway

Staff Comments:

Mr. Jones reminded the Commission that this is the site of the new Border's Book Store. The project is currently under construction. Mr. Jones stated all release letters have been received and everything is in order. Therefore, staff would recommend approval.

TMAPC Action; 10 members present:

On **MOTION** of **LEDFOORD**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty "absent ") to **APPROVE** the Final Plat for 21st and Broken Arrow Addition as recommended by staff.

Lot-Splits for Ratification of Prior Approval:

L-18366 Ellison Development (1583)

(PD-18B) (CD-8)

8819 South Lakewood Court

L-18367 City of Tulsa (3593)

(PD-18C) (CD-7)

6030 South Memorial

Staff Comments:

Mr. Jones informed the Commission that these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations. Staff recommends approval.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty "absent ") to **RATIFY** the Lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

COMPREHENSIVE PLAN:

Resolution from Tulsa Development Authority amending the Urban Renewal Plan for the Indian Acres Redevelopment Project - Finding the Urban Renewal Plan Amendments for Indian Acres in accordance with the District Five (5) Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Comments:

Ms. Matthews informed the Commission that this Resolution is from the Tulsa Development Authority finding the amendments to the Indian Acres Urban Renewal Plan in accord with the District Five Plan, which is a part of the Comprehensive Plan for the Tulsa Metropolitan Area. She stated has reviewed and find them in accordance with the Comprehensive Plan and requested the Commission to also find them in accordance with the Plan.

TMAPC Comments:

Mr. Boyle questioned Legal if the language of the Resolution is appropriate. Mr. Linker replied he has read the Resolutions and did not see any problems with them. Mr. Linker asked if there were any specific questions or comments in regards to the language.

Mr. Boyle stated it is unusual for the Commission to approve Resolutions of this type and expressed concerns in regards to the execution of the document.

Ms. Matthews reminded the Commission that this Resolution originated from the Urban Renewal Authority in regards to the Urban Renewal Plan Amendments.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty "absent ") to **ADOPT** a finding the Urban Renewal Plan Amendments for Indian Acres in accordance with the District Five Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

* * * * *

Items Z-6559 and PUD-550 were heard simultaneously.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6559

OL/RS-3 to CS/IL

Applicant: Charles Norman

(PD-5) (CD-5)

Location: Northeast corner East Skelly Bypass & South 87th East Avenue

Presented to TMAPC: Charles Norman

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Special District 1 with the North 330' fronting on East 21st Street designated as - Medium Intensity - Linear Development, all within the Special District 1, Indian Acres Redevelopment Area.

According to the Zoning Matrix the requested CS/IL **may be found in** accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 59.4 acres in size and located on the northeast corner of East Skelly Bypass and South 87th East Avenue on the south side of East 21st Street between South 87th East Avenue and South 90th East Avenue. It is flat, non-wooded, vacant, and zoned OL and RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north across East 21st Street by some commercial businesses, zoned CS/PUD-439, which is located on the northeast corner of East 21st Street South and South 89th East Avenue; to the northwest are two single-family dwellings, zoned RS-1; and a vacant tract on the northwest corner of South 89th East Avenue and 21st Street that is zoned OL. The tract is abutted on the east and west by scattered single-family dwellings, zoned RS-3, RS-2 and on the southeast by the Highway Patrol office, zoned OM. The tracts abuts I-44 (Skelly Bypass) on the south, zoned RS-2.

Zoning and BOA Historical Summary: In 1980 the Tulsa Board of City Commissioners adopted a resolution finding that the subject tract was appropriate for urban renewal. Tulsa Urban Renewal Authority was then authorized to prepare an Urban Renewal Plan for Indian Acres. The plan generally provides for redevelopment of the subject area for multi-family residential, light office, and corridor uses, along with park, open space and landscaped areas. In 1994 a three-acre tract that is located north and east of the subject tract, fronting on East 21st Street and being the northern boundary of the Indian Acres Urban Renewal Plan was approved for OL zoning.

Conclusion: The Urban Renewal Plan for the subject tract provides for the development and redevelopment of this area for multifamily residential, light office and corridor uses. A large part of the existing development in this area fronting on East 21st Street is presently zoned for office use, with residential single-family uses to the west. Staff is supportive and therefore recommends **APPROVAL** of Z-6559 for CS zoning along East 21st Street to a depth of 330' measured from the centerline of East 21st Street, and recommends **APPROVAL** of IL zoning for the balance of the tract, less and except the west 400' thereof and upon approval of PUD-550.

Application No.: PUD-550

PUD

Applicant: Charles Norman

(PD-5) (CD-5)

Location: Northeast corner East Skelly Bypass & South 87th East Avenue

Presented to TMAPC: Charles Norman

Staff Recommendation:

The applicant is proposing an approximately 60-acre tract for a mixed use commercial/industrial development that could also accommodate a post office distribution center. The tract is a portion of the Indian Acres subdivision which never developed for residential use because no utilities or roads were ever constructed. This area is now part of Special District 1 in the District 5 Plan and the Indian Acres Redevelopment Area Plan. These plans guide the development in the area. The PUD's proposed uses are now in accordance with the newly-revised Redevelopment Plan. Tulsa Development Authority (TDA) revised their plan for this area in such a way as to accommodate the PUD's proposed development.

Staff can generally support the PUD with some additional limitations on permitted uses and increased buffer and screening requirements on the west side of the PUD where a single-family subdivision exists.

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-550 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-550 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:

Development Area A

Land Area: (Gross)	10.30 acres
(Net)	8.10 acres
Permitted Uses:	Uses allowed as a matter of right in the CS Zoning District, except no uses within Use Units 12a or 19 and in the west half of Dev. area A no convenience stores, service stations, lube shop or tune-up shops are permitted. Uses shown in the Outline Development Plan in paragraph 2 and 3 may be permitted by minor amendment if determined to be appropriate for the site.
Maximum Building Floor Area:	140,800 SF
Maximum Building Height:	35
Minimum Building Setbacks:	
From the centerline of 21st Street	110'
From the centerline of 91st East Avenue	55'
From the west boundary of the western most lot of dev. area	25'
From the south boundary of dev. area	10'
Minimum Landscaped Area:	10% of each lot
Maximum Signage:	Ground signs shall be limited to five signs along the east 21st Street frontage with a maximum of 120 square feet of display surface area for each sign and 25 feet in height. Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed seventy-five percent of the frontage of the building.

*Includes amendments made by TMAPC

Lighting:

One monument sign shall be permitted at the northeast corner of Development Area A with a maximum of 64 square feet of display surface area and 6 feet in height.

Light standards within the western 150 feet of the development area shall not exceed 25 feet in height. All exterior lighting fixtures shall direct light downward and away from properties to the west and north.

Development Area B

Land Area (Gross):
(Net):

29.33 acres
28.00 acres

Permitted Uses:

Post office and postal processing and distribution facilities and uses customarily accessory to such uses and uses permitted as a matter of right in the IL district, except within the west 250' of the development area Use Unit 17 and 25 uses are only permitted after approval of a minor amendment finding the use appropriate for the site.

Maximum Building Floor Area:

550,000 SF

Maximum Building Height:

50'

Minimum Building Setbacks:

From the centerline of South 91st East Ave.	150'
From the north boundary of the dev. area	50'
From the west boundary of the dev. area	250'
From the south boundary of the dev. area	50'

Minimum Landscaped Area:	10% of each lot
Minimum Setback for Parking Space and Access Drive: From west boundary of the dev. area	25'
Maximum Signage:	<p>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 wall sign shall not exceed seventy-five percent of the frontage of the building. No wall signs are permitted on west facing walls which are within 400' of the west boundary of the development area.</p> <p>A maximum of two monument signs shall be permitted along South 91st East Avenue with a maximum of 64 square feet of display surface area and 6 feet in height.</p>
Lighting:	<p>Light standards within the west and east 250 feet of the development area shall not exceed 25 feet in height. All exterior lighting fixtures shall direct light downward and away from properties to the west and east. No light standards shall be within 100' of the east or west boundaries of the development area. *</p>
Screening:	<p>A solid screening fence or wall 8 feet in height shall be constructed along the west boundary and the west 100 feet of the south and north boundaries of the development area. **</p>

* Includes amendments approved by TMAPC.

** See modification made by TMAPC motion.

Development Area C

Land Area (Gross):	24.12 acres
(Net):	23.33 acres
Maximum Building Floor Area:	405,000 S.F.
Permitted Uses:	Uses permitted as a matter of right in the IL district except within the west 250' of the development area Use Unit 17 and 25 uses are only permitted after approval of a minor amendment finding the use appropriate for the site.
Maximum Building Height:	50'
Minimum Building Setbacks:	
From the centerline of 91st East Ave.	55'
From the west boundary of the dev. area	125'
From the north boundary of the dev. area	50'
From the southeast boundary (I-44 service road right-of-way	50'
Minimum Setback for Parking Space and Access Drive:	
From the west boundary of dev. area	25'
Minimum Landscaped Area:	10% of each lot
Maximum Signage:	Three ground signs are permitted along the I-44 frontage which do not exceed 25' in height, nor 120 sq.ft. of display surface area each. No ground sign shall be within 150' of the west boundary of the development area. In addition, one outdoor advertising sign meeting the requirements of Section 1221.F is permitted in the east half of the development area.

Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed seventy-five percent of the frontage of the building.

No wall signs are permitted on west-facing walls which are within 400' of the west boundary of the development area.

Lighting:

Light standards within the western 250 feet of the development area shall not exceed 25 feet in height. All exterior lighting fixtures shall direct light downward and away from properties to the west. No light standards are permitted within the west 100' of the development area.

Screening:

A solid screening fence or wall 8 feet in height shall be constructed along the west boundary and the north 132.5 feet of the out parcel. *

3. Access to Development Area A shall be limited to no more than five properly spaced entry points on 21st Street South and entry from 87th and 91st East Avenues. Access to Development Area B shall be only through Development Area A and C and from 91st East Avenue. Access to Development Area C shall only be from the I-44 service road, 91st East Avenue and Development Area B. No access is permitted between 87th East Avenue and uses in Development Areas B and C. **

4. All uses, except customer/employee parking, permitted in the PUD including storage shall be conducted within enclosed buildings if located within 250 feet of the west boundary of the PUD.

5. 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 requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

* See modification made by TMAPC motion.

** Includes amendments made by TMAPC.

6. 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.

7. No sign permits shall be issued for the 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.

8. All trash, mechanical and equipment areas which are within 250' of a residential area shall be screened from public view by persons standing at ground level in the residential area. No bulk trash containers shall be located closer to a west boundary of the PUD than the required building setback from the west boundary.

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 1170F 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 and 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.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, stated that Coleman Robison and he represent the redeveloper of the Indian Acres property. He reported on the history of the property. He stated the redevelopment process has been somewhat complicated in that it has involved the cooperation and coordination of the Tulsa Development Authority staff and INCOG staff. There have been joint meetings so that recommendations by each staff would be in accordance with each other.

Mr. Norman stated that the amended Urban Renewal Project Plan, which the Commission just approved, incorporates the development concepts that are submitted as a part of the rezoning application and the PUD. The current project does not include the multifamily development as previously approved.

Mr. Norman reminded the Commission that both of these actions will have to be heard by the City Council. Prior to the final approval of the amended Urban Renewal Project Plan, the City Council will advertise and give notice of its public hearing on the approval of the action that the Commission just took, as well as the rezoning and the PUD.

Mr. Norman pointed out that 21st Street has been identified as a linear development area eligible for Medium-Intensity uses if a PUD is filed. The remainder of the property has been included in the Planning District 5 Special District, and the proposed project plan is in accordance with the Comprehensive Plan.

Mr. Norman stated he is in agreement with the staff recommendations subject to some comments he has and one item he will request the Commission to consider.

Mr. Norman requested the minutes to reflect his concerns about the staff recommendation in regards to the eight-foot high screening fence along the western boundary of the property. He stated that he has expressed similar concerns before about eight feet as being an appropriate screening level. However, because of the distances involved on this project, it may be acceptable. He noted his concern and requested that the detail consideration be addressed at the Detail Site Plan or when lot purchasers come back before the Commission. He feels this item can wait until the Detail Plan approval process.

Mr. Norman addressed the recommendation regarding mechanical equipment not being visible to a person standing at ground level if the equipment is within 250 feet of the west boundary. In the southern area, Development Area C, there is a building setback of 125 feet and he is concerned with the term "mechanical equipment" including roof-mounted mechanical equipment, which would be visible if one were a 250-foot distance away. Since the equipment is across the street and behind the screening fence, he noted his concerns and requested the mechanical equipment be reserved until the time of Detail Site Plan approval. In light-industrial, he feels the roof-mounted equipment is preferred. He stated he does not oppose screening ground trash collection facilities and equipment. He again expressed his concerns about the roof-mounted equipment.

Mr. Norman requested the Commission consider the TAC recommendation of requiring that 87th East Avenue be opened on the west side of the proposed facility to the south boundary of Development A. He expressed concerns for the residential areas to the west. Mr. Norman stated he has not requested nor proposed an access to those residential areas from within the project area.

Mr. Norman stated that some of the right-of-way for 87th East Avenue is already in place. He indicated on the map the area affected. He proposed no access to allow separation of the proposed project from the residential area.

Mr. Norman stated the issue involves the recommendation that this street be opened and improved by the developer from 21st Street to the south boundary of Area A. He feels this will open up access from the light industrial area and result in traffic into and out of the area on 21st Street. The proposed project would force all the access traffic to 91st Street which will be improved as a 36-foot wide collector street and from the service road of Skelly Drive.

Mr. Norman stated that if this is developed as a linear development for commercial uses, there would be no need for a street that would only run one block and end. He requested that the Commission delete the requirement of an access for 87th East Avenue. If not deleted, he asked they at least reduce the access to 140 feet in length to avoid the heavy use area.

Mr. Norman informed the Commission that a median cut is already in place on 21st Street. However, he feels there will not be any future use for this street, and any additional development in the residential area should access 85th Street by cul-de-sacs.

Mr. Norman stated he has had several conversations with Ray Cosby, who is present as the Vice-Chair of Planning District 5, about some restrictions and concerns. Mr. Cosby requested that there be no bars or entertainment night clubs on 21st Street. Mr. Norman stated he is in agreement with this request that use unit 12a not be allowed in Area A.

Mr. Cosby expressed concerns about gasoline service stations, oil and lube facilities and tune-up services on 21st Street. Mr. Norman stated he agreed with not having these types of use on the west half of Area A which is closest to the residential area to the west and north. The east half, which is closer to the PSO facility and commercial uses, would be allowed to have a convenience store, gasoline sales or an oil and lube facility.

Mr. Norman informed the Commission that the proposed redevelopment will require major changes in the infrastructure. There will have to be relocation of powerlines to the east side, stormwater drainage to the east and north across Skelly Drive into the regional detention facility and the looping of water mains. All these changes will come back before the Commission during the replatting process.

Interested Parties Comments:

Ray D. Cosby, 8705 East 21st Street, stated the proposed development is on the opposite side of 21st Street from his property. He submitted letters and signatures of other residents supporting the proposed postal facility for the central interior and IL zoning in the south 23.328 acres fronting on the I-44 service road, if the entire tract is designated PUD.

Mr. Cosby stated he favors PUD proposals in the linear development area if there is a ban on any use unit beyond 14. Within use unit 14, he requested a ban on automotive-related businesses with the exception of the developer's request for an automotive parts and accessory store and a convenience store with gasoline pumps on the eastern half of the 21st Street frontage.

Mr. Cosby stated he opposes all use unit 12a - Adult Entertainment businesses fronting 21st Street because of several residences and two churches fronting 21st Street. He stated this ban on 21st Street does not apply to this use unit being located elsewhere on the development.

Mr. Cosby requested the grass-center medians on 21st Street be allowed to remain as they are and to protect this linear development from automotive related zoning. He feels the post office employees will give the CS-PUD frontage plenty of financial returns without a need for anything beyond use unit 14. In time, he feels the residences will be gone, but the use units will probably result in blight. He requested the Commission to protect the area as long as is practicable.

Al Nichols, 8525 East 16th Street, stated the Mingo Valley Homeowners Association has generally no objections to this development. Most would prefer this development to the one previously planned as multifamily.

Mr. Nichols expressed concerns on the traffic problems on accessing 21st Street. He feels there is a need to have a traffic light installed, possibly at 89th Street. He also requested the grass center medians be retained.

Wayne E. King, 8537 East 24th Street, expressed concerns regarding stormwater problems. He stated 24th Street is the only through-street from Memorial to 87th East Avenue. There is a great amount of runoff on the roadbed. He stated there are presently three collection basins, two on 24th Street and one on 87th East Avenue.

Mr. King stated if a wall is erected that restricts the overflow onto this proposed facility, he has a concern with part of the infrastructure changes. He feels there is a need for additional stormwater collection basins. Presently the water runoff drains over the curb and onto the property, where it frequently stands.

Mr. King requested the Commission and City consider the existing stormwater problems and the effect the proposed redevelopment will have on the area.

Kathy Watson, speaking on behalf of City Councilor Sam Roop, stated that Councilor Roop has reviewed and supports the proposed project. He has received several telephone calls from some of the residents in the area expressing concern with another multifamily project be built in the area if the old plan were followed.

Ms. Watson stated Councilor Roop has endorsed the proposed post office and issued press releases in that regard.

Bill Moore, 2131 South 91st East Avenue, stated he has not heard very much in regard to 91st East Avenue. He stated 91st East Avenue will be made 36 feet wide and will be a collector street. With the post office running 24 hours a day, it will be hard to get in and out at any time.

Mr. Moore stated there has not been anyone asking for his opinion or informing him as to what is going on. He stated Mr. Norman indicated there is a heavy industrial use at 91st and 21st and there is not. There is a church located at 91st and 21st. He feels, with the wider street and the giant 24-hour building located across the street, the proposed redevelopment will eliminate everything he has.

Deelanna Richards, 2161 South 91st East Avenue, stated she is Bill Moore's neighbor. She stated she will have a 36-foot street with high traffic going in across the street from her home. She stated a press release by Mr. Norman indicated there would be no traffic coming out into residential areas from the post office. This is directly across from her home and there will be traffic.

Ms. Richards stated the developer is willing to appease everyone except the three houses and two churches on the eastside of the development. The other residents will have fences and greenspace to block the view and all the noise and she will not.

Ms. Richards stated there are several items that have not been addressed. She stated there are not any City sewers, stormdrains or water lines and there flooding problems. She questioned what would be done with the creek that runs through the center of the proposed property.

Ms. Richards stated she is currently on a septic system, and if the proposed property is concrete, it will only cause her more flooding problems. She questioned what the developer is planning to do about these problems.

Ms. Richards stated she is not against the proposed post office; however, there are serious flooding and sewer problems that will occur on the property to the east of the development.

Applicant's Rebuttal:

Mr. Norman stated, in regards to traffic and traffic signals, he has suggested that it will be addressed at a later date, if and when all of these developments occur. He feels that if a traffic signal is approved, it would be more appropriate at 91st Street and that would assist persons accessing 21st Street.

In regards to the three single-family residences on the eastside of the project, Mr. Norman stated these homes are surrounded by heavy commercial, a pool facility, mini-storage and commercial zoning to the east, located within the Special District, in addition to the two churches and the Highway Patrol facility to the south.

Mr. Norman informed the Commission that the proposed development drains to the east. The water will be carried east and north into an existing boxstorm sewer that runs along 21st Street and crosses Skelly Drive to the detention facility. This was included in the environmental report that was submitted. He feels any property to the east of the proposed facility will be greatly relieved by the diversion of the water that presently runs through the neighborhood to the north and east and then to box sewers.

Mr. Norman stated there is currently a sanitary sewer main located on 21st Street. This sewer main will be continued to the west along 91st Street, and if the three homes can be served by the sewer main, then it will be. This is the first time a sewer main has been constructed on 91st Street. The water main will be constructed to loop the entire development as well as internally.

In summary, Mr. Norman feels the drainage will be improved to the east and the water will not cross the area as it does now. The postal facility itself, which may house a work force of a possible 800 employees, will consist of shift workers who change shifts three times a day. In regards to traffic, this type of facility is not a heavy generator, other than for employees.

Mr. Norman stated this postal facility will process mail that comes to Tulsa from Dallas, St. Louis or Kansas City by trucks. The mail will then be sorted and loaded on small trucks that will leave the facility and distribute the mail to post offices all over northeastern Oklahoma. Then incoming trucks in the evening will be collecting the mail from all of the facilities and bringing it back to the facility, sorting and placing it in large trucks to leave the facility.

Mr. Norman stated it is his understanding that there is usually no more than 20 to 30 large trucks per day that arrive and leave, and 40 to 50 postal trucks that leave and go to the area post offices. He feels it does not generate anywhere near the kind of traffic movement from other kinds of developments, especially apartments.

Mr. Norman expressed that with the improvements of the infrastructure, which will be reviewed in detail when the property is platted and when specific plans are presented, this will handle all the other problems that were mentioned.

TMAPC Comments:

Mr. Boyle questioned if Mr. Norman is in agreement with staff recommendation with the exceptions he noted. Mr. Norman replied in the affirmative and that it is consistent with the recommendation from TDA and included as an attachment to the Resolution that the Commission approved as being in compliance with the Comprehensive Plan.

Mr. Boyle questioned the concept in regard to the restrictions Mr. Norman placed on the service station or related facilities to the east half of Area A. Mr. Norman stated it was not included in the staff recommendation; however, he does not object to this type of use units being excluded from the west half. That would be a stricter standard than what is recommended.

Mr. Westervelt questioned, in regards to access on 87th East Avenue, if limits of access along tracts B and C would keep people from accessing 87th East Avenue. Mr. Norman stated a partial street would encourage the opening of the entire street. Mr. Norman stated he would prefer no access. In letters and copies of plans sent to the residents, Mr. Norman indicated he does not want or propose any access to the west, and he feels if it is developed commercially, there is not a need for the street in the middle anyway.

Mr. Boyle questioned if Mr. Norman's proposal to limit the service station-type uses to the east is acceptable to Mr. Cosby. Mr. Cosby replied in the affirmative if it does not set a precedent that the neighborhood will have to battle later on.

Mr. Horner questioned where Mr. Moore's home is located. Mr. Moore indicated on the map.

Ms. Gray questioned Ms. Richards if she had been contacted by her Planning Chair or the developer. Ms. Richards replied she did not know what a Planning Chair was and other than the information she received by mail, she was not contacted by the developer.

Ms. Pace questioned what the zoning actually is on the property. Mr. Gardner replied RS-3, single-family residential.

Mr. Boyle stated there seems to be an inconsistency in regards to protecting the neighborhood to the east and asked Mr. Norman how to protect them. Mr. Norman replied that the area to the east is not planned for future residential use. The area is in a Special District that has already been recognized as surrounded by commercial uses. Mr. Norman stated that the developer has tried, with setbacks and other development standards, to protect those people who live there. He feels in the future these areas will not be maintained or developed further for single-family residential use.

Mr. Boyle questioned if that holds true for the residents on the west side for the depth of the proposed 87th Street. He feels these two situations are similar. Mr. Norman replied that the west side already has a well-established, good-quality subdivision. Mr. Boyle questioned if the property to the west will develop in a commercial fashion. Mr. Norman replied that only includes the north 300 feet would.

Mr. Boyle questioned if the 300 feet is the portion to which TAC is requiring an access. Mr. Norman replied in the affirmative. However, Mr. Norman feels if developed linearly, the only access to the commercial area should be from 21st Street and not from the residential area.

Mr. Gardner stated there is a major distinction between development to the west and the east. There are established residential subdivisions to the west. The vacant residential property north of Skelly Park can be redeveloped as residential with access off the street to the west and to 87th East Avenue. In regards to the three homes to the east, they are in a non-residential area that is surrounded by non-residential. Mr. Gardner feels that with the 36-foot street and water and sewer available, the value of these three pieces of property will increase tremendously, not for residential, but for non-residential. It is not desirable as a long-term residential area, but the owners will be able to sell their properties and move to a primarily residential area that will be stable.

Mr. Boyle stated that the stub street on the west side would cause a traffic problem. He feels if this causes a traffic problem then so does the street on the east side. Mr. Boyle said he is trying to distinguish between the two. Mr. Gardner stated it is not a traffic problem. The purpose is to prevent 400 or more employees, from the post office and the other commercial facilities, from going back west through the single-family residential area.

Mr. Boyle questioned where staff stands in regards to the stub street. Mr. Gardner stated that the stub street condition is from TAC. However, Mr. Gardner stated that staff does not want to see 87th East Avenue opened up from a planning standpoint. He explained that if there is a partial street, there will be pressure to open the street. Staff feels if the vacant area to the west and north of Skelly Park is developed as residential it needs to access from 85th and backing to the industrial area with no access to the industrial area.

Ms. Pace feels that owners of the three single-family residences are entitled to a privacy fence to shield them from the proposed development, or as Mr. Gardner indicated, a larger return on the development of this property as non-residential. She stated the three property owners will benefit from improved drainage and water and sewer will be available.

Mr. Midget pointed out that the post office will have loading docks on the north and south sides of the facility. Mr. Norman stated that is correct, and that there is a 250-foot building setback from 87th West Avenue and a 150-foot building setback from 91st Street. Mr. Norman stated there will be no outside activity facing the residences.

Mr. Norman stated there is an expansion area. During the first phase of the facility, there will be a 300-foot setback from 91st Street. He stated there are plans for a central entrance, a private drive, from 21st Street that will match up with an existing median cut to allow traffic into the large area in addition to the 91st access.

Mr. Boyle feels the concept of a central access point offers protection for the residences. Mr. Norman stated the central access is contemplated by the construction of 21st Street. Mr. Boyle questioned if the plan calls for a large amount of lighting on the east side. Mr. Norman stated there are restrictions on the height of the light standards within the western portion. He believes the maximum is 25 feet in height and no closer than 300 feet to the west boundary.

Mr. Boyle questioned if there are any restrictions on the east side in regards to lighting. Mr. Norman replied there are not any restrictions; however, he has no objection to having no outside lighting within 300 feet of the east boundary of Area B more than 25-feet in height. He also has no objection to lighting being restricted to 25 feet or less in height.

Mr. Westervelt stated there are some items that the applicant is not in agreement with in regards to staff's recommendation. One is the eight-foot screening fence along the west side of the property and the other is a concern about screening mechanical equipment. Mr. Norman stated he was not objecting to these items. However, Mr. Norman requested that it be noted in the minutes that these items could be addressed during the Detailed Site Plan review.

Mr. Westervelt asked staff to comment on the issue of 87th East Avenue. Mr. Stump replied that 87th East Avenue is currently not improved north of the south boundary of the Park. It does not exist and staff does not want it to exist. Mr. Stump feels that the stub street would provide better access to the one nonconforming industrial use that is south of 21st Street on the second parcel to the southwest corner of Development Area A. That would be a benefit to another person at the expense of this developer. Staff feels the access point would allow another left-hand turn lane on 21st Street. Staff feels the 140-foot depth which Mr. Norman proposed would be sufficient.

Ms. Pace mentioned she would like to see articulated fencing and landscaping to avoid the project looking like a fort and asked Mr. Norman to relay her desire to the developer. Mr. Norman replied he would relay this information to his client, and he feels this is appropriate especially opposite the existing residential area. However, he is not sure how well it would work in a situation where the project backs up to the undeveloped residential area. He stated this consideration can be reviewed at the Detail Site Plan process.

Mr. Dick questioned Ms. Watson as to Councilor Roop's position on the stub street on 87th East Avenue. Ms. Watson replied it had been discussed and Mr. Norman had presented the objections that he had. She stated Councilor Roop was supportive of Mr. Norman's plans.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty "absent ") to recommend **APPROVAL** of Z-6559 for CS zoning along East 21st Street to a depth of 330' measured from the centerline of East 21st Street and IL zoning for the balance of the tract, less and except the west 400' thereof as recommended by staff.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty "absent ") to recommend **APPROVAL** of PUD-550 subject to the conditions as recommended by staff and modified to omit the access street on the west side of the proposed development on 87th East Avenue, convenience store, service station, lube shop, tune-up shop uses be prohibited in the west half of Area A and that outside lighting restrictions adjacent to residential area that are in effect for the west side of the property also be in effect for the east side of the property and defer consideration of the height of the screening fence and screening of mechanical equipment until the Detail Site Plan process.

Legal Description for Z-6559:

CS portion: the north 270' of the following tract

IL portion: the following tract less and except the north 270' and the west 400' of said tract

Tract Description: A tract of land that is a portion of Indian Acres Addition, City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows: Beginning at a point on the Southerly right-of-way line of East 21st Street South, said point being 10.00' Southerly of the Northwest corner of Block 2 of said Indian Acres Addition; thence due East and parallel with as measured 10.00' Southerly of the Northerly line of Indian Acres Addition for 1,260.00' to a point on the Easterly line of Indian Acres Addition, said point being 10.00' Southerly of the Northeast corner of Block 1 of Indian Acres Addition; thence S 00°07'00" E along the Easterly line of Indian Acres Addition for 1,569.00' to a point on the Northerly right-of-way line of Interstate Highway 44; thence along said right-of-way line as follows: S 50°49'03" W for 328.43'; thence due West for 40.00'; thence S 00°07'00" E for 40.00'; thence due West for 90.00'; thence S 00°07'00" E for 45.00'; thence S 60°22'08" W for 126.40'; thence S 53°22'45" W for 118.19'; thence due West for 40.00'; thence S

00°07'00" E for 14.18'; thence S 35°47'35" W for 468.87'; thence due West for 60.00'; thence S 00°07'00" E for 69.94'; thence S 48°53'55" W for 133.19' to a point on the Southerly line of Lot 9 in Block 11 of Indian Acres Addition; thence due West and leaving the Northerly right-of-way line of Interstate Highway 44 for 61.96' to a point, said point being the Southeast corner of Lot 10 in Block 11 of Indian Acres Addition; thence N 00°07'00" W along the Easterly line of Lots 10, 11, 12, and 13 of said Block 11 for 312.50' to the Northeast corner of said Lot 13; thence due West along the Northerly line of said Lot 13 for 132.50' to a point on the Westerly line of Indian Acres Addition; thence N 00°07'00" W along the Westerly line of Indian Acres Addition for 2,234.00' to the Point of Beginning of said tract of land, and located in the northeast corner of East Skelly Bypass Highway and South 87th East Avenue, Tulsa, Oklahoma.

Legal Description for PUD-550:

A tract of land that is all of Indian Acres Addition, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof lying North of the Northerly right-of-way line of Interstate 44 Highway, less and except Lots 10, 11, 12, and 13, in Block 11 of said Indian Acres Addition and also less and except the Northerly 10' of said Indian Acres Addition being part of the right-of-way of East 21st Street, said tract of land being described as follows, to-wit: Beginning at a point on the Southerly right-of-way line of East 21st Street South, said point being 10.00' Southerly of the Northwest corner of Block 2 of said Indian Acres Addition; thence due East and parallel with as measured 10.00' Southerly of the Northerly line of Indian Acres Addition for 1,260.00' to a point on the Easterly line of Indian Acres Addition, said point being 10.00' Southerly of the Northeast corner of Block 1 of Indian Acres Addition; thence S 00°07'00" E along the Easterly line of Indian Acres Addition for 1,569.00' to a point on the Northerly right-of-way line of Interstate Highway 44; thence along said right-of-way line as follows: S 50°49'03" W for 328.43'; thence due West for 40.00'; thence S 00°07'00" E for 40.00'; thence due West for 90.00'; thence S 00°07'00" E for 45.00'; thence S 60°22'08" W for 126.40'; thence S 53°22'45" W for 118.19'; thence due West for 40.00'; thence S 00°07'00" E for 14.18'; thence S 35°47'35" W for 468.87'; thence due West for 60.00'; thence S 00°07'00" E for 69.94'; thence S 48°53'55" W for 133.19' to a point on the Southerly line of Lot 9 in Block 11 of Indian Acres Addition; thence due West and leaving the Northerly right-of-way line of Interstate Highway 44 for 61.96' to a point, said point being the Southeast corner of Lot 10 in Block 11 of Indian Acres Addition; thence N 00°07'00" W along the Easterly line of Lots 10, 11, 12, and 13 of said Block 11 for 312.50' to the Northeast corner of said Lot 13; thence due West along the Northerly line of said Lot 13 for 132.50' to a point on the Westerly line of Indian Acres Addition; thence N 00°07'00" W along the Westerly line of Indian Acres Addition for 2,234.00' to the Point of Beginning of said tract of land, and located in the northeast corner of East Skelly Bypass Highway and South 87th East Avenue, Tulsa, Oklahoma.

Application No.: Z-6560

IM to CBD

Applicant: Stanley Synar

Location: Northwest corner East 3rd Street and South Lansing

Presented to TMAPC: Stanley Synar

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Downtown East - Special District - High Intensity. The District 1 Plan recommends that land within the District not zoned CBD be considered for such zoning.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 140' in size and located on the northwest corner of East 3rd Street South and South Lansing Avenue. It is flat, non-wooded, contains a commercial/industrial building, and zoned IM.

Surrounding Area Analysis: The tract is abutted on the north, south and west by commercial and industrial buildings, zoned IM and to the east by the Cherokee Expressway, zoned RS-3.

Zoning and BOA Historical Summary: The City has approved similar requests for rezoning from IM zoning to CBD on tracts that are inside the IDL.

Conclusion: The requested CBD is consistent with the District 1 Plan. CBD zoning is not the predominant zoning classification in the immediate area, but is compatible with the existing uses and development; therefore, staff recommends **APPROVAL** of CBD zoning as requested for Z-6560.

Applicant's Comments:

Stanley Synar, 1156 East 61st Street, stated he sent a letter to INCOG requesting withdrawal of this application for rezoning due to problems with the prospective developer of the property. However, if the Planning Commission is willing to continue the zoning case, he would accept it.

Mr. Synar stated he is currently in negotiations with a tenant and the final terms have not been reached. He stated he does not want to pursue CBD zoning if the tenant does not follow through with the contract. Mr. Synar feels that if the CBD zoning is approved at this time, he will not be able to come back to IL zoning in the future.

There were no interested parties wishing to speak.

TMAPC Comments:

Commissioner Dick questioned if the applicant requested CBD zoning. Mr. Synar replied in the affirmative, however, due to the problems with the property he does not want CBD zoning at this time. Commissioner Dick reminded the applicant that CBD is the least restrictive zoning.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent ") to **CONTINUE** Zoning Public Hearing Z-6560 to November 13, 1996.

Application No.: Z-6174-SP-2

(PD-18) (CD-9)

(Corridor Site Plan for a parking lot.)

(Applicant requests a continuance to October 23, 1996.)

Applicant: John F. Crowley

Location: Northwest corner U.S.169 & East 81st Street South

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Doherty, Midget "absent ") to **CONTINUE** Zoning Public Hearing Z-6174-SP-2 to October 23, 1996. as requested by the applicant.

Application No.: PUD-295-A

(PD-18) (CD-9)

*(Major Amendment to expand a residential PUD.)***Applicant:** Nick Enterline**Location:** Northeast corner & southeast corner E. 52nd St. & So. Columbia**Presented to TMAPC:** Nick Enterline**Staff Recommendation:**

The applicant is proposing to expand existing PUD-295 414' farther south to include an RS-2 zoned area. The new area would be used for development of single-family homes, stormwater detention and off-street parking for townhouses within the existing PUD. The new single-family homes would be accessed from a private street cul-de-sac. Staff can support the type of uses proposed, but the lot sizes proposed in the southern portion of the PUD are not compatible with surrounding development.

The surrounding lots are almost an acre in size (40,128SF) and the new lots proposed in the southern part of the PUD are as small as 6,556SF. Staff can support the expansion of the PUD, but only if the new single-family lots are approximately as large as the minimum required under the RS-2 district.

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-295-A 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-295-A 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)	218,534SF
(Net)	201,835SF

Development Area 1*
(the north 249' of PUD-295-A)

Permitted Uses	Single family dwellings and customary accessory uses.
Maximum Number of Dwelling Units:	7 existing 10 new
Minimum Lot Width:	29' existing 40' new

Minimum Lot Area:	2,400SF existing 3,400SF new
Maximum Building Height:	35'
Minimum Building Setbacks	
From centerline of Columbia Place	35'
From right-of-way of Columbia Court and Delaware Place	0'
From centerline of 51st Place	22"
From south north and south boundaries of the development area	5'
Minimum Building Separation	10'
Minimum Livability Space per lot:	
Existing developed lots	1,200SF
Newly developed lots	1,500SF **

* Existing development is lots 1-7 of Columbia Place and newly developed lots is the area contained within lots 8-21 of Columbia Place Addition.

Development Area 2
(the south 414.34' of PUD-295-A)

Permitted Uses:	Single-family dwellings and customary accessory uses, parking for the dwellings in Dev. Area 1 and stormwater detention facilities.
Maximum Number of Dwelling Units:	12 **
Minimum Lot Width:	58' **
Minimum Lot Area:	6,500SF **
Maximum Building Height	35'
Minimum Required Yards	
From centerline of Columbia Place	55'*
From centerline of private streets	40' for building, ** 50' for front loading garage ** 40' for side loading garage **
Rear yard	25'
Side yards	5' **
Minimum Livability Space per lot:	3,600SF **

* If the lot is a corner lot with its front yard on the other street, this dimension can be reduced to 40'.

** Modified by TMAPC at the 10/16/96 TMAPC Meeting.

3. No Zoning Clearance Permit shall be issued for a dwelling in Development Area 1, or the parking areas in Development Area 2 within the PUD until a Detail Site Plan for the development area, which includes all buildings and requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. 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.
5. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of eight (8) feet.
6. The Department 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.
7. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas within the PUD.
8. All private roadways shall be a minimum of 24' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent. The minimum right-of-way width for private streets shall be 30' for any new development.
9. No Building Permit shall be issued until the requirements of Section 1170F 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 and making the City beneficiary to said covenants.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Applicant's Comments:

Nick Enterline, 5145 South Columbia Place, informed the Commission that he met with the Homeowners Association. He stated the meeting resulted in mutual agreement on some of the items of concern. He presented a new proposal to the Commission.

The property was originally approved for a PUD to allow 21 units. Mr. Enterline requested the number of units to be reduced to 17. In regards to the RD zoned area, Mr. Enterline requested 11.8 units be allowed. He stated staff calculated 1.5 units fewer and he is in agreement with this figure. The RS-2 zoned area allows for eight units.

Mr. Enterline stated he will provide a retention area, park area, and off-street parking for the townhouses. He stated the target market for this development is older, retired persons. He feels the way the lots are positioned, narrower and deeper than a standard RS-2 lot, they will still fit the footage for RS-3 lot size. The lots vary in size to accommodate the large pecan trees that are already on the lots.

Mr. Enterline feels he has more than made up for the common land area with the reserved areas. The proposed style of houses are "cottage-like" with 1,800- to 2,400-foot homes. He stated he plans a quality development by reducing the number of units that was previously approved by the TMAPC, providing off-street parking and trying to correct the water problem that is caused by the office building to the north.

Mr. Enterline stated he is still requesting only a five-foot setback for flexibility as proposed in his submittal. Mr. Enterline requested the Commission approve the application as requested.

Interested Parties Comments:

Merrill E. Johnson, 5204 East 51st Place, stated he owns the property, Lot 1, Block 7, that abuts the proposed development on the east side. He stated he has met with the developer on two occasions and was provided the information on the proposed development. The drainage issue, densities and appearance of the addition was addressed.

Mr. Johnson feels this will be an improved and welcome addition to the area and requested the Commission to approve the development.

Lisa Brown, 5212 South Columbia Place, stated she lives directly across the street from the proposed street that will access the eleven houses. She expressed eleven houses are too many and feels four would be appropriate.

Ms. Brown stated this development will increase the traffic congestion in the area. The homes that are currently in the area are older homes on large lots. She feels the new homes are not in harmony with the area.

Nelson Little, 5248 South Columbia Place, stated he was lived at this location for 39 years. He feels this area is a nice, quiet residential area and the proposed development will allow too many units and increase traffic.

Mr. Little feels this is not a suitable development and requested the Commission to vote with the neighbors to deny the project.

Jim Clark, 5124 South Columbia Court, feels this would be a project that would accent the neighborhood. However, he expressed concerns with the stormwater runoff and drainage problems. Mr. Clark presented pictures indicating the water problems.

Applicant's Rebuttal:

Mr. Enterline stated he is trying to improve the area. Currently there is a "wrecker-type" service being operated from the proposed site. He stated this is a RS-2 and does not permit a wrecker service.

Mr. Enterline feels the traffic will be very light. In regard to the stormwater runoff, he is working with the neighborhood and Stormwater Management to resolve the problem. Resolving the water problem will be a benefit to his development as well as the neighborhood.

Mr. Enterline requested the Commission approve the request as submitted.

TMAPC Comments:

Mr. Horner requested a report on the meeting with the Homeowners Association. Mr. Enterline replied that water runoff seems to be the main concern. He feels with the help of the Commission the water runoff can be resolved. Mr. Enterline stated he seen City vehicles at the office building taking pictures of the curb cuts.

Mr. Boyle questioned the justification for limiting the number of dwelling units in Development Area 2 to nine. Mr. Stump informed the Commission the surrounding lots are much larger than RS-2 minimums; however, the area is zoned for RS-2 size lots.

Ms. Pace asked whether the property was originally approved for 21 lots and higher densities, and the applicant is requesting less density spread throughout the property. Mr. Stump replied that the northern portion is zoned for higher densities and the proposed development is less dense than the maximum permitted in the underlying zoning.

Ms. Ballard feels the water problems are caused by the office building and asked if the owners of the office building could be required to repair or fix the curbs. Mr. Ledford stated the purpose of the TMAPC is to deal with property, property zoning and densities; however, the water problem is an issue that needs to be addressed. Mr. Ledford stated the only way to address this issue is to direct staff to transmit a letter to the Mayor's Action Line to notify the City of the apparent violation.

Mr. Boyle moved to approve the request per staff recommendation. Motion died for lack of second.

Ms. Ballard feels the developer has provided greenspace and has planned to build a lower number of units than is permitted. She feels twelve units are appropriate and the proposed setbacks allow the developer to locate the units in such a way as to save the pecan trees.

Ms. Ballard moved to approved the request as submitted by the applicant. Mr. Ledford seconded the motion. Mr. Stump informed the Commission that if they approve the twelve units, he would suggest changes to the lot widths and sizes, setbacks and livability space. Mr. Ledford and Ms. Ballard withdrew their motion.

After discussion between the applicant and staff, agreement was reached in regard to development standards for Development Area 2.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **7-1-0** (Ballard, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; Boyle "nay"; none "abstaining"; Carnes, Doherty, Midget "absent ") to recommend **APPROVAL** of PUD-295-A subject to the modified staff recommendations.

Legal Description for PUD-295-A:

South 125' of Lots 3 & 4, Columbia Place Addition; and Lots 5 and 6, Bethel Union Heights, and the East 304.5' of East 52nd Street (vacated by Ordinance 14730 dated 4-18-80), and located on the northeast corner and the southeast corner of East 52nd Street South and South Columbia Avenue, Tulsa, Oklahoma.

* * * * *

Items Z-6564 and Z-6564-SP-1 were heard simultaneously.

Application No.: Z-6564

Applicant: Charles Norman

Location: 3707 East 51st Street

Presented to TMAPC: Charles Norman

OM to CO

(PD-18) (CD-7)

Staff Recommendation:

Relationship to the Comprehensive Plan:

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

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

Staff Comments:

Site Analysis: The subject property is east of the northeast corner of East 51st Street South and South Harvard Avenue and is approximately .46 acres in size. It is flat, non-wooded, contains a vacant office building, and zoned OM.

Surrounding Area Analysis: The subject tract is abutted on the north by I-44, Skelly Bypass, zoned RS-2; to the east by a restaurant, zoned CO; to the west by an office building and restaurant, zoned CO; and to the south by a commercial shopping strip and office uses, zoned PUD-253 and OL.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that commercial activities on the tracts that are located east of the subject property have been allowed under a PUD and Corridor zoning. This was done to reduce the likelihood of areas on the south side of 51st Street, now zoned OL, from being rezoned commercially.

Such a transition to commercial on the south side of 51st Street would adversely affect the residences to the south.

Conclusion: The Comprehensive Plan supports Corridor zoning in this area and based on the existing development and zoning, staff recommends **APPROVAL** of CO zoning for Z-6564.

Application No.: Z-6564-SP-1

(PD-18) (CD-7)

(Corridor Site Plan for a office/commercial development using existing building.)

Applicant: Charles Norman

Location: 3707 East 51st Street

Presented to TMAPC: Charles Norman

Staff Recommendation:

The applicant has proposed to use an existing building for an office and/or retail development on a 20,000 sq.ft. lot on the north side of 51st Street South. This Corridor Site Plan is accompanied by a rezoning request (Z-6564) for Corridor Zoning.

Staff has reviewed the site plan and finds that if the amount of floor area devoted to Use Unit 13 and 14 uses is limited, the size and height of the ground sign is reduced and certain uses are excluded, staff can support the proposed Corridor Site Plan. Therefore, staff recommends **APPROVAL** of Z-6564-SP-1 subject to the following supplemental conditions:

- 1.) Permitted Uses: General office uses* and Use Units 13 and 14 uses except no outside storage or outside display of merchandise is permitted,
- 2.) Maximum Building Floor Areas Within Existing Building:

General office uses*	6,317SF
Use Unit 13 or 14 uses	3,072SF
- 3.) One ground sign is permitted which shall not exceed 18 feet in height nor 100 SF of display surface area.**
- 4.) Meet the Zoning Code requirements for off-street parking.**

* excluding medical and dental offices, clinics and laboratories which may be added by minor amendment if sufficient parking is available.

** Modified at the public hearing by TMAPC or staff.

Staff Comments:

Mr. Gardner requested that a fourth condition be added to the Z-6564-SP-1 recommendation to require the development to meet the off-street parking requirements of the code.

Applicant's Comments:

Charles Norman stated he is in agreement with staff's recommendation with the exception of the signage being limited to one sign not exceeding eight feet in height and 64 square feet in area. Mr. Norman presented pictures of existing signs in the area. Therefore, Mr. Norman requested that his applicant be allowed to have the same kind of sign that is already in existence next door.

Mr. Norman feels an 8' x 8' sign is not adequate for 51st Street frontage property and requested the Commission to consider a more appropriate sign size.

Interested Parties Comments:

Minnie Cottingham, 3805 East 51st Place, stated she attended the variance hearing and that in visiting with Mr. Norman, it is her understanding that a pharmacy will be located on the site. She expressed concerns with the present situation on 51st Street in regards to parking problems in the area.

Ms. Cottingham presented pictures of the parking problems on vacant dirt lots and traffic backing up on 51st Street. She stated that she has visited the site of the proposed development and counted 22 parking spaces.

Ms. Cottingham expressed concerns in regard to hours of operations, amount of available parking, traffic and traffic signals, lighting and water drainage.

Rita Icenogle, 5140 South Marion, stated she has talked with Mr. Stump and faxed him a letter expressing her concerns. She feels 51st Street is a commercial nightmare. The traffic has become horrendous and is getting worse with each approval of commercial. She feels the neighborhood is being ignored.

In regards to signage, Mr. Icenogle feels the signage is poor and not consistent. She understands the TMAPC is working to improve the signage. However, she feels the 51st Street area should be converted to monument signs.

Ms. Icenogle feels the corridor area should not have been approved as corridor due to the lack of internal streets. If approved for corridor, she requested the Commission to limit the use to office light and no signage allowed.

Ms. Icenogle expressed concerns with the water runoff and Public Works has not addressed that issue completely.

Applicant's Rebuttal:

Mr. Norman stated he filed an architect's site plan for the renovation of the building which does result in the conversion of the first floor only. This conversion will require an additional four parking spaces to meet the parking requirements.

Mr. Norman feels the two interested parties are addressing conditions for which this property is not responsible and relate to other properties in the area. Decisions have been made over the years to permit the kind of development that exist on the northside of 51st Street.

He stated this is the last 105 feet on the north side of 51st Street which does not have commercial use permitted is proposed. Use of the existing structure with no increase in the impervious area. He informed the Commission there are trees already on the lot and all requirements of the Zoning Code have been met.

Mr. Norman stated the sign is the only disagreement he has with the staff recommendation. He feels the sign's size should be increased. He feels a 10 x 10 would be appropriate. He stated that an eight-foot sign does not allow one to look underneath the sign when pulling out of the driveway and a 18-foot sign would be adequate to allow safety and visibility.

In regards to parking in the dirt on vacant lots, Mr. Norman stated that is in not permitted and is a code enforcement issue.

Ms. Pace feels the signs in the area is a problem; however, she would support the request.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Ballard, Boyle, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Doherty, Midget "absent ") to recommend **APPROVAL** of CO zoning for Z-6564 as recommended by staff.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Ballard, Boyle, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Doherty, Midget "absent ") to recommend **APPROVAL** of Z-6564-SP-1 subject to a modified sign standard which is. "One ground sign is permitted which shall not exceed 18 feet in height nor 100SF of display surface area."

Legal Description for Z-6564 and Z-6564-SP-1:

The East 105.67' of Lot 2, Morland Addition, an Addition to the City and County of Tulsa, State of Oklahoma, and located east of the northeast corner of East 51st Street South and South Harvard Avenue, a/k/a 3707 East 51st Street, Tulsa, Oklahoma.

* * * * *

OTHER BUSINESS:

PUD-306-C Sack & Associates

(PD-26) (CD-2)

East of northeast corner 101st Street & South Delaware
(Site Plan for an elementary school.)

Staff Recommendation:

The applicant is requesting site plan approval for the Phase I development of a grade school building and associated parking located in the southern one-half of the 57.35 acre PUD tract.

Staff review of the submitted site plan indicates the proposal conforms to the development standards outlined in the major amendment approved by TMAPC on January 25, 1995.

Specifically, the proposal conforms to the bulk, area, height, setback, parking, access and circulation requirements outlined. The proposed plan also indicates that the east 100 feet of the PUD between Grupe Channel and 101st Street South shall remain generally in its natural state; that all parking lot lighting shall be directed downward and away from adjacent residential areas; and, that South Harvard shall be opened between the Creek Turnpike and East 101st Street.

Finally, staff noted that no play areas with associated, access, parking or lighting are indicated in the proposal. Any proposals for development of play areas will require additional site plan review.

Therefore, staff recommends **APPROVAL** of the proposed Phase I building and parking development of PUD-306-C.

NOTE: *Site Plan approval does not constitute Landscape or Sign Plan approval.*

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Ballard, Boyle, Dick, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; Gray "abstaining"; Carnes, Doherty, Midget "absent ") to recommend **APPROVAL** of the Site Plan for the Phase I building and parking development of PUD-306-C as recommended by staff.

* * * * *

PUD-360-A Ted D. Webb

(PD-26) (CD-2)

East of northeast corner 101st Street and South Delaware
(Site Plan for a drive-in bank facility.)

Staff Recommendation:

The applicant is requesting site plan approval for a branch drive-up facility on 59,589 SF lot which would permit 18,589 SF of building area.

Staff has reviewed the request and finds that the proposal for a 900 SF structure and associated parking conforms to the bulk and area, setback, access and circulation requirements. The expansion of a future building addition will bring the total building area to 3,000 SF, well under the maximum allowed. The future parking shown along 91st Street does not, however, comply with the Landscape Chapter and cannot be approved as part of this Site Plan.

Therefore, staff recommends **APPROVAL** of the proposed site plan, except the future parking shown abutting 91st Street.

NOTE: *Site Plan approval does not constitute Landscape or Sign Plan approval.*

Applicant's Comments:

Ted Webb stated he is representing Liberty Bank. He informed the Commission that he signed and faxed a letter to staff approving the five-foot setback for the parking. He stated the bank would adhere to the setback when the bank is expanded.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Ballard, Boyle, Dick, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Doherty, Midget "absent") to recommend **APPROVAL** of the Site Plan for PUD-360-A subject to staff approval of the future parking shown abutting 91st Street.

There being no further business, the Chairman declared the meeting adjourned at 4:00 p.m.

Date Approved: 11/6/96



Chairman *

ATTEST: Francis Pace

Secretary