

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2304**

Wednesday, March 27, 2002, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Hill	Beach	Romig, Legal
Carnes	Jackson	Dunlap	
Dick		Fernandez	
Harmon		Huntsinger	
Horner		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 25, 2002 at 2:00 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

**REPORTS:**

**Director's Report:**

Mr. Stump stated that there are no items on the City Council agenda and no one will be attending the meeting.

**Chairman's Report:**

Mr. Harmon stated that the minor amendment for PUD-441-2 has been withdrawn from today's agenda.

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**SUBDIVISIONS:**

**FINAL PLAT:**

**Heartland Venture II – (PUD-578-A) (2683) (PD-26) (CD-8)**

**Location:** Northwest of East 111<sup>th</sup> Street and South Memorial Drive

**Staff Recommendation:**

A major amendment to the PUD was approved late in 2000, which triggered a requirement to plat. Because this plat only covers a portion of the unplatted property in the PUD, a minor amendment was processed to establish development standards for this tract.

This plat consists of one lot in one block on 1.1 acres. It will be developed with 7000 square feet of commercial uses under the PUD.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Dick, Carnes, Harmon, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the final plat for Heartland Venture II as recommended by staff.

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**Cab Addition – (2383)**

**(PD-26) (CD-8)**

**Location:** West of the northwest corner of 101<sup>st</sup> and Memorial

**Staff Recommendation:**

The Board of Adjustment approved a special exception to allow a car wash on this property in April 2001. However, this approval did not trigger a requirement to plat. The tract is zoned CS (Commercial Shopping) and will be developed per the BOA approval.

This plat consists of one lot in one block on 1.25 acres in a rapidly developing area near Memorial Drive, south of the Creek Turnpike. It's surrounded by commercial uses in CS and CO zoning and single-family residential uses in RS-2 and RS-3 zoning. There are several Planned Unit Developments over much of the surrounding development.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**TMAPC Comments:**

Mr. Westervelt asked if there is a provision made regarding the mutual access easement. In response, Mr. Stump stated that the mutual access easements have been dedicated; however, they are not a part of this plat. Mr. Stump explained that the mutual access easements are located on the interior lot where the Wal-Mart or other major retailer would be located and have been dedicated by separate instrument.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Dick, Carnes, Harmon, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the final plat for Cab Addition as recommended by staff.

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**CHANGE OF ACCESS ON RECORDED PLAT:**

**Lot 4, Block 1, Dartmoor Addition – (2193**

**Location:** 3916 East 31<sup>st</sup> Street South

**Staff Recommendation:**

This application is made to satisfy a condition of a plat waiver granted earlier this year. The property was rezoned to OL and the existing house is being converted to a small office. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Dick, Carnes, Harmon, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the change of access on recorded plat for Lot 4, Block 1, Dartmoor Addition as recommended by staff.

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**TMAPC Comments:**

Mr. Westervelt asked that more information be supplied with PUD-441-2 when it returns to the Planning Commission. In response, Mr. Stump stated that at this time the application has been withdrawn. Mr. Westervelt stated that if or when this application returns to the Planning Commission, he would like more background information be available. In response, Mr. Stump answered affirmatively.

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**OTHER BUSINESS:**

**APPLICATION NO.: PUD-390-A**

**DETAIL SITE PLAN**

**Applicant:** Ted Sack

(PD-18) (CD-7)

**Location:** Northeast corner of East 61<sup>st</sup> Street South and South 89<sup>th</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting approval of a detail landscape plan for a new 2,783 square foot bank. The proposed use is in conformance with the approved Planned Unit Development for the site.

The plans submitted are revisions of those reviewed by TMAPC at the March 20, 2002, meeting. The development standards set a minimum screening requirement of three feet to be achieved through berming and landscaping **and/or** a three-foot high solid masonry wall on the west boundary of the PUD in order to block headlights (from view of adjacent residential uses to the west).

The cross sections provided give insufficient information regarding the height and slope of the berm and height of the plant materials to be used. Staff recommends that a cross-section be provided for that portion of the berming/landscaped area along the west boundary south of the entrance from South 89<sup>th</sup> East Avenue, and two cross-sections north of the entrance from South 89<sup>th</sup> East Avenue – one of the landscaped area located between the north fence and the parking, and one of the landscaped area between South 89<sup>th</sup> East

Avenue and the parking. In addition, an outline of the toe of the berm must be included on the landscape plan.

Staff cannot recommend approval of the detail landscape plan as submitted, although the applicant may be providing revised plans per the above comments to TMAPC at the meeting.

Note: Detail site plan approval does not constitute sign plan approval.

**TMAPC Comments:**

Mr. Stump stated that the screening that was to be provided along the west boundary (89<sup>th</sup> East Avenue) in order to block headlights from shining into residential areas. The applicant modified their proposal to eliminate the small berm and to have a landscaped hedge as the screening for the headlights with a form of laurel. He explained that staff is concerned because this particular type of laurel may not be able to withstand the heat. Staff suggests that the applicant stagger the plants in order to have a double row, wider apart, and with the characteristics of the plant, it should fill in both rows.

Mr. Westervelt asked if there would be a brick wall with the landscaping located on the west side. In response, Mr. Stump stated that the wall would be on the north boundary, the landscaping material would be along the western boundary and would be maintained at three feet.

Mr. Westervelt stated that he understood that the applicant had the option of a berm or a small screening wall. In response, Mr. Stump stated that the applicant is proposing landscaping hedge only.

Mr. Westervelt stated that he recalls that the berm and wall were the only things interchangeable, because the landscaping would not adequately hide the headlights alone. The Planning Commission discussed the berm and the difficulty in maintaining it and in the alternative suggested a three-foot wall that would match the bank building because of the narrow area. He said it never occurred to him that the applicant would substitute the landscaping for both of the berm and wall. In response, Mr. Dunlap stated that he remembered the same as Mr. Westervelt, that it had to be some type of combination, but not landscaping alone. Mr. Stump stated that the applicant is proposing a short berm on the north of the entrance and staff thought it would be too steep and too short to do any good. Mr. Stump further stated that the proposed berm would probably increase the runoff from the plants and be more likely to fail. Mr. Stump explained that staff suggested that the applicant delete the berm because it wouldn't do any good at the height proposed.

Mr. Harmon stated that he did not understand it to be just landscaping, but that berming and landscaping or a three-foot wall with landscaping would be acceptable.

Ms. Pace stated that there is one home across the street from the subject area being discussed, and the headlights would be shining into their window.

**Applicant's Comments:**

**Ted Sack**, 111 South Elgin, Tulsa, Oklahoma 74120, stated that he received an email from the TMAPC recording secretary of a transcription of the minutes and his interpretation was that there was an option of landscaping, berm or wall, one or combination thereof, to provide screening. He commented that he felt that the landscaping in the subject area would be sufficient. If the requirement were to be a wall from the north to the entrance, then he would agree with that if he could leave the landscaping from the entrance to the south.

**TMAPC Comments:**

Mr. Westervelt asked Mr. Sack if he was talking about the entrance on 89<sup>th</sup> East Avenue where it crosses 60<sup>th</sup> Place. In response, Mr. Sack answered affirmatively.

Mr. Westervelt stated that the original PUD did not prohibit the masonry wall from the driveway out to 61<sup>st</sup> Street. He explained that there was to be a headlight-screening wall along the frontage of 89<sup>th</sup> East Avenue. It was to be a combination of berming and landscaping or a wall and landscaping.

Mr. Sack stated that there is not enough room for a wall and landscaping. In response, Mr. Westervelt asked Mr. Sack why he couldn't put a wall and landscaping in since the bricks are not that wide. Mr. Sack stated that he could do that if the Planning Commission wanted both, but he thought it was a matter of speed.

Mr. Westervelt stated that the Planning Commission simply wanted to control the headlights that would be shining into the neighborhood. Mr. Sack stated that he could install a wall on part and berm and landscape the other.

Mr. Harmon asked Mr. Sack if he was proposing a three-foot berm south of the entrance and a three-foot wall north of the entrance. In response, Mr. Sack answered affirmatively.

Mr. Sack asked if the berm would have to be three feet high or a combination of the berm and landscaping. In response, Mr. Harmon stated that he understood that the berm should be three feet high, but it could taper off at the 61<sup>st</sup> Street end.

Mr. Stump read the minutes of 12/05/02: "There shall be berming and landscaping and/or a three-foot solid masonry wall on the west boundary in order to block headlights to be approved by TMAPC at detail site plan review."

Ms. Pace stated that the neighbors should not have to look at a berm without landscaping. She suggested that the three-foot wall with landscaping should be installed to 61<sup>st</sup> Street in order to completely protect the one residential home.

Mr. Sack stated that if the landscaping by itself is not sufficient, then he would propose to install the three-foot wall north of the entrance, and from the entrance to the south, install a berm and landscaping where there is room. Mr. Sack commented that the one residential home does not have any windows that face the bank facility.

Mr. Harmon stated that personally he would like to see the three-foot masonry fence all along the west frontage. He asked Mr. Sack if the three-foot wall is more expensive than berming and landscaping. In response, Mr. Sack stated that it is not more expensive, but his client prefers the landscaping.

Mr. Harmon asked Mr. Sack how tall he thought a berm should be in the subject area he is proposing. In response, Mr. Sack stated that he thought it should have three-to-one slopes. Mr. Sack explained that he proposes to move the berm back so it would be centered and he believes he should be able to get it to three feet plus the landscaping.

Mr. Horner stated that a berm and the laurels are more pleasing to him because it takes away the commercial look of the masonry wall.

Mr. Westervelt asked staff if the Planning Commission could make the motion clear enough that staff could make sure that the details submitted are sufficient, or if Mr. Sack should return to the Planning Commission for approval. In response, Mr. Stump stated that if the Planning Commission could reasonably give Mr. Sack good direction and direct staff to make sure that it is complied with, then staff could approve this at the staff level.

Mr. Harmon asked if there would be a mutual access between Area A and Area B. In response, Mr. Sack stated that there are no plans for the eastern tract (Area B), but there is a mutual access easement between the two areas.

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, TMAPC voted 9-0-0 (Bayles, Dick, Carnes, Harmon, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the detail site plan for PUD-390-A, subject to the following conditions: 1.) area to the north of the access point (South 89<sup>th</sup> East Avenue) directly across from 69<sup>th</sup> Place South be a combination of the three-foot masonry wall and landscaping materials; 2.) south of the same access point toward 61<sup>st</sup> Street South shall be a combination of irrigated berm and planting materials sufficient to screen headlights in staff's professional opinion, and direct staff to review the detail site plan without returning to the Planning Commission.

Mr. Stump informed the Planning Commission and Mr. Sack that staff would be looking for a 30- to 36-inch berm with the laurel placed in various locations around the berm.

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**APPLICATION NO.: PUD-641      MUTUAL ACCESS EASEMENT**

**Applicant:** Roy D. Johnsen      (PD-18-B) (CD-7)

**Location:** North of East 71<sup>st</sup> Street, East of Granite Avenue, 56.6 acres

**Staff Recommendation:**

Mr. Stump stated that this is the restrictive covenant for a mutual access easement for Montereau in Warren Woods. From the original plat there were two lots (one fronting 71<sup>st</sup> and one at the rear where the primary development would occur), then it was revised and the lot fronting 71<sup>st</sup> was dropped. The Planning Commission required two access points to the tract on the north and the mutual access cannot be changed without the Planning Commission's approval.

Staff finds this to be a sufficient document to assure the second point of access is adequate and recommends **APPROVAL**.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted 9-0-0 (Bayles, Dick, Carnes, Harmon, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the mutual access easement for PUD-641 as recommended by staff.

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There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.



Date Approved: 7-10-02



Chairman

ATTEST: 

Secretary

