

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2332

Wednesday, January 22, 2003, 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>
Carnes	Bayles	Chronister	Boulden, Legal
Collins	Hill	Dunlap	
Coutant		Fernandez	
Harmon		Huntsinger	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, January 17, 2003 at 9:05 a.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:

#### Worksession Report:

Mr. Harmon reported that the Planning Commission held a worksession prior to today's meeting and discussed proposals for 1985 Sales Tax Economic Development Funds and FY 04-08 Capital Improvement Projects (CIP) to determine if they are in conformance with the Comprehensive Plan for the Tulsa Metropolitan Area. He further reported that the Planning Commission discussed the differences between contract zoning and Planned Unit Developments (PUD).

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**SUBDIVISIONS:**

**LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:**

**L-19461 Jim Turner (1793) (RS-2) (PD-6) (CD-9)**

**Location:** 2530 East 22<sup>nd</sup> Street

**Staff Recommendation:**

This application would split the north 30' off Tract 2 and tie it to Tract 1, giving Tract 1 additional land on the south of their property. On January 14, 2003, the City of Tulsa Board of Adjustment approved a variance of the rear yard requirement of 25' down to five feet on Tract 1 with no more construction on the south side except an in-ground swimming pool. All other RS-2 bulk and area requirements were met on both tracts.

The Technical Advisory Committee had no concerns regarding this lot-split. Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split.

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

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

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Midget "absent") to recommend **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split for L-19461 as recommended by staff.

\* \* \* \* \*

**Mr. Midget in at 1:40 p.m.**

**L-19462 TJC Development Co. (1383) (RS-3/PUD-298) (PD-18) (CD-8)**

**Location:** Northeast corner East 86<sup>th</sup> Street and 92<sup>nd</sup> East Avenue

**Staff Recommendation:**

This application would split a parcel off Tract 1 and tie it to an abutting platting parcel, Lot 6, Block 2, Shadow Ridge Estates III. Both resulting tracts would meet the RS-3 bulk and area requirements.

Currently, proposed Tract 2 is undeveloped and has a creek running through it. The owners of Lot 6 would like to purchase Tract 2, to have as an extension of their rear yard and they plan to keep it undeveloped.

At their January 2, 2003, meeting, the Technical Advisory Committee expressed concerns with buildings and/or a footbridge across the creek being erected without obtaining the proper building permits.

Staff has received several phone calls regarding this lot-split, and sees the potential of additional applications being filed to split portions of the unplatted property in Tract 1 to be tied to platted property along Block 2, Shadow Ridge Estates III.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split, noting that building permits would be required for a bridge across the creek.

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

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to recommend **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split, noting that building permits would be required for a bridge across the creek for L-19462 as recommended by staff.

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**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

**L-19410 – Sisemore Weisz & Associates, Inc. (2392)** (PD-9) (CD-2)

3400 Block Southwest Boulevard

**L-19454 – John W. Moody (784)** (PD-18) (CD-8)

Northeast corner East 81<sup>st</sup> Street and US-169

**L-19460 – Sack & Associates, Inc. (2083)** (PD-18) (CD-2)

98<sup>th</sup> Street South and Riverside Drive

**L-19464 – Bert Sanders (392)** (PD-10) (CD-1)

2912 West Easton Street

**L-19465 – Molly Warr (1823)** (PD-13) (County)

16239 North Peoria

**L-19468 – City of Tulsa (1083)** (PD-18) (CD-7)

7200 South Yale Avenue

**L-19469 – Chet Cottom (3473)** (PD-20) (County)

17824 South Sheridan

**L-19471 – City of Tulsa (1583)** (PD-18) (CD-8)

8810 South Yale

**L-19472 – John Moody (784)** (PD-18) (CD-8)

Northeast corner East 81<sup>st</sup> Street and US-169

**L-19476 – City of Tulsa (192)** (PD-1) (CD-4)

Between East 1<sup>st</sup> and East 2<sup>nd</sup> and Boulder and Cheyenne

**L-19481 – Tulsa Development Authority (192)** (PD-1) (CD-4)

7 South Greenwood

**Staff Recommendation:**

These lot-splits are all in order and staff recommends **APPROVAL**.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

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**FINAL PLAT:**

**Lakeside Apartments** – PUD 664 (RS) (PD 12) (County)

**Location:** 9377 North Cincinnati

**Staff Recommendation:**

This plat consists of one lot in one block on 5.19 acres. The property will be used for apartments.

All release letters have been received for this final plat. 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; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Coutant, Harmon, Hill, Horner, Jackson, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Ledford, Midget "absent") to **APPROVE** the final plat for Lakeside Apartments as recommended by staff.

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**PRELIMINARY PLAT:**

**Fossil Ridge – PUD 673 (1824) (PD 14) (CD County)**

**Location:** East of the northeast corner of East 156<sup>th</sup> Street North, and North Mingo Road

**Staff Recommendation:**

This plat consists of 16 lots, one block on 15 acres.

The following issues were discussed January 2, 2003 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned under PUD-673 for residential uses. There can be no future lot-splits in the subdivision and should be stated with the PUD requirements in the covenants. A homeowners' association needs to be created, per PUD standards, and described in the covenants. Maintenance for private streets needs to be assigned to the homeowners' association. An easement could be shown for the one sign allowable for the entryway to the addition.
2. **Streets:** Over-length cul-de-sacs need a waiver. The location map needs to be clarified and the concept plan needs contours.
3. **Sewer:** N/A
4. **Water:** N/A
5. **Storm Drainage:** N/A
6. **Utilities:** No comment.
7. **Other:** The County Engineer was concerned about references to water and sewer, as they will not be maintained by Tulsa County. Private streets will need to be built to County specifications. Language in the covenants about the streets and their maintenance needs to be acceptable to the County Engineer.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. A waiver for the length of the cul-de-sac is needed.

**Special Conditions:**

1. The concerns of the County Engineer must be taken care of to his satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.

10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.



The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Midget "absent") to recommend **APPROVAL** of the preliminary plat and waiver of Subdivision Regulations for Fossil Ridge subject to special conditions and standard conditions as recommended by staff.

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**Saint Augustine Place – CS (1593) (PD 5) (CD 5)**

**Location:** 3030 South Sheridan Road

**Staff Recommendation:**

This plat consists of two lots, one block, on 2.53 acres.

The following issues were discussed January 2, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CS. There have been many previous lot-splits done on this site.
2. **Streets:** Access on the east side of the property needs to be 40 feet in width and is subject to the Traffic Engineer's approval. Limits of no access need to be labeled with the correct distances. Show existing easements by book and page numbers. Location map and endorsement blocks need to be shown correctly. Topographic lines need to be shown properly. A south bound right turn bay needs additional right-of-way.
3. **Sewer:** Show 15-foot sanitary sewer easement. Standard language needs to be put in the covenants.
4. **Water:** Water line easements need to be restricted and the standard language put in the covenants. Proper sizes and locations need to be shown.
5. **Storm Drainage:** Easements cannot overlap. Standard language needs to be supplied in the covenants. Book and page numbers for existing easements must be shown.

6. **Utilities: ONG:** Covenants need to have standard language and include ONG.
7. **Other:** N/A

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)

8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

**The applicant was not present.**

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to recommend **APPROVAL** of the preliminary plat for Saint Augustine Place, subject to special condition that the concerns of the Public Works Department staff must be taken care of to their satisfaction and standard conditions as recommended by staff.

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**Villarese – PUD 670 (1993) (PD 6) (CD 9)**

**Location:** Southwest corner of East 31<sup>st</sup> Street and South Rockford Drive

**Staff Recommendation:**

This plat consists of eight lots, one block, on 2.04 acres.

The following issues were discussed January 2, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned under PUD 670 (RS-3) for residential uses. The covenants must accurately reflect the PUD-approved standards. Proper setbacks as defined in the PUD should be shown on the face of the plat.
2. **Streets:** The size of roadways should be 18 to 20 feet centered within a 30-foot access. Zero setbacks or side lot lines may cause view obstructions for neighbors' buildings. Concern was expressed that fire trucks might have a problem in the addition as proposed. The radius at Rockford and 31<sup>st</sup> Street needs to be larger than 20 feet and a reason for this should be shown before a waiver is granted. The surveyor's number, date of preparation, and location map need to be shown properly. All abutting lots should be shown. Proper deed of dedication needs to be shown. An easement for a gate for a gated community needs to be shown.
3. **Sewer:** Main line extension will be required.

4. **Water:** Water plans must be acceptable to Public Works.
5. **Storm Drainage:** An overland drainage easement may be needed for offsite water coming onto the property. An easement must be acquired from a neighbor. Discharge will be into the channel. Details are needed for Crow Creek.
6. **Utilities: ONG:** Standard language in the covenants is needed.
7. **Other:** The Fire Department representative called a few days after the TAC meeting to say there was no problem with the plat.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. Waiver to length of cul-de-sac and radius requirements.

**Special Conditions:**

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

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

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to recommend **APPROVAL** of the preliminary plat and Waiver of Subdivision Regulations to waiver length of cul-de-sac and radius requirements for Villarese, subject to special conditions and standard conditions as recommended by staff.

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**Youth Services – CH, IM (192) (PD 4) (CD 4)**

**Location:** East 3<sup>rd</sup> Street South and South Norfolk Avenue

**Staff Recommendation:**

This plat consists of one lot, one block, on 2.47 acres.

The following issues were discussed January 2, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** This is a request for a reinstatement of a plat that had received preliminary plat approval in February of 2001.

2. **Streets:** The rights-of-way on 3<sup>rd</sup> and 4<sup>th</sup> Streets need to be in conformance with the Major Street and Highway Plan or a waiver needs to be requested. Book and page numbers need to be shown on the plat. Topography needs to be shown.
3. **Sewer:** Sewer easements need to be restricted. Standard language needs to be put in the covenants.
4. **Water:** Water is acceptable.
5. **Storm Drainage:** Covenants need to contain standard language for drainage systems. Proper detention is needed for the site.
6. **Utilities, ONG:** The covenants need to contain standard language. Check the dedication for the perimeter easement.
7. **Other:** N/A

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. A waiver to the right-of-way required along 3<sup>rd</sup> Street is requested.

**Special Conditions:**

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).



4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
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11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
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16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

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

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to recommend **APPROVAL** of the reinstatement of preliminary plat for Youth Services subject to special condition that the concerns of the Public Works Department staff must be taken care of to their satisfaction and standard conditions as recommended by staff.

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**ZONING PUBLIC HEARING**

**Application No.:** CZ-317

**CG/RS to IL**

**Applicant:** Werner Knigge

(PD-24) (County)

**Location:** North northwest corner of East 56<sup>th</sup> Street North and North Peoria

**Staff Recommendation:**

**RELEVANT ZONING HISTORY:**

**PUD-644 March 2001:** All concurred in approval, subject to conditions, for a Planned Unit Development on a 13-acre tract located on the southeast corner of East 56<sup>th</sup> Street North and North Madison Avenue for church use.

**Z-6793 November 2000:** A request to rezone a 13-acre tract located on the southeast corner of East 56<sup>th</sup> Street North and North Madison Avenue from RS-3 to OM for church use was denied. Staff and TMAPC concurred in recommending the applicant develop a Planned Unit Development for the property in order to provide safeguards for the surrounding neighborhoods, existing community uses and to address traffic issues.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately one acre in size; it is gently sloping, non-wooded, contains several buildings utilized for automobile services and repair, and is zoned CG and RS in the County.

**STREETS:**

<b>Exist. Access</b>	<b>MSHP Design.</b>	<b>MSHP R/W</b>	<b>Exist. # Lanes</b>
North Peoria Avenue	Secondary arterial street	100'	4 lanes

**UTILITIES:** The subject tract has municipal water and sewer.

**SURROUNDING AREA:** The subject tract is abutted on the north by a nonconforming industrial business, zoned RS; to the south by a salvage and industrial business, zoned IL; to the west by vacant land and beyond the vacant tract are single-family dwellings in neighborhoods of various conditions, zoned RS; and to the east across North Peoria Avenue is vacant property, zoned AG and CH.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as part of the Peoria Special District. Plan policies recognize that this area has been developed in commercial and related uses and that it is likely to remain in such uses.

According to the Zoning Matrix the requested IL zoning **may be found** in accord with the Zoning Matrix. Any zoning classification **may be found** in accordance with the special district designations, provided the uses permitted by the zoning classification are consistent with the land use and other existing physical facts in the area, and supported by the policies of the District Detail Plan.

**STAFF RECOMMENDATION:**

Based on the Comprehensive Plan, surrounding land uses and conditions, staff can support the requested rezoning and recommends **APPROVAL** of IL zoning for CZ-317.

**Applicant's Comments:**

**Cathy Hooper**, representing Mr. Werner Knigge, address inaudible.

**TMAPC Comments:**

Mr. Midget asked Ms. Hooper if the owner of the subject property intends to use it for salvage purposes. In response, Ms. Hooper stated that it is not the intention to use the subject property for salvage at this time.

Mr. Midget expressed his concern that the subject property could possibly be used for salvage purposes, which usually becomes an eyesore.

Mr. Westervelt asked Ms. Hooper why the applicant requested IL zoning. In response, Ms. Hooper explained that subject property is surrounded by IL and this would bring the subject property into conformity with the area.

Mr. Stump explained to the Planning Commission that salvage yards are not allowed under the IL zoning. He stated that the County Zoning Code does not allow the Planning Commission to consider any other zoning classification except what has been advertised.

Mr. Midget stated that he opposes this zoning change and he doesn't see why it needs to be changed for the use the applicant is requesting.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **5-3-0** (Carnes, Coutant, Harmon, Horner, Ledford "aye"; Jackson, Midget, Westervelt "nays"; none "abstaining"; Bayles, Collins, Hill "absent") to recommend **APPROVAL** of IL zoning for CZ-317, as recommended by staff.

**Legal Description for CZ-317:**

**Tract 1:** A tract of land in the SE/4, SE/4 of Section 1, T-20-N, R-12-E of the IBM, Tulsa County, State of Oklahoma according to the U. S. Government survey thereof, more particularly described as follows, to-wit: beginning at a point 200' South of the Northeast corner of the SE/4, SE/4, of said Section; and extending 341' West; thence S 100'; thence E 341'; thence N 100' to the point of beginning;

**Tract 3 (north half):** A tract of land beginning at a point 350' South of the northeast corner of the SE/4, SE/4, Section 1, T-20-N, R-12-E of the IBM, thence W 341', thence S 50', thence E 341'; thence N 50' to the point of beginning; and

**Tract 3 (south half):** A tract of land beginning on the East boundary line of the SE/4, SE/4, 400' South of the northeast corner of said tract ;then W 291', S 50', E 291', N 50', to the point of beginning, all in Section 1, T-20-N, R-12-E, of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof; and located north of the northwest corner of East 56<sup>th</sup> Street North and North Peoria Avenue, Tulsa, Oklahoma, **From CG (Commercial General District) To IL (Industrial Light District).**

And the proposed change of a zoning classification on the following described property: **Tract 2:** The S 50' of the N 350' of the E 341' of the SE/4, SE/4I, of Section 1, T-20-N, R-12-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof; and Tract 4: All that part of the SE/4, SE/4 of Section 1, T-20-N, R-12-E of the IBM, Tulsa County, Oklahoma, according to the U. S. Government survey thereof more particularly described as follows to-wit: beginning at a point in said SE/4, SE/4, 921.6' North of the southeast corner of said SE/4, SE/4, and S 89°42' W a distance of 341' to the point and place of beginning, thence due N 200.00', thence S 89°42' W a distance of 50.0'; thence S 200.0' to a point on the Northerly boundary line of Tract 2, Kruger Tracts; thence Easterly along said northerly boundary line a distance of 50.0' to the Point of Beginning; and **Tract 4:** All that part of the SE/4, SE/4, Section 1, T-20-N, R-12-E of the IBM, Tulsa County, Oklahoma, according to the U. S. Government survey thereof more particularly described as follows, to-wit: Beginning at a point in said SE/4, SE/4, 921.6' N of the southeast corner of said SE/4, SE/4, and S 89°41' W a distance of 341' to the point and place of beginning; thence due N 200.0'; thence S 89°42' W a distance of 50.0'; thence S 200.0° to a point on the Northerly boundary line of Tract 2 Kruger Tracts; thence Easterly along said Northerly boundary line a distance of 50.00° to the point of beginning; and **Tract 5: From RS (Residential Single-family District) To IL (Industrial Light District).**

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**Application No.:** PUD-179-S-6

**MINOR AMENDMENT**

**Applicant:** Wayne Brayton

(PD-18) (CD-8)

**Location:** 9310 East 71<sup>st</sup> Street

**Staff Recommendation:**

The applicant is proposing to eliminate eight employee parking spaces, create six new drive-in stalls and provide four employee parking spaces off-site on an abutting tract for an existing Sonic restaurant.

PUD-179-S was approved by the City Council in 1991. A Sonic restaurant was constructed on Development Area A. The approved PUD required 27 drive-in stalls and eight employee parking spaces. The applicant is proposing to construct six drive-in stalls where the existing employee parking spaces are and then provide four off-site parking spaces for employees on an abutting tract. The proposal agreement with the abutting property owner (enclosed) states that the parking agreement with the owner of the abutting tract may be terminated at any time upon thirty (30) days written notice.

Staff cannot support this request because of the temporary nature of the proposed agreement. Therefore, staff recommends **DENIAL** of the minor amendment PUD-179-S-6.

**Applicant was not present.**

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Carnes, Coutant, Harmon, Horner, Jackson, Ledford, Midget "aye"; no "nays"; Westervelt "abstaining"; Bayles, Collins, Hill "absent") to **DENY** the minor amendment for PUD-179-S-6 as recommended by staff.

\* \* \* \* \*

**Application No.: PUD-675**

**RS-1 to PUD**

**Applicant:** Jeffrey Levinson

(PD-26) (CD-8)

**Location:** North of northwest corner of East 111<sup>th</sup> and South Yale

**Staff Recommendation:**

The PUD proposes a maximum of 48 single-family dwellings on 20 acres located north of the northwest corner of East 111<sup>th</sup> Street and South Yale Avenue. It is proposed that the access to the PUD would be through private gated streets. Primary access would be from South Yale Avenue with secondary access from South Toledo Avenue and South Urbana Avenue.

The subject tract is zoned RS-1. The tract is abutted on the north and west by single-family subdivisions, zoned RS-2 and on the south by a single-family subdivision and vacant property, zoned RS-1. To the east of the tract, across South Yale Avenue, is a church, zoned AG and a single-family subdivision, zoned RS-1/PUD-447.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-675 as modified by staff, 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-675 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:

**Gross Land Area:** 20 Acres

**Permitted Principal Uses:**

Single-family dwellings as included within Use Unit 6.

**Maximum Number of Dwelling Units:** 48

**Minimum Lot Width:** 80 FT

**Minimum Lot Area:** ~~12,000 SF~~

Four Lots 11,000 SF

Forty-Four Lots 12,000 SF

**Minimum Required Yards:**

From the perimeter of the PUD 25 FT

From private street right-of-way 20 FT

From interior side lot lines 5 FT

From interior rear lot lines 20 FT

**Minimum Livability Space:**

~~7,000 SF~~ 4,000 SF within each lot.

144,000 SF common livability space designed and located so as to be accessible to the dwelling units it is intended to serve.

**Other Bulk and Area Requirements:**

As provided within an RS-1 district.

**Access:**

There shall be a minimum of three access points to the PUD. Primary access shall be from South Yale Avenue. All access points shall be approved by the Tulsa Fire Department and Traffic Engineering.

3. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
4. 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, security gates, guard houses or other commonly owned structures within the PUD.
5. All private roadways shall have a minimum right-of-way of 30' and be a minimum of 26' 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.
6. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets, or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
7. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have 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 that relate to PUD conditions.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
9. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during the subdivision platting process.



**Applicant's Comments:**

**Jeffrey Levinson**, 35 East 18<sup>th</sup>, Tulsa, Oklahoma 74119, stated that he is in agreement with staff recommendation except for two issues. The first issue is the minimum lot area being 12,000 SF. He requested that the minimum lot area be 11,000 SF for four of the lots in order to have more design capability. The second issue is the minimum livability space being 7,000 SF. He suggested that the minimum livability space be 4,000 SF in order to not hinder flexibility.

**Commissioner Collins in at 2:00 p.m.**

**TMAPC Comments:**

Mr. Stump asked Mr. Levinson which four lots would have the minimum lot area of 11,000 SF. In response, Mr. Levinson stated that the plat would indicate the four lots when it is prepared.

Mr. Stump explained that RS-1 requires 7,000 SF per dwelling unit. He suggested that the applicant file a minor amendment and show open space in order to reduce the minimum lot area.

Mr. Levinson stated that the developer is willing to stay at 336,000 SF. Mr. Stump stated that it would difficult to keep tract of lots and sizes. Mr. Stump suggested that the minimum livability space be 4,000 SF and the balance of 144,000 SF be in common open space. Mr. Levinson indicated his agreement.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Carnes, Collins, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Hill "absent") to recommend **APPROVAL** of PUD-675 subject to the conditions and modifications recommended by staff. (Language deleted are shown as ~~strikeout~~; language added or substituted are underlined.)

**Legal Description for PUD-675:**

N/2, SE/4, SE/4 of Section 28, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. government survey thereof, and located north of the northwest corner of East 111<sup>th</sup> Street South and South Yale Avenue, Tulsa, Oklahoma, **From: RS-1 (Residential Single-family Low Density District) To: RS-1/PUD (Residential Single-family Low Density District/Planned Unit Development [PUD-675])**

\* \* \* \* \*

**Application No.: PUD-333-A**

**MAJOR AMENDMENT**

**Applicant:** Darin Akerman

(PD-18) (CD-9)

**Location:** South of southeast corner of East 56<sup>th</sup> Street South and South Lewis

**Staff Recommendation:**

The PUD proposes a branch bank office with drive-through and ATM lanes on .834 gross acres located at 5623 South Lewis Avenue.

PUD-333 was approved by the City in 1983. Those uses permitted by right in an OL district were approved.

The subject tract is abutted on the north by office uses zoned OL and a single-family dwelling zoned RS-2, on the east by single-family dwellings zoned RS-2 and on the south by a single-family dwelling zoned RS-2 and property zoned OL/RS-2/PUD-403 that has been approved for office uses. To the east of the tract, across South Lewis Avenue is a shopping center zoned CS.

Staff cannot support the request as proposed, but with additional setback, screening, landscaping, etc., would find it acceptable.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-333-A as modified by staff, 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-333-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	0.834 Acres
Net	0.694 Acres

**Permitted Principal Uses:**

Those uses included within Use Unit 11 including drive-in bank facilities.

**Maximum Building Floor Area:** 5,000 SF

**Minimum Building or Canopy Setbacks:**

From the centerline of South Lewis Avenue

Building Wall 100 FT

Drive-In Canopy 80 FT

From the east boundary of the PUD

Building Wall 60 FT

Drive-In Canopy, including any ATM 160 FT

From the north boundary of the PUD which

Abuts a non-residential district 25 FT

Abuts a residential district 50 FT

From the south boundary of the PUD 25 FT

**Minimum Parking Setbacks:**

From east boundary of the PUD 10 Ft

From east 110 FT of the north boundary of the PUD 10 FT

From east 35 FT of south boundary of the PUD 10 FT

**Signs:**

Shall comply with the provisions of the OL district.

**Other Bulk and Area Requirements:**

As established within an OL district.

**Minimum Landscaped Area and Screening:**

There shall be an eight-foot high masonry wall constructed and maintained along the east boundary, the east 160 feet of the north boundary, and the east 160 feet of the south boundary of the PUD. The

design of the wall shall be approved by TMAPC at time of site plan review. A landscaped area of not less than ten feet in width shall be located along the east boundary of the PUD, the east 110 feet of the north boundary, and the east 35 feet of the south boundary of the PUD. All landscaping shall meet or exceed the requirements of the Tulsa Zoning Code.

**ATM Hours of Operation:**

7 a.m. to 11 p.m.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. 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 the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas, including building-mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. No light standard nor building-mounted light shall exceed eight feet in height in the east 160 feet of the PUD nor 15' in the remainder of the PUD. No outdoor lighting shall be permitted within 20 feet of the east boundary of the PUD, within 20 feet of the east 110 feet of the north boundary of the PUD or within 20 feet of the east 35 feet of the south boundary of the PUD.

9. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
10. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have 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 that relate to PUD conditions.
11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
12. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
13. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**Applicant's Comments:**

**Darin Akerman**, 6111 East 32nd Place, Tulsa, Oklahoma 74135, representing Union Bank of Chandler, stated that the bank would like better availability and a drive-through facility. He explained that the bank is of small scale and his client feels they have planned a good site.

Mr. Akerman indicated that there are four items on the staff recommendation that he is concerned with. He indicated that his client would prefer to install an eight-foot wooden screening fence with columns rather than a masonry wall. He further indicated that the 50-foot building line would be a problem and he would prefer 25 feet.

Mr. Stump stated that staff feels the proposed building would fit within the recommended setbacks.

Mr. Akerman stated that the third item he is concerned with is the parking setbacks on the north and east of the subject property. He explained that if he met the staff recommendation he would have to reduce the driving aisle.

Mr. Akerman stated that the fourth item regarding the ATM hours of operation would be impossible to meet. He explained that the banks contract out to ATM companies and would have no control over the hours of operation.

Mr. Akerman indicated that he met with the neighborhood and explained that his client didn't expect very many people to use the ATM. He stated that the screening fence and lights were also discussed. He indicated that the proposal would not have a detrimental impact on the neighborhood.

**TMAPC Comments:**

Mr. Westervelt asked Mr. Akerman if the bank owned the subject property. In response, Mr. Akerman answered affirmatively. Mr. Akerman indicated that the bank would be closing their existing site once the subject property is developed.

Mr. Harmon asked Mr. Akerman why his client didn't relocate the ATM to prevent the circulation around the building and to make access better. In response, Mr. Akerman stated that it would require another point of access onto Lewis.

**Mr. Carnes out at 2:34 p.m.**

Mr. Westervelt asked Mr. Akerman if his client would prefer to continue this application and change the design in order to have better access to the ATM and prevent the circulation around the building. In response, Mr. Akerman stated that his client would prefer to hear the application today.

**Interested Parties:**

**Charlie Cole**, 2150 South Norfolk Terrace and 2423 East 57<sup>th</sup>, Tulsa, Oklahoma 74105, stated that he owns two properties in the subject area. He expressed concerns with lighting spilling into the neighborhood, increased traffic, wooden screening fences deteriorating, and he would request a ten-foot buffer zone. He concluded by requesting the Planning Commission to deny this application.

**Jim Gotwals**, 525 South Main, Tulsa, Oklahoma 74105, stated that his in-laws own the subject property. He indicated that he was not representing the bank, but is speaking as an interested party. He requested the Planning Commission to approve this application.

**TMAPC Comments:**

Mr. Harmon announced that the applicant has decided that he would prefer to continue this application in order to redesign his proposal.

Mr. Stump informed the Chair that this application has already been open to public hearing and the commission should hear the balance.

Mr. Westervelt asked the interested parties if they would prefer to speak today or wait until the continuance.

Several interested parties indicated that they would prefer to speak today in order to prevent having to come back and miss work.

**Interested Parties Opposing PUD-333-A:**

**Dr. Brian Crotty**, 2428 East 56<sup>th</sup> Place, Tulsa, Oklahoma 74105; **Norma J. Mack**, 2427 East 57<sup>th</sup> Street, Tulsa, Oklahoma 74105; **Don Vance**, 2428 East 57<sup>th</sup>, Tulsa, Oklahoma 74105; **Susan Hammond**, 2420 East 56<sup>th</sup> Place, Tulsa, Oklahoma 74105.

**Concerns expressed by the Interested Parties:**

Increased traffic; lighting spilling into the neighborhood; concerned about the safety for the neighborhood children; additional noise; wouldn't be compatible with the neighborhood; impossible to screen the view from the neighbors; this would be a commercial use and would prefer office use; there are currently five banks within one mile of the subject property; the proposal would lower the property values.

**Interested Parties In Support of PUD-333-A:**

**Harold Burlingame**, 6670 South Lewis, Tulsa, Oklahoma 74136.

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, TMAPC voted 8-0-0 (Collins, Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Hill "absent") to **CONTINUE** the major amendment for PUD-333-A to February 5, 2003 at 1:30 p.m.

**Commissioners Collins and Westervelt out at 3:00 p.m.**

\* \* \* \* \*

**Application No.: PUD-569-1**

**MINOR AMENDMENT**

**Applicant:** Duane Brogden

(PD-18) (CD-8)

**Location:** 8304 South 107<sup>th</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting a minor amendment to decrease the number of permitted ground signs in Development Area C from three to two and increase the maximum display surface area allowed on one of the ground signs from 180 SF to 252 SF.

PUD-569 was approved by the City Council in 1997. Development Area C contains approximately ten acres and is located in the southwest portion of the PUD which is south of the southeast corner of East 81<sup>st</sup> Street and South U.S. Highway 169.

The development area was approved for the following uses:

Church and uses customarily accessory thereto; church-sponsored children and adult daycare, and school which offers a compulsory education curriculum.

and the following sign standards were approved:

- 1) One ground sign be permitted which shall not exceed 18 feet in height or 96 square feet in surface area and shall be located at least 100 feet north of the northwest corner of Area E.
- 2) One monument sign shall be permitted with a maximum of 64 square feet of display surface area and eight feet in height.
- 3) One ground church sign on the expressway frontage with a maximum display surface area of 180 square feet and 35 feet in height.

The applicant is proposing to eliminate the ground sign that was to be located at least 100 feet north of the northwest corner of Area E (number one above) and to increase the maximum display surface area for the church sign on the expressway frontage (number three above) from 180 square feet to 252 square feet.

Staff finds that the requested modifications do not substantially alter the size, location or character of the approved signage. Therefore, staff recommends approval of the requested minor amendment (PUD-569-1) to modify the business sign requirements signage for Development Area C as follows:

- 1) One monument-style ground sign shall be permitted with a maximum of 64 square feet of display surface area and eight feet in height.
- 2) One ground church sign on the expressway frontage shall be permitted with a maximum display surface area of 252 square feet and 35 feet in height.
- 3) Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement are prohibited. In addition, no banners are permitted on any ground sign.

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

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

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 6-0-0 (Coutant, Harmon, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill, Westervelt "absent") to **APPROVE** the minor amendment for PUD-569-1 subject to the following conditions: One monument-style ground sign shall be permitted with a maximum of 64 square feet of display surface area and eight



feet in height, one ground church sign on the expressway frontage shall be permitted with a maximum display surface area of 252 square feet and 35 feet in height; flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement are prohibited, and no banners are permitted on any ground sign, as recommended by staff.

**Mr. Westervelt in at 3:05 p.m.**

\* \* \* \* \*

**Application No.: PUD-136-15**

**MINOR AMENDMENT**

**Applicant:** Michael Marrara

(PD-18) (CD-8)

**Location:** 4504 East 76<sup>th</sup> Street South

**Staff Recommendation:**

The applicant is proposing to increase the maximum number of dwelling units permitted in Development Area F from 110 to 111 in order to facilitate a lot-split.

PUD-136 was approved in 1973. Development Area F was approved for a maximum of 110 dwelling units. The applicant is proposing a maximum of 111 dwelling units in order to facilitate a lot-split.

Staff finds that the requested increase in dwelling units is permitted by the underlying zoning and the density of the development area is increased less than one percent. Therefore, staff recommends **APPROVAL** of the minor amendment (PUD-136-15) to increase the maximum number of dwelling units for Development Area F from 110 units to 111 units.

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

**Interested Parties Opposing PUD-136-15:**

**Nancy Anderson**, 7636 South Urbana, Tulsa, Oklahoma 74136; **R. W. McDowell**, 7556 South Toledo, Tulsa, Oklahoma 74136; **Bill & Shirley Curry**, 7630 South Urbana, Tulsa, Oklahoma 74136; **Diane Mills**, 4422 East 76<sup>th</sup> Street, Tulsa, Oklahoma 74136; **Joyce Hill**, 4428 East 76<sup>th</sup> Street, Tulsa, Oklahoma 74136.

**Comments of Interested Parties Opposing PUD-136-15:**

Lot would be too narrow after splitting it off; lower values of existing homes; kids play on the subject property and would lose their play area; proposal would break covenants; house for the new lot would be too small and wouldn't be comparable to the existing homes.

**TMAPC Comments:**

Mr. Jackson asked Ms. Mills how long she has lived in the subject home. In response, Ms. Mills stated that her home is 25 years old. Mr. Jackson stated that a new home, in today's market, would cost more to build than the existing homes in the subject area and would be worth more. Ms. Mills stated that she objects to the size of the lot and the home that would be built.

**Applicant's Rebuttal:**

**Michael Marrara**, White Survey Company, 9936 East 55<sup>th</sup> Place, Tulsa, Oklahoma, 74146, stated that the application was filed in order to assist in a lot-split. He explained that a minor amendment was needed in order to add an additional lot to the PUD. He explained that the new lot would be ten feet wider than what is required and would have more frontage than other lots in the subject PUD. His client is not proposing to change the restrictions of the covenants or the PUD.

**TMAPC Comments:**

Mr. Westervelt stated that after studying the case map, he believes that there are several existing lots that are smaller than the proposed lot.

Mr. Midget stated that there appears to be several existing lots the same size as the proposal.

**TMAPC Action; 7 members present:**

On **MOTION** of **WESTERVELT**, TMAPC voted 7-0-0 (Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **APPROVE** the minor amendment for PUD-136-15 to increase the maximum number of dwelling units for Development Area F from 110 units to 111 units as recommended by staff.

\* \* \* \* \*

## **OTHER BUSINESS:**

**Ms. Coutant announced that she would be abstaining from the following item.**

**Application No.: PUD-513-A**

**DETAIL SITE PLAN**

**Applicant:** Gary Harkreader

(PD-18) (CD-9)

**Location:** 2916 East 51<sup>st</sup> Street

### **Staff Recommendation:**

The applicant is requesting approval of a detail site plan for Storage Station Mini-Storage, Phase III. The proposed use, Use Unit 16, Mini-Storage, is in conformance with PUD-531-A Development Standards.

The site plan is in conformance with development standards and the Zoning Code for setbacks, floor area ratio, building height, net landscape area and minimum parking requirements. Site lighting is proposed to be building-mounted at a height of eight feet on interior buildings. Proposed building height is ten feet and no lighting is proposed on exterior facing walls. Per plan, therefore, lighting elements of proposed site lighting should not be visible to persons standing off-site.

The PUD development standards require that the mini-storage be “designed so that all openings to storage buildings are screened from view by persons standing at ground level at the boundaries of the PUD. This screening shall be accomplished by the use of the exterior building walls of storage units. Building walls on the exterior of the development shall consist of masonry construction using brick, stone, stucco or concrete tilt-up panels. Metal or standard (smooth) concrete block exterior walls are not permitted on such exterior. Access gates shall be opaque if needed to screen interior door openings”. At this time, concrete tilt-up walls are planned for the south- and west-facing exterior walls. No gates on exterior walls are proposed per plan. Development standards also require that the “perimeter of the PUD be screened by the existing fencing, new screening fence, or the walls of the buildings to be built on the property. The TMAPC shall determine appropriate screening at the time of detail site plan approval”. The developer proposes, at this time, using the exterior masonry walls to meet this screening requirement.

Staff recommends **APPROVAL of PUD-513-A** per plan with the continuous exterior masonry walls on the PUD’s south and west boundaries being sufficient to meet the screening requirements stated in the development standards.

*(Note: Detail site plan approval does not constitute sign or landscape plan approval.)*

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

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

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-1** (Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; Coutant "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **APPROVE** the detail site plan with the continuous exterior masonry walls on the PUD's south and west boundaries being sufficient to meet the screening requirements stated in the development standards as recommended by staff.

\* \* \* \* \*

**Application No.: PUD-417**

**DETAIL SITE PLAN**

**Applicant:** William Stoskopf

(PD-6) (CD-4)

**Location:** 1923 South Utica Avenue

**Staff Recommendation:**

The applicant is requesting approval of a detail site plan for expansion of the St. John Medical Hospital into the north courtyard (infill development). Per a letter dated January 14, 2003, from Davies Architects, agent for the hospital, the proposed uses will be Hospital and/or Hospital Accessory Uses, Use Unit 5; which are in conformance with PUD-417 development standards. In addition to the infill development, this site plan review also includes consideration of a discrepancy of 65,000 square feet not previously considered by TMAPC, but noted on this site plan. The purpose of including this discrepancy is to assure that adequate parking is provided and floor area ratios are in compliance with development standards.

The site plan (in conjunction with information provided through the letter noted above and including both the infill development and the additional 65,840 square feet not previously considered) is in conformance with development standards for floor area ratio, building height, minimum internal landscaped area and minimum parking requirements.

Staff recommends **APPROVAL** of PUD-417 per plan submitted and per the letter from Davies Architects dated January 14, 2003, and per the following summaries

of parking required and provided, and allowable floor area allowed and utilized to date:

<b>Off-Street Parking Requirement:</b>	<b>S.F. Area</b>	<b>Parking Ratio</b>	<b>Parking Requirement</b>
Hospital (619 licensed beds)			619
North Building	604,320	1/bed	0
Power & Maintenance Building	71,780	0	
Connecting Building*	83,180	0	
South Building	106,280	1/250 S.F.	426
East Building	74,972	1/300 S.F.	250
Physicians Building	90,510	1/250 S.F.	362
Doctors Building	67,300	1/250 S.F.	270
Child Development Center	34,410	1/500 S.F.	65
Health Plaza (Fitness)**	48,880	1/150 S.F.	326
Health Plaza (Clinic)	105,460	1/250 S.F.	422
St. John Medical Office Park	22,960	1/250 S.F.	92
Glass Nelson Clinic (Xanthus Medical Building)	34,180	1/250 S.F.	137
Wheeling Medical Building	158,910	1/250 S.F.	636
Hospital Expansion			
Inpatient	162,730	1/bed	0
Outpatient	95,260	1/250 S.F.	381
North Courtyard Infill	32,150	0	
New St. John Medical Plaza	206,600	1/250 S.F.	<u>827</u>
<b>Total Parking Required</b>			<b>4,813</b>
*Accessory to Hospital, Parking Requirement included in Bed Count			
**Excludes Pool and Racquetball Court Square Footage			
<b><u>Parking Analysis</u></b>			
Parking Provided			5,043
Parking Required			
Parking Surplus			4,813
<b><u>Development Area 'A' Floor Area Analysis</u></b>			230
Adjusted Allowable Floor Area	1,533,122		
		S.F.	
Existing Floor Area Plus Campus Expansion Floor Area	1,366,150		
		S.F.	
Development Area 'A' Floor Area Surplus	166,972	S.F.	

(Note: Detail site plan approval does not constitute sign or landscape plan approval.)

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

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

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **APPROVE** the detail site plan for PUD 417 per plan submitted and per the letter from Davies Architects dated January 14, 2003, and per the summaries of parking required and provided, and allowable floor area allowed and utilized to date as recommended by staff.

\*\*\*\*\*

**Application No.: PUD-628**

**DETAIL SITE PLAN**

**Applicant:** Danny Mitchell

(PD-18) (CD-8)

**Location:** 94<sup>th</sup> and South Mingo

**Staff Recommendation:**

The applicant is requesting approval of a detail site plan for a medical office for Dr. Jerome Cha. The proposed use, Use Unit 11, Office & Studios, is in compliance with PUD-628 development standards.

The site plan is in conformance with development standards and the Zoning Code for setbacks, floor area ratio, building height, street yard, net landscape area requirements and minimum parking requirements. No trash or mechanical areas are depicted on the site plan. Parking lot and/or building lighting is planned, but lighting detail has not yet been submitted.

Staff recommends **APPROVAL of PUD-628** on condition that a detail lighting plan in conformance with PUD Development Standards and the Zoning Code be submitted and approved.

*(Note: Detail site plan approval does not constitute sign or landscape plan approval.)*

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

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

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **APPROVE** the detail site plan for PUD-628, subject to the condition that a detail lighting plan in conformance with PUD Development Standards and the Zoning Code be submitted and approved as recommended by staff.

\* \* \* \* \*

**Determine which proposals for 1985 Sales Tax Economic Development Funds are in conformance with the Comprehensive Plan for the Tulsa Metropolitan Area.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted 6-0-1 (Coutant, Harmon, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; Ledford "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **FIND** the proposals for 1985 Sales Tax Economic Development Funds in conformance with the Comprehensive Plan for the Tulsa Metropolitan Area.

\* \* \* \* \*

**Election of Officers for 2003**

- Chair: Wesley Harmon**
- 1<sup>st</sup> Vice Chair: Brandon Jackson**
- 2<sup>nd</sup> Vice Chair: Joe Westervelt**
- Secretary: Mary Hill**

**TMAPC Action; 7 members present:**


On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Coutant, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill "absent") to **APPROVE** the election of Officers for 2003 as presented by the nominating committee.

\* \* \* \* \*

There being no further business, the Chair declared the meeting adjourned at 3:25 p.m.

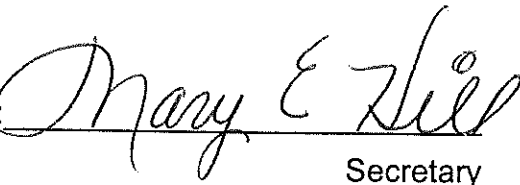
Date Approved:

2-3-03



Chairman

ATTEST:

  
Secretary