

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Minutes of Meeting No. 2436**

Wednesday, February 1, 2006, 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>
Ard	Bernard	Alberty	Boulden, Legal
Bayles	Carnes	Chronister	
Cantees		Fernandez	
Collins		Huntsinger	
Harmon		Matthews	
Hill		Tomlinson	
Horner			
Jackson			
Midget			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, January 31, 2006 at 8:53 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, 1<sup>st</sup> Vice Chair Ard called the meeting to order at 1:30 p.m.

### **Minutes:**

#### **Approval of the minutes of December 21, 2005, Meeting No. 2432**

On **MOTION** of **HILL** the TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** the minutes of the meeting of December 21, 2005, Meeting No. 2432.

### **Minutes:**

#### **Approval of the minutes of January 4, 2006, Meeting No. 2433**

On **MOTION** of **HILL** the TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** the minutes of the meeting of January 4, 2006, Meeting No. 2433.

## REPORTS:

### Worksession Report:

Mr. Ard reported on the worksession held January 25, 2006, which items discussed were the proposed Zoning Code amendments and the Lewis Corridor Study.

### Director's Report:

Mr. Alberty reported that there are two items on the Tulsa City Council agenda this Thursday.

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Mr. Ard read the opening statement.

## ITEMS TO BE CONTINUED:

### MINOR SUBDIVISION PLATS:

Stargate Ropes Course Complex – (0331) (PD-2) (CD-1)

Northeast corner of Jasper Street and Peoria Avenue (A continuance is requested to 3/1/06 for further TAC review. This was continued from 1/18/06.)

### STAFF RECOMMENDATION:

Mrs. Fernandez stated that this plat is not ready to be heard and needs further TAC review.

There were no interested parties wishing to speak.

### TMAPC Action; 9 members present:

On **MOTION** of **BAYLES**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nay"; none "abstaining"; Bernard, Carnes "absent") to **CONTINUE** the minor subdivision plat for Stargate Ropes Course Complex to March 1, 2006.

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**Application No.: PUD-579-A-6**

**MINOR AMENDMENT**

**Applicant:** Bart C. James

(PD-18) (CD-8)

**Location:** West of the southwest corner of East 79<sup>th</sup> Street South and South 101<sup>st</sup> East Avenue

**STAFF RECOMMENDATION:**

Mr. James has requested a continuance to February 15, 2006.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **BAYLES**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nay"; none "abstaining"; Bernard, Carnes "absent") to **CONTINUE** the minor amendment for PUD-579-A-6 to February 15, 2006.

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**Application No.: PUD-725**

**RE TO PUD**

**Applicant:** J.R. Donelson

County

**Location:** East of the northeast corner East 181<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

Ms. Matthews stated that the applicant needs more time and would like to continue this item to April 19, 2006.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **BAYLES**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nay"; none "abstaining"; Bernard, Carnes "absent") to **CONTINUE** PUD-725 to April 19, 2006.

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**SUBDIVISIONS:**

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

**L-19896 – Paul Millspaugh** (2408)

(County)

16728 North 117<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

The proposal is to split a five-acre tract into two parcels, placing two existing dwellings on individual lots. With the original request, Tract A did not meet the AG-R bulk and area requirements. Variances of the requirements were heard and denied by the County Board of Adjustment on December 20, 2005. This application was presented to the TMAPC on December 21, 2005, but was continued to allow the applicant to revise their request.

The applicant has now adjusted their lot-split request to meet all the AG-R bulk and area requirements; however, the proposed configuration will result with Tract A having four side lot lines. The applicant is requesting a waiver of the Subdivision Regulations that no tract have more than three side lot lines.

At the Technical Advisory Committee, Tulsa County Engineering requested an additional five-foot right-of-way easement along 177<sup>th</sup> East Avenue. Staff believes that the number of side lot lines would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split, subject to an additional five-foot right-of-way easement be given to Tulsa County along 177<sup>th</sup> East Avenue.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split, subject to an additional five-foot right-of-way easement be given to Tulsa County along 177<sup>th</sup> East Avenue per staff recommendation.

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

**L-19928 – Jeffrey Levinson** (8329)

(PD-26) (CD-2)

East of southeast corner of East 101<sup>st</sup> Street South and Delaware

**L-19931 – Carl Nickles** (7329) (County)

2533 East 171<sup>st</sup> Street

**L-19935 – Charles Parker** (9025) (County)

4815 South 193<sup>rd</sup> West Avenue

**L-19936 – Sack & Associates** (9030) (County)

26009 West 47<sup>th</sup> Street

**L-19937 – Judith Finn** (8216) (PD-18) (CD-8)

8700 Block of South Toledo Avenue

**STAFF RECOMMENDATION:**

All of these lot-splits are in order and staff recommends **APPROVAL**.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HILL** the TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

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

**LC-11 – Bill Barrows** (9330) (PD-6) (CD-9)

4505 South Peoria

**STAFF RECOMMENDATION:**

This lot-combination is order and staff recommends **APPROVAL**.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HARMON** the TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **RATIFY** these lot-combinations given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

**FINAL PLAT:**

**Beta Business Park III – (9402)**

(PD-17) (CD-6)

Northeast corner of East 166<sup>th</sup> Street and Admiral Boulevard

**STAFF RECOMMENDATION:**

This plat consists of one lot in one block on 2.76 acres.

All release letters have been received and staff can recommend **APPROVAL** of the final plat.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** final plat for Beta Business Park III per staff recommendation.

\* \* \* \* \*

**Kum & Go Creek Turnpike – (0813)**

(PD-26) (CD-2)

Southwest corner of Riverside Parkway and Creek Turnpike

**STAFF RECOMMENDATION:**

This plat consists of two lots in one block on 2.7 acres.

The applicant has met all of the conditions of the plat. All release letters have been received and staff can recommend **APPROVAL** of the final plat.

**INTERESTED PARTIES:**

**Greg Jennings**, 2260 South Troost, Tulsa, Oklahoma 74114, stated that he objects to a gas station 50 feet from the Arkansas River. He never thought he would have to deal with gas fumes and exhaust fumes while jogging on the trail. He fears that this gas station will be an environmental issue later down the road.

**TMAPC Action; 9 members present:**

On **MOTION** of **BAYLES**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** final plat for Kum & Go Creek Turnpike per staff recommendation.

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**PRELIMINARY PLAT:**

**Welsco – (0432)**

(PD-16) (CD-8)

1123 North Garnett Road, northeast corner of Independence and Garnett Road

**STAFF RECOMMENDATION:**

This plat consists of one lot, one block, on 2.65 acres.

The following issues were discussed January 19, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned IL (industrial light). It abuts an RS-3 zoned area so setbacks will be required per the use. It appears that a power line easement (150 feet) may have been labeled as right-of-way. The drainage reserve needs to meet with the Development Services staff approval. Maintenance needs to be defined.
2. **Streets:** Dimensioning of proposed dedications along Latimer needs clarification. The southwest corner needs a 30-foot radius of the property line at the intersection with the secondary arterial. Potential conflict may exist with the GRDA/PSO easement shown. In the legend change "access opening" to "limits of access". Document all existing right-of-way especially the north ten feet.
3. **Sewer:** Pipe installed within the right-of-way must be in ductile iron pipe. Be sure to design the extension deep enough to serve the entire basin, but the maximum depth for a service connection is 16 feet. Be sure to include a basin drainage area map with the SSID plans. A main line ending in a manhole must extend 15 feet past the property line to serve the property.
4. **Water:** No comment (served by Tulsa).
5. **Storm Drainage:** One lot, one block should not place its stormwater detention facility in a reserve, nor should it be in an overland drainage easement. The stormwater detention facility should be placed in a "stormwater detention easement", which should be exclusive of the utility easement. Written approval must be received from GRDA/PSO prior to approval to plat this easement in their existing right-of-way. Standard language must be added for easement noted above. No conceptual drainage plan was submitted.

6. **Utilities: ONG, Cable, PSO:** PSO needs the overland drainage easement reviewed and placed out of their easement. The PSO easement can have no structure, building, trees or pools within the bounds of the PSO easement. Utilities need to maintain a minimum distance of thirty (30) feet from any PSO structure in the easement. This will be stated on the face of the plat. PSO also needs to approve of grading plans before construction.
7. **Other: Fire:** No comment.

Staff recommends **APPROVAL** of the Preliminary Subdivision 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.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

**INTERESTED PARTIES:**

**Earl Pregler**, 11354 East Independence, Tulsa, Oklahoma 74116, stated that he is not objecting to this application, but he hasn't seen the plat and he has some questions regarding what will be happening under the electrical lines and where the sewer will be fed.

**Applicant's Comments:**

**J.R. Donelson**, 1744 South 89<sup>th</sup> East Avenue, Bixby, Oklahoma 74008-6407, stated that plats are available and he would be happy to provide one to Mr. Pregler. Mr. Donelson stated that he is working with PSO regarding any activity under the electrical lines. He indicated that the sanitary sewer will run north to Garnett.

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** preliminary plat for Welsco, subject to standard conditions and special conditions per staff recommendation.

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## **CONTINUED ZONING PUBLIC HEARING:**

**Application No.:** Z-7008

**AG/RS-3 to CO**

**Applicant:** Charles Norman

**(PD-8) (CD-2)**

**Location:** East side of U.S. Highway 75 South between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South

### **STAFF RECOMMENDATION:**

**Z-6966 February 2005:** Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71<sup>st</sup> Street South and U. S. Highway 75 South from AG to CO. This property abuts the subject property on the west. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

**Z-6967 February 2005:** Approval was granted on a request to rezone the sixty-two acre tract located on the northeast corner of West 81<sup>st</sup> Street South and U. S. Highway 75 South and abutting the subject property on the southwest corner, from AG to CO.

**Z-6871 November 2002:** All concurred in approval of a request to rezone a 141-acre tract abutting the subject property on the south and lying in the northwest corner of West 81<sup>st</sup> Street and South Elwood Avenue, from AG to RS-3 for residential development.

**Z-6001-SP-1/PUD-648 May 2001:** A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71<sup>st</sup> Street and U. S. Highway 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

**PUD-636/Z-5457-SP/Z-4825-SP October 2000:** Approval was granted, subject to conditions of the PUD, for a Planned Unit Development on a 108-acre tract located on the northwest corner of West 81<sup>st</sup> Street South and South Highway 75 and west of the subject tract. The proposed uses include single-family and townhouse dwellings and commercial uses.

**Z-6679 March 1999:** All concurred in approval of a request to rezone a 9.8-acre tract located east of the northeast corner of West 81<sup>st</sup> Street and South Elwood Avenue from AG to IL for a proposed auto sales business.

**Z-6251 August 1989:** All concurred in approval of a request to rezone three parcels containing one acre each and located south of the southwest corner of West 71<sup>st</sup> Street South and South Jackson Avenue and being a portion of the subject property, from RS-3 to AG.

### AREA DESCRIPTION:

**SITE ANALYSIS:** The subject property is approximately 43.6 acres in size and is located on the east side of U. S. Highway 75 South between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South, Tulsa, Oklahoma. The property is sloping, wooded, vacant and zoned AG.

### **STREETS:**

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
West 71 <sup>st</sup> Street South	Secondary arterial	100'	4 lanes
West 81 <sup>st</sup> Street South	Secondary arterial	100'	4 lanes
U. S. Highway 75 South	Freeway	varies	4 lanes

**UTILITIES:** Municipal water and sewer are available.

### **SURROUNDING AREA:**

The property is abutted on the south and west by vacant land, zoned CO; to the north by vacant property, zoned AG and to the east by scattered single-family homes, zoned AG and RS-3.

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Low Intensity – No Specific Land Use. However, as noted above, the annual plan updates will include an amendment to the District 8 Plan to reflect the recent rezoning to CO adjacent to this property.

### STAFF RECOMMENDATION:

In view of the TMAPC's and City's approval of CO zoning on the property adjacent to this property, and their recommendation to amend the District Plan, staff can recommend **APPROVAL** of CO zoning for Z-7008. The expansion of the corridor east to Jackson is reasonable, but should not be allowed any farther east. The Metropolitan Development Guidelines should govern any future development east of Jackson.

If the TMAPC deems it appropriate to recommend approval of CO zoning here, they should direct staff to prepare a similar amendment to the District 8 Plan.

### TMAPC COMMENTS:

Mr. Ard stated that there are interested parties signed up for both Z-7008 and Z-7008-SP-1. He asked the interested parties if they wanted to speak to the zoning and corridor items or specifically to the corridor. Interested parties indicated that they would speak on the corridor.

Mr. Ard invited Mr. Norman to speak on the zoning case Z-7008 only and that the discussion would be on the corridor.

**Applicant's Comments:**

**Charles Norman**, 401 South Boston, Suite 2900, Tulsa, OK 74103-4065, stated that he is in agreement with the staff recommendation regarding Z-7008.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to recommend **APPROVAL** of the CO zoning for Z-7008 per staff recommendation.

**Legal Description for Z-7008:**

A TRACT OF LAND THAT IS PART OF SECTION 11, T-18-N, R-12-E OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: STARTING AT THE NORTHEAST CORNER OF THE NW/4 OF SAID SECTION 11; THENCE S 01°17'09" E FOR 75.00'; THENCE N 89°09'10" E AND PARALLEL WITH THE NORTHERLY LINE OF SECTION 11 FOR 348.99' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND; THENCE CONTINUING N 89°09'10" E AND PARALLEL WITH THE NORTHERLY LINE OF SECTION 11 FOR 314.62'; THENCE S 01°18'05" E FOR 360.01'; THENCE N 89°08'57" E FOR 300.27'; THENCE S 01°17'04" E FOR 887.48'; THENCE S 01°18'05" E FOR 793.46'; THENCE N 89°02'06" E FOR 30.00'; THENCE S 01°18'05" E FOR 838.14'; THENCE S 89°02'05" W FOR 991.84' TO A POINT ON THE WESTERLY LINE OF THE SE/4 OF SECTION 11; THENCE N 01°17'44" W ALONG SAID WESTERLY LINE FOR 312.31' TO A POINT THAT IS THE CENTER OF SECTION 11; THENCE N 89°03'20" E ALONG THE SOUTHERLY LINE OF THE NE/4 OF SECTION 11 FOR 268.39'; THENCE N 01°17'44" W AND PARALLEL WITH THE EASTERLY LINE OF THE NE/4 OF SECTION 11 FOR 1318.04'; THENCE N 89°09'03" E FOR 78.54'; THENCE N 01°17'44" W AND PARALLEL WITH SAID EASTERLY LINE FOR 1250.24' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, THE DESCRIBED TRACT OF LAND CONTAINS 1,899,419 SQUARE FEET OR 43.6047 ACRES, and is located on the east side of U. S Highway 75 South and between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South, Tulsa, Oklahoma, **From AG & RS-3 (Agriculture District & Residential Single-family High Density District) To CO (Corridor District).**

**RELATED ITEM to Z-7008:**

**Application No.:** Z-7008-SP-1

**CORRIDOR DETAIL SITE PLAN**

**Applicant:** Charles Norman

(PD-8) (CD-2)

**Location:** East side of U.S. Highway 75 South between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South

**STAFF RECOMMENDATION:**

**Z-6966 February 2005:** Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71<sup>st</sup> Street South and U. S. Highway 75 South from AG to CO. This property abuts the subject property on the west. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

**Z-6967 February 2005:** Approval was granted on a request to rezone the sixty-two acre tract located on the northeast corner of West 81<sup>st</sup> Street South and U. S. Highway 75 South and abutting the subject property on the southwest corner, from AG to CO.

**Z-6871 November 2002:** All concurred in approval of a request to rezone a 141-acre tract abutting the subject property on the south and lying in the northwest corner of West 81<sup>st</sup> Street and South Elwood Avenue, from AG to RS-3 for residential development.

**Z-6001-SP-1/PUD-648 May 2001:** A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71<sup>st</sup> Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

**PUD-636/Z-5457-SP/Z-4825-SP October 2000:** Approval was granted, subject to conditions of the PUD, for a Planned Unit Development on a 108-acre tract located on the northwest corner of West 81<sup>st</sup> Street South and South Highway 75 and west of the subject tract. The proposed uses include single-family and townhouse dwellings and commercial uses.

**Z-6679 March 1999:** All concurred in approval of a request to rezone a 9.8-acre tract located east of the northeast corner of West 81<sup>st</sup> Street and South Elwood Avenue from AG to IL for a proposed auto sales business.

**Z-6251 August 1989:** All concurred in approval of a request to rezone three parcels containing one acre each and located south of the southwest corner of West 71<sup>st</sup> Street South and South Jackson Avenue and being a portion of the subject property, from RS-3 to AG.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 176 acres in size and is located on the east side of U. S. Highway 75 South between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South; and a portion of the north half is bounded on the east by South Jackson Avenue, all in Tulsa, Oklahoma. The property is sloping, wooded, vacant and zoned AG, RS-3 and CO.

**STREETS:**

<b>Exist. Access</b>	<b>MSHP Design.</b>	<b>MSHP R/W</b>	<b>Exist. # Lanes</b>
West 71 <sup>st</sup> Street South	Secondary arterial	100'	4 lanes
West 81 <sup>st</sup> Street South	Secondary arterial	100'	4 lanes
U. S. Highway 75 South	Freeway	varies	4 lanes

**UTILITIES:** Municipal water and sewer are available.

**SURROUNDING AREA:**

The property is abutted on the west by U.S. Highway 75, to the west of which is vacant property zoned CO, CS and AG; on the north by West 71<sup>st</sup> Street South and a medical office park zoned CO and vacant property zoned AG; on the east by scattered single-family homes, zoned AG and RS-3, and a developing residential subdivision zoned RS-3; and on the south by West 81<sup>st</sup> Street South and vacant property zoned CS, OL and AG.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Medium Intensity at the U.S. Highway 75 ramps on West 81<sup>st</sup> Street South and West 71<sup>st</sup> Street South; and Low Intensity – No Specific Land Use for the remainder of the property. As noted above, the annual plan updates will include an amendment to the District 8 Plan to reflect the recent rezoning to CO of a large portion of this property.

**STAFF COMMENTS:**

Mr. Alberty reminded the Planning Commission that this item has already had a public hearing and was continued in order to give staff and the applicant time to prepare a document showing the request, staff's recommendation, and items that the applicant and staff agree on or have compromised on. Mr. Norman has

provided the comparison chart that was included in the Planning Commission packets.

Mr. Alberty stated that he would like to read some of the changes in the staff recommendation since it the presentation and he will reference both the agenda packet and the comparison summary.

**STAFF RECOMMENDATION Z-7008-SP-1:**

The 176-acre Tulsa Hills site has one mile of frontage along U.S. Highway 75 and extends from West 71st Street, a primary arterial, on the north to West 81st Street on the south.

The recent availability of sanitary sewer capacity to serve the U.S. Highway 75 corridor, the revision of the West 81st Street intersection to provide for four-way access to and from West 81st Street, and the major reconstruction of the West 71st Street intersection with the Okmulgee "Beeline" establish the Tulsa Hills property as an ideal location for a regional shopping center.

The primary trade area for most large retailers usually extends to a three-to-five mile radius around a store. Large retailers generally operate "sister" stores within a metropolitan area that cater to distinctive and separate trade areas. Tulsa Hills will fill the major retail void presently existing in the west and southwest segments of the metropolitan trade area.

Woodland Hills Mall and the Tulsa Promenade are the closest major retail centers, but both are located well outside the Tulsa Hills primary trade area, which creates the opportunity for major retailers to locate sister stores at Tulsa Hills with the ability to serve the retail needs of the growing population south and west of Tulsa.

The location of Tulsa Hills at the edge of the City of Tulsa on a major commuter highway will enable the regional shopping center to attract customers from outlying suburban communities. Non-residents of the City of Tulsa are forecast to account for between forty to fifty percent of the projected retail sales.

The Tulsa Hills location has the necessary parcel size and orientation, visibility and exposure and accessibility to support a regional shopping center and will attract additional urban development within the immediate area.

The overall Tulsa Hills development concept is shown on Exhibit A-1, Concept Illustration, with the north and south halves of the center shown on Exhibits A-2 and A-3 for increased legibility.

Exhibit B is an aerial photo which indicates the location of Tulsa Hills as well as some of the development challenges, including existing power lines and pipelines



which cross the site and must be relocated and severe topographical changes which must be modified for development to occur.

The location, size and dimensions of the seven development areas within Tulsa Hills are shown on Exhibit C - Development Area Map.

Development within the twenty-one acre Area C along South Jackson Street adjacent to Tulsa Hills on the east is limited to stormwater facilities, open spaces, stabilized slopes and retaining walls for Area B.

The interior corridor collector street connecting West 71st Street and West 81st Street will be a boulevard between Areas A and B with tree-lined sidewalks on both sides for convenient pedestrian shopping. The collector street between Areas D and E and between Areas F and G will have five lanes with the center lane for turning movements and will also have tree-lined sidewalks.

Store setbacks from the collector street are minimized to encourage smaller shops to be located along the collector street frontage with interior parking shared with center anchor stores.

Because of its size, complexity, potential impact on transportation and adjacent existing and proposed residential uses, careful consideration must be given to traffic and pedestrian circulation, transit, connection to trails, landscaping and screening, and lighting. Design of this highly visible project will set precedent for future development along U.S. Highway 75 as well as for the entire region. It is recommended that the developer provide to TMAPC a phasing plan of the entire project.

Contingent upon TMAPC's recommendation for approval of Z-7008 for CO zoning and in view of the TMAPC's and City's approval of CO zoning for the remainder of this property, and their recommendation to amend the District Plan; and based upon the proposed Development Concept and Standards as modified by staff, staff finds Z-7008-SP-1 to be: (1) in harmony with the existing and expected development of surrounding areas; (2) a unified treatment of the development possibilities of the site; and (3) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-7008-SP-1 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

Net Area: 33.27 Acres 1,449,259 SF

#### Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.25 FAR): 362,315 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height: 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

#### Off-Street Parking:

As required by the applicable Use Unit of the Tulsa Zoning Code.

#### Minimum Building Setbacks:

From the southerly right-of-way line of West 71st Street	25 FT
From the west boundary of Area A	50 FT
From the westerly right-of-way line of the corridor collector street	20 FT
From the south boundary of Area A	10 FT
Internal lot side yards to be established by plat or detail site plan.	

#### Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

#### Signs:

1) Ground signs shall be permitted within Area A as follows.

(a) One ground sign for single lot fronting on West 71<sup>st</sup> Street, not to exceed eight feet in height and 80 square feet of display surface area.

- (b) ~~One~~ Two center identification signs along the U.S. Highway 75 frontage, which shall be separated a minimum of 1,200 feet. The center identification sign shall not exceed 35 feet in height and 500 square feet of display surface area. The two center identification signs in Area A and the one center identification sign recommended by staff in Area D to be identical in design and materials (will replace three existing billboards.)
  - (c) Three center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
  - (d) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed ~~25~~ 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height, and shall be hooded and directed downward and away from the west boundary of Area A. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

## Development Area B

Net Land Area: 56.62 Acres 2,466,290 SF

### Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.25 FAR): 616,573 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height: 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

### Off-Street Parking:

As required by the applicable Use Unit of the Tulsa Zoning Code.

### Minimum Building Setbacks:

From the southerly right-of-way line of West 71st Street 25 FT

From the east boundary of Area B 25 FT

From the easterly right-of-way line of the corridor collector street 20 FT

From the south boundary of Area B 125 FT

Internal lot side yards to be established by plat of detail site plan.

### Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

### Signs:

1) Ground signs shall be permitted within Area B as follows.

- (a) Two center identification signs at the major entrances from West 71st Street. Each sign shall not exceed 25 feet in height and 250 square feet of display surface area.

- (b) ~~In lieu of wall signage~~, one ground sign for each lot fronting on West 71<sup>st</sup> Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.
  - (c) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
  - (d) Four center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.
- 3) No wall sign shall be permitted on east-facing walls of a building.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed ~~25~~ 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height, and shall be hooded and directed downward and away from the east boundary of Area B. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area C

Net Land Area: 20.89 Acres 909,804 SF

Permitted Uses:

Stormwater drainage and detention facilities; recreation facilities, open space, utility easements, retaining walls and structures and uses customarily accessory to permitted uses.

Maximum Building Floor Area:

No buildings shall be permitted except as required for utilities and drainage.

Lighting:

Light standards, if any, within Area C shall not exceed ten feet in height and 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 persons within surrounding residential areas.

Landscaping:

All graded areas must be re-vegetated and required landscaping shall be installed and irrigated in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Development Area D

Net Land Area: 9.62 Acres 419,114 SF

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; stormwater drainage and detention facilities; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.25 FAR): 104,779 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height: 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

As required by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the westerly right-of-way line of the corridor collector street	20 FT
From the U.S. Highway 75 right-of-way	25 FT
From the north boundary of Area D	10 FT
From the south boundary of Area D	10 FT
Internal side yards to be established by plat or detail site plan.	

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- 1) Ground signs shall be permitted within Area D as follows:
  - (a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
  - (b) Two center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
  - (c) One center identification signs along the U.S. Highway 75 frontage. The center identification sign shall not exceed 35 feet in height and 500 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed 25 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height, and shall be hooded and directed downward and away from the west boundary of Area D. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area E

Net Land Area: 22.03 Acres 959,577 SF

Permitted Uses:

- (1) Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, Hotel, Motel and Recreation Facilities - motion picture theaters - enclosed only; stormwater drainage and detention facilities; and uses customarily accessory to permitted principal uses.
- (2) Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers, data processing and air conditioning equipment, elevator parts and service, solar heating and auto parts, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, print shops and equipment, mail services, plumbing and lighting supplies and equipment, food preparation supplies and equipment, telephone and communications systems, supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, wholesale landscape plants, air freight and armored car services, gourmet food preparation supplies, electrical supplies, equipment and pumps, miscellaneous electrical equipment, home remodeling supplies such as windows, sliding doors, and kitchen equipment, and other similar service and supply businesses, and
- (3) Warehouse and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within Tulsa Hills, provided no exterior display or storage shall be permitted.

Maximum Building Floor Area (.25 FAR): 239,894 SF



Maximum Land Coverage of Buildings 30%

Maximum Building Height:

Motion picture theater – enclosed	45 FT
Other uses	35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

As required by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the easterly right-of-way line of the corridor collector street	20 FT
From the east boundary of Area E	100 FT
From the south boundary of Area E	10 FT
From the north boundary of Area E	10 FT

Internal side yards to be established by plat or detail site plan.

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- 1) Ground signs shall be permitted within Area E as follows:
  - (a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
  - (b) Two center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.

- 3) Motion picture marquee wall signs shall be permitted not to exceed three square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 4) No marquee or wall signs shall be permitted on the east facing walls of a building.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed ~~25~~ 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area F

Net Land Area: 11.31 Acres 492,473 SF

Permitted Uses:

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices and Studios, including drive-thru banking facilities; Use Unit 12, Entertainment and Eating Establishments other than Drive-ins; Use Unit 13, Convenience Goods and Services; Use Unit 14, Shopping Goods and Services; Use Unit 17, Hotel/Motel and Recreational Facilities - hotel and motel only; stormwater drainage and detention facilities; and uses customarily accessory to permitted uses.

Maximum Building Floor Area (.25 FAR): 123,118 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height:

Hotel/Motel	60 FT
Other Permitted Uses	35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the north right-of-way line of West 81st Street	25 FT
From the westerly right-of-way line of the corridor collector street	20 FT
From the U.S. Highway 75 right-of-way	25 FT
From the north boundary of Area F	10 FT
Internal side yards to be established by plat or detail site plan.	

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- 1) Ground signs shall be permitted within Area F as follows:
  - (a) One center identification sign at the major entrance from West 81st Street. The center identification sign shall not exceed 25 feet in height and 250 square feet of display surface area.
  - (b) ~~In lieu of wall signage,~~ one ground sign for each lot fronting on West 81<sup>st</sup> Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.
  - (c) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
  - (d) Two center tenant directional signs along the frontage of the corridor collector street. Each such tenant identification sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed ~~25~~ 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height, and shall be hooded and directed downward and away from the west boundary of Area F. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area G

Net Land Area: 9.87 Acres 430,058 SF

Permitted Uses:

- (1) Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices and Studios, including drive-thru banking facilities; Use Unit 12, Entertainment and Eating Establishments other than Drive-ins; Use Unit 13, Convenience Goods and Services; Use Unit 14, Shopping Goods and Services; Use Unit 17, Hotel/Motel and Recreational Facilities - hotel and motel only; stormwater drainage and detention facilities; and uses customarily accessory to permitted uses.
- (2) Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers, data processing and air conditioning equipment, elevator parts and service, solar heating and auto parts, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, print shops and equipment, mail services, plumbing and lighting supplies and equipment, food preparation supplies and equipment, telephone and communications systems, supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, wholesale landscape plants, air freight and armored car services,

gourmet food preparation supplies, electrical supplies, equipment and pumps, miscellaneous electrical equipment, home remodeling supplies such as windows, sliding doors, and kitchen equipment, and other similar service and supply businesses, and

- (3) Warehouse and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within Tulsa Hills, provided no exterior display or storage shall be permitted.

Maximum Building Floor Area (.25 FAR): 107,515 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height:

Hotel/Motel 35 FT

Other Permitted Uses 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the north right-of-way line of West 81st Street 25 FT

From the easterly right-of-way line of the corridor collector street 20 FT

From the east boundary of Area G 100 FT

From the north boundary of Area G 10 FT

Internal side yards to be established by plat or detail site plan.

Landscaped Area:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

- 1) Ground signs shall be permitted within Area G as follows:

(a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.

(b) Two center tenant directional signs along the frontage of the corridor collector street. Each such tenant identification sign shall not exceed eight feet in height and 80 square feet of display surface area.

(c) ~~In lieu of wall signage~~, one ground sign for each lot fronting on West 81<sup>st</sup> Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.

- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building; provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less. This request is made for each Development Areas A, B, D, E, F and G.
- 3) No wall signs shall be permitted on the east facing walls of a building.

Lighting:

Light standards within all Development Areas, whether pole or building mounted, shall not exceed 25 35 feet in height, except in Development Area C, and provided light standards within the east 120 feet of the north 350 feet of Area B and the east side of Area G shall not exceed 15 feet in height, and within the south 120 feet of Area B and the east 120 feet of Area E shall not exceed 15 feet in height. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Access

In order that the traffic-carrying capacity of the transportation system may be maintained, the development's access shall be principally from the internal collector service street(s). ~~In keeping, access shall be restricted to the collector with exception of one signalized access onto West 71<sup>st</sup> Street South east of the intersection of West 71<sup>st</sup> Street South and the collector. No direct access onto West 81<sup>st</sup> Street South shall be permitted.~~ Provision of mutual access easements between lots with frontage on West 71<sup>st</sup> Street South and between lots with frontage on West 81<sup>st</sup> Street South is encouraged. Access to West 71<sup>st</sup> Street shall be permitted and access to West 81<sup>st</sup> Street shall be determined at the time of platting the property.

### Traffic Calming

Traffic calming shall be included in the design of the service drive and loading area running generally parallel and to the east of the collector and directly adjacent to the buildings. Such design shall not be limited to stop signs and traffic humps. Additional design elements should be considered such as small traffic circles, curb extensions, planters, perceptual design features and curves and/or shifts in alignment of the service drive.

### Transit

One cut-out for a bus-bay and shelter per northbound and southbound lanes of the collector, located near the planned traffic light at the midpoint of the collector, is recommended. Additional bus stops identified through signage and shelters should also be provided near crosswalks along the collector.

### Pedestrian Circulation

A pedestrian circulation plan shall be required that includes the following:

- (a) Sidewalks along both sides of the collector street;
- (b) A minimum of three crosswalks on the collector street. Use of pedestrian islands is encouraged.
- (c) Pedestrian walkways through parking lots at approximate 400-foot intervals or at each vehicular access off the collector street; a minimum of three (3) feet in width, separated from vehicular travel lanes to provide safe access to non-street front building entrances and/or sidewalks and trails. The three (3) foot width shall not include any vehicle overhangs. Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways. This requirement only applies to lots over 100 parking spaces.
- (d) Pedestrian walkways connecting transit stops to non-street front building entrances.
- (e) Pedestrian walkways clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect.
- (f) Sidewalks or walkways which cross vehicular aisles or driveways distinguished as follows: by a continuous raised

crossing, by using contrasting paving material and/ or by using high contrast striping.

#### Trail Access

Access to the trail system is recommended through utilization of the 100' PSO easement and detention areas.

#### Landscape Buffer

Landscaping and buffering of the west boundary within the 100' utility easement shall be in substantial conformance with Exhibit 'A-1', Tulsa Hills Concept Illustration Overall, ~~and must be approved by the utility company or be provided outside the easement to the same effect.~~ All required landscaping shall be installed and irrigated in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

#### Building Materials

Although the style, color and materials of buildings may vary, an individual building adjacent to U.S. Highway 75, West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South shall have elevations which are consistent in color and similar materials on all sides.

#### Screening Walls and Retaining Walls

The design of screening walls and retaining walls shall be approved by TMAPC at detail site plan review. Screening walls must achieve effective screening of loading areas, truck docks and car lights; must be of masonry, concrete, Woodcrete or similar material; and may include landscaping. Screening walls, a minimum of seven feet in height, shall be required on along the south boundaries of Development Area B, Development Area C, and along the east boundary of Development Area E and Development Area G. See proposed Exhibits L-1 through L-5.

3. No zoning clearance permit shall be issued for a lot within the Corridor Site Plan until a detail site plan for the lot, which includes all buildings, parking, screening fences and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan 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 occupancy or at the soonest appropriate planting time. 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 Corridor Site Plan until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan 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 (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), 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. 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.
9. 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 Corridor Site plan conditions of approval and making the City beneficiary to said covenants that relate to the Corridor Site Plan conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the Corridor Site Plan is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

12. 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 and shipping containers shall not be used for storage in the PUD.

**TAC Comments from 11/17/05:**

**General** – No comments

**Water** – A water main extension will be required to serve the parcel.

**Fire** – Note: The following comments only address Fire Department access and fire hydrants. All buildings on this site shall comply with the applicable City of Tulsa Fire and Building Codes.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) in length shall be provided with an approved area for turning around fire apparatus. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO *Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

Exterior doors and openings required by this code or the *International Building Code* shall be maintained readily accessible for emergency access by the Fire Department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

Fire hydrant systems shall comply with the following:

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

For buildings equipped throughout with an approved automatic sprinkler system, the distance requirement shall be 600 feet (183 m).

Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25.

Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate

access to fire protection equipment or fire hydrants. A three foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall be installed.

**Stormwater** – Comments to be developed following review.

**Wastewater** – A Sanitary Sewer system must be constructed to provide sewer service to all proposed lots.

**Transportation** – Subsequent transportation review will require submittals to include complete right-of-way documentation for existing and proposed dedications along 71<sup>st</sup> and 81<sup>st</sup> streets, both sides of section lines. Sidewalks will be required on both sides of Olympia, as well as on the adjoining arterial rights-of-way, to be incorporated with the required pedestrian circulation plan. Minimum right-of-way behind the curb on arterials is 14 ft, and on Olympia 12 ft. Other comments may be forthcoming pending further review.

**Traffic** – Verbal comments may be forthcoming at the TAC meeting due to the short two-day notice.

**GIS** – Plans not received for review.

**County Engineer** – No comments.

Mr. Alberty submitted photographs of existing shopping center signage in the City of Tulsa and some developments that have occurred in Owasso, which staff believes demonstrates the type of sign control that is being put forward in the staff recommendation.

Mr. Alberty submitted a memo from Rich Brierre, Incog Deputy Director supporting the “bus pull-outs” that were recommended in staff’s recommendation.

Mr. Alberty concluded that he believes that the recommendations that staff has made, along with the amendments, are best effort to assure what is considered a marquee development has met the latest planning trends and can recommend the staff recommendation with the amendments that have been presented by staff.

Mr. Ard stated that it is his opinion that the Planning Commission has heard the majority of the applicant’s argument at the previous public hearing and he understands that staff has brought some new issues and the applicant should have the opportunity to respond to those. If there are new issues brought forward then the Planning Commission should hear them, but he doesn’t think it is necessary to go over the itemized/detailed-whole plan again. He reminded the

interested parties that there was public discussion on this item on the first public hearing and if there is new ideas or thoughts relating to this item that was not discussed last time the Planning Commission would be happy to hear those.

Mr. Ard asked Mr. Norman to respond to staff's recommendation

**Applicant's Comments:**

**Charles Norman**, 401 South Boston, Suite 2900, Tulsa, OK 74103-4065, stated that he will have to make the best presentation he can in the time allowed to represent his client.

Mr. Norman stated that he appreciates the comments made by Mr. Alberty and the several conferences that he has had regarding the comparison summary. There are several issues that are still unresolved. The unresolved issues are signage, light standards, access, pedestrian circulation and bus pull-outs.

Mr. Norman summarized his client's requests, amendments and compromises. He argued that the pole signs and wall signs are imperative to the future tenants. He explained that signs are important for small businesses that are located on out-parcels along the major street. It is important that they have wall signs along with the ground signs. Staff is recommending that if the tenant wants a pole sign, then they are not allowed a wall sign. He indicated that he has accepted the denial of any ground signs along Highway 75 except for the center identification signs.

**Recording inaudible.**

Mr. Norman continued to explain the staff recommendations that he is in agreement with and the recommendation that he is not in agreement with. He compared his requests with other developments in Tulsa.

Mr. Norman stated that all of the lighting will be in conformance with the Kennebunkport Formula.

Mr. Norman addressed access along 81<sup>st</sup> Street and requested that it be determined during the platting process.

Mr. Norman indicated that he has provided Mr. Arnasan a copy of the elevations of the walls around his property.

Mr. Norman stated that there are no policies that require bus pullouts and he doesn't believe it is fair to force his client to require this. He believes that there should be a policy or an amendment to the Zoning Code to require this before forcing the issue. Everyone should be treated equally, and as far as he knows, there are no policies or requirements for this issue. He commented that people in the City of Tulsa are used to stopping or waiting for buses at their bus stops.

Rich Brierre, INCOG, is not a part of Public Works and shouldn't be injecting a proposal into the design scheme of major street and collector streets.

**TMAPC Comments:**

Mr. Jackson asked Mr. Norman if the six lots on 71<sup>st</sup> Street would have mutual access points. Mr. Norman stated that four lots have access to the signalized intersection. Mr. Jackson stated that he is not trying to design the project, but asked if it wouldn't be best to have a mutual access when there are two lots together and one pole sign versus individual signs. Mr. Norman stated that he proposed to cut them down to 12 feet in height and 80 square feet of display surface area. Mr. Norman further stated that if two or more tenants shared a pole sign, it would have to be larger. Mr. Norman reminded the Planning Commission that there is 1,400 lineal feet on West 71<sup>st</sup> street with six lots.

Mr. Jackson asked Mr. Norman if he wanted the individual signs as well as the wall signage. In response, Mr. Norman stated that he shouldn't have to choose between an individual sign in lieu of a wall sign; he should be allowed both.

Mr. Jackson asked Mr. Norman how he felt about monument-style signs. In response, Mr. Norman stated that monuments are hard to see and read. Mr. Norman further stated that monument signs can block the sight lines as well. Mr. Norman explained that a 12-foot in height sign would not obstruct the view.

Mr. Jackson asked Mr. Norman if he could show an illustration of the signage along 71<sup>st</sup> Street and how it would look while driving down the street. In response, Mr. Norman answered negatively.

Mr. Midget stated that in his opinion, pole signs are ugly and he wouldn't like to see a proliferation of signs which are currently along 71<sup>st</sup> Street in South Tulsa. He could see where some of the businesses would like to be identified and be visual as much as possible.

Mr. Alberty stated that staff is against any pole signs except identification signs on 71<sup>st</sup>, 81<sup>st</sup> and Highway 75 frontage. Staff had originally eliminated any option for pole signs to be on 71<sup>st</sup> or 81<sup>st</sup> Street. After visiting with Mr. Norman, staff agreed to allow, as an option, pole signs in lieu of wall signs. The other reason staff was opposed to a number of pole signs along 71<sup>st</sup> and 81<sup>st</sup> is because this is a corridor development and should not be treated as if it is straight commercial zoning. One of the reasons for commercial zoning is for unrestricted control. The Planning Commission agreed to amend the Comprehensive Plan to allow corridor, but once this is done, then it falls under the authority of the review process for corridor and that is staff's sole reason.

Mr. Midget asked staff if the applicant chose a monument sign then it would eliminate the wall sign. Mr. Alberty stated that it would eliminate the wall signs, with the exception of the two lots directly off of the collector street, which would

be allowed a monument sign on the collector street and a wall sign on the 71<sup>st</sup> Street side.

Mr. Norman asked why the TMAPC would treat these differently from other developments on the arterial streets.

Mr. Midget stated that the Planning Commission doesn't necessarily have to make the same mistakes and if there is a better way then it shouldn't be seen as penalizing the developer. The developer could be at the forefront of establishing and being innovative by setting a new standard.

Mr. Norman stated that the Zoning Code should be amended if the Planning Commission wants to change the sign restrictions and standards, and if this isn't done then it is penalizing his client. It should be made applicable to everyone.

Mr. Midget stated that the bus pull-outs on North Peoria are a new concept and to the best of his knowledge, the MTTA and bus drivers see these as an asset. It helps traffic flow and provides safety for the pedestrians. It appears that in the future everyone is going to need mass transit and it makes sense to plan for the future. While this may not be a set policy for bus pull-outs, this development has an opportunity to do this and he doesn't know why they would be opposed to providing it. The people who would be utilizing these would be traveling to the shopping center.

Mr. Norman stated that this should be done in the appropriate way, which is to amend the Zoning Code and make it a requirement that is for everyone to follow. There is plenty of time to do this. This application shouldn't be used to try out setting new policies.

Ms. Bayles stated that staff has done a good job on signs. The pictures that Mr. Norman provided at the last hearing were a good example of sign pollution and she wouldn't like to see that happen again. The issue regarding public transportation, and after hearing the State of the Union address last night, it is evident that everyone is going to have to look at mass transit more and more. Bus pull-outs are needed.

Ms. Bayles asked Mr. Norman if there has been any new discussion between him and Mr. and Mrs. Arnasan regarding the height of the retaining walls. In response, Mr. Norman stated that he prepared an elevation for the Arnasans and submitted it to their attorney, Mr. Gray. Mr. Norman stated that the net wall is at a grading slope of five to one and will be located 40 feet south of the property line of the Arnasan property.

Mr. Ard asked Mr. Norman about the lighting being held at 15 feet in height in Area G. Mr. Ard asked Mr. Norman if he made any allowance for the east side where Area G abuts the east. In response, Mr. Norman stated that he believes

that was intended and if he didn't include that he should have. Mr. Ard stated that the wording could be "the east 120 feet of Area G". Mr. Ard asked Mr. Norman about the north end of Area B and the light standard height. Mr. Ard suggested that the south 120 feet of Area B should be held to the 15 feet in height as well. Mr. Ard felt that there should be more protection on the north than the south because there is no protected area of the retention Area C. Mr. Norman stated that he understands Mr. Ard's point and he believes that they are appropriately accommodated because the lights, whatever their height, will have to use the Kennebunkport formula. Mr. Ard stated that it would difficult not to have light overflowing with the height requested and then the actual light affixed to the light. Mr. Norman stated that he believes that he could agree to Mr. Ard's suggestion regarding light standard heights.

Mr. Ard asked Mr. Norman if he agreed to not having a ground sign in Area A for the single lot fronting on West 71<sup>st</sup> Street. In response, Mr. Norman stated that he is requesting one ground sign for the subject lot.

**INTERESTED PARTIES:**

**Greg Jennings**, 2260 South Troost, Tulsa, Oklahoma 74114, stated that he is surprised that staff is agreeing to two or three identification signs along Highway 75. The one sign will be visible going either direction and to have more than one would become signage clutter. He commented that the signage proposed on 71<sup>st</sup> and 81<sup>st</sup> would also be signage clutter along with wall signs. Mr. Jennings reminded the Planning Commission of the pictures Mr. Norman demonstrated at the previous hearing from the 71st and 169 corridor, and from a planning perspective, it is a disaster due to the signage and congestion of businesses. He believes that staff is trying to prevent this from happening again. The same mistakes shouldn't be repeated.

Mr. Jennings stated that in regard to pedestrian circulation, he would hope that he could park somewhere in the middle of the shopping center and walk to the stores, do his shopping and then take his purchases back to his car before walking to the next store safely. Pedestrian access should be made possible to keep the patrons of the shopping center safe.

Mr. Jennings addressed the bus pull-outs and sidewalks along the corridor. There should be sidewalks along the corridor. The bus pull-outs are needed and mass transit will be necessary in the very near future. Buses stop traffic and cause congestion and accidents; therefore, if one can get the bus off of the street it would make sense.

Mr. Jennings stated that the light issue will be settled if the Kennebunkport formula is used, and he wouldn't like to see painted cinder blocks on the backside of the shopping center, viewable from Highway 75. He believes that the materials in the back should be the same or similar to the front of the buildings.



Mr. Jennings concluded stated that he doesn't object to the project or the zoning, but it does need to be tweaked.

**Doug Ritter**, 4530 South Sheridan, Tulsa, Oklahoma 74145, representing the Arnasan family, stated that his clients still have a problem with the 14-foot retaining wall. His clients would prefer that the retaining wall be stair-stepped seven feet up.

Ms. Bayles asked Mr. Ritter if he had any conversations with Mr. Norman regarding this issue. Mr. Ritter indicated that he had not any conversations with Mr. Norman since Monday. Mr. Ritter commented that he has had trouble reaching his clients. Mr. Ritter indicated that his clients are not present today.

Ms. Bayles indicated that she is in agreement with the staff recommendation.

Mr. Harmon stated that there are some things that are worthy of consideration in the application. He made a motion to approve the staff recommendation with some modifications presented by the applicant.

Mr. Midget seconded Mr. Harmon's motion.

**Review:**

Mr. Ard suggested that staff's recommendation be approved for Area A, page 1.1.a.; page 2.2. in agreement with staff recommendation regarding wall signs; he also indicated that he is in favor of the wording "in lieu of wall signs" for the ground sign approval in Area B, page 3.1.a. as well in Area F, and Area G.; access, page 9, on 81<sup>st</sup> Street he agrees with staff recommendation; page 11, pedestrian circulation include c., d., e., and f. as staff recommends.

Mr. Jackson stated that the Planning Commission should be careful with the wall signage. It is needed on the buildings and it pulls the consumer off of the street.

Mr. Ard believes that this will be a destination point and he understands the need for wall signage.

Mr. Jackson stated that most franchises require signage on the building and a sign on the street.

Mr. Midget stated that he agrees with Commissioners Jackson and Harmon and he is not opposed to wall signs. He agrees with the pedestrian circulation staff recommendations that Mr. Ard mentioned.

Mr. Harmon amended his motion to include page 11, pedestrian circulation c., d., e. and f.

Mr. Midget seconded.

**TMAPC Action; 9 members present:**

On amended **MOTION** of **HARMON**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to recommend **APPROVAL** of the Corridor Detail Site Plan for Z-7008-SP-1 per staff recommendation with the following amendments from the summary: Page 1.1.a., accept the proposal that limits ground signs to eight-foot in height; Page 1.1.b., two center identification signs on Highway 75 frontage maximum height of 35 feet and 500 square feet of display surface area – the two center identification signs in Area A and the one center identification sign recommended by staff in Area D to be identical in design and materials, separated by a minimum of 1,200 feet (will replace three existing billboards); Page 2.1.e.; denied; Page 2.2., the length of the wall sign shall not exceed 75% of the frontage of the building, provided wall signs shall not exceed 80% of the frontage of tenant spaces 30 feet in width or less (This request is made for each Development Areas A, B, D, E, F and G); Page 2. Lighting additional amendment that 15 feet would also be in the east 120 feet of the north 350 of Area B and east side of Area G; Page 3.1.a.; accept the staff recommendation of eight-foot in height and 80 square feet of display surface area and delete "in lieu of wall signage"; Page 3.2. Wall signs (See Area A); Page 4. Lighting (See Area A); Area D. Page 5.2. Walls Signs and Lighting (See Area A); Area F Page 6.1.a. delete "in lieu of wall signage" and accept eight feet in height and 80 square feet of display surface area; Area F, Page 7.2. Wall signs and Lighting (See Area A); Area G, Page 8.1.a. delete "in lieu of wall signage" and reduce the sign height to eight feet in height and 80 square feet of display surface area; Page 8.2. See Area A; Page 8.2. Lighting (See Area A); Access, Page 9.A., Right-turn in and right-turn out access egress be permitted for eastern two lots as shown on Exhibit D-1 of the applicant's proposal; Page 9.B.; access to West 81<sup>st</sup> Street from Area F and Area G locations to be determined at platting Exhibit D-2 of the applicant's proposal; Traffic Calming, Page 9, staff recommendation with add verbiage "should be considered" and delete "should also be incorporated"; Pedestrian Circulation, Page 10 accept as proposed by the applicant and added verbiage a. and b. from staff recommendation; Pedestrian Circulation, Page 11 accept staff's recommendation, c., d., e. and f.; Landscape Buffer, Page 12 accept applicant's proposal; Building Materials, Page 12 delete "style" and add "similar" to staff recommendation; Page 13.3., Screening Walls and Retaining Walls amend staff recommendation from eight feet to seven feet and see applicant's letter dated January 18, 2006 including Exhibits L-1 through L-5. (Language with a strike-through has been deleted and language with an underline has been added.)

**Legal Description for Z-7008-SP-1:**

A TRACT OF LAND SITUATED IN THE SECTION 11, T-18-N, R-12-E OF THE IBM, TULSA COUNTY, OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE SOUTH LINE OF THE SW/4, ASSUMED TO BEAR S 88°56'53" W, AND MONUMENTED BY A BRASS CAP FOUND AT BOTH THE SOUTHEAST AND SOUTHWEST CORNERS OF SAID SW/4; COMMENCING AT A FOUND BRASS MONUMENT SET FOR THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 11; THENCE SOUTH 01°17'09" EAST, 75.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°09'10" EAST, PARALLEL WITH THE NORTH LINE OF SAID NE/4, 663.61 FEET; THENCE SOUTH 01°18'05" EAST A DISTANCE OF 360.01 FEET; THENCE NORTH 89°08'57" EAST A DISTANCE OF 300.27 FEET; THENCE SOUTH 01°17'04" EAST A DISTANCE OF 887.48 FEET; THENCE SOUTH 01°18'05" EAST A DISTANCE OF 793.46 FEET; THENCE NORTH 89°02'06" EAST A DISTANCE OF 30.00 FEET; THENCE SOUTH 01°18'05" EAST A DISTANCE OF 838.14 FEET; THENCE SOUTH 89°02'05" WEST A DISTANCE OF 994.36 FEET, SAID POINT BEING 310.14 FEET, SOUTH 01°17'25" EAST FROM A FOUND 3/8" IRON PIN FOR THE CENTER OF SECTION 11, SAID POINT ALSO LYING ON THE COMMON LINE BETWEEN THE SW/4 AND THE SE/4 OF SAID SECTION 11; THENCE SOUTH 01°17'25" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 2274.47 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE FOR WEST 81ST STREET SOUTH; THENCE ALONG SAID NORTHERLY RIGHT OF WAY THE FOLLOWING COURSES: SOUTH 89°42'44" WEST, 697.40 FEET; SOUTH 88°56'50" WEST, 92.10 FEET; NORTH 01°04'09" WEST, 12.88 FEET; NORTH 87°38'36" WEST, 182.03 FEET TO A POINT ON THE EASTERLY RIGHT OF LINE OF U.S. HIGHWAY 75; THENCE ALONG SAID EASTERLY RIGHT OF LINE THE FOLLOWING COURSES: NORTH 10°10'28" WEST, 586.00 FEET TO A POINT OF CURVATURE TO THE LEFT; NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 34562.48 FEET (CHORD BEARING NORTH 01°26'36" EAST A CHORD DISTANCE OF 1206.40 FEET) AN ARC LENGTH OF 1206.45 FEET; NORTH 10°52'18" WEST, 76.87 FEET TO A POINT OF CURVATURE; NORTHWESTERLY, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 34547.48 FEET (CHORD BEARING NORTH 00°15'25" WEST A CHORD DISTANCE OF 693.67 FEET) AN ARC LENGTH OF 693.75 FEET; NORTHWESTERLY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 33843.23 FEET (CHORD BEARING NORTH 01°00'20" WEST A CHORD DISTANCE OF 206.77 FEET (206.68 DEED) AN ARC LENGTH OF 206.76 FEET (206.68 DEED) NORTH 01°10'30" WEST, 301.17 FEET; NORTH 03°22'39" EAST, 131.65 FEET; NORTH 05°43'40" WEST, 131.65 FEET; NORTH 01°10'30" WEST, 459.31 FEET; NORTH 16°04'16" EAST, 687.04 FEET; NORTH 01°51'20" WEST, 590.61 FEET TO A POINT ON THE SOUTHERLY LINE OF WEST 71ST STREET; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF WEST 71ST STREET THE FOLLOW COURSES: NORTH 80°15'27" EAST, 353.73 FEET; NORTH

80°08'39" EAST, 258.76 FEET; NORTH 89°07'21" EAST, 196.43 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINS AN AREA OF 175.9 ACRES, MORE OR LESS, AND LOCATED ON THE EAST SIDE OF U. S. HIGHWAY 75 SOUTH, BETWEEN WEST 71<sup>ST</sup> STREET SOUTH AND WEST 81<sup>ST</sup> STREET SOUTH, TULSA, OKLAHOMA.

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**Application No.:** Z-6916-SP-2

**CORRIDOR SITE PLAN**

**Applicant:** John Moody

(PD-8) (CD-2)

**Location:** North of the northeast corner of West 91<sup>st</sup> Street South and South Union Avenue

**STAFF RECOMMENDATION:**

The applicant is requesting approval of a corridor site plan for a new mini-storage. The proposed use, Use Unit 16, Mini-Storage, is in conformance with the Development Standards of PUD-694-A and with underlying corridor (CO) zoning.

The proposed buildings are in compliance with setbacks, maximum floor area, maximum building height and maximum building coverage of land permitted. Parking design and number of spaces proposed are in compliance with the zoning code. The site is also in compliance with minimum landscaped lot area and streetyard area requirements.

**Screening and Landscaping**

Development standards require "A minimum of a five-foot wide landscaped screening area is proposed in lieu of a solid screening fence on the west and north sides of the property, as shown on the landscape plan and representative photographs submitted. A landscaped open space shall be provided on the east side adjacent to US. Highway 75 as shown on the site plan in lieu of a screening fence."

1. Landscaping has been provided as required.
2. Fourteen trees have been provided along the east boundary (in lieu of a screening fence) as required.

**Signs**

Development standards permit one ground sign along South Union Avenue not to exceed 32 square feet of display surface area and maximum height of 20 feet; the proposed ground sign along South Union Avenue is in compliance with requirements. One ground sign, maximum 220 square feet of display surface

area and 35 feet in height is permitted along U.S. Highway 75 frontage, setback a minimum of 50 feet from the north boundary of the PUD and a minimum of ten feet from the highway right-of-way; the proposed ground sign is in compliance with standards.

### **Lighting Plan**

Building mounted lighting is proposed per the building elevations; however, a lighting plan has not been submitted.

1. Provide a lighting plan for all proposed lighting in compliance with development standards and the zoning code. Compliance must be verified per application of the Kennebunkport Formula.

### **Building Elevations**

2. Building elevations indicate that proposed facades are in compliance with development standards.

### **Circulation Plan**

3. A circulation plan has been submitted in conformance with standards and the Zoning Code.

### **TAC Comments**

The revised proposed corridor site plan generally complies with the comments of TAC per their April 21, 2005 review of Z-6916-SP-2, including the following:

4. A 17.5 foot wide perimeter utility easement has been provided on the east and north boundaries of the site.
5. The proposed septic field has been placed within an easement. (A dry-line system will be required as future development occurs.)

With exception of provision of a lighting plan, the corridor site plan generally conforms to PUD requirements and the Zoning Code; therefore, staff recommends **APPROVAL** of PUD-694-A/Z-6916-SP-2 subject to an approved lighting plan.

**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 **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** corridor detail site plan for Z-6916-SP-2 per staff recommendation.

**Legal Description for Z-6916-SP-2:**

A tract of land in the SW/4, SW/4 of Section 14, T-18-N, R-12-E of the IBM, Tulsa County, Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows: Commencing at the southwest corner of said SW/4, SW/4, thence N 0°00'15" E along the west line of said SW/4, SW/4 a distance of 927.95'; thence S 89°51'09" E a distance of 50.00' to the Point of Beginning; thence S 89°51'09" E a distance of 514.20' to a point on the West right-of-way line of U. S. Highway 75; thence S 11°15'52" W along the west right-of-way line of U. S. Highway 75 a distance of 210.09'; thence S 22°34'52" W along the West right-of-way line of U. S. Highway 75 a distance of 51.00'; thence S 11°15'52" W along the West right-of-way line of U. S. Highway 75 a distance of 185.18'; thence N 89°51'09" W a distance of 417.43' to a point on the East right-of-way line of South Union Avenue; thence N 0°01'15" E along the East right-of-way line of South Union Avenue a distance of 435.00' to the Point of Beginning, containing 4.61 acres more or less and located on the northeast corner of West 91<sup>st</sup> Street South and South Union Avenue, Tulsa Oklahoma, **From** CO/PUD (Corridor District/Planned Unit Development [PUD-694]) **To** CO/PUD (Corridor District/Planned Unit Development [PUD-694-A]).

\* \* \* \* \*

**ZONING PUBLIC HEARING**

**Application No.:** Z-7011

**RS-2 TO IL**

**Applicant:** Randall S. Pickard

(PD-17) (CD-5)

**Location:** North of Highway 51, located on South Memorial Drive (3500 South Memorial Drive)

**STAFF RECOMMENDATION:**

**BOA-8685 August 1975:** The Board approved a Special Exception to allow a Use Unit 5 for school use in an RS-2 district on subject property.

**PUD-564-A May 2003:** All concurred with approving a major amendment to PUD-564 to add the Carpenter's Union property as Development Area B to be used as offices for sales staff and for customer conferences and display of new cards and light trucks, while establishing the development standards for Area B. The property is located northwest of subject property and located north and east of the northeast corner of East 31<sup>st</sup> Street and South Memorial Drive.

**Z-6806 March 2001:** All concurred with recommending approval of a request for rezoning a 1.5 acre tract from RS-2 to PK, located northeast of subject property and located east of the northeast corner of East 31<sup>st</sup> Street and South Memorial Drive for church parking.

**BOA-18958 January 2001:** The Board approved a Special Exception for a 100' monopole tower within 110' of a residential property, on property located west of subject property.

**BOA-18908 November 2000:** The Board approved a Special Exception for a Use Unit 17 to permit motorcycle sales per plan, on property located southeast of subject property.

**BOA-18295 February 1999:** The Board approved a Special Exception for a truck wash in a CG district, on property located north of subject property.

**BOA-18060 June 1998:** The Board approved a Special Exception to permit a bus transit and transfer station and a children's nursery in an IL district per plan, on property located north of subject property.

**PUD-108-B October 1997:** All concurred with approving a major amendment to PUD-108-A, which was approved for additional church parking, located southwest of subject property and located south and east of East 32<sup>nd</sup> Street and South 73<sup>rd</sup> East Avenue for a church education and recreation building to be used primarily by the church's youth.

**Z-6491 July 1995:** All concurred in recommending approval of a request to rezone a tract 150' by 250' in size from IL to CS located north of the subject property and located on the northwest corner of East 33<sup>rd</sup> and South Memorial Drive for retail.

**BOA-16037 May 1992:** The Board approved a Variance of the required screening between a trade school and a RS district, on property located south of subject property.

#### **AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 20 acres in size and is located on the west side of Memorial, north of East 41<sup>st</sup> Street, adjacent to a commercial/mixed use strip area. The property is developed and being used as a Tulsa Technology Center and is zoned RS-2. It is being renovated and redeveloped for the Tulsa Technology Center.

#### **STREETS:**

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Memorial Drive	Primary	120'	4 lanes

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

**SURROUNDING AREA:** The subject tract is abutted on the north and south by IL zoned property containing some of Tulsa Tech School facilities and other industrial and some commercial use; on the east by single-family development; on the west by commercial businesses.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 17 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area Medium Intensity-Public land use and Corridor. According to the Zoning Matrix, the requested IL zoning **may be found** to be in accord with the Comprehensive Plan.

**STAFF RECOMMENDATION:**

The Tulsa Technology Center (formerly Tulsa Vo-Tech) has been an important part of the Tulsa community for many years. Its renovation will ensure its continued contribution to the community. It is surrounded by a mix of industrial, commercial and residential uses, and abuts a major arterial and an expressway. The residential uses lie to the east of the campus and are separated from it by Memorial Drive, a primary arterial. Any changes to the campus should have little or no impact on them. Based on the Comprehensive Plan, existing uses and trends in the area, staff recommends **APPROVAL** of IL zoning for Z-7011.

**Ms. Hill announced that she will be abstaining.**

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

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

**TMAPC Action; 9 members present:**

On amended **MOTION** of **MIDGET**, TMAPC voted **8-0-1** (Ard, Bayles, Cantees, Collins, Harmon, Horner, Jackson, Midget "aye"; no "nays"; Hill "abstaining"; Bernard, Carnes "absent") to recommend **APPROVAL** of the IL zoning for Z-7011 per staff recommendation.

**Legal Description for Z-7011:**

The South Half of the Southeast Quarter of the Northeast Quarter (S/2 SE/4 NE/4) of Section 23, T-19-N, R-13-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof **From RS-2 (Residential Single Family District) To IL (Industrial Light District).**

\* \* \* \* \*



**Application No.: PUD-578-A-3**

**MINOR AMENDMENT**

**Applicant:** Poe & Associates/Hollis Allen, Jr. (PD-26) (CD-8)

**Location:** North of the northeast corner of East 111<sup>th</sup> Street South and South Memorial Drive

**STAFF RECOMMENDATION:**

The applicant proposes a reduction of the 75' setback of bulk and trash containers from the north and east boundaries of PUD-578-A to accommodate development of a shopping center. (A reduction of the setback from the west boundary is not necessary because the west boundary of Lot 2 is more than 75 feet from the west boundary of the PUD.)

Abutting to the northeast is Champions Sports Complex, zoned AG and PUD-485-A; and to the northwest is vacant land zoned RS-3 and PUD-619. Uses permitted by PUD-619 at this location are restricted to residential. Abutting to the west and to the south is land currently under construction for a regional detention facility and a Wal-Mart SuperCenter, zoned RS-3 and RM-1 and PUD-578-A.

A 17.5 foot perimeter utility easement extends along the west and north property lines of Lot 2, and a ten foot easement extends along the east boundary of Lot 2.

Staff can support a reduction in the setback from the north and east boundaries of Lot 2 where the property is adjacent to existing and future commercial uses. However, staff cannot support a reduction in this setback where the boundary is in common with existing or proposed residential. In addition, a reduction in setbacks must not conflict with any easements. Therefore, staff recommends **APPROVAL** of PUD-578-A-3 subject to the following modifications:

Bulk and trash container setbacks:

East 290' of Lot 2:

Minimum 17.5 feet from the north boundary of Lot 2

Minimum 10 feet from the east boundary of Lot 2

West 418 feet of Lot 2:

Minimum 90 feet from the north boundary of Lot 2

Minimum 17.5 feet from the west boundary of Lot 2

**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 **MIDGET**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** the minor amendment for PUD-578-A-3, subject to conditions per staff recommendation.

**RELATED ITEM TO PUD-578-A-3:**

**Application No.: PUD-578-A**

**DETAIL SITE PLAN**

**Applicant:** Poe & Associates/Hollis Allen, Jr. (PD-26) (CD-8)

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

**STAFF RECOMMENDATION:**

The applicant is requesting approval of a detail site plan for two new retail buildings. The proposed uses, those permitted by right in CS districts, are in conformance with Development Standards of PUD 578-A.

The applicant proposes two buildings, Building 'A' comprising 24,650 square feet, and Building 'B' comprising 30,100 square feet. Aggregate building area is in compliance with development standards. The buildings also comply with minimum building setbacks and maximum building height permitted.

The site is also in compliance with minimum landscape and lighting requirements. Landscaping and screening of the north and west boundaries are in conformance with development standards.

The applicant proposes three bulk trash containers. The location of these must be in compliance with standards as amended per PUD 578-A-3.

The site (Lot 2, Block 1, Wal-Mart SuperCenter) is adjacent to an existing restaurant on an out parcel (Lot 2, Block 1, Southern Crossing Second) located on the site's southeast boundary. The out parcel was developed (and received TMAPC site plan approval) with a stub to the west, now Lot 2, Block 1, Wal-Mart SuperCenter. The proposed site plan for Lot 2, Block 1, Wal-Mart SuperCenter does not provide access to the out parcel. Staff recommends that a stub from Lot 2, Block 1, Wal-Mart SuperCenter be provided and aligned with that of the out parcel.

Based on the site being in general compliance with development standards of PUD 578-A and with the zoning code, Staff recommends **APPROVAL** of PUD-578-A Detail Site Plan subject to the following conditions:

1. The location of all bulk trash containers be in compliance with the development standards of PUD 578-A as amended;
2. Access be provided from Lot 2, Block 1, Wal-Mart SuperCenter to Lot 2, Block 1, Southern Crossing Second to align with the existing driveway stub.

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

**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 **MIDGET**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** the detail site plan for PUD-578-A, subject to conditions per staff recommendation.

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**Application No.: Z-7014**

**CS to RS-3**

**Applicant:** Novus Homes, LLC

(PD-17) (CD-6)

**Location:** Southeast corner of East 11<sup>th</sup> Street and South 145<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

**BOA-20047 May 2005:** The Board approved a variance of maximum square footage for an accessory building in an RS-3 district from 500 square feet to 1650 square feet and a special exception to permit a residential accessory structure on an abutting residentially zoned lot under common ownership per lot tie, on property located southwest of subject property and located on the corner of South 145<sup>th</sup> East Avenue and East 12<sup>th</sup> Street.

**BOA-19703 November 2003:** The Board denied a variance of the allowable size for an accessory building from 500 square feet to 1,685.2 square feet and instead approved the existing 1,072.4 square feet accessory building finding lack of hardship for expansion at property located southeast of subject property and west of 149<sup>th</sup> East Avenue on East 13<sup>th</sup> Street.

**BOA-18645 February 2000:** The Board approved a special exception for a church in an AG district, subject to submittal of a site plan later, located on the north side of East 11<sup>th</sup> Street between 129<sup>th</sup> East Avenue and 145<sup>th</sup> East Avenue. On June 26, 2001 the Board approved a site plan.

**BOA-18602 December 1999:** The Board denied a request for removal of the previously-approved condition (BOA-11752 on 1-7-82) of "owner only" to permit the sale of autos and mobile homes in a CS district; located on the southwest corner of East 11<sup>th</sup> Street and 145<sup>th</sup> East Avenue.

**Z-6661 January 1999:** A request for rezoning a 20-acre tract from AG to CS/IL was recommended for denial by staff. The commission, staff and applicant, however, all concurred in the approval of rezoning a four-acre tract from AG to CS for commercial use located north of subject property and located on the northeast corner of East 11<sup>th</sup> Street South and South 145<sup>th</sup> East Avenue.

**Z-6644 August 1998:** All concurred in approval of rezoning a 119-acre tract from AG to IL located northwest of subject property and located on the southwest corner of East Admiral Place and South 145<sup>th</sup> East Avenue for warehouse and distribution center.

**Z-6458 October 1994:** All concurred in approval of the rezoning of a 5.35-acre tract located northwest of subject property and located north on the north side of East Admiral Place in the northeast corner of East Skelly Drive and East Admiral Place from RS-3 to IL for a telecommunication tower.

**PUD-668 November 2002:** All concurred in the approval of a planned unit development for industrial use on property zoned IM/IL/OL/RS-2 and located northwest of the subject property and west of the northwest corner of East 11<sup>th</sup> Street and South 138<sup>th</sup> East Avenue.

**PUD-181 March 1976:** Approval was granted for a planned unit development on a 166 acre tract zoned RS-3/RD for single-family and multi-family development on property located southwest of subject property and north and west of East 21<sup>st</sup> Street and 145<sup>th</sup> East Avenue.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately two acres in size and is located on the southeast corner of East 11<sup>th</sup> Street and South 145<sup>th</sup> East Avenue. The property is flat, not wooded and vacant and is zoned CS.

**STREETS:**

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 11 <sup>th</sup> Street	Secondary	100'	2 lanes
South 145 <sup>th</sup> East Avenue	Primary	120'	2 lanes

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

**SURROUNDING AREA:** The subject tract is abutted on the north by vacant land zoned AG; on the west by some commercial and residential zoned CS and RS-3; on the south and east by single-family homes zoned RS-3.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 17 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area medium intensity. The requested rezoning to RS-3 is in accord with the Comprehensive Plan.

**STAFF RECOMMENDATION:**

Based on the Comprehensive Plan and existing development in and near the area, staff can support the requested rezoning and therefore recommends **APPROVAL** of RS-3 for Z-7014.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

**TMAPC Action; 9 members present:**

On amended **MOTION** of **HILL**, TMAPC voted **9-0-0** (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to recommend **APPROVAL** of the RS-3 zoning for Z-7014 per staff recommendation.

**Legal Description for Z-7014:**

Two tracts of land within Lot 1, Block 1, Tower Village Center Addition, a Re-subdivision of Lots 7 thru 10, Block 1, and Lots 9 and 10, Block 2, Carol Acres, A subdivision in Tulsa County, Oklahoma, being more particularly described as beginning at a point on the North line of said Lot 1, Block 1, Tower Village Center Addition a distance of 251.72' East of the Northwest corner thereof, thence East along said North line for 236' to the Northeast corner thereof, thence South 185' to the Southeast corner thereof, thence West 230', thence on a curve to the left having a Radius of 70', thence North 185.26' to the point of beginning. And beginning at a point on the West line of said Lot 1, Block 1, a distance of 185.26' South of the Northwest corner of said Lot 1, Block 1, thence South along the West line of said Lot 1, Block 1, a distance of 234.74' to the Southwest corner

thereof, thence East 188.13' to the Southeast corner of said Lot 1, Block 1, thence North 165', thence on a curve to the right having a radius of 70' for 103.94', thence west 251.90' to the point of beginning, City of Tulsa, Tulsa County, State of Oklahoma **From CS (Commercial Shopping Center District) To RS-3 (Residential Single Family District).**

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#### **OTHER BUSINESS:**

**Review and find Tulsa Hills Tax Increment for Planning District 8 in Conformance with the Comprehensive Plan for the Tulsa Metropolitan Area.**

#### **STAFF RECOMMENDATION:**

Mr. Alberty stated that the Planning Commission has been provided some documentation on the TIF and the Planning Commission is to confirm that the project is in conformance with the Comprehensive Plan.

#### **Applicant's Comments:**

**Dan McMahan**, Financial Advisor for the Tulsa Industrial Authority, P.O. Box 1212, Oklahoma City, Oklahoma 73101, explained that the TIF is for 15 years or perhaps end in ten years. It is expected to generate sales tax the 13<sup>th</sup> year or tenth year. This is expected to be a quick payout.

Mr. McMahan indicated that the wording on the resolution may need to be amended.

After a lengthy discussion it was determined to amend the resolution and approve it as to being in conformance with the Comprehensive Plan, a part of the Metropolitan Area.

#### **TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 9-0-0 (Ard, Bayles, Cantees, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bernard, Carnes "absent") to **APPROVE** a resolution finding that the Tulsa Hills Tax Increment District Number Six, City of Tulsa, Oklahoma Project Plan is in conformance with the Comprehensive Plan of the City of Tulsa as amended.

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#### **Commissioners' Comments:**

Ms. Bayles thanked everyone for working on the TIF for the Tulsa Hills Project.

Mr. Ard thanked Stacy Bayles and Commissioner Collins for their work on the Tulsa Hills TIF project.

Mr. Midget stated that Mr. Norman made a valid point about changing policies in reference to pedestrian right-of-way and the bus pull-outs. The City of Tulsa needs to become more pedestrian friendly and whatever needs to be done should be done soon.

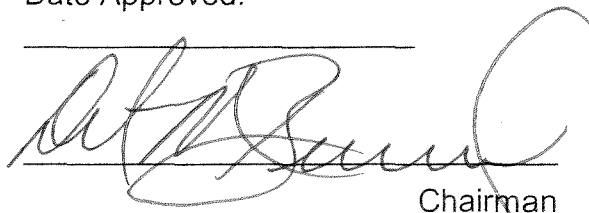
Mr. Ard agreed with Mr. Midget's comments. Mr. Ard stated that when a developer installs raised or different patterns of walking areas and having designated pedestrian areas, it dresses the development up. It is more attractive than a large asphalt parking lot. This could directly generate higher income levels for the tenants of the development.

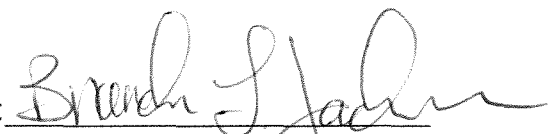
Ms. Bayles gave her condolences for the loss of Mr. Denny Tuttle, General Manager of the Tulsa County Fairgrounds.

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There being no further business, the Chair declared the meeting adjourned at 3:50 p.m.

Date Approved:

  
Chairman

ATTEST:   
Secretary

