

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
MINUTES of Meeting No. 1557  
Wednesday, May 29, 1985, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes Connery Draughon Higgins, 2nd Vice- Chairman Kempe, Chairman Wilson, 1st Vice- Chairman Woodard	Harris Paddock VanFossen Young	Frank Gardner Holwell	Jackere, Legal Counsel Williams, Storm- water Mgmt. Dept. Haye, Hydrology Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor on Friday, May 24, 1985, at 1:30 p.m., as well as in the Reception Area of the INCOG offices.

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

**MINUTES:**

On **MOTION** of **WILSON**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the Minutes of May 15, 1985, meeting No. 1555.

5.29.85:1557(1)

PUBLIC HEARING:

NOTICE TO THE PUBLIC OF A HEARING TO CONSIDER AMENDING THE SUBDIVISION REGULATIONS OF THE TULSA METROPOLITAN AREA AS RELATE TO THE DRILLING, MINING AND PRODUCTION OF OIL AND GAS IN THE UNINCORPORATED AREAS OF TULSA COUNTY.

Staff Presentation:

Mr. Gardner informed that the proposed amendments to the subdivision regulations include the City of Tulsa and unincorporated areas of Tulsa County and advised that the Commission had previously reviewed the proposed amendment, but it was not in final form and has since been reviewed and revised by the legal department to insure that the meaning is clear. He also advised that the Ad Hoc Committee, appointed by Commissioner Lewis Harris, had reviewed and unanimously recommended approval. One point which needed to be clarified pertained to Section 4, Item 2(b), in which a developer may own surface rights and mineral rights, but he has entered into a leasehold agreement with a driller to drill. If this is the case, there would need to be some assurance that the developer could not bypass the contract or agreement he has with the drilling company. Therefore, some new language was suggested to be added to the end of the sentence, "subject to any existing oil and gas mineral leases". The procedure sets up how the operations would proceed today. If there are existing well sites and a particular subdivision is being platted, that would apply both to the incorporated and unincorporated areas. That is currently being done, but was not previously specifically spelled out. He noted that the question has been raised that since this doesn't apply to subdivisions of less than 10 acres, which was the agreement by the committee, what if someone tries to circumvent this procedure. Item 2(c) still says that regardless of the size of the subdivision, the mineral interests must be notified and at that point, it would be up to the oil and gas industry and those who actually have leases and drilling leases and actually own the mineral rights to help police the situation.

Interested Parties:

John Selph, Tulsa County Commissioner

Steve Yates

Clayton Smart

Address: 2627 E. 15th

Box 1350, Sand Springs

Commissioner Selph informed that the Ad Hoc Committee worked diligently to come up with some amendments which would be acceptable to both sides, a monumental task, and expressed his appreciation for the efforts of the Committee. Chairman Kempe asked Commissioner Selph if he had any comment on the proposed language and he advised he would defer to the suggested language of the members of the committee, but advised that all of the committee was in agreement with the intent. Ms. Wilson asked how representative the committee was of the oil and gas industry and Commissioner Selph informed he felt the three individuals had a great deal of experience in the industry and one individual has numerous leases and is doing a great deal of drilling in the western part of Tulsa County.

Public Hearing -- Resolution Pertaining to Amending Subdivision Regs. (cont'd)

Mr. Yates informed that he was representing the oil and gas and mineral interest owners. He advised that he is a degreed geologist, owns some mineral property in Tulsa County and has worked with oil and gas prospects within Tulsa County, so is aware of the issues and problems associated with these regulations. He suggested that Section 4, item 2(b) be amended by adding the following verbiage to the end of the sentence, "if there are no existing oil and gas mineral leases of record."

Mr. Jackere was asked to comment on the proposed language but advised that Mr. Linker had been providing the legal comments on this matter and he did not have enough information to comment since he had not seen the proposal prior to this date. Mr. Draughon requested that the City Legal Department contact the District Attorney's office in regard to the language.

Mr. Smart advised that he has drilled wells and there are basically three people involved; the surface owner, the mineral owner and the oil and gas operator who has the existing oil and gas mineral leases. He advised that what was being asked is to add the language proposed by Mr. Yates to clarify the subject.

TMAPC Action: 7 members present

On **MOTION** of **CARNES**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the proposed amendments to the Subdivision Regulations as recommended, but adding the wording "if there is no other oil and gas lease of record" to the end of the sentence in Section 4.2(b).

Other Comments:

Commissioner Selph informed he was in agreement with the proposed wording. Mr. Gardner informed that the County Legal Department would have to approve the proposed amendments and the Planning Commission would approve a resolution at next week's meeting.

NOTICE TO THE PUBLIC OF A HEARING TO ADOPT THE CHERRY AND RED FORK CREEKS MASTER DRAINAGE PLAN: AMENDING THE COMPREHENSIVE PLAN TO REFLECT THE MASTER DRAINAGE PLAN AND FURTHER TO CONSIDER AMENDMENT TO THE ZONING ORDINANCES OF THE CITY OF TULSA, OKLAHOMA.

Applicant Presentation:

Stan Williams, Acting Director of the Stormwater Management Dept., informed that this plan was part of the Master Drainage Plan (MDP) in 1978 and this hearing is to adopt the MDP and to amend the Comprehensive Plan. The damages resulting from flooding by these creeks in May 1984 was over \$500,000 and the MDP sets out how to solve these problems by establishing the area to be regulated and specifically addressing proposals to correct the problems.

Public Hearing — Adoption of Master Drainage Plan for Cherry and Red Fork  
Creeks (cont'd)

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Ms. Wilson asked how many total acres are included in this drainage basin and Mr. Williams informed there are 4,032 acres.

Mr. Haye informed that this Master Drainage Plan includes property located on the west side of Tulsa, with the drainage basin being mainly north of Skelly Drive and south of the Red Fork Freeway and includes both Cherry and Red Fork Creeks. Possible solutions addressed by the MDP in regard to the flooding problems include total channelization projects for both creeks and detention facilities, with the best benefits being derived from a combination of detention and channelization work. The MDP calls for channelization work from the railroad tracks adjacent to a mobile home park and running north and west toward Red Fork Creek (approximately the Okmulgee County line) and from the Okmulgee Beeline to where it empties into an existing storm sewer system in the area of Reid Park and south of 43rd Street. There are three detention sites being proposed in the MDP with two projects, Red Fork Channel and Cherry Creek, currently funded at a cost of about \$3 million.

Comments and Discussion:

Chairman Kempe asked if there are residential properties involved in the proposed detention areas and Mr. Haye advised that the detention areas are currently vacant land. Ms. Higgins advised it appears that the water would flow faster under this plan and asked what affect it would have on the storm sewer into which it is hooked. Mr. Haye advised that the channelization picks up where the storm sewer stops and noted that five homes have been purchased for this.

Ms. Wilson asked if the MDP is an updated plan and Mr. Haye advised that it utilizes 1980 dollar figures and noted that one change, the channelization through the park system, had been made.

Mr. Haye informed that the area proposed for the FD mapping primarily consists of residential, with some commercial uses; however, the upper part of Cherry Creek Basin is mainly industrial use. He advised that the MDP was completed in 1980 and this study required the contractor to estimate the amount of development which would occur, thus utilizing the concept of full urbanization. Although the report was completed in 1980, it designated floodplain areas and no development has been permitted in these areas.

Mr. Draughon noted that all information is based on full urbanization, but there have recently been two, 300-year floods and there is still a possibility that someone could be flooded. Mr. Haye advised that rainfall would have to be greater than the 100-year flood to flood these areas. Mr. Draughon asked who decides that a plan should be based only on a 100-year flood and Mr. Williams advised this was adopted as the City's drainage criteria because of actions taken in other cities. It was felt that a 1% flood was considered as a reasonable factor and was adopted for flood insurance and regulatory criteria.

Public Hearing -- Adoption of Master Drainage Plan for Cherry and Red Fork  
Creeks (cont'd)

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Mr. Williams advised that his office had not received many calls in regard to the proposed FD zoning in this area, but hoped to receive some comments today. He requested that the Commission make no recommendation on the proposed FD mapping today and advised that in order to control development in the area, the City may have to acquire land and possibly take other measures.

Interested Parties:

Harold Watson	Address: 904 W. 46th Street
Mary Nell Finney	4740 S. Maybelle
Bill Parmley	2207 W. 45th Street
Rev. Raymond Jackson	3664 S. Lawton
Curtis Forestall	2111 W. 44th Street
David Schmidt	1335 W. 39th Street
Dale Tate	1321 W. 41st Street
Ed Roseborough	2235 W. 45th Street

Mr. Watson informed that the City has an open drainage ditch near his property and when it drains, it floods his and his neighbors' property and erodes his soil. He advised that he has contacted the City and requested some of his property be taken for right-of-way to provide drainage into Cherry Creek.

Ms. Finney advised that there is an open storm sewer which empties onto her property. Ms. Wilson noted that this appears to be overland drainage and Mr. Williams advised that this is not a floodplain related situation, but a drainage problem and the City is trying to prioritize these problems. Ms. Kempe suggested that Ms. Finney notify the City/County Health Dept. Ms. Wilson suggested that Ms. Finney obtain the plat from the County and submit it to Mr. Williams.

Mr. Parmley advised he is a homeowner in the upper portion of Red Fork Creek and that one creek drains to the southeast side and the other creek to the northeast side of his property. He asked why his property would be put in the floodplain when the problem would be corrected when the channeling and detention work is completed. Mr. Williams advised that the regulations are in effect now, but zoning gives the City a means of telling people about the regulations in those areas and when construction is initiated on a flood control project, the Stormwater Management Dept. would recommend changing the maps to reflect this. At this time, the area would be recommended to be zoned FD. Mr. Parmley advised that he had water in his house in 1974, but it was due to construction. He also noted that trees and bridges have caused a damming effect on the creek.

Chairman Kempe asked if this portion of the Master Drainage Plan (MDP) had been adopted by any other public body and Mr. Williams informed it was approved by the City Commission after the flood in May 1984.

Ms. Higgins asked about the timeframe for removing property from FD designation and Mr. Williams advised it would take approximately 60-90 days after initiation of the request. He also advised that the process takes longer for those properties within FEMA areas; the City would file the application with the Federal Government.

Public Hearing — Adoption of Master Drainage Plan for Cherry and Red Fork  
Creeks (cont'd)

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Mr. Parmley advised that cleaning the creek ditches and concreting the banks should not be delayed.

Reverend Jackson informed he had been part of the Greater Tulsa Council and this area has had a flooding problem for a number of years. He suggested that a storm sewer be installed on part of the property, which would eliminate much of the water problem. He advised that a sewer plan was approved three years ago, but has not been installed and did not feel his property should be rezoned FD if detention ponds are to be built. He also suggested that a storm sewer be installed in Philpott Park.

Mr. Forestall informed that his property is located on the north bank of the creek and is in the area contemplated to be rezoned FD. He cited a City ordinance, adopted in 1970, which defined a floodplain and a floodway and read the definition to the Commission. A floodway was defined as "a channel area required to convey torrents of living storm waters from an area" which would be rezoned into FD and a floodplain was defined as "an area covered by water that would be backed up from the inability of the channel to remove the excess storm water". He advised that his property would be located in the floodplain, as cited in the definition, because water backs up from the creek into his driveway but has never gotten into the house and asked if this would be a qualification for having his house removed from FD zoning. Mr. Williams advised that those definitions are not the same as in the ordinance and that he would encourage a specific review of Mr. Forestall's property. Mr. Forestall also noted that three houses in his area had been purchased by the City due to flooding problems and noted there is one house that had not been purchased, but he felt it should have been. He recommended that the FD zoning be approved at the appropriate time and requested that an area rezoned FD be removed from the FD designation once construction begins. Mr. Hays advised that the FD designation has previously been removed after a project is completed and Ms. Kempe noted that there is a possibility of flooding during construction of the drainage channel.

Mr. Schmidt informed that some work has been done on Cherry Creek and noted that rocks had been placed in the creek which might fall into the creek, causing a dam and possibly raising the creek level. Ms. Kempe informed that the soil might do this as well when it washes down from the bank of the creek. He suggested that the creek be widened under the bridges because the piers take up some of the channel, thus causing a restriction. Mr. Hays advised that the City was planning to do bridge projects in the channelization work. Mr. Schmidt asked if the contractor would be responsible for unnecessary flooding during time of construction and was advised that might be difficult to prove and was also advised that the mapping has taken place in accordance with standards of an area's topography. Mr. Schmidt advised that the last flood should be the basis for determining FD on the maps. He expressed concern that the Planning Commission meetings are held in the afternoon and there were few people present on this issue.

Public Hearing -- Adoption of Master Drainage Plan for Cherry and Red Fork  
Creeks (cont'd)

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Mr. Tate informed that, according to the map, his area has not flooded and noted that since Keystone dam was erected, it has virtually eliminated flooding in some areas. He suggested that continued maintenance within the FD area would improve water runoff and noted that the reason for needed maintenance on Cherry Creek was because the sanitary sewer washed out.

Mr. Roseborough informed he has lived at this address for 18 years, and has never flooded, but is in the flood zone. He asked how many structures had been purchased by the City since the flood in May 1984. Mr. Williams informed that five structures along this area were purchased which were reviewed in terms of substantial damage and the ones necessary to put the channel in place in order to implement the Master Drainage Plan. Mr. Roseborough advised that there is one house located near the creek which he was concerned might fall into the creek and could result in flooding.

**TMAPC ACTION: 7 members present**

On **MOTION** of **HIGGINS**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, "absent") to **ADOPT** the Master Drainage Plan for Cherry and Red Fork Creeks.



Z-6057 (cont'd)

Applicant Presentation:

Mr. Williams requested that, consistent with the request in regard to Mingo Creek, this item be continued to July 24, 1985.

Mr. Gardner advised that if additional time was needed by the Storm Water Management Dept., this item could again be continued. Ms. Higgins asked if the public would be informed of this continuance and Mr. Gardner informed that the people who spoke at today's hearing have been advised and the news media would note of the continuance.

TMAPC Action: 7 members present

On **MOTION** of **WILSON**, the Planning Commission voted 7-0-0 (Carnes, Connery, Higgins, Kempe, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Harris, Paddock, Young, "absent") to **CONTINUE consideration** of Z-6057 until Wednesday, July 24, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

**OTHER BUSINESS:**

**PUD #242** — Southeast corner of 51st Street and 94th East Avenue

Staff Recommendation — Detail Site Plan Review Phase II and Minor Amendment to Change Setback

Phase II of PUD #242 is located 384' south of the southeast corner of 51st Street and South 94th East Avenue. South 94th East Avenue is a long cul-de-sac with all other lots already being constructed on. The subject tract has an underlying zoning of OL an IL and has been approved through PUD Supplemental Zoning for an Office-Warehouse complex. The applicant is now requesting Detail Site Plan approval for Phase II and for a minor amendment to the required 30' setback from the south property line to 22' 6". During the Detail Site Plan Review for Phase I, the applicant also requested a minor amendment to allow a larger building on Phase I which was found to be proportionally consistent with the original PUD and was approved by the TMAPC.

The Staff has reviewed the proposed minor amendment request to allow the south setback to be changed from 30' to 22' 6" and finds it to be minor in nature and recommends APPROVAL.

Further, the Staff review of the proposed Detail Site Plan has determined that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Ordinance.

Therefore, the Staff recommends APPROVAL of the proposed Detail Site Plan subject to the following conditions:

5.29.85:1557(9)

PUD #242 (cont'd)

- (1) That the applicant's Detail Site Plan be made a condition of approval, unless modified herein.
- (2) Development Standards:

Item	Approved*	Submitted
Land Area (Net):	36,941 sq. ft.	36,941 sq. ft.

Maximum Floor Area:

Phase II	16,693 sq. ft.	12,420 sq. ft.
Warehouse	8,330 sq. ft.	Not to exceed 8,330 sq. ft.
Office	8,360 sq. ft.	Not to exceed 8,360 sq. ft.

Permitted Uses: Office use on west and north sides of buildings; warehouse use on east side of building. Same

Maximum Building Height: 1-story 1-story

Minimum Off-Street Parking: 21 spaces 1 space per 300 sq. ft. for office use; 1 space per 5,000 sq. ft. for warehouse use.

Minimum Building Setbacks:

From 51st Street	70'	N/A
From 94th E. Ave.	25'	42'
From East Boundary	20'	48' 6"
From South Boundary	30'	22' 6"***

Minimum Landscaped Open Area: 3,588 sq. ft. 3,588 sq. ft.\*\*\*

- \* As amended in Phase I.
- \*\* Subject to approval of minor amendment as recommended with this application.
- \*\*\* Landscape open areas shall include parking lot islands, islands adjacent to the front walkways and street

PUD #242 (cont'd)

right-of-way and shall be arranged in such a manner as to not obstruct the sight distance of this facility or adjacent businesses.

- (3) That all signs shall be in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code.
- (4) That a Detail Landscape Plan shall be submitted to and approved by the TMAPC prior to issuance of an Occupancy Permit, which shall include landscaping materials and plans for the street right-of-way to achieve the necessary 3,588 square feet.
- (5) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

TMAPC Action: 7 members present

On **MOTION** of **HIGGINS**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the Detail Site Plan Review and Minor Amendment to PUD #242, as recommended by Staff.

PUD #359 East 77th Street South and South Memorial Drive

Staff Recommendation — Minor Amendment to Allow Lot-Split of Development Area "A"

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The subject tract is located at approximately 7700 South Memorial on the east side of the street. The proposed use is a one-story medical clinic of 3,160 square feet which is situated in the northwest corner of Development Area "A" and has been designated Phase I of said area. This portion of the site was given Detail Site Plan approval by the TMAPC on February 6, 1985. The proposed lot-split would allow conveyance of the basic building site and parking areas, and would exclude approximately the east 25 feet of the previous tract, the south 14 feet of Memorial frontage, the area which had been planned for a 2,000 square foot building expansion, and no longer includes the frontage road along Memorial Drive. Exclusion of the frontage road would require that the applicant secure a mutual access easement for the west drive. The north access point to the subject tract will be from a private drive which will also serve remaining portions of Development Areas "A" and "B", and the Mayfair Nursing Home which is presently developed. Review of the previous requirements for Detail Site Plan approval by the

PUD #359 (cont'd)

TMAPC indicate that all basic requirements have been met; however, it is necessary to restate the PUD conditions of approval and adjust them in conjunction with approval of the requested minor amendment.

Therefore, the Staff recommends APPROVAL of the proposed minor amendment to allow a lot-split for Phase I of Area "A" as requested, subject to dedication of a mutual access easement along South Memorial, and subject to the following revised development standards:

- (1) That the applicant's revised Site Plan for the minor amendment be made a condition of approval, unless modified herein.

- (2) Development Standards:

Land Area "A" (Gross):	166,915 sq. ft.
Land Area "A" (Net):	120,451 sq. ft.

Land Area "A"/Phase I (Gross):	31,028 sq. ft.
Land Area "A"/Phase I (Net):	24,308 sq. ft.

Land Area "A" Gross Less Phase I:	135,887 sq. ft.
Land Area "A" Net Less Phase I:	100,142 sq. ft.

Maximum Building Floor Area:	
All of Area "A"	66,769 sq. ft.
Area "A" Phase I	3,160 sq. ft.
Area "A" Less Phase I	63,590 sq. ft.

Floor Area Ratio:	
All of Area "A"	39.99
Area "A" Phase I	13.00

Permitted Uses: Principal and accessory uses as a matter of right in an OL District—proposed use medical/office.

Minimum Building Setbacks:

From Centerline of S. Memorial Dr.	180 ft.
From North Boundary	70 ft. from the south property line of PSO
From South Boundary of Area "A"	10 ft. and not applicable to this site.
From South Boundary of Phase I	2 ft. for building; 20 ft. separation between buildings.

PUD #359 (cont'd)

From East Boundary of of Area "A"	25 ft.
From East Boundary of of Area "A" Phase I	66 ft. for building and no setback for parking.
Minimum Off-Street Parking Spaces:	28 spaces
Maximum Building Height:	3 stories per PUD (1-story proposed)
Minimum Landscaped Open Area:	10% of net area*

\* Landscaped area may include landscaped parking islands, plazas and courtyards, but shall exclude walkways which solely provide minimum pedestrian circulation.

- (3) Trash and utility areas shall be screened from public view.
- (4) That signs shall comply with Section 1130.2(b) of the PUD Chapter of the Zoning Code.
- (5) That a Detail Landscape Plan and Sign Plan shall be approved by the TMAPC prior to granting of an Occupancy Permit.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants. Further, that a mutual access agreement shall be included in the Covenants granting this development access to the frontage road along Memorial and a south outlet to the planned private drive/frontage road.

Applicant Comments:

Roy Johnsen, attorney for the applicant, advised that none of the previous approvals had been changed; what has been changed is the parcel lines, since there had been a problem in establishing ownership lines.

Staff Comments:

Mr. Frank informed that the minimum building setback from the south boundary of Area "A" should read, "10 ft. and not applicable to this site" and from the south boundary of Phase I should read "2 ft. for building; 20 ft. minimum separation between buildings."

PUD #359 (cont'd)

TMAPC Action: 7 members present

On **MOTION** of **WOODARD**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, to **APPROVE** PUD #359, minor amendment to allow subdivision, as recommended by Staff, including Staff's amended setback conditions.

PUD #387 6655 South Lewis Avenue

Staff Recommendation — Minor Amendment to Permit a One-Foot Increase in Building Height

PUD #387 is located at the northeast corner of 67th Street and South Lewis Avenue.

The application is requesting a minor amendment to permit a one-foot increase in building height from 42 feet to 43 feet. The reason for this change is that the owner intends to use granite panels which have been pre-cut, and if not pre-cut, will result in one extra foot of height. The Staff considers the request to be minor in nature and therefore recommends **APPROVAL** as requested, subject to all other PUD standards remaining in force.

TMAPC Action: 7 members present

On **MOTION** of **WOODARD**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, to **APPROVE** PUD #359, minor amendment to permit a one-foot increase in building height from 42 feet to 43 feet.

Staff Recommendation — Declaration of Covenants:

The applicant is also requesting that the TMAPC approve the Declaration of Covenants for this site. The Staff finds the Covenants (including the 43-foot height limitation) in order, consistent with Commission approvals and therefore, recommends **APPROVAL** as submitted.

TMAPC Action: 7 members present

On **MOTION** of **HIGGINS**, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, to **APPROVE** PUD #359, Declaration of Covenants.

Staff Recommendation — Detail Site Plan Review:

PUD #387 is located at the northeast corner of 67th Street and South Lewis Avenue. The applicant is requesting approval of the Detail Site Plan per PUD requirements. The Staff has reviewed the Site Plan and finds the plan meets the conditions of approval. The PUD has underlying zoning of OM and OL. Access to South Lewis will be via a curb-cut adjacent to the northwest corner of the site and

PUD #387 (cont'd)

includes a right-turn and left-turn lane exiting onto Lewis. Access to East 67th Street will be via a directional drive which will discourage left-turn movements onto East 67th and provide a widened lane for East 67th the depth of this project. A minor amendment has been requested with this application which would allow the building height to be increased from 42' to 43' — the Staff is recommending TMAPC approval of this request.

The Staff has reviewed the Detail Site Plan and subject to approval of the recommended minor amendment and finds the Plan to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Ordinance.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan subject to the following conditions:

- (1) That the applicant's Detail Site Plan and Text be made a condition of approval, unless modified herein.
- (2) Development Standards:

	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	115,500 sq. ft.	115,500 sq. ft.
Land Area (Net):	90,000 sq. ft.	90,000 sq. ft.
Uses Permitted:	OM District, less and except drive-in bank.	OM District, less and except drive-in bank.
Maximum Building Floor Area:	51,817 sq. ft.	51,602 sq. ft.
Building Height:*	42' (3 stories)	43' (3 stories)
Landscape Area:**	22,500 sq. ft. (25% net)	22,616 sq. ft.
Off-Street Parking:	173 spaces	173 spaces
Minimum Setbacks:***		
Centerline of Lewis Ave.	122 feet	115.96 feet
Centerline of 67th St.	94 feet	93.03 feet
North Property Line	63 feet	60.00 feet
East Property Line	58 feet	57.26 feet

PUD #387 (cont'd)

Sign Standards: As per the PUD Chapter Same  
of the Zoning Code. Limited  
to one monument sign on  
Lewis not exceeding 8'  
with a display area no  
greater than 64 sq. ft.

- \* Minor Amendment Request.
  - \*\* Required landscaped area may include landscaped parking islands, plazas and courtyards, but shall exclude walkways which solely provide minimum pedestrian circulation.
  - \*\*\* Approved with 5% variation.
- (3) Trash and utility areas shall be screened so as not to be visible from ground level of adjacent residential areas and abutting development, and a 6-foot privacy fence shall be installed along the east boundary. This fence is presently terminated approximately 55 feet short of the northeast corner of the property due to topography.
  - (4) That two (2) large trees be left in the parking lot drives adjacent to the northwest corner of the project as approved by the TMAPC.
  - (5) That a Detail Landscape Plan and Sign Plan shall be submitted for review and approval by the TMAPC prior to occupancy.
  - (6) That no Building Permit shall be issued until the requirements of Section 260 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 PUD conditions of approval, making the City of Tulsa beneficiary of said Covenants.

TMAPC Action: 7 members present

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, to APPROVE PUD #359, Detail Site Plan Review, as recommended by Staff.

PUD #354-2 Lots 1 and 2, Block 2, Fox Pointe Addition

Staff Recommendation — Amendment to Declaration of Covenants

The applicant has submitted amended language to these Covenants to address the minor amendment approved by the TMAPC on April 10, 1985. The Staff finds the Covenants as amended consistent with PUD #354-2 and Commission approvals, and therefore, recommends APPROVAL as submitted.

PUD #354-2 (cont'd)

TMAPC Action: 7 members present

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Paddock, VanFossen, Young, to APPROVE PUD #354-2, Amendment to Declaration of Covenants for Lots 1 and 2, Block 2, Fox Pointe Addition.

There being no further business, the Chairman declared the meeting adjourned at 4:23 p.m.

Date Approved June 12, 1985

Cherry Kempe  
Chairman

ATTEST:

RBPaddock  
Secretary

5.29.85:1557(17)

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