

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1590
Wednesday, February 5, 1986, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Doherty	Frank	Linker, Legal
Draughon	Young	Gardner	Counsel
Kempe		Setters	
Paddock, Secretary		Wilmoth	
Parmeale, Chairman		Compton	
Selph		Brierre	
VanFossen			
Wilson, 1st Vice- Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, February 4, 1986 at 12:10 p.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of Minutes of January 22, 1986, Meeting No. 1588

On **MOTION** of **PARMELE**, the Planning Commission voted **7-0-2** (Carnes, Draughon, Paddock, Parmeale, VanFossen, Wilson, Woodard, "aye"; no "nays"; Kempe, Selph, "abstaining"; (Doherty, Young, "absent") to **APPROVE** the **Minutes of January 22, 1985, Meeting No. 1588.**

Approval of Amended Verbiage to Minutes of January 8, 1986, Page 20

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmeale, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent") to **APPROVE** the **Amended Verbiage to Page 20 of the Minutes of January 8, 1985, Meeting No. 1586.**

REPORTS:

Chairman's Report:

Chairman Parmele announced Committee appointments, as follows:

Comprehensive Plan Committee: Gary VanFossen, Chairman
Gail Carnes
Art Draughon
Marilyn Wilson
Luther Woodard

Rules & Regulations Committee: Bob Paddock, Chairman
Jim Doherty
Marilyn Wilson
Cherry Kempe
Gail Carnes

Chairman Parmele asked the elected members of the Planning Commission to serve as Ex-Officio members to both of these Committees.

Committee Reports:

Mr. Paddock announced there was a Joint Committee meeting this date to complete discussions on the proposal for changes in the Zoning Code and definitions in regard to the Special Housing Needs Study. The recommendation of the Committees was to direct Staff and Legal to review the results of these discussions and present a final draft for distribution to the public. The Committees also voted to recommend to the TMAPC a continuance of the public hearing on this item to March 5th.

Director's Report:

A RESOLUTION AMENDING
THE MAJOR STREET & HIGHWAY PLAN,
A PART OF THE COMPREHENSIVE PLAN
FOR THE TULSA METROPOLITAN AREA

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 29th day of June 1960, adopt a "Comprehensive Plan, Tulsa Metropolitan Area", which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission is required to prepare, adopt and amend, as needed, in whole or in part, an Official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 28th day of February, 1968, this Commission, by Resolution No. 696:289 did adopt the Major Street and Highway Plan Map as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, this Commission did call a Public Hearing on the 18th day of December 1985 for the purpose of considering amendments to the Major Street and Highway Plan and Public Notice of such meeting was duly given as required by law; and

WHEREAS, A Public Hearing was held on the 22nd day of January 1986 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863, to modify its previously adopted Major Street and Highway Plan Text and Map, as follows:

- 1) Deletion of the expressway designation on Riverside Drive between the southeast corner of the Inner Dispersion Loop and I-44.
- 2) Designation of Riverside Drive as a Special Trafficway between 11th Street and I-44.
- 3) Adoption of standards for Special Trafficways, as follows:
 - a) Minimum right-of-way width of 100 feet;
 - b) Located east of the existing west curb line of Riverside Drive; and,
 - c) Allow the TMAPC the right to waive the minimum where appropriate if the entirety of the 100 foot minimum is not necessary.

Resolution - Cont'd

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that the amendment to the Major Street and Highway Plan, as above set out, be and is hereby adopted as part of the Major Street and Highway Plan, a part of the Comprehensive Plan of the Tulsa Metropolitan Area, and filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

BE IT FURTHER RESOLVED THAT upon approval and adoption hereof by the Tulsa Metropolitan Area Planning Commission, this Resolution be certified to the Board of Commissioners of the City of Tulsa, Oklahoma, and to the Board of County Commissioners of Tulsa County, Oklahoma, for approval and thereafter, that it be filed as public record in the Office of the County Clerk, Tulsa, Oklahoma.

Comments & Discussion:

Mr. Gardner commented this was reviewed and adopted by the Planning Commission on January 22nd. Mr. Gardner advised the TMAPC members were also given a draft of the amendment to the Subdivision Regulations in regard to Parkway and Special Trafficway standards for review and discussion at a later date.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent") to **ADOPT Resolution 1588:514 Amending the Major Street and Highway Plan Text and Map, as follows:**

- 1) Deletion of the expressway designation on Riverside Drive between the southeast corner of the Inner Dispersal Loop and I-44.
- 2) Designation of Riverside Drive as a Special Trafficway between 11th Street and I-44.
- 3) Adoption of standards for Special Trafficways, as follows:
 - a) Minimum right-of-way width of 100 feet;
 - b) Located east of the existing west curb line of Riverside Drive; and,
 - c) Allow the TMAPC the right to waive the minimum where appropriate if the entirety of the 100 foot minimum is not necessary.

PUBLIC HEARING:

PUBLIC HEARING TO CONSIDER AMENDMENTS TO TITLE 42, CITY OF TULSA ZONING CODE AND THE COUNTY OF TULSA ZONING CODE AS RELATES TO REGULATION OF SPECIAL HOUSING USES AS PERMITTED BY RIGHT AND SPECIAL EXCEPTION IN RESIDENTIAL, OFFICE, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS.

Comments & Discussion:

Chairman Parmele explained, for those in attendance on this item, that the Rules & Regulations Committee and the Comprehensive Plan Committee have met for the last three weeks to discuss a recommended set of guidelines. At today's Committee meeting, they agreed to have Staff prepare the guidelines for dissemination to the public in order to give time for public review before the hearing. A continuance for the public hearing was suggested to March 5th. Mr. Paddock added that, there may be those who wished to speak today without the benefit of the suggested guidelines by the joint Committees, and others who think it may be more profitable to wait and see what the final product is before making comments. Waiting will allow time for those who have objections to see that, possibly, some of the basis for objecting may no longer exist. Ms. Kempe advised that the copies of the final recommendation will be available for the public when completed and reviewed by Legal. Chairman Parmele remarked that the TMAPC has requested the final draft, after review by Legal, be mailed to the Chairman of the Citizen Planning Teams for distribution to the various homeowners associations at least one week prior to the public hearing, suggested for March 5th.

Interested Parties:

Ms. Ernie Ann Bowlin	Address: 6409 East 46th Street
Ms. Dorothy Pruner	4633 South Norwood
Mr. Dave Nesbitt	4715 South Irvington Place
Mr. Mike Root	6017 East 46th Street
Mr. Josh Price	4760 South Irvington

Ms. Bowlin presented a letter to the Commission addressed to Mr. Brent Howard of Merrill Lynch Realty where a contract of sale was cancelled after a prospective buyer became aware that a "boarding type home" was being planned next door to his property.

Ms. Pruner asked why they were told to come today and then find that the two committees had already made all the decisions. Chairman Parmele explained that the Committees recommended, due to the volume of information involved, that the public hearing be continued to March 5th to allow everyone time to review the information. Mr. Parmele stressed that nothing has been approved or adopted by any Commission.

Public Hearing - Cont'd

Ms. Kempe advised that the initial public hearing (January 8th) was to obtain information and input from the public and agency sources, and at that time the Commission set this date (February 5th) for a continuation of that public hearing. The Commission referred all the information and input from that hearing to the two Committees for study and evaluation. Now, the Committees are advising they are not ready for a public hearing this date and recommend continuing it to another date (March 5th) to allow time for review of the **draft** recommendations. Ms. Kempe stated the Commission and/or Committees are not trying to hide anything from the public as the meetings were posted. For the benefit of the Interested Parties and the Commission, Mr. Linker and Mr. Brierre reviewed the notice and advertising procedures required for public hearings and/or Committee meetings.

In reply to Mr. Nesbitt, Chairman Parmele stated the Commission has asked the media to cooperate with the TMAPC in putting out the word as to when the public hearing items will occur. Mr. Selph stressed the continuance to March 5th is to allow the public time to review the most current recommendation and receive their input at the public hearing.

Mr. Josh Price asked if the final draft could be distributed two weeks prior to the March 5th hearing to allow more time for the Citizen Planning Team Chairmen to get the recommendation to the various homeowner groups, instead of one week as suggested. Chairman Parmele asked Staff and Legal if the final draft could be ready for mailing two weeks prior to the public hearing and was informed they could meet this request.

Commissioner Selph commented the TMAPC was making no attempts to rush this matter through, as a continuance was being requested to allow time to make sure that it is completely understood. Chairman Parmele agreed and stated the continuance was also to allow the information to be put to as many people as possible. Ms. Kempe reiterated that those in attendance could leave their name and address to have a copy of the final draft mailed to them.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent") to **CONTINUE** Consideration of the Public Hearing for Special Housing until Wednesday, March 5, 1986 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

PRELIMINARY APPROVAL:

Sharp Industrial Tracts (2472)

401 West 161st Street South

(IL)

The Staff presented the plat with the applicant represented by George Gould. It was noted, but not a condition of approval of plat, that the existing fence might be within right-of-way to be dedicated. If so, when future widening occurs, the fence might need to be moved.

The TAC voted to recommend **approval** of the preliminary plat of Sharp Industrial Tracts, subject to the following 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 (17 1/2' perimeter).
2. Water plans shall be approved by the Creek County Rural Water District #2 prior to release of final plat. (Existing-need release.)
3. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by County Commission.
4. A topo map shall be submitted for review by TAC. (Subdivision Regulations) (Submit with Drainage plans).
5. Limits of Access or (LNA) as applicable shall be shown on plat as approved by County Engineer. Include applicable language in covenants.
6. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
7. 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.
8. The method of sewage disposal and plans therefore, shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval.)
9. The owner or owners 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).

Sharp Industrial Tracts - Cont'd

10. The method of water supply and plans therefore, shall be approved by City/County Health Department.
11. A Corporation Commission letter (or Certificate of Non-development) shall be submitted 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.)
12. This plat has been referred to Glenpool, because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise only the conditions listed herein shall apply.
13. Covenants: Add "and streets" to the first line of the dedication paragraph. Also add language required by Health Department. Add paragraph regarding access limitations.
14. On final plat show a graphic scale.
15. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6-5 of the Subdivision Regulations.)
16. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Draughon inquired as to the drainage plans and Staff informed that the County refers these items to the County Engineer, while the City refers them to Stormwater Management. Mr. Draughon then asked Commissioner Selph if the County Engineer coordinated actions with Stormwater Management at this time. Commissioner Selph confirmed there was a great deal of coordination with Stormwater Management, and Stormwater Management has been working with the County in trying to get a comprehensive plan for the County, as well as the City.

On **MOTION** of **CARNES**, the Planning Commission voted **7-0-2** (Carnes, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, Paddock, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Preliminary Plat for Sharp Industrial Tracts**, as recommended by Staff.

FINAL APPROVAL & RELEASE:

8800 Quebec Extended (1683) 87th & South Pittsburg Avenue (RS-3)

On **MOTION** of **KEMPE**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent")) to **APPROVE** the **Final Plat and Release for 8800 Quebec Extended**, as recommended by Staff.

WAIVER OF PLAT:

BOA 13756 Southern Mills Mall Amd. S of SE/c 51st & South Harvard (CS)

This is a request to waive plat for a small unmanned Post Office vending machine building on the parking lot of Country Club Plaza shopping center. Since a Post Office facility is Use Unit #2, a plat is required for such development. This particular application is for a 16' x 24' building on the parking lot. The tract will not be a lot split or sold, but will be on a lease basis. The BOA approved the use, but did not approve a request to vary the setback from Harvard. The building has been moved back to comply with the CS building line (100' from center; building is 101.5'). The shopping center is already platted and nothing would be gained by platting this small tract. It is recommended the plat requirement be waived.

On **MOTION** of **WOODARD** the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent") to **APPROVE** the **Waiver of Plat for BOA 13756 Southern Hills Mall Amd.**, as recommended by Staff.

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BOA 13893 (Unplatted)(2602) 1837 North Cheyenne Avenue (RS-3)

This is a request to waive plat on a small tract at the above address which contains an existing building. A day care center was approved by the BOA on January 9, 1986. Since all improvements are in place and nothing would be gained by a plat, Staff recommends APPROVAL of the request. (The existing day care center on the west side of the street is being moved across the street to this location. The center on the west side of the street will be closed.)

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-1** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Young, "absent") to **APPROVE** the **Waiver of Plat for BOA 13893 (Unplatted)**, as recommended by Staff.

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Z-6091 Summit Parks (3492) N of NE/c So 33rd W Ave & W 61st St (CS)

This is a request to waive plat on Lots 14 and 15 and South 50' of Lot 13, Block 1 of the above named plat. Since the property is already platted and required right-of-way was dedicated by plat, Staff has no objections to a waiver, subject to the following:

Z-6091 Summit Parks - Cont'd

- a) Grading and drainage plan approval (including detention if required) by Stormwater Management.
- b) Access control agreement, subject to approval of Traffic Engineer.
- c) Increase existing utility easement on the east from 5' to 11' to match lot split approved just north of this tract.

The TAC voted to recommend **approval** of the waiver of plat on Z-6091, subject to the conditions outlined by Staff.

On **MOTION** of **KEMPE**, the Planning Commission voted **8-0-1** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Waiver of Plat for Z-6091 Summit Parks**, as recommended by Staff.

ACCESS CHANGE ON RECORDED PLAT:

6000 Garnett Park (3294) NE/c 60th Place & South Garnett Road (IL)

Staff advised the change of access was being requested to add one access drive to a parking lot.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-1** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Access Change on Recorded Plat for 6000 Garnett Park**, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16597 (1392) Laing/Fisher	L-16606 (1993) Pritchard
L-16598 (2382) Midgley	L-16607 (603) Tulsa Company
L-16599 (1592) Riverside/Rogers	L-16608 (2124) Hobbs
L-16602 (293) Admiral/McDowell	L-16610 (894) Horton

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-1** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Ratification of Above Listed Lot Splits**, as recommended by Staff.

LOT SPLITS FOR WAIVER:

L-16580 Asbill (3214) N of NE/c 72nd St. No. & 119th E. Ave. (RE)

Mr. Asbill requests to split his five acre tract into two equal lots. The western tract measures 320' x 324.84' or 2.38 acres, while the eastern tract has a 10' handle to 119th East Avenue and also contains 2.38 acres. The lot split exceeds all the bulk and area requirements for the RE zoning district, except that the eastern tract has only 10 feet of frontage on a dedicated street instead of the 30 feet required. This would require a variance from the County Board of Adjustment. Staff sees no problems with this request and recommends to the TMAPC that this application be approved, subject to the following conditions:

1. Approval of the County BOA for the above mentioned variance.
2. Approval of the City/County Health Department for percolation tests in order to allow septic systems.
3. Approval of the Owasso Water Department for service to both of the subject tracts.
4. Eleven foot perimeter utility easements along the north, east and south boundaries.
5. Thirty foot access agreement along the south boundary for access on rear tract.

Comments & Discussion:

Mr. Wilmoth advised that, should this ever become a street, the building setback line in the RE district would be 35'. Therefore, Staff is recommending to the County Board a sixth condition that a 65' building line be imposed on these tracts (measured from the present south property line).

On **MOTION** of **KEMPE**, the Planning Commission voted **8-0-1** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Young, "absent") to **APPROVE** the **Waiver of Lot Split** for **L-16580 Asbill**, subject to the following conditions:

1. Approval of the County BOA for the above mentioned variance.
2. Approval of the City/County Health Department for percolation tests in order to allow septic systems.
3. Approval of the Owasso Water Department for service to both of the subject tracts.
4. Eleven foot perimeter utility easements along the north, east and south boundaries.
5. Thirty foot access agreement along the south boundary for access on rear tract.
6. No building shall set closer than 65' from the south property line on both tracts.

OTHER BUSINESS:

PUD #260-A-1

NE/c of East 71st Street & South Yale

Staff Recommendation: Minor Amendment for Signs In Development Area "C" and Detail Sign Plan Review (PUD #260-A)

The approved PUD required compliance with Section 1130.2(b) of the PUD Chapter of the Zoning Code and further limited ground signs to a maximum of two, not to exceed eight feet in height with a maximum display area of 64 square feet, and wall or canopy signs to a maximum of two, with an area not to exceed 75 square feet each (150 square feet total). The submitted Detail Sign Plan complies with ground signage standards; however, the applicant has proposed three wall signs with an area of 110 square feet. Increased numbers of wall signs is a minor request, considering there is no such limit in the Zoning Code, and also considering the applicant is not utilizing one ground sign to which they are entitled.

Therefore, Staff recommends APPROVAL of PUD #260-A-1 to increase the number of wall signs from two to three, and eliminating one ground sign. **NOTE:** Although Staff is supportive of this request, concern is expressed over the height of the wall sign per the Detail Sign Plan review.

PUD #260-A (Area C): (Companion Item PUD #260-A-1)

Staff Recommendation - Detail Sign Plan Approval

Development Area C of PUD 260-A is approved for restaurant uses and a Bennigan's Restaurant is now under construction. The approved PUD limits ground signs to a maximum of 8' tall with an area of 64 square feet maximum, and one sign per arterial street frontage. One ground sign is proposed at the intersection of 71st and Yale which complies with the PUD standards. Wall or canopy signs are restricted per the PUD to a maximum of two signs not to exceed a display area of 75 square feet each for a total area of 150 square feet. Proposed wall signs are as follows:

- 1) Right Elevation: Painted Logo @ 31 square feet (approximate)
- 2) Front Elevation: Wall sign @ 11 square feet
- 3) Left Elevation: Painted Logo @ 68 square feet/4'3" tall letters

The number of wall signs proposed is three, with a total area of 110 square feet. It is noted that one of the logo signs is 8' tall and the Bennigan's sign on the left side of the building is 4'3" tall. Under Section 1130.2(b) of the PUD Chapter of the Zoning Code, 3 square feet of display area is permitted for each lineal foot of wall to which the sign is attached.

Staff is supportive of the three wall signs proposed subject to approval of the minor amendment; however, considers 4'3" tall letters on a one story building excessive. It is recommended that the maximum height of the letters on the wall signs be restricted to 3', which would also correspond to the 37" letter height of the ground sign.

Therefore, Staff recommends APPROVAL of the Detail Sign Plan subject to TMAPC approval of PUD-260-A-1, and subject to the maximum letter height being reduced from 4'3" to 3'.

Applicant's Comments:

Mr. Larry Kester of Architects Collective, 4960 South Memorial, presented photos of other Bennigan's Restaurants to show the design and size of the wall signs. Mr. Kester stated these standards were used in the development of this request. In reply to Mr. VanFossen, Mr. Kester advised the 4'3" height is limited to only two letters in the name on the wall sign, and is a painted logo, not a mounted sign. The applicant does differ with the Staff recommendation on this matter.

Comments & Discussion:

Mr. VanFossen commented that, although he normally would be opposed, there are only two letters of the logo at the 4'3" height, and hoped that Staff would give different consideration, as it is a logo, not a lighted, protruding sign. Mr. VanFossen moved approval of the request, excluding the restriction to 3' height.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-1** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstentions"; (Doherty, Young, "absent") to **APPROVE** the **Minor Amendment for Signs (PUD #260-A-1)** and the **Detail Sign Plan for PUD #260-A (Area C)**, allowing the 4'3" height of lettering.

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PUD #128-A-13

NW/c of 74th & Trenton, Kensington II Amended,
Lots 1 - 7, Block 4

Staff Recommendation - Minor Amendment for Setbacks

PUD #128-A is located on the South side of 71st Street on both sides of Trenton Ave. The property has been platted into single-family and duplex lots. It has been approved for a maximum of 2,849 dwelling units on 136 acres. The applicant is now requesting an amendment to the rear yard 20' requirement for seven lots within the subdivision; however, has submitted plot plans for only Lots 1, 2 and 3 of Block 4.

After review of the applicant's submitted plans, Staff finds the request to be minor in nature and consistent with the original PUD. In March 1981, a similar minor amendment for the entire subdivision was denied. Staff suggested a review on a lot-by-lot basis for amendments. Staff recommends APPROVAL of the Minor Amendments per plot plans submitted for Lots 1, 2 and 3, Block 4, Kensington II and DENIAL of Lots 4, 5, 6 and 7 in absence of plot plans. **NOTE:** Staff was contacted by the applicant who wishes to withdraw Lots 4, 5, 6 and 7 until plot plan can be submitted.

Comments & Discussion:

In reply to Mr. Draughon, Mr. Frank explained that a plot plan should be submitted to grant relief, in order to know the character of the construction, the setbacks, size of homes, etc. This application is tying each lot to a specific plan, and as the applicant does not have the plans ready for Lots 4, 5, 6 and 7, they have withdrawn these lots from their original request.

On **MOTION** of **KEMPE**, the Planning Commission voted **8-1-0** (Carnes, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; Draughon, "nay"; no "abstentions"; (Doherty, Young, "absent") to **APPROVE** the **Minor Amendment for Setbacks for Lots 1, 2 and 3 of Block 4 of PUD #128-A-13 (Kensington II Amended)**, as recommended by Staff.

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PUD #131-C:

1308 South Garnett Road

Staff Recommendation - Detail Landscape Plan

The proposed development for this site is a Braum's Ice Cream Store. The Detail Site Plan and Detail Sign Plan was approved by the TMAPC on December 18, 1985 and January 22, 1986, respectively. No minimum landscaped area is specified in the approved PUD. The proposed landscaping will consist of planters on the sidewalk from the street to the store entry, shrubs in a planter area along the front of the store, and a sodded strip along the street right-of-way. All landscaped areas will be sprinkled for maintenance purposes, which is a feature that is not typical of many planting schemes reviewed by Staff. Areas to the north and south of the Braum's store are zoned for commercial development and the area to the south has been developed for a retail/commercial strip center.

Staff recommends APPROVAL of the Detail Landscape Plan.

Comments & Discussion:

Mr. Paddock asked Staff if there was any reason why, when negotiating with developers on applications such as this, they couldn't require the installation of a sprinkler system to maintain landscaping. Commissioner Selph stated agreement to making this a condition of approval. Mr. Carnes also agreed and stated he did not think this would be putting a hardship on a developer, as he would be saving his landscaping. Mr. VanFossen stated encouragement should be given to Building Inspections to review these cases to see that the requirements are met (such as the 81st & Memorial location).

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Young, "absent") to **APPROVE** the **Detail Landscape Plan for PUD 131-C**, as recommended by Staff.

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PUD 261-A-1: North and East of the NE/c of South Peoria & East 71st

Staff Recommendation - Minor Amendment to Landscape Standards for Area C

The approved PUD Development Standards for Area C requires a minimum internal landscaped area of 18% of the net area, excluding landscaped right-of-way. The applicant is requesting that the 18% requirement be reduced to 10.67% of the net area. The application states that the reason for this reduction in area is based upon the need to accommodate the owner's (Wal-Mart) minimum requirements for off-street parking. A large percentage of the area proposed for landscaping under the original Outline Development Plan would have been courtyards and landscaped mall areas in an "Office Park" environment. The required parking ratio under the PUD is one space for each 225 square feet of gross floor area. This would indicate that the minimum required parking for the initial phase of construction (85,538 square feet) would be 380 spaces. Discussions with the applicant's representatives indicate it is likely Phase II construction would be built, and the store area increased to the maximum allowed under the PUD, which is 105,000 square feet. Total off-street parking for the ultimate development would then be 467 spaces. The Wal-Mart Detail Site Plan shows 556 parking spaces and very few spaces would be lost in the expansion.

The application states that it is believed the intent and spirit of the PUD is being met with the reduced area by increasing the landscape treatment along the north and part of the east boundary which abuts detached single-family residential uses. A Detail Landscape Plan and Detail Site plan has been submitted for consideration of the TMAPC in conjunction with the requested minor amendment.

Review of the Detail Landscape Plan indicates that extensive landscape treatment is proposed for the north boundary and along the north 200' of the east boundary. The PUD also required that a six foot tall wood screening fence be installed along these boundaries, which is also shown on the Detail Site Plan. The building would be permitted to be 28' tall under the PUD; however, will not exceed 18.5' along the north wall, which is approximately 45'5" from the north property line. A "Sight Line Drawing" is included in the Plan, which shows how a 10' tall tree would serve to screen the rear of the building from the residences. The north wall of the building will also be given a stucco treatment in accordance with submitted Elevation Plans. The placement of the trees on the Detail Landscape Plan indicates that satisfactory screening treatment will be given to protect the privacy of abutting residents and meet landscaping requirements made where residential uses abut commercial uses. A masonry privacy wall will be constructed at the east and north corner of the building to screen truck loading areas and a trash compactor. Although the submitted plans specify a 6' height for this wall, Staff recommends that, as a condition of approval of this minor amendment, the masonry privacy wall be increased beyond the 6' height proposed.

The west elevation of this store will be used to access the automotive service area which, except for the truck dock area, is considered the most intensive area of activity on the site. It is noted that no landscape treatment, beyond a "sod berm", is proposed along this boundary of Area C where it abuts an existing professional office building and the boulevard which will serve Wal-Mart and the existing building. Staff believes that at least minimal treatment (trees or shrubs) should be given to the area, consistent with the treatment given the boulevard per the Landscape Plan. Based on the contingency that the Commission would concur with Staff concern, perhaps the applicant will address this matter in advance of the TMAPC meeting and be prepared to commit to additional landscape treatment along these areas at that meeting. Staff also believes that additional treatment would be in order for the East 71st Street frontage, consistent with the treatment of the diagonal boulevard as a minimum. Care in placement of these materials must be taken to not obstruct traffic sight distances. There would appear to be approximately 100' of this frontage that could receive increased treatment.

Therefore, Staff is conditionally supportive of the Minor Amendment to reduce the minimum interior landscaped area from 18% to 10.67% of the net area and recommends APPROVAL, subject to the following conditions:

- 1) That the submitted Detail Landscape Plan be approved as submitted with landscape treatment (trees or shrubs) and an 8' screening fence along the "sodded berm" on the west boundary, and increased landscaping be installed along the East 71st Street frontage.
- 2) That the masonry wall screening the truck loading dock be not as tall as the building at that location, however, increased from 6' as proposed by the applicant.
- 3) Subject to all conditions of approval of the Detail Site Plan and Detail Landscape Plan.

Staff Recommendation - Detail Site Plan for Area C

Development Area C of PUD 261-A is approved for 105,000 square feet of floor area to be permitted as any use allowed in a CS, Commercial Shopping Center District. Underlying zoning for this area is CS and OM, with OL on the northeast corner. Although the area to the north is zoned RM-1, it has been developed for single family detached residential uses. Single family detached residential uses also abut the extreme north portion of the east boundary in an RS-3 District. Direct access to this tract will be from East 71st Street and also from a diagonal boulevard which runs in a northwesterly direction along the south and west boundary of Area C. The diagonal boulevard is a 45' wide private access easement. This boulevard serves an existing office building to the west of Area C. Access is also possible to Area C from South Peoria. The proposed use of this tract is for a Wal-Mart Store which will have a floor area of 85,538 square feet in the first phase, although, it is likely that the store will be expanded to 105,000 square feet in the future. A total of 556 parking spaces is proposed which is a parking ratio of one space for each 153 square feet of gross floor area for 85,538 square feet, and one space for each 189 square feet for 105,000 square feet of floor area. The applicant has indicated the additional parking is required to meet Wal-Mart standards. Possible future store expansion would be to the east, as shown on the Detail Site Plan. Staff review and recommendations are limited to the first phase (85,538 square feet of floor area) construction proposal and a Detail Site Plan review and approval would be required on future construction by the TMAPC.

The Detail Site Plan submission also includes a minor amendment which will be considered first, and a Detail Landscape Plan. Staff has recommended approval of the minor amendment (PUD 261-A-1) subject to conditions. Review of the approved PUD conditions indicates that the minimum parking, screening, and fencing requirements are met. The Detail Site Plan includes elevations of the proposed building which shows that architectural treatment of the north building facade will be stucco, which is somewhat consistent with the front (south) building facade which is brick with stucco on the canopy. The height of the proposed building will be approximately 10' lower than the 28' height approved under the PUD.

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

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

Land Area (Gross):	9.39 acres (approximately)
(Net):	392,163.63 sf 9.0028 acres
Permitted Uses:	As permitted within a CS Commercial Shopping District.

	<u>Approved</u>	<u>Submitted</u>
Maximum Building Height:	28'	18.5' rear, 22' front & sides
Maximum Building Floor Area:	105,000 sf	85,538 sf
Minimum Off-Street Parking:	1 space per 225 sf gross floor area	556 spaces proposed (380 spaces required)
Minimum Building Setbacks:		
from Centerline of E. 71st	100'	Exceeds
from West Boundary	Not Specified	185' 8"
from East Boundary	30'	Exceeds
from North Boundary	45'	45' 5"
Trash Receptacles and Service Entries from North Boundary and North 200' of East Boundary	45'	Exceeds
Minimum Landscaped Open Space:	18%	10.67%*

- * Subject to approval of PUD 261-A-1 and calculated on a percentage of net area.
- 3) That all trash, utility and equipment areas shall be screened from public view. Roof mounted equipment shall be screened from the ground-level view of persons in abutting residential areas to the north and east.
 - 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas, especially any such lighting located along the north and east boundary.
 - 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code, further restricted as follows:
 - One **pole or pylon sign** identifying the building not exceeding 25 feet in height nor a display surface area exceeding 150 square feet.
 - One **monument sign** for the building not exceeding 4' in height nor a display surface area of 48 square feet.
 - Wall or canopy signs** shall be limited in aggregate display surface area to 1.5 square feet per lineal foot of building wall to which the sign is attached. Wall or canopy signs shall not exceed the building height.

- 6) That a Detail Landscape Plan (subject to PUD 261-A-1) shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit, including a 6' tall screening fence along the north boundary and the north 200 feet of the east boundary and screening of all trash receptacles and service entries. Further, that the masonry screen wall to be installed at the north and east corner of the building not be as tall as the building, but taller than 6' as proposed.
- 7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Staff Recommendation - PUD 261-A: Detail Landscape Plan for Area C

The proposed Plan provides that 10.67% of the net area of the site is to be landscaped (subject to TMAPC approval of PUD 261-A-1). Extensive treatment with plant materials is shown on a buffer strip along the north and part of the east boundary. The buffer strip ranges from 20' wide maximum to 13' wide minimum. The Plan includes a schedule of planting and spacing for trees and, in particular, the planting design for the buffer intended to screen abutting single-family areas. A six foot tall screening fence is also required and shown along the north boundary and north 200' of the east boundary.

PUD 261-A-1 has been submitted for TMAPC approval reducing the required landscape area from 18% of net to 10.67% of net. Staff has recommended approval of the minor amendment, subject to increased landscape treatment on the "sodded berm" located along the west boundary and also increased plantings along East 71st Street.

A "Sight Line Drawing" is shown on the Landscape Plan which demonstrates how a 10' tall tree would screen the Wal-Mart building from the residences to the north and east. A six foot tall screening wall is proposed to be built at the north and east corner of the building to screen the trash compactor and truck dock areas.

Staff recommends APPROVAL of the Detail Landscape Plan, as follows:

- 1) Subject to approval of PUD 261-A-1 Minor Amendment per Staff conditions.
- 2) That the masonry wall at the north and east corner of the building be increased from six feet tall to the height of the building at that point.
- 3) That the "sodded berm" on the west boundary and the East 71st Street frontage be given increased landscape treatment.

Comments & Discussion:

Chairman Parmele advised he would be abstaining from the discussion and voting on this item and turned the meeting over to First Vice Chairman Wilson. In reference to condition #2 of the Minor Amendment, Mr. Carnes stated a masonry fence 12' tall or taller will not withstand the Oklahoma winds, and suggested a safer height.

Applicant's Comments:

Mr. John Moody, representing Wal-Mart, reviewed PUD #261-A which has been previously approved. He reviewed the structure of the building and the parking standards adopted by Wal-Mart, as well as the landscape plan. In addressing the truck dock area and a 12' masonry wall requirement, Mr. Moody stated Wal-Mart does not wish to construct a 12' wall, but will do so to meet the Staff recommendation. Mr. Moody stated they are agreeable to a condition to keep the landscaping watered, but would like to reserve the right to determine the type of system(s) used. In regard to the northwestern boundary (300' approximately), Mr. Moody stated the applicant has agreed to place an 8' high cedar fence on top of the 4' berm, plus intermittent plantings (10' height minimum) on this berm. Mr. Moody advised the applicant has improved over what was approved in the original PUD by reducing the height of the building, exceeding the setback requirements, increasing the required parking, and the only item they are asking to be amended is the reduction in landscaping from 18% to 10.67%.

In reply to Ms. Wilson, Mr. Moody stated they have added two trees on the 71st Street frontage and would like to have that approved, unless Staff has an objection and feels more landscaping is required, in which event, they will need more direction from Staff. Mr. Frank stated the placement of the additional two trees was a good gesture, but four trees in 120' span is not a lot of landscaping. In regard to condition 2 of the minor amendment, Mr. Moody stated a 12' screening wall would be acceptable, although not necessarily desirable. Mr. Carnes stated he did not feel comfortable recommending a 12' wall, and suggested 10'8" for safety reasons. Mr. VanFossen stated the wall could be turned at 90° for two or three feet, which would reduce the stability problem. However, a 10'8" or 12' wall does not conceal the trucks using the dock. Mr. VanFossen stated he would like to see the landscaping closer to 12% of the net. Mr. Paddock, in regard to the masonry wall, stated the height of the wall has nothing to do with the fact that a truck could back into it, causing a safety hazard. Mr. Frank advised the trash compactor is located between the wall and the area the trucks back into.

Mr. Paddock asked Staff if they had more specific numbers for the additional landscaping on the 71st Street frontage. Mr. Frank stated a couple of trees mid-point between the ones the applicant is proposing would be enough. Mr. Moody reviewed the type of trees to be used for landscaping. In reply to Mr. Paddock and Mr. Carnes in regard to the

masonry wall, Mr. Moody asked Mr. Rex Ruis (Architects Collective) to address this matter. Mr. Ruis stated a preference for the suggested 10'8" height, but the applicant will make every effort to assure the stability of the wall, regardless of the height.

Commissioner Selph stated he had no problem with the suggested height of 10'8", and asked Staff for their opinion. Mr. Frank stated that 10'8" is certainly better than 6', but Staff's concern was the concealment of the trucks, which are 14' in height. Staff felt 12' was a reasonable height request. Ms. Kempe moved for approval of the minor amendment, with the conditions being amended to address the additional landscaping requirement and the masonry wall height at 12'.

On **MOTION** of **KEMPE**, the Planning Commission voted **6-0-3** (Carnes, Draughon, Kempe, Selph, VanFossen, Woodard, "aye"; no "nays"; Paddock, Parmele, Wilson, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Minor Amendment to PUD #261-A-1**, with the following changes to the conditions of approval: (Condition #1) Addition of two trees or some shrubs along East 71st; (Condition #2) The height of the masonry screening wall shall not be as high as the building, but shall be 12', with the assurance it will be properly stabilized.

Additional Comments & Discussion:

In reference to the Detail Site Plan, First Vice Chairman Wilson stated the applicant volunteered to maintain and replace the landscaping, and would determine their own method of irrigation. In reply to Ms. Wilson, Mr. Moody stated the applicant was in agreement with the Staff recommendation and conditions of approval. Mr. Paddock suggested adding to the conditions of approval language to the effect that the applicant would maintain and replace the landscaping.

On **MOTION** of **CARNES** the Planning Commission voted **7-0-2** (Carnes, Draughon, Kempe, Paddock, Selph, VanFossen, Woodard, "aye"; no "nays"; Parmele, Wilson, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Detail Site Plan for PUD #261-A (Area C)**, with the following changes to the conditions of approval: (Condition #6) In reference to the masonry screening wall, the amended sentence shall read, "... Further, the masonry screen wall to be installed at the north and east corner of the building shall be 12' high"; and add Condition #8, "The landscaping materials required shall be maintained and replaced by the applicant, with the applicant reserving the right to determine the method of irrigation to be used."

On **MOTION** of **CARNES** The Planning Commission voted **6-0-3** (Carnes, Draughon, Kempe, Paddock, Selph, Woodard, "aye"; no "nays"; Parmele, VanFossen, Wilson, "abstaining"; (Doherty, Young, "absent")) to **APPROVE** the **Detail Landscape Plan for PUD #261-A (Area C)**, as amended by the applicant in accordance with PUD #261-A-1, and in accordance with the Detail Site Plan, as amended by the TMAPC.

There being no further business, the Chairman declared the meeting adjourned at 3:40 p.m.

Date Approved

2-19-86

Ray J. [Signature]
Chairman

ATTEST:

R.B. Paddock
Secretary