

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1895
Wednesday, August 19, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Broussard	Gardner	Linker, Legal
Buerge	Neely	Hester	Counsel
Carnes	Selph	Jones	
Doherty Chairman		Stump	
Horner		Wilmoth	
Midget, Mayor's Designee			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, August 17, 1992 at 8:40 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:34 p.m.

Minutes:

Approval of the minutes of August 5, 1992, Meeting No. 1894:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard Buerge, Carnes, Doherty, Horner, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Broussard, Midget Neely, Selph "absent") to **APPROVE** the minutes of the meeting of August 5, 1992 Meeting No. 1894.

REPORTS:

Report of Receipts and Deposits:

Consider approving the Report of Receipts and Deposits for the month ended July 31, 1992.

Mr. Gardner presented the Report of Receipts and Deposits and advised that all items were in order.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Buerge, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely, Selph "absent") to **APPROVE** the Report of Receipts and Deposits for the month ended July 1992.

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Chairman's Report:

Chairman Doherty requested that Planning Commissioners wishing to attend the APA Zoning Institute, Orlando, Florida, October 21-23, 1992 advise him no later than September 1, 1992 in order to make reservations.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced the Budget and Work Program Committee met today to review the first quarter fiscal year 1993 work program and advised there will be several studies referred to the Comprehensive Plan Committee: i.e. 11th Street Study, and the Proposed Outer Loop. Ms. Wilson advised that the Rules and Regulations Committee will be reviewing the PUD Amendments, Adult Entertainment, Blanket Zoning, and the legislative program in regard to beer bars if the Adult Entertainment Study moves forward. Ms. Wilson reported that Dane Matthews is working on the Peoria Plan. Ms. Wilson advised the next Budget and Work Program Committee meeting will be October 28, 1992 to review the 1st quarter 1993 budget.

Rules and Regulations Committee

Mr. Parmele announced the Rules and Regulations Committee met today to consider the amended language on single-family dwellings and manufactured homes permitted on one lot and will make a recommendation during today's public hearing. The Committee also reviewed the latest draft of the proposed Landscape Ordinance; after amendments to the draft, the Rules and Regulations Committee will make a recommendation during the public hearing.

ZONING PUBLIC HEARING:

STAFF RECOMMENDATION

Z-6366: Southeast Corner of 21st Street South and 130th East Avenue

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Linear Development Area.

According to the Zoning Matrix the requested CS and RS-2 Districts are in accordance with the Plan Map if accompanied by a PUD.

Staff Recommendation:

Site Analysis: The subject tract is approximately 1 acre in size and is located at the southeast corner of 21st Street South and 130th East Avenue. It is nonwooded, gently sloping, vacant and is zoned OL.

Surrounding Area Analysis: The tract is abutted on the northwest across 21st Street by a shopping center zoned CS; to

the north by office buildings and a church to the northeast zoned RS-3; on the east by vacant land zoned RM-1; on the south by a single-family dwelling zoned RS-2; and on the west by a car wash and convenience store zoned CS.

Zoning and BOA Historical Summary: The subject tract has been zoned OL, but undeveloped for almost 20 years.

Conclusion:

The application is not specific as to what portions of the request are for CS and RS-2. Staff assumes the portion in the accompanying PUD 492 shown as commercial is the area proposed to be CS and the south 150' is proposed to be RS-2. Since the proposed RS-2 area would face a CS area and be adjacent to CS to the north and OL to the east, Staff cannot support such a zoning pattern.

Therefore, Staff recommends **APPROVAL** of CS to a depth of 180' south of the centerline of East 21st Street South and **DENIAL** of the RS-2.

and

STAFF RECOMMENDATION

PUD 492 Southeast corner of 21st Street South and 130th East Avenue

The applicant is proposing a commercial and residential PUD at the southeast corner of E. 21st Street South and South 130th East Avenue. There is also an accompanying rezoning request, Z-6366, to change the present OL zoning to CS on the northern portion and RS-2 on the southern portion of the PUD. The commercial area is Area "A" and the residential area is Area "B".

Staff does not support changing the underlying zoning in Area "B" to RS-2, but can support residential and office uses in Area "B" if properly buffered from the commercial use in Area "A". The applicant is proposing to provide access to the two dwelling units in Area "B" by means of a common drive from the commercial parking lot. This is not acceptable to staff. In addition, a screening wall or fence should be provided along the south boundary line of Area "A". With a number of design modifications, staff can support the PUD proposed, especially if an alternate use in Area "B" is single-story offices.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 492 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent

with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 492 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:**

AREA "A"

Land Area (Gross)	31,994 SF
(Net)	18,340 SF

Permitted Uses: Uses permitted by right in a CS district, except no entertainment and/or drinking establishment, nor sexually oriented businesses.

Maximum Building Floor Area 5,000 SF

Maximum Building Height One-story

Minimum Building Setbacks

East property line	10'
Centerline of 130th East Avenue	50'
Centerline of 21st Street	110'
Southern Boundary of Area "A"	10'

Minimum Off-street Parking As required for the applicable Use Unit by the Tulsa Zoning Code.

Minimum Off-street Parking Setback 5'
From Boundaries of Area "A"

Minimum Internal Landscaped Open Space
Net 10%

Signage:

Wall Signs: One wall sign not to exceed 1 SF of display surface area per foot of building wall to which it is attached. It is only allowed on the north wall of the building.

Ground Sign: One ground sign along 21st Street not exceeding 32 SF in display surface area and 25' in height.

AREA "B"

Land Area (Gross) 26,616 SF
(Net) 22,866 SF

Permitted Uses: Use Units 6 and 11.

Minimum Bulk and Area Requirements:

Office uses shall comply with the Bulk and Area Requirements of the OL district.
Residential uses shall comply with the Bulk and Area Requirements of the RS-3 district with the following exception:

Maximum Building Height *Two-story

Minimum Off-street Parking As required for the applicable Use Unit in the Tulsa Zoning Code.

Minimum Landscaped Open Space
Net 25% for office uses.

Signage:
For Office Uses One wall sign per lot.
As permitted in the OL district.
For Residential Uses None allowed.

*Changed by staff at the Planning Commission meeting.

3. A screening wall or fence shall be provided along the entire boundary between Areas "A" and "B" if a residential use in Area "B" abuts Area "A". If there are both office and residential uses in Area "B", they shall be screened from each other by a screening wall or fence. Within Area "B", no office use shall be allowed south of any residential use in Area "B". If there is an office use at the southern boundary of Area "B" a screening wall or fence shall be provided along the southern boundary. All screening walls or fences shall comply with the requirements of Section 212 of the Tulsa Zoning Code.
4. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
5. A Detail Landscape Plan for each nonresidential development area shall be submitted to the TMAPC for review and approval. 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 that nonresidential development area prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.

6. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. All trash, mechanical and equipment areas shall be screened from public view and shall be setback a minimum of 25' from a residential area.
8. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 20 feet.
9. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
10. No Building Permit shall be issued until the requirements of Section 1107E 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 beneficiary to said Covenants.
11. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

The applicant expressed agreement with staff recommendation.

TMAPC Comments

Mr. Parmele advised that past experiences have proven that single-family residential construction in OL for office zoning sometimes creates a problem with financing.

The applicant assured the Planning Commission that there would be no problem financing the project.

There were no interested parties present.

TMAPC Action; 8 members present:

On MOTION of HORNER, the TMAPC voted 7-0-1 (Ballard, Buerge, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; Midget "abstaining"; Broussard, Neely, Selph "absent") to recommend APPROVAL of CS zoning as recommended by Staff and DENIAL of RS-2 zoning and APPROVAL of PUD 492 subject to conditions as recommended by Staff.

LEGAL DESCRIPTION Z-6366 for CS Zoning

Part of the NW/4 of the NW/4 of Section 16, Township 19 North, Range 14 East, of the Indian Base and Meridian, more particularly described as follows, to-wit: Beginning at a point 50' South and 684.79' East of the Northwest corner of the NW/4 of said Section 16; thence South a distance of 130.00' to a point; thence East a distance of 152.44' to a point; thence North a distance of 130.00' to a point; thence West a distance of 152.44' to the Point of Beginning, in Tulsa County, State of Oklahoma.

LEGAL DESCRIPTION PUD 492

Part of the NW/4 of the NW/4 of Section 16, Township 19 North, Range 14 East, of the Indian Base and Meridian, more particularly described as follows, to-wit: Beginning at a point 50' South and 684.79' East of the Northwest corner of the NW/4 of said Section 16; thence South a distance of 280.33' to a point; thence East a distance of 152.44' to a point; thence North a distance of 280.30' to a point; thence West a distance of 152.44' to the Point of Beginning, in Tulsa County, State of Oklahoma.

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SUBDIVISIONS:

PRELIMINARY PLAT:

Oaktree Pointe Estates (PUD-189-1)(2702) (PD-11) (CD-1) RM-1
(Osage County) NW/c W. Tecumseh St. & N. Yukon Ave.

Chairman Doherty announced receipt of a request to continue this item to September 2, 1992.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to CONTINUE the Preliminary Plat for Oaktree Pointe Estates to September 2, 1992.

* * * * *

Keyport Center West (PUD 384-1) (1282) (PD-8) (CD-2)
10 West 71st Street South

CS

This plat is a revision to a plat with the same name that was approved by TAC and TMAPC for preliminary on 10/7/87. It was never finalized and expired 10/7/88. A revision was made to the PUD to allow a small expansion of the mini-storage portion of the development. (The portion to the west is approved for a garden center and that use has not changed.) Only the first phase of the project consisting of the mini-storage is being platted at this time. Most of the basic requirements of the TAC still apply, so are included in the recommendations as listed.

The Staff presented the plat with the applicant represented by Phil Smith.

Staff advised that a revised plat had been provided that had more information and details than the one mailed out in the TAC packet.

On MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of *Keyport Center West*, subject to the following conditions:

1. Since not all of the PUD is being platted at this time, documentation should be filed on the remaining unplatted portion of the tract that will provide notice that the property is subject to the terms and conditions of PUD 384-A. This documentation shall be approved as to form by the City Attorney and filed of record with the Tulsa County Clerk.
2. On face of plat show or correct as follows:
 - (a) Under location map, show 1 lot, 3.26 acres.
 - (b) Show 15' building line on south. (None required on east & west).
 - (c) Note that access is to the frontage road only along the north side of this plat. (Subject to the Traffic Engineers approval)
 - (d) Show Book/Page reference for the 15' utility easement along the west side of plat.
 - (e) Identify the unplatted tract to the east also as "City of Tulsa".
 - (f) For reference, show in dashed lines the remainder of the PUD to the west and dimensions therefor. (That should also coincide with legal to be used in document required under #1 above.)

3. Covenants:

- (a) SECTION I.A. OMIT LAST LINE.
(Covered in paragraph D)
 - (b) SECTION II.E ADD ...The foregoing covenant shall be enforceable by the City of Tulsa, Oklahoma, or its successors, and the owner of each lot agrees to be bound hereby.
 - (c) SECTION III First paragraph: ADD ... "and by the Board of City Commissioners of the City of Tulsa on 9/22/87, the implementing Ordinance being #16905 published 10/14/87."
 - (d) SECTION III. A. 4: OMIT "or Lot 2, Block 1,"
(Note that the PUD allowed zero setbacks on the east and west side of the mini-storage. Anything imposed greater than zero is volunteered by applicant.)
 - (e) SECTION III A.5: This paragraph may need to be modified to fit just the mini-storage being platted at this time.
 - (f) SECTION IV. A & B: Review specific language with Legal Department. Check 9/15/92 date?
4. All conditions of PUD 384-A-1 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required.
6. Water plans shall be approved by the Creek County Rural Water District #2 prior to release of final plat. (The Department of Public Works [Water & Sewer] advises that they will require a review of the water plans submitted to CCRW#2.
7. 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 owners(s) of the lot(s).
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division). (If required)

10. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
11. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants. (Also see condition 2 (c) and 3 (b) above.)
12. 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.
13. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
14. The method of water supply and plans therefore, shall be approved by City-County Health Department.
15. A Corporation Commission letter (or Certificate of Nondevelopment) 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.
16. Recommend waiver of scale to permit 1"=60' as shown.
17. 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 Subdivision Regulations.
18. All (other) Subdivision Regulations shall be met prior to release of final plat.

The applicant expressed agreement with staff conditions.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to APPROVE the Preliminary Plat for Keyport Center West as recommended by Staff and TAC.

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FINAL APPROVAL AND RELEASE:

Ashton Woods (PUD 275-1)(2183) (PD-18)(CD-8)
NW/corner Creek Turnpike and South Yale Avenue

RS-3

Staff Comments

Mr. Wilmoth advised that all releases have been received and Staff recommends approval.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to APPROVE the Final Plat of Ashton Woods and RELEASE same as recommended by staff.

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Quiktrip No. 21 (2094) (PD-17)(CD-6)

CS

Southwest corner of East 31st Street & S. 129th East Avenue

Staff Comments

Mr. Wilmoth advised that all releases have been received and staff recommends approval.

TMAPC Action; 8 members present:

On MOTION of HORNER, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to APPROVE the Final Plat of Quiktrip No. 21 and RELEASE same as having met all conditions of approval as recommended by Staff.

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WAIVER REQUEST; Section 213:

BOA-16080 Interstate Central (2893)18(PD-18)(CD-7)
4562 East Skelly Drive

(CS)

This is a dual request, including a lot-split (#17556) that will include parts of Lots 3 & 4 of the above subdivision. (Previous split to the south in Interstate Central Extended is not part of this request). This is a proposed multi-use development, with the recreational uses requiring Board of Adjustment approval. It is that portion of the application that will result in a plat requirement. The remainder of the tract will not be "subject to platting" since the CS zoning will allow the uses by right. Tract B of the lot split will not have frontage on a dedicated street, so that will also be a part of the Board application, but it does not create a plat requirement. It is expected that utilities including

water and sewer will be extended to the tracts as necessary. A plot plan was provided which is a preliminary concept.

Since the property is already platted and waivers of the platting requirement have been made previously in this area (to the south), Staff sees no objection to the request. The following general conditions shall apply,

1. Grading and/or drainage plan approval, including stormwater detention, to be approved by DPW (stormwater) in the permit process.
2. Extension of utilities, including any water and or sewer line extensions needed to serve the tract(s).
3. Provide fire protections (hydrants, etc.) as recommended by Fire Department.
4. The mutual access easement may also need to be specified as a utility easement.

The applicant was represented by Ted Sack.

On MOTION of MATTHEWS, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the WAIVER of PLAT on BOA #16080, subject to the conditions outlined by Staff and TAC. subject to the following conditions:

* * * * *

STAFF UPDATE: On 7/14/92 the Board of Adjustment (BOA) approved case #16080. The provisions of that approval included controls on hours of operation, development standards as provided by the applicant, including noise level concerns. There are no waivers of the Subdivision or Zoning regulations in this plat waiver other than Section 213 of the Zoning Code.

Staff Comments

Mr. Wilmoth explained the BOA placed more controls on this plat than would be placed on a PUD and approved this item subject to all conditions presented at the BOA meeting. TAC has recommended approval of the plat waiver since it has been platted before with the above-listed conditions. Mr. Wilmoth noted that there is also a prior approval lot split in the list of prior approvals which will separate portion of this.

There were no interested parties present.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to **APPROVE** the Waiver of Plat for BOA #16080 Interstate Central as recommended by Staff.

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LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- *L-17541 G. Chaloupek (404) (PD15) County AG-R
6540 N. 137th E. Avenue
- *L-17542 R. Chaloupek (404) (PD15) County AG-R
6500 N. 137th E. Avenue
- L-17556 Interstate Central (2893) (PD-18) (CD-7) CS
4562 East Skelly Drive
- L-17565 Bryant (1903) (PD-2) (CD-3) 1715 E. Mohawk RS-3
- L-17573 Walter (1093) (PD-5) (CD-4) 2015-D-I S. Lakewood Ave. CS
- L-17574 Briar Assoc. (2493) (PD-17) (CD-5) CS
East 31st St. S. & S. 93rd E. Ave.
- L-17575 A'Neal (2503) (PD-16) (CD-3) IL
East Pine St. & N. 93rd E. Ave.
- L-17576 Scottish Rite (2293) (PD-5) (CD-5) RM-2
6355 E. Skelly Drive
- L-17577 Clancy (2683) (PD-26) (CD-8) RS-1
10100 Block of S. 72nd E. Ave.
- L-17579 Bollinger (2824) (PD-14) (County) AG-R
145th E. Ave. @ 141st St. North

*County BOA approved necessary variances (#1089 / 7-21-92)

Staff Recommendation

Mr. Wilmoth advised that staff has found the above-listed lot splits to be in conformance with the lot split requirements. Mr. Wilmoth noted that there are two which have had variances approved by the BOA.

TMAPC Action; 8 members present:

On MOTION of BUERGE, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to **RATIFY** the above-listed lot splits having received prior approval.

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PUBLIC HEARING:

Public Hearing to consider amendments to the Tulsa County Zoning Code and City of Tulsa Zoning Code, Chapter 2.

Staff Comments

Mr. Stump advised the proposed amendment includes what Staff feels was always intended in the provision. SECTION 207 of the City of Tulsa Zoning Code and SECTION 208 of the Tulsa County Zoning Code indicate that no more than one dwelling unit per lot be placed on a property unless it is a multi-family or duplex-type development. The proposed amendment would add to the existing language or **manufactured home**, as indicated in bold below or in the RMH district.

TULSA COUNTY ZONING CODE

SECTION 208. ONE SINGLE-FAMILY OR MOBILE HOME DWELLING PER LOT OF RECORD

Not more than one single-family or mobile home dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development or in an RMH district.

CITY OF TULSA ZONING CODE

SECTION 207. ONE SINGLE-FAMILY OR MANUFACTURED HOME DWELLING PER LOT OF RECORD

Not more than one single-family or manufactured home dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development or in the RMH district.

Chairman Doherty reported the Rules and Regulations Committee met today and voted to recommend approval of this proposed amendment to the Planning Commission, adding *or in an RMH district* to permit mobile home parks.

There were no interested parties present.

Mr. Gardner explained the literal interpretation of the Zoning Code would mean that there could be not only a stick-built single-family unit, but also a manufactured home or mobile home on that same lot, because by definition it is not a single-family dwelling.

There being no interested parties present, Chairman Doherty closed the public hearing.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to recommend **APPROVAL** of Amendments to the City of Tulsa and Tulsa County Zoning Codes, Chapter 2. as written below.

TULSA COUNTY ZONING CODE

SECTION 208. ONE SINGLE-FAMILY OR MOBILE HOME DWELLING PER LOT OF RECORD

Not more than one single-family or mobile home dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development or in an RMH district.

CITY OF TULSA ZONING CODE

SECTION 207. ONE SINGLE-FAMILY OR MANUFACTURED HOME DWELLING PER LOT OF RECORD

Not more than one single-family or manufactured home dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development or in an RMH district.

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CONTINUED ZONING PUBLIC HEARING:

Amendments to the City of Tulsa and Tulsa County Zoning Codes pertaining to off-street parking requirements and landscaping of parking lots and abutting areas.

Staff Comments

Mr. Jones reviewed the changes made to the proposed Landscape Requirements at today's Rules and Regulations Committee meeting.

Interested Parties

Roy Johnsen

Mr. Johnsen, representing the Urban Affairs Committee of the Board of Realtors, commented that it was his understanding the Rules and Regulations Committee was to establish the Planning Commission as the administrative entity that would review landscape plans.

Chairman Doherty stated, for the record, it is the recommendation of the Rules and Regulations Committee that the Planning Commission be the administrative officer to enforce the proposed landscape ordinance, and it is the intent of the Planning Commission to designate a staff member to review this, and then for the Planning Commission to ratify it.

Mr. Johnsen expressed the Board's appreciation in having the opportunity to participate in this proposal. Mr. Johnsen advised the Urban Affairs Committee of the Board of Realtors endorses the concept of requiring landscaping as part of the Zoning Ordinance, and believes the Ordinance as drafted embodies, in a reasonable way, that concept.

Fran Pace, District 4 Planning Team Chair 1326 S Florence, 74104

Ms. Pace advised that, having reviewed the proposed ordinance, she feels there are many impediments to individuals wishing to develop a business on a piece of property. Ms. Pace voiced objection that in her district, with many CH-zoned properties already developed, this eliminates all developments but the largest, since this proposes any parking lots under 20 spaces to be free of any landscaping requirements except for a small streetscape amount. She suggested incorporating a requirement that would ensure a development with fewer than 20 parking spaces to have one tree and eliminate any requirement for those businesses with under six spaces. Ms. Pace reminded the Planning Commission that she had requested the CH property parking be addressed many years ago and pointed out that Tulsa is the only city of its size that does not address this. Ms. Pace advised that she would not like to see the requirement for underground sprinkler systems for under 20 spaces.

In response to a question from Ms. Pace, Chairman Doherty gave a detailed description of Alternative Compliance, Section 1003.B.

Ms. Pace suggested that if an existing building in CH is expanded onto a parking lot, that landscaping be required on what was left of the parking lot being expanded onto.

There was much discussion over landscaping of redeveloped areas.

Ms. Pace suggested deleting Section 1001 #5.

Mr. Jones gave a detailed explanation of this Section.

Ms. Pace declared that she would like to see the older areas that were strip-zoned CH in the past be required to be landscaped.

Ms. Wilson reminded the Planning Commission the reason for this study was to eliminate the seas-of-asphalt. Through this study the Planning Commission has attempted to find a way to place meaningful trees in parking lots to cool the surfaces and reduce the visual impact of massive parking lots. It was then determined that 20 spaces would be a reasonable place to start. She acknowledged that Ms. Pace has raised some legitimate concerns about requiring landscaping in different zoning categories.

Ms. Pace declared that placing one tree in an asphalt parking lot would not reduce the amount of parking in a lot. She cited this from her own experience of breaking through asphalt to plant a tree at her business location. She suggested that after six parking spaces a tree should be required.

Don Massey, Arborist

12235 S 85th E Ave

Mr. Massey reported that Tulsa is experiencing fewer naturally wooded areas. Mr. Massey addressed how the character of the community is impacted by non-landscaped parking lots. Mr. Massey believes landscaped parking lots will offer many benefits to businesses and the community and voiced support of the proposed ordinance.

Richard Buley, Urban Forester

P. O. Box 201, Tulsa, 74102

Mr. Buley, an employee of PSO, cautioned the Planning Commission against planting of trees which will grow to interfere with overhead power lines. Mr. Buley invited consultations with the PSO forester before landscaping commercial property to prevent years of continued costly pruning by arborists and an eyesore to the city. He suggested that the Landscape Plan include the location and elevation of overhead utilities to aid applicants in taking this into consideration, since it will affect the appearance of the tree in years to come. Mr. Buley noted the requirement to plant a tree within the first 5' of the owner's property and advised that power poles are placed one foot inside street rights-of-ways. In conclusion, Mr. Buley suggested including a list of suggested species of trees that will mature to a height of 30' or less.

Chairman Doherty noted that at some point there will be a staff person charged with reviewing landscape plans. The suggestion to provide the location of overhead utilities will be taken into consideration; and the staff person could check off on the landscape plan whether the proposed species would be appropriate for a particular location, based on a list of suggested species.

Mr. Jones disclosed having met with Joe Roberts, the urban forester, and also the urban forester for PSO, and he will draft a list of recommended tree species to plant.

Chairman Doherty advised this would be better handled as an administrative procedure rather than to incorporate it into the zoning code.

Ms. Wilson suggested that *D.5. Miscellaneous Requirements* has language stating that landscaping shall not obstruct traffic visibility at public street; she suggested adding language that there be no interference with overhead wires to address this problem within the code. It was the consensus of the the Planning Commission to do so.

There being no other interested parties wishing to address the Planning Commission, Chairman Doherty closed the public hearing.

TMAPC Review Session

Chairman Doherty advised that several points have been made by interested parties in regard to overhead utilities, heights of trees, adding a description of overhead utilities on the plat, and to consider requiring landscaping on smaller parking lots.

Mr. Parmele suggested in Section 1002.B. Parking Area Requirements, suggested removing *designed for twenty (20) or more spaces* be deleted. This would also apply to 1002.C.2. *Tree requirements*. The Planning Commissioners were in agreement. It was also the consensus of the Planning Commission that overhead utilities be indicated on the Landscape Plan, and a list of recommended species will be dealt with as an administrative procedure and not within the zoning code.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Buerge, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Carnes, Neely, Selph "absent") to APPROVE the Parking Standards and Landscape Requirements as amended and to instruct Legal to prepare this in Ordinance form for final review by the Planning Commission.

Parking Study Landscape Requirements with changes made by the Planning Commission as follows:

CHAPTER 10

LANDSCAPE REQUIREMENTS

- 1000. Purpose
- 1001. Applicability and Exemptions
- 1002. Landscape Requirements
- 1003. Administration

SECTION 1000. PURPOSES

The purposes of the landscape requirements are:

- A. To promote the beautification of the City of Tulsa and to enhance its aesthetic quality.
- B. To promote reasonable preservation and replenishment of valued trees and vegetation.
- C. To aid in stabilizing the ecological balance by contributing to air purification, oxygen regeneration, ground water recharge, and storm water runoff retardation.
- D. To achieve a meaningful urban forest while permitting economically feasible urban development to occur.

SECTION 1001. APPLICABILITY AND EXEMPTIONS

The landscape requirements herein established shall be effective March 1, 1993 and shall be applicable to all land for which building permit is sought, provided however, the landscape requirements shall not be applicable to the following:

- 1. Land used for single family or duplex dwellings where only one such structure is to be constructed on the lot.
- 2. Restoration of a building, constructed prior to March 1, 1993, which is damaged by fire, explosion, flood, or other catastrophe.
- 3. Remodeling of a building if the front and side exterior walls of the building remain in the same location.
- 4. Land for which a Detail Landscape Plan has been approved by the Planning Commission prior to March 1, 1993 pursuant to its review of a planned unit development or corridor development provided however that landscaping is installed in accordance with the approved Detailed Landscape Plan prior to November 1, 1995.
- 5. The developed portions of a lot, if the improvements existed on March 1, 1993 and the proposed development for

which a building permit is sought does not increase the impervious area (building coverage or paved area) within the developed portions of the lot.

For the purposes of this subsection 5, developed portions of the lot shall mean the identifiable area of the lot which contains a building or buildings, or parking area including drives, and appurtenant open spaces.

Section 1002. LANDSCAPE REQUIREMENTS

A. Frontage and Perimeter Requirements.

1. Not less than 15% of the street yard shall be established and maintained as landscaped area.
2. Within the lot, a landscape area shall be established and maintained, which is not less than 5 feet in width and which extends along the entirety of abutting street right-of-way excepting points of vehicular access.
3. Within the lot, off-street parking areas shall be separated from a contiguous residential district by a landscape area which is not less than 5 feet in width.
4. In computing the landscaped area required in subsection 1 above, landscaped areas established as required by subsections 2 and 3 if located within the street yard shall be included.
5. The requirements set forth in subsections 1, 2, and 3 shall not be applicable to properties within the Central Business District.

[Street Yard: The minimum required yard (residential)]
[abutting a public street or the area of a lot contained]
[between the minimum required building setback line]
[(nonresidential) and an abutting public street]

B. Parking Area Requirements

Within parking areas which are not in the Central Business District, landscaped areas shall be established and maintained as follows:

- (a) No parking space shall be located more than fifty (50) feet from a qualifying landscaped area containing at least 30 square feet, with a minimum width or diameter of three feet.
- (b) The number, size, and shape of islands, peninsulas, and medians in parking areas are not herein prescribed, but shall be substantially distributed evenly throughout the parking area.

C. Tree requirements

1. Within the street yard trees shall be preserved or planted, and maintained or replaced, as follows:
 - (a) One tree for each 1,000 square feet, or fraction thereof, of street yard up to 10,000 square feet plus one tree for each 2,500 square feet, of street yard or fraction thereof, up to 110,000 square feet plus one tree for each 5,000 square feet or fraction thereof of street yard exceeding 110,000 square feet.
2. For surface parking areas located in districts other than the Central Business District trees shall be preserved or planted, and maintained or replaced, as follows:
 - (a) One tree for each 12 parking spaces.
 - (b) One tree within each required landscaped area.
3. For surface parking areas located in the Central Business District which are designed for twenty or more spaces, trees shall be preserved or planted and maintained or replaced as follows:
 - (a) One tree for each 35 lineal feet of parking area located within 25 feet of public street right-of-way.
 - (b) Required trees shall be located within 10 feet of a public street right-of-way.
4. In computing the number of trees required within parking area located within a street yard, the great requirement of subsection 1 or 2 above shall be applicable.
5. An existing or planted tree which is at least 6 inches (6") in caliper shall be considered as two trees for the purposes of determining compliance with the requirement of subsection 1 and 2 above, provided that there is no alteration of the soil grade under an existing tree's dripline.
6. Planted trees shall be planted in a pervious area not less than three feet in diameter.
7. Minimum tree sizes at time of planting shall be as follows:
 - (a) Ornamental trees having a mature height of 20 feet shall be not less than 6' in height, and 1" caliper.

- (b) Conifers/Evergreen trees, such as pine, spruce, or cedar shall be not less than 5' in height.
- (c) Canopy trees having a mature height exceeding 20', shall be not less than 8' in height and 1 1/2" caliper.

D. Miscellaneous Requirements

1. Not more than 20% of the required landscaping may be located within public street right-of-way and if the City of Tulsa shall direct the removal thereof, an equivalent amount of landscaping shall upon 30 days notice be installed within the lot.
2. Required landscaping shall not include artificial plants, trees, or other vegetation.
3. Required landscaping shall be irrigated by one of the following methods:
 - (a) An underground sprinkling system.
 - (b) A drip system.
 - (c) A hose attachment within 100 feet of all landscaped areas.
4. All landscaped areas which are adjacent to pavement shall be protected with curbs or equivalent barriers.
5. Landscaping shall not obstruct traffic visibility at public street intersections or at private access points to public streets or overhead utilities.
6. Required landscaping shall be continuously maintained in a live and healthy condition and shall be replaced as necessary to comply therewith.
7. Required landscaped areas shall be continuously maintained free of debris and litter.
8. Required landscaping shall be installed in accordance with the approved Landscape Plan as set forth in Section 1003, prior to the issuance of an occupancy permit, or if no occupancy permit is required, then prior to the commencement of the use of the land.

E. Incentive Credits

To encourage preservation of existing mature trees and/or the planting of larger trees, each square foot of landscaped area which is permeable and within the dripline of a tree at least 6" in caliper shall constitute 1.5 s. f. of landscaped area for the

purposes of meeting the requirement of 15% street yard landscaping and/or parking area landscaping provided, however:

1. Overlapping dripline areas shall only be counted once.
2. At least 1/2 of the dripline area shall be permeable.
3. The original grade of the dripline shall not be substantially changed.
4. The .5 s.f. incentive credit shall not constitute more than 25% of the landscape requirement.

SECTION 1003. ADMINISTRATION

A. Landscape Plan

An application for a zoning clearance permit for uses requiring landscaping, as set forth in Section 1001, shall include a Landscape Plan which provides the following:

1. The date, scale, north arrow, project name and name of owner.
2. The location of property lines and dimensions of the tract.
3. The approximate center line of existing water courses; the approximate location of significant drainage features; the location and size of existing and proposed streets and alleys; existing and proposed utility easements on or adjacent to the lot; and existing and proposed sidewalks on or adjacent to the lot.
4. The location, size, and type (tree, shrub, groundcover, or grass) of proposed landscaping and the location and size of the proposed landscaped areas.
5. Planting details and/or specifications.
6. The location, size and species of existing trees in the street yard and parking areas having trunks six (6) inches or larger in caliper and the approximate size of their crowns.
7. The method of protecting the existing trees, which are to be retained, from damage during construction.
8. The proposed irrigation system including a drawing of the nature and location of the irrigation system.
9. The schedule of installation of required landscaping and appurtenances. The schedule shall specify installation of all required landscaping and appurtenances, except

of all required landscaping and appurtenances, except trees, prior to occupancy, and shall specify installation of trees within 120 days after occupancy.

B. Alternative Compliance

Upon approval, the Planning Commission shall certify to the administrative official that the Landscape Plan which is not in strict compliance with the requirements set forth above, is equivalent to or better in achieving the purposes of the landscaping requirements and authorize the issuance of the permit.

C. Certification of Installation

Prior to the issuance of an occupancy permit written certification of a registered landscape architect or property owner that the installation of the landscaping and appurtenances are in accordance with the approved Landscape Plan. Failure to comply with the provisions of this Chapter shall be grounds for revocation of the occupancy permit.

D. Planning Commission Action

Within 15 days after receipt of a Landscape Plan, the Planning Commission shall determine whether or not the landscaping requirements of this Code will be complied with upon completion of the installation of landscaping and appurtenances in accordance with the Landscape Plan and may set forth the conditions, if any that would achieve compliance.

The Planning Commission shall submit its determination in writing to the Development Services Division of the City of Tulsa within 20 days after receipt of a Landscape Plan.

E. Assignment of Administrative Responsibility

The Planning Commission, may by adopted resolution, designate staff personnel to make the determinations set forth in Sections 1002 and 1003 above provided however that the Planning Commission shall approve or deny all landscape plans.

F. Appeal From Planning Commission Action

An appeal to the Board of Adjustment may be taken, in accordance with the provisions of Section 1605, by any person aggrieved by the determination of the Planning Commission set forth in Subsection C. above.

DEFINITIONS

Caliper

The diameter of the tree trunk measured at 6" above ground level for a tree trunk having a diameter of 4" or less and the diameter

of the tree trunk measured at 12" above ground level for a tree trunk having a diameter exceeding 4".

Dripline

The periphery of the area underneath a tree which would be encompassed by perpendicular lines extending from the exterior edges of the crown of the tree.

Landscaped Area

The unpaved area within a lot which is used for the planting, maintenance and growth of plant materials including but not limited to grass, shrubs, flowers, ground cover, trees and native plant materials and may include decorative fixtures such as rock, pools and planters.

Street Yard

The minimum required yard (residential) abutting a public street or the area of a lot contained between the minimum required building setback line (nonresidential) and an abutting public street.

Tree

A woody plant having one or more defined stems or trunks and having a defined crown and customarily attained a mature height of 8' or greater or a woody plant set forth within a list of trees certified by the Urban Forester of the City and adopted by resolution of the Planning Commission.

* * * * *

OTHER BUSINESS:

PUD 179 C-11: Minor Amendment To Increase Permitted Wall Signage
7201 S Memorial Dr.

Mr. Stump advised that Arby's at 7201 S. Memorial Drive is requesting a minor amendment increasing their permitted wall sign display surface area from 400 SF to 1712 SF to permit installation of an 8' high backlit awning. Such an increase will require the Board of Adjustment to approve a variance. The applicant did not appear at the August 11, 1992 meeting and the BOA is not scheduled to hear this request until August 25, 1992. Staff would recommend this request be **continued until August 26, 1992**, at which time the action of the BOA will be known.

TMAPC Action; 8 members present:

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to CONTINUE PUD 179C-11 to August 26, 1992.

* * * * *

PUD 189-1: Minor Amendment to change from zero lot line/private street to conventional development on public streets -- northwest corner of North Yukon Avenue and west Tecumseh Street

The applicant is proposing to amend the PUD from a 20 unit, zero lot line development served by private streets to a conventional lot single-family subdivision on a public street. The Development Standards proposed by staff are as follows:

Land Area (net)	4.36 acres
Permitted Use:	Unit 6 and Customary accessory uses
Maximum No. of Dwelling Units	9
Minimum Lot Size	13,500 SF
Minimum Lot Width	100'
Minimum Front Yard or Yard Abutting a Minor Street	25'
Minimum Yard Abutting an Arterial Street	35'
Minimum Rear yard	25'
Minimum Side Yard	5' on one side 10' on other side

With the above list development standards Staff can support the minor amendment and recommends **APPROVAL** of PUD 189-1.

The applicant expressed agreement with Staff recommendation.

Interested parties present expressed agreement with Staff recommendation.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to APPROVE PUD 189-1 as recommended by Staff.

* * * * *

PUD 479: Detail Landscape Plan Area B Chili's Restaurant

Staff has reviewed the proposed Detail Landscape Plan for Chili's Restaurant and finds it to be in compliance with the PUD conditions. Therefore Staff recommends **APPROVAL** of the Plan.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to **APPROVE** the Detail Landscape Plan for PUD 479 .

* * * * *

PUD 287: Detail Site Plan -- Lots 5 and 6 of S. Utica Place -- West side of South Utica Place north of E. 71st Street South

Staff has reviewed the proposed Detail Site Plan for a single-story non-medical office building containing 7,128 SF and finds it to be in compliance with the PUD conditions. Therefore, Staff recommends **APPROVAL**.

The applicant expressed agreement with Staff recommendation.

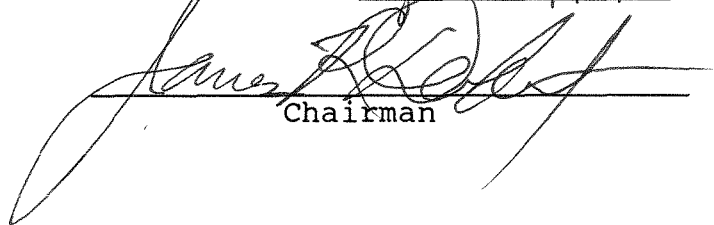
TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Selph "absent") to **APPROVE** the Detail Site Plan for PUD 287.

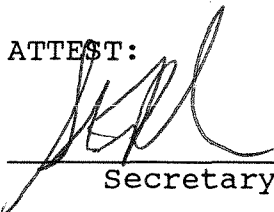
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There being no further business, the Chairman declared the meeting adjourned at 2:33 p.m.

Date Approved: September 2, 1992


Chairman

ATTEST:


Secretary