

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 1907

Wednesday, December 2, 1992, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Broussard Secretary	Ballard Selph	Gardner Hester Stump Wilmoth	Linker, Legal Counsel
Buerge 2nd Vice Chairman			
Carnes			
Doherty, Chairman			
Horner			
Midget, Mayor's Designee			
Neely			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, December 1, 1992 at 10:36 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 1:36 p.m.

**Minutes:**

Approval of the minutes of November 18, 1992, Meeting No. 1906:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of November 18, 1992 Meeting No. 1906.

**REPORTS:**

**Chairman's Report:**

Chairman Doherty acknowledged receipt of a Certificate of Recognition plaque for the Planning Commission's work on Kendall-Whittier.

Chairman Doherty reminded the Planning Commissioners of the first reading of the sign ordinance for December 3, 1992 and gave an update of City Council proceedings regarding this item.

Chairman Doherty announced the Planning Commission will not meet December 23 or 30, 1992.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced the Budget and Work Program Committee has a work session scheduled for December 9, at the conclusion of the TMAPC meeting, to be held in Room 1102. Ms. Wilson noted that there will be discussion on the definition of a family day care home.

**SUBDIVISIONS:**

PRELIMINARY PLAT:

Saint Francis Hospital Services (383) (PD-18) (CD-7)  
6833 S. Granite Avenue

(OL, RS-3)

Staff Comments

This plat is a result of a zoning application (Z-5559) on the OL portion and two Board of Adjustment cases (16052 and 16113) in which approval was granted to use the property for a laundry facility for the Hospital. A previous plat titled SEVENTY FIRST STREET LTD. III was approved by TAC and TMAPC 8/2/84, but it was never filed of record and expired. This current plat is similar to the previous plat and contains the dedications recommended on Granite Avenue. (Applicant may request the City to permit delaying the paving north of the quarter section line and PSO easement, as that portion is only included in this tract to provide the needed square footage for the use permitted by the Board of Adjustment.)

The Staff presented the plat with the applicant represented by Ted Sack.

Mr. Sack advised that the alignment of Granite may turn northeasterly rather than straight north as shown on the plat. That would take advantage of the topography to try to lessen the slope. Phased construction could be requested.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of St. Francis Hospital Service, subject to the following conditions:

1. On face of plat show a 25' building line along S. Granite Avenue in accordance with the RS-3/OL zoning.
2. Covenants: Section I 1.4; Omit reference to limited access since this does not abut an arterial street.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements if required.

4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat. (If required.)
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by City of Tulsa.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works. (Engineering) (Phase construction OK, but provide design for the entire length)
8. 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.
9. A Corporation Commission letter, Certificate of Non-development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
10. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations)
11. All Subdivision Regulations shall be met prior to release of final plat.

TMAPC Comments

Chairman Doherty requested that Roy Johnsen, attorney for the applicant, convey to the applicant the Planning Commission's strong desire to have some understanding of how they plan to develop the entire tract, lying north and east of this plat rather than reviewing bits and pieces of the plan.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Midget, Selph "absent") to APPROVE the Preliminary Plat of Saint Francis Hospital Services.

\* \* \* \* \*

REVISED PRELIMINARY AND FINAL APPROVAL:

Trinity Addition Amended (PUD 370-2) (2683) (PD-26) (CD-8)

10600 S. Memorial Drive

(RM-1,RS-2)

Staff Comments

This plat has a preliminary approval by TMAPC subject to eleven conditions as listed in the minutes of 9/9/92. A minor amendment (PUD-370-2) and a detail site plan review were also processed along with the preliminary plat that same date.

When this property was first platted (Trinity Addition), East 106th Street was dedicated with 50' of R/W for a short distance from Memorial but not improved. This was to eventually be a collector street running west from Memorial to Bridle Trail Estates. In discussion at the TMAPC meeting 9/9/92, it was the consensus of the Planning Commission to make the actual street construction contingent upon platting the western part of this PUD.

Since that meeting, the Department of Public Works (DPW) has advised that they do not desire to see 106th extended west from Memorial to Bridle Trail Estates. This would create an undesirable street pattern which would encourage speeding.

DPW would rather see 106th Street out of Bridle Trail Estates turn north or south to connect to Memorial via some more indirect route. Therefore, DPW recommends deletion of 106th Street on the TRINITY ADDITION AMENDED plat and replacement with a 50' x 150' Mutual Access Easement which will allow the property to the north access to the existing median and left-turn lane on Memorial.

The plat has been revised to reflect the DPW recommendations. Therefore, so that these changes are documented, it is recommended the Revised Preliminary Plat of TRINITY ADDITION AMENDED be approved, subject to the following:

1. Waiver of Subdivision Regulations, Sect. 4.2.6, requiring conformance with the Street Plan for TRINITY ADDITION AMENDED only, as recommended by DPW. (Including Mutual Access Easement 50' x 150' as shown on plat.)

2. Construction of 106th Street from Bridle Trail Estates into the westerly portion of this PUD shall be initiated by the platting of that part of PUD-370, or subsequent amended PUD or zoning. Extensions to the north or south from the existing dead end of 106th Street in Bridle Trail Estates subject to review, design, and approval of the Department of Public Works in the platting process.

3. Conditions 2, 3 (advisory), 4, 5, 6, 7, 8 (if required), 9 (advisory), 10 and 11 from the Minutes of 9/9/92 shall apply.

Note:

In the event the applicant is able to obtain all the necessary releases and comply with the above conditions (or others as may be added by the Planning Commission), Staff has no objection to a final approval of the plat, subject to a final review of the written format by the City Legal Department. (Final approval was requested and posted in the notices as part of this process if applicant can meet the conditions.)

**TMAPC Action; 9 members present:**

On MOTION of Carnes, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the Revised Preliminary and Final Plat of Trinity Addition Amended, subject to payment of drainage fees, and WAIVE the Subdivison Regulations requiring conformance with the Street Plan per D.P.W. and Staff recommendation.

\* \* \* \* \*

**FINAL APPROVAL AND RELEASE:**

Keyport Center West (PUD 384-01)(1282) (PD-8) (CD-2) (CS)  
10 West 71st Street South

**Staff Comments**

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

There were no interested parties present.

**TMAPC Action; 9 members present:**

On MOTION of WILSON, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the Final Plat of Keyport Center West and RELEASE same as having met all conditions of approval as recommended by Staff.

\* \* \* \* \*

Oakleaf II (PUD 316-1)(2483) (PD-18) (CD-8) (RS-3, CO)  
East 93rd Street & South 86th East Avenue

Chairman Doherty announced this item is to be stricken from the agenda.

\* \* \* \* \*

Owasso Freewill Baptist Church (914) (PD-15) (County)  
NW/corner E. 106th St. N & U. S. Highway 169

(AG)

Staff Comments

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

There were no interested parties present.

TMAPC Action; 9 members present:

On MOTION of WILSON, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the Final Plat of Owasso Freewill Baptist Church and RELEASE same as having met all conditions of approval as recommended by Staff.

\* \* \* \* \*

WAIVER REQUEST SECTION 213:

BOA-16200 Orcutt Addition (793) (PD-6) (CD-4)  
1528 South Quincy Avenue

(RM-2)

Staff Comments

This is a request to waive plat on Lots 4-11, Block 7 of the above titled addition. The plat requirement is a result of a Board of Adjustment application for church use on these lots. It already contains a preschool building which will remain, as well as the house facing Quaker Avenue. Additional parking is being provided per site plan. Since all controls regarding lighting, hours of use, etc., will be set out in the Board of Adjustment conditions, Staff sees no need to replat this tract. It is already platted and adequate street rights-of-way exist. Approval is recommended.

The applicant was represented by J. R. Bradley at the TAC meeting.

The Department of Public Works advised that fee-in-lieu-of detention can be paid, based on the net increase in imperviousness. Run-off must go to a public street or storm sewer.

On MOTION of French, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the waiver of plat on BOA-16200, subject to the following conditions:

1. Grading and drainage plan approval by the Department of Public Works through the permit process.

**TMAPC Action; 9 members present:**

On MOTION of BUERGE, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the WAIVER OF PLAT for BOA-16200 Orcutt Addition as recommended by Staff

\* \* \* \* \*

BOA-16195 Unplatted (City of Tulsa) (392) (PD-10) (CD-4) (RS-3)  
1727 Charles Page Boulevard

**Staff Comments**

This is a request to waive plat on a small tract of land adjacent to the existing Adult Detention Center in Newblock Park. The center is being expanded and the Board of Adjustment has approved the use. Since the Board will place the use conditions on the tract, and further since it is on property already owned by the City of Tulsa, nothing would be gained by a plat. It is recommended that the request be APPROVED as submitted.

**TMAPC Action; 9 members present:**

On MOTION of WILSON, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the WAIVER OF PLAT for BOA-16195 Unplatted as recommended by Staff

\* \* \* \* \*

BOA 16152 Depriest Addition (3003) (PD-25) (CD-3) (RS-3)  
2306 N. Quaker Avenue

**Staff Comments**

This is a request to waive plat on Lots 1 and 2, Block 1 of the above-named plat. The Board of Adjustment has approved its use as a parking lot for an adjacent church. The Board further required a tie contract to the other lots owned by the church, which has been done. Since the property is already platted, nothing would be gained by a re-plat. All controls such as lighting, fencing, paving, etc., have been placed on the lots by the Board of Adjustment action. Staff recommends APPROVAL as requested.

**TMAPC Action; 9 members present:**

On MOTION of BUERGE, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to APPROVE the WAIVER OF PLAT for BOA-16152 Unplatted as recommended by Staff

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LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17537 Blevins (2883) (PD-26)(CD-8) 10416 S. Jamestown RS-1  
L-17635 TDA (2602) (PD-2)(CD-4) 1923 N. Main RS-3

Staff Comments

Mr. Wilmoth advised that Staff has found the above-listed lot splits to be in conformance with the lot split requirements.

There were no interested parties present.

TMAPC Action; 9 members present:

On MOTION of WILSON, the TMAPC voted 9-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to RATIFY the above-listed lot splits having received prior approval.

\* \* \* \* \*

ZONING PUBLIC HEARING:

ZONING PUBLIC HEARING

Application No.: Z-6374 Present Zoning: RMH  
Applicant: Curtis Holsted Proposed Zoning: IL  
Location: South side of I-244, 1/4 mile west of 129th East Avenue  
Date of Hearing: December 2, 1992  
Presentation to TMAPC:

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use and Development Sensitive.

According to the Zoning Matrix the requested CG or IL Districts may be found in accordance with the Plan Map.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 31 acres in size and is located on the south side of I-244 one-quarter mile west of 129th East Avenue. It is partially wooded, flat, contains a single-family dwelling, a number of unoccupied used mobile homes and is zoned RMH. The southern portion of the tract is in the regulatory flood plain.



**Surrounding Area Analysis:** The tract is abutted on the north by I-244 zoned RS-3; on the east by vacant land zoned AG and RMH; on the south by apartments and vacant land zoned RM-0, RMH and AG and on the west by vacant land zoned RM-1 and RMH.

**Zoning and BOA Historical Summary:** A tract to the southeast of the subject tract was recommended for IL and FD by TMAPC and tentatively approved by the City Commission. The applicant did not provide a legal description of the floodway area, therefore the property was never rezoned. Areas to the south and west were rezoned to multifamily residential.

**Conclusion:** The subject tract's access is a gravel driveway from a road which provides access to a residential multifamily area (Tulsa Housing Authority) and is by no means sufficient for heavy commercial or industrial uses. Staff recommends that, for any increased use of the property other than the present use, access be provided from 129th East Avenue. This concern can be addressed during the platting process.

Therefore, Staff recommends **DENIAL** of CG or any other commercial zoning and **APPROVAL** of IL on this tract.

There were no interested parties present.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Selph "absent") to recommend **APPROVAL** of Z-6374 for IL zoning as recommended by Staff.

**LEGAL DESCRIPTION Z-6374**

A portion of the W/2, SE/4 of Section 32, T-20-N, R-14-E, in the City and County of Tulsa, Oklahoma, more particularly described as: Beginning at a point on the west line of said W/2, SE/4, a distance of 920' north of the SW/c thereof; thence southeasterly a distance of 460.64' to a point that is 449.82' north of a point on the north line of Lot 1, Block 1, East Central Park, Plat #4128, 73.28' S 77°E from the most northerly point of said Lot 1, Block 1, thence south and parallel to the west line of said W/2, SE/4, a distance of 449.82' to said point on the north line of Lot 1, Block 1, thence S77°E along said Lot 1, Block 1, a distance of 181.02' to a point of curve; thence continuing along the north line of Lot 1, Block 1, on a curve to the right with a radius of 235' and a central angle of 57°, a distance of 233.79' to a point, thence continuing along the northeasterly line of Lot 1, Block 1, S20°E a distance of 68.64' to a point that is common with the NW/c of Lot 2, Block 1, ESPO Addition, Plat #4333, thence due east along the north line of said Lot 2, Block 1, a distance of 150' to a point, thence S33°27'36"E a distance of 211.20' to a point that is a common line of said Lot 2, Block 1, and the south line of the W/2, SE/4, thence due east a distance of 203.50' to the SE/c of the W/2, SE/4, thence

northerly along the east line of the W/2, SE/4, to the south right-of-way line of Interstate Highway 244, thence westerly along said right-of-way to the west line of said W/2, SE/4, thence southerly along said west line to the point of beginning, containing 30.55 acres more or less.

\* \* \* \* \*

**PUBLIC HEARING TO AMEND CHAPTER 11 (PUD)  
OF THE CITY AND COUNTY ZONING CODE.**

The PUD revised draft is included at the end of the minutes.

Interested Parties

**Roy Johnsen, attorney**

**201 W 5th St.**

Mr. Johnsen asked that the Corridor District (CO) not be excluded within the PUD (1104.A). Mr. Johnsen requested that should the Planning Commission decide to approve Staff recommendation of 1104.A., a directive be included in the Corridor District section to include language that permits a concept-type of approval with detailed site plan review to follow.

In response to a question from Mr. Carnes, Mr. Gardner explained Staff would prefer Mr. Johnsen's alternative suggestion of amending the Corridor District to make it much like the PUD, in that an applicant could obtain a conceptual plan approval and then later present a specific plan.

Mr. Johnsen then addressed Section 1101.B. and encouraged the Planning Commission to have a standard that states, "B. Permit greater flexibility and creativity; C. Design consideration should be given to the unique physical features of the particular site."

Staff expressed agreement.

Mr. Johnsen proceeded to review Section 1103.B.2.a. Accessory Signs. He pointed out that the concept is unclear and questioned the signage allocation in a mixed-use PUD.

Mr. Gardner explained signage allocation in development areas. He reminded the Planning Commission that this language is similar to language in the sign regulation provisions which are before the City Council.

Mr. Johnsen suggested computing permitted signs on development areas and allocated uses, but permit reallocation within the project. Mr. Johnsen advised the simpler approach is to compute the maximum signage based on underlying zoning and not development areas.

Mr. Johnsen advised he sees the intent throughout many Sections of the PUD Chapter is to convey that underlying zoning puts the limitation on permitted uses in the PUD and intensity within the PUD. Livability space, other areas, i.e. yard, height, floor area ratio, and setbacks will be determined by the Planning Commission. He suggested creating one section that states Permitted Uses and Intensity, and another section for Bulk and Area Requirements other than what is to be determined by the Planning Commission to keep from repeating language.

Mr. Johnsen pointed out the introductory section states that, as long as substantial compliance is maintained with the approved development plan and the purposes and standards, the following can be permitted as minor amendments and lists them. He said the introductory section should state, "not a substantial departure from the character, intensity," etc. and list the minor amendments.

Mr. Gardner advised that the Legal Department will determine the most appropriate language when drafting the ordinance.

Mr. Johnsen concluded by noting Section 1107.B. needs to be renumbered and introductory language needs to be drafted.

Lastly, Mr. Johnsen encouraged the Planning Commission to make clear that TMAPC can approve a concept plan upon condition that a subsequent detail site plan is submitted.

Chairman Doherty informed Mr. Linker that it is crucial that the Planning Commission have the ability to approve a concept plan subject to a subsequent detail site plan when the Legal Department works on draft language.

**Charles Norman, attorney**

Mr. Norman addressed the Open Space requirements, Section 1104.F. Mr. Norman expressed concern over the possible inconsistency between the requirements of this chapter and the Landscape Ordinance. Mr. Norman questioned the appropriateness of establishing minimum percentages as high as they are as part of the code, particularly in reference to offices and industrial use. Mr. Norman suggested industrial areas should be required to provide only perimeter landscaping. Mr. Norman noted that 10%, as stated in the draft, is a substantial amount that may not be needed or appropriate in industrial areas.

Staff agreed that 5% should be sufficient landscaping for industrial use.

Mr. Neely asked, if in a mixed use development, landscaping would be spread or be calculated according to development areas.

It was the consensus of the Planning Commission that this should be determined by use within the development area and should be clarified.

There being no other interested parties chairman Doherty closed the public hearing.

Review Session

It was the consensus of the Planning Commission to eliminate the sentence not allowing PUDs in the Corridor District, and that the percentage of landscaping in industrial landscaped open space be reduced to 5%. Other items which were discussed can be accommodated in the drafting of the ordinance. Chairman Doherty expressed the understanding that as Staff develops further recommendations in the office zoning districts regarding signage, anything found that causes a need for correction in the PUD Chapter may be addressed and brought forward then.

Ms. Wilson highlighted that the Planning Commission is looking at reworking Section 1104. Bulk and Area requirements in the drafting of the language and also 1114. Minor Amendments.

Mr. Neely commented that 1107.D. needs to have language changed to read "City Council" rather than "City Commissioners".

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph "absent") to recommend APPROVAL of amendments to Chapter 11 (PUD) of the City and County Zoning Code as recommended by Staff, except no prohibition against PUDs in Corridor Districts and the minimum landscaping in industrial areas be reduced to 5%.

\* \* \* \* \*

OTHER BUSINESS:

**PUD 417-B:** Detail Sign Plan review for Development Area "L".  
Located North of the northeast corner of East 21st Street South and South Wheeling Avenue

Staff has reviewed the requested signage for Development Area "L" and find it both consistent with existing signage and permitted signage by the PUD.

Staff recommends APPROVAL of the Detail Sign Plan as presented.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph to APPROVE PUD 417-B Detail Sign Plan, Development Area "L".

\* \* \* \* \*

There being no further business, the Chairman declared the meeting adjourned at 2:45 p.m.

Date Approved: 12/16/92

James R. O'Neil  
Chairman

ATTEST:

Robin Buege  
Secretary



## CHAPTER 11

### PLANNED UNIT DEVELOPMENT

- 1100. Description
- 1101. Purposes
- 1102. General Provisions
- 1103. Uses Permitted in Planned Unit Developments
- 1104. Bulk and Area Requirements
- 1105. Perimeter Requirements
- 1106. Off-Street Parking and Loading
- 1107. Administration of Planned Unit Development

#### SECTION 1100. DESCRIPTION

Planned Unit Development (PUD) is an alternative to conventional development where the particular tract is under common ownership or control, ~~detailed-plan-(outline~~ and a development plan) for the development of the tract as a unit is proposed and submitted for public review. The supplemental zoning district PUD must be approved by the City ~~Commission~~ Council as a prerequisite to the Planned Unit Development.

#### SECTION 1101. PURPOSES

The purposes of the Planned Unit Development are to:

- A. Permit **and encourage** innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
- B. Permit **greater** flexibility **and creativity** within the development to best utilize the unique physical features of the particular site.
- C. Provide and preserve meaningful open space.
- D. Achieve a continuity of function and design within the development.

**SECTION 1102. GENERAL PROVISIONS**

Planned Unit Development is permitted on tracts having the supplemental zoning district designation PUD. In every instance, the PUD is to be reviewed as to the proposed location and character of the uses and the unified treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this Chapter. **The City Council has the authority, as does TMAPC in reviewing minor amendments, to impose greater restrictions as conditions of approval of the PUD than the underlying zoning might otherwise permit such as limiting the permitted uses and requiring more restrictive bulk and area requirements.** No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat incorporating the provisions and requirements of this Chapter is submitted to and approved by the Planning Commission and the **City Council** and filed of record in the office of the County Clerk of the county in which the property is located. **TMAPC may waive the platting requirements if the property is already platted and if the PUD conditions for approval are included in the form of restrictive covenants and filed of record with the County Clerk making the City of Tulsa beneficiary to said covenants as provided in Section 1107.E.**

**SECTION 1103. USES PERMITTED IN A PLANNED UNIT DEVELOPMENT****A. Principal Uses**

The development may consist of one or more of the uses permitted by right or exception within the general zoning district or districts within which the Planned Unit Development is located, provided:

1. That if any part of the Planned Unit Development is located within a residential district, the permitted uses may additionally include one or more of the dwelling types contained in Use Unit 6, Single-Family Dwelling, Use Unit 7, Duplex Dwelling, Use Unit 7a, Townhouse Dwelling, Use Unit 8, Multifamily Dwelling.
2. That Use Unit 9, Manufactured Home Dwelling, is a permitted use only within Planned Unit Developments which are located in whole or in part in an RMH District.
3. That the permitted uses, **whether principal or accessory uses,** may be reallocated within the development irrespective of the general zoning district boundaries or lot boundaries.
4. **Outdoor advertising signs shall meet the use conditions set forth in Section 1221.G.**



**B. Accessory Uses**

Accessory uses customarily incidental to the principal uses within the PUD are permitted.

1. **Accessory Commercial:** In addition to accessory uses customarily incidental to a permitted principal residential use, accessory commercial facilities uses may be included permitted within a multifamily development area, subject to the conditions enumerated in Section 402.B.2. Accessory commercial uses may be permitted within an office development area, irrespective of the specific office zoning classification, subject to the conditions enumerated in Section 602.B. ~~the residential portion of a PUD in accordance with the following standards:~~

~~a. The accessory commercial uses shall be limited to the following uses:~~

Barber-Shop  
 Bakery, retail-only  
 Beauty-Shop  
 Book-Store  
 Cafeteria  
 Candy-Store  
 Coffee-Shop  
 Dairy-Store  
 Delicatessen  
 Dry-Cleaning, pickup  
 Food-Specialty-Shop  
 Gift, Novelty, Souvenir-Shop  
 Grocery (other than supermarkets)  
 Health-Food-Store  
 Hobby-Shop  
 Ice-Cream-Store  
 Laundry, pickup  
 Liquor-Store  
 Newsstand  
 Office (performing services to residential areas)  
 Pharmacy  
 Private-Club-  
 Pro-Shop  
 Restaurant (other than drive-ins)  
 Shoe-Repair-Shop  
 Tailor-Shop  
 Tobacco-Store

~~b. The aggregate floor area of the accessory commercial facilities shall not exceed 50 square feet per dwelling unit nor a total of 30,000 square feet.~~

~~e. Each accessory commercial establishment except private clubs or restaurants shall be limited to a maximum of 3,500 square feet of floor area.~~

~~d. Accessory commercial signs shall be limited to one nameplate of not more than 16 square feet for each establishment. Nameplates shall be attached flat against a building wall and shall not be animated, flashing, or have other than indirect illumination. Window signs shall not be permitted.~~

~~e. The accessory commercial uses shall be internally oriented, designed primarily for the service, convenience, and benefit of the residents of the PUD, and shall be designed and located in such manner as to be compatible with the residential use of the PUD and of adjacent properties. No freestanding commercial structure shall be located within 300 feet of the perimeter of a Planned Unit Development.~~

~~\*Private Club as used in this Chapter is defined as provided in Title 21, Chapter 21, Section 401 of the Tulsa Revised Ordinances.~~

## 2. Signs:

### a. Accessory Signs

Signs accessory to residential uses or uses permitted by exception in residential districts, other than office uses, shall comply with the sign provisions of the residential districts. Signs accessory to office uses or scientific research uses shall comply with the provisions of the O or SR zoning districts respectively. Business signs accessory to principal office, commercial or industrial uses shall comply with the regulations for signs in a CS District as set forth in Section 1221.D and in addition shall comply with not exceed the following limitations; providing provided, however, that the approving authority may impose such additional restrictions as are necessary to maximize compatibility with other neighboring uses.

### b. General Use Conditions:

- (1) No roof signs are permitted. Projecting flashing ~~(does not include time and temperature signs),~~ animated or revolving signs are permitted. signs, signs with movement or flashing illumination, revolving or rotating signs, signs with animation or changeable copy signs may be permitted as limited by 1221.C.2.

- (2) Promotional business signs may be utilized in accordance with 1221.C.8.  
~~No ground sign shall be located within 150 feet of any residential area, either within or abutting the PUD, unless separated by an arterial street.~~
- (3) Signs, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall not be located within 50 feet of said district or area. However, signs larger than 300 square feet visible from an R district, other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall not be located within 200 feet of said district or area.
- ~~(3)~~ (4) Any ground sign shall maintain a minimum separation of 100 feet from any other ground sign.
- ~~(4)~~ ~~Ground signs shall not exceed 25 feet in height, measured from the mean curb level of the lot upon which it is erected, except a sign when located behind the building setback line may exceed 25 feet, but shall not exceed 40 feet in height.~~
- (5) Ground signs and promotional business signs shall not exceed 25 feet in height measured from the mean curb level of the lot upon which it is erected unless, in addition to the minimum setback prescribed in 1221.C.6, the sign is set back one foot for each foot of height exceeding 25 feet. In no event shall the sign exceed 40 feet unless the abutting street is a designated freeway on the Major Street and Highway Plan. In those cases where the abutting street is a designated freeway, the maximum permitted sign height is 50 feet. No portion of the ground sign shall be within 10 feet of the freeway right-of-way.
- ~~(5)~~ (6) Only one side of a double-faced sign shall be included in the computation of display surface area.
- ~~(6)~~ (7) ~~The following Signs shall not to be prohibited by this ordinance or otherwise included in the computation of display surface area are set forth in Section 1221.C.4.~~
- ~~(a)~~ ~~Nameplates, attached to the face of the wall and not exceeding two square feet in surface area.~~

- ~~(b) Temporary real-estate and construction signs.~~
- ~~(c) Signs which are not visible from a public street.~~
- ~~(d) Signs painted on glass surface of windows or doors, and pertaining to the business conducted therein.~~
- ~~(e) Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes.~~
- ~~(f) Signs of warning, directive, or instructional nature erected by a public utility, franchised transportation company or governmental agency.~~
- ~~(g) Legal notices and street numbers.~~
- ~~(h) Election campaign signs, if erected not more than 45 days prior to an election and removed within seven days following an election.~~
- ~~(i) Signs located within a building.~~
- ~~(j) Signs, not exceeding three square feet of display surface area, of a warning, directive or instructional nature, including entrance, exit and restroom signs.~~
- ~~(k) Signs which are attached as labels of a commodity offered for sale.~~

**~~c. Designated Nonresidential Development Areas:~~**

- ~~(1) The aggregate display surface area for wall or canopy signs shall not exceed two square feet per each lineal foot of the building wall to which the sign or signs are affixed.~~
- ~~(2) In addition to the wall or canopy signs permitted in (1) above, a ground sign(s) may be utilized in accordance with the quantity and display surface area limitations contained in the applicable underlying zoning district, provided, however, that the ground sign(s) may be located in a designated nonresidential development area irrespective of the general zoning district boundaries.~~

## SECTION 1104.BULK AND AREA REQUIREMENTS

## A. Intensity of Use

It is the intent of this Code that the aggregate intensity of use within the Planned Unit Development remain substantially the same or less as that which would be permitted if the area were developed conventionally, but that within the development, the intensity may be reallocated irrespective of the general zoning district boundaries. **Land zoned CO Corridor District is not to be included within a PUD.**

1. **Residential Intensity:** The residential intensity shall not exceed a maximum number of dwelling units computed as follows:

$$\frac{\text{Maximum number of Permitted Dwelling Units} = \text{Gross area* of property located within a residential district}}{\text{divided by Minimum land area per dwelling unit permitted in the applicable use district.}}$$

The minimum land area per dwelling unit, for the purpose of the above-described computation, shall be the least restrictive minimum land area per dwelling unit permitted in the applicable district as set forth in Sections 403.A, Section 403.B, Section 404.C. Each 600 square feet of a quasi-dwelling, such as a care home, shall constitute a dwelling unit. If the PUD is within two or more residential districts, the permitted density shall be the sum of the permitted dwelling units computed separately for the gross area within each district. For a PUD located totally within a residential district or districts, the gross area for the purposes of the above-described computation shall be reduced by the area or areas designated for any principal use other than dwelling, quasi-dwellings, residential open space and recreation areas.

\*For the purpose of intensity computations, gross area shall mean the lot area plus 1/2 of the right-of-way of any abutting street to which the lot has access.

2. **Nonresidential Intensity:** The nonresidential intensity shall not exceed a maximum permitted floor area computed as follows:

Maximum Permitted Floor Area =  
 Gross area\* of property located within a nonresidential district multiplied (X) by the floor area ratio permitted either by right or exception within the bulk and area requirements of the applicable use district, except where a floor area ratio is not specified, a floor area ratio of .75 shall apply.

The intensity of use of a PUD located within two or more zoning districts of the following differing general classifications:

Residential, Office, Commercial, and Industrial

shall be separately calculated and allocated within the Planned Unit Development by said general classification.

\*For the purpose of intensity computations, gross area shall mean the lot area plus 1/2 of the right-of-way of any abutting street to which the lot has access.

#### B. Lot Minimums

~~Within a PUD a minimum lot size requirement of 800 square feet shall apply to lots utilized for dwelling purposes a minimum lot width requirement of 20 feet shall apply to lots utilized for dwelling purposes.~~ Within a PUD, minimum lot width, frontage, lot area and land area requirements of the underlying zoning district(s) shall not apply.

#### C. Livability Space

Within a PUD, required livability space for a residential development area shall be provided in an aggregate amount of not less than the amount of livability space required by the applicable use district (Section 430.A) for conventional development of a comparable number of dwelling units. Required livability space shall be provided on the lot containing the dwelling unit or units on which computed, or in common areas. Common livability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common livability space as will insure its continuity and conservation shall be incorporated in the subdivision plat, in compliance with the provisions of Section 1107.E.

**D. Building Height, Setbacks and Yards**

Within a PUD, the Planning Commission shall prescribe building height limitations, **building setback requirements** and minimum yards, which shall be incorporated within the subdivision plat in compliance with the provisions of Section 1107.E.

**E. Setbacks from Abutting Public Streets**

Within a PUD, every structure shall be set back from the centerline of an abutting public street a horizontal distance of not less than 1/2 of the right-of-way designated on the Major Street and Highway Plan. ~~7--or-25-feet-if-said-street-is-not-designated-on-the-Major-Street-and-Highway-Plan.~~

**F. Open Space**

Within a PUD, minimum landscaped open space is required for each type of non-residential development area per the following percentages

- |                   |                 |
|-------------------|-----------------|
| 1. Office Use     | 15% of net site |
| 2. Commercial Use | 10% of net site |
| 3. Industrial Use | 10% of net site |

**SECTION 1105. PERIMETER REQUIREMENTS**

Within a PUD, the Planning Commission shall prescribe perimeter requirements for screening, landscaping, and setbacks, as are necessary to assure compatibility with adjoining and proximate properties, which shall be incorporated within the subdivision plat in compliance with the provisions of Section 1107.E

**SECTION 1106. OFF-STREET PARKING AND LOADING**

Within a PUD, off-street parking and loading spaces shall be provided as specified in the applicable use units and in conformance with the requirements of Chapter 13, Off-Street Parking and Loading; provided, however, that Sections 1301.B and 1302 shall not apply. Required spaces may be provided on the lot containing the uses for which it is intended to serve or in common areas. Common parking area shall be designed and located so as to be accessible to the uses it is intended to serve. Provisions for the ownership and maintenance of common parking space as will insure its continuity and conservation shall be incorporated in the subdivision plat, in compliance with the provisions of Section 1107.E.

SECTION 1107

SECTION 1107. ADMINISTRATION OF PLANNED UNIT DEVELOPMENT

A. General

Any person, corporation, partnership, association, or combination thereof, owning or possessing a property right or interest in or to a tract of land may make application for the supplemental district designation PUD. Such application shall be accompanied by an ~~outline~~ development plan processed in the manner set forth in Sections 1107.B, 1107.C and 1107.D.

An application for the supplemental district designation PUD may be processed simultaneously with an application for an amendment to the general zoning district and made contingent upon approval of said application.

B. Application and Development Plan

An application for a Planned Unit Development shall be filed with the Planning Commission. The application shall be accompanied by a fee in accordance with the established fee schedule, which shall include the newspaper publishing cost and the cost of posting appropriate signs on the subject property. ~~Such fee shall not include advertising and sign costs which shall be billed to the applicant.~~ The application shall be in such form and content as the Planning Commission may by resolution establish, provided that three copies of the ~~an outline~~ development plan shall accompany the filing of the application. The ~~outline~~ development plan as a minimum shall consist of maps and text which contains:

1. ~~A Site Plan reflecting:~~

- a. ~~Proposed location of uses, including off street parking, open spaces and public uses.~~
- b. ~~Development standards for location, height, setback and size of buildings and other structures.~~
- c. ~~Public and private vehicular and pedestrian circulation.~~
- d. ~~The approximate intensity of residential uses expressed in number of dwelling units and the approximate intensity of nonresidential uses expressed in floor area, allocated to each identifiable segment of the Planned Unit Development.~~
- e. ~~Proposed screening and landscaping.~~
- f. ~~Proposed location, height and size of any ground sign.~~



~~g. Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed.~~

- a. Proposed development areas and requested land uses.
- b. Proposed development standards for off-street parking and loading areas, open space areas and business signs.
- c. Proposed development standards for building height and setbacks.
- d. Planned public and private vehicular circulation systems.
- e. Planned landscape buffer areas and areas to be screen fenced.
- f. The proposed intensity of residential uses expressed in number of dwelling units and the proposed intensity of nonresidential uses expressed in floor area, allocated to each identifiable segment (proposed development areas) of the Planned Unit Development.
- g. Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed.

2. Existing topographic character of the land including identification of any floodplain areas and treed areas. A slope analysis and soil analysis may also be required.
3. An explanation of the character of the PUD.
4. The expected schedule of development.
5. The Planning Commission may require, as a condition of the PUD, approval of a detail site plan which shall comply with all approved PUD development standards for specific development areas prior to issuance of a building permit.
6. The Planning Commission may require, as a condition of the PUD, approval of detail sign plans and landscape plans prior to issuance of an occupancy permit.
- 5 7. The Planning Commission may require elevations and perspective drawings of the proposed buildings as part of required detail site plan review. This will not be required for platted single-family lots.

**SECTION 1107**

**C. Public Hearing and Planning Commission Action**

The Planning Commission, upon the filing of an application for the supplemental district designation PUD shall set the matter for public hearing and give 20 days notice thereof by publication in a newspaper of general circulation, 20 days notice of a public hearing by mailing written notice to all owners of property within a 300 foot radius of the exterior of the boundary of the property and 20 days notice of public hearing by posting of a sign or signs on the property sought to be rezoned. (See Section 1703.C for contents of notice.) Within 60 days after the filing of an application, the Planning Commission shall conduct the public hearing and shall determine:

1. Whether the PUD is consistent with the Comprehensive Plan.
2. Whether the PUD harmonizes with the existing and expected development of surrounding areas.
3. Whether the PUD is a unified treatment of the development possibilities of the project site.
4. Whether the PUD is consistent with the stated purposes and standards of this Chapter.

The Planning Commission shall forward its recommendation, the application, and the development plan to the Board of City Commissioners for further hearing as provided in Section 1107.D.

**D. Board of City Commissioner's Action**

Upon receipt of the application, development plan, and Planning Commission recommendation, the Board of City Commissioners shall hold a hearing, review the development plan and approve, disapprove, modify, or return the ~~outline~~ development plan to the Planning Commission for further consideration. Upon approval, the Zoning Map shall be amended to reflect the supplemental designation PUD, and the applicant shall be authorized to process a subdivision plat incorporating the provisions of the development plan.

**E. Planned Unit Development Subdivision Plat**

A Planned Unit Development subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations, and, in addition to the requirements of the Subdivision Regulations, shall include:

1. Details as to the location of uses and street arrangement.
2. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the ~~Board-of City Commissioners Council~~.
3. Such covenants as will reasonably insure the continued compliance with the approved development plan. The Planning Commission **may** require covenants which provide for detail site plan review and approval by said Commission prior to the issuance of any building permits within the PUD, ~~and Planning-Commission may require covenants which provide for detail sign plan and landscape plan review and approval, by said Commission prior to the issuance of an occupancy permit within the PUD.~~ In order that the public interest may be protected, the City of Tulsa shall be made beneficiary of covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, **open space, signage** and access. Such covenants shall provide that the City of Tulsa may enforce compliance therewith, and shall further provide that amendment of such covenants shall require the approval of the Planning Commission and the filing of record of a written amendment to the covenants, endorsed by the Planning Commission.

**F. Issuance of Building Permits**

After the filing of an approved PUD subdivision plat and notice thereof to the Building Inspector, no building permits shall be issued on lands within the PUD except in accordance with the approved plat **and restrictive covenants**. ~~A building permit for a freestanding or separate commercial structure within a PUD containing no commercial zoning shall not be issued until building permits have been issued for at least one-half of the number of dwelling units on which the authorization of the commercial use is based.~~

G. Amendments

~~Minor changes in the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development.~~

1. Minor Amendments:

Minor amendments to the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the approved Development Plan and the purposes and standards of the PUD provisions hereof. The following minor amendments may be approved by the Planning Commission:

- a. Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.
- b. Limitation or elimination of previously approved uses, provided the character of the development is not substantially altered.
- c. Increases in dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than 15%.
- d. Increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased more than 15%.
- e. Modification of the internal circulation system, provided the system is not substantially altered in design, configuration or location.
- f. Changes in points of access, provided the traffic design and capacity are not substantially altered.
- g. Addition of customary accessory buildings and uses within the delineated common open space of a residential PUD, including but not limited to swimming pools, cabanas, security buildings, club houses and tennis courts.

- h. Location of customary residential accessory buildings and uses on an adjoining single-family residential lot within the PUD, including but not limited to a swimming pool, cabana, garage and tennis court, provided an agreement has been recorded by the owner prohibiting the conveyance of the lot containing the accessory use separate from the conveyance of the lot containing the principal use.
- i. Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.
- j. Lot splits which modify a recorded plat and which have been reviewed and approved by the Technical Advisory Committee (TAC).
- k. Home occupations which meet the requirements of Section 404.B Home Occupations, of the Zoning Code.
- l. Modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered.
- m. Modification(s) to approved screening and landscaping buffers, provided the modification(s) is not a substantial deviation from the original approved plan.
- n. Changes from multifamily (apartments) to duplexes, townhouses or detached single family, thereby reducing the number of permitted dwelling units.
- o. Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use by right and the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.

For minor amendments, ten days notice of public hearing shall be given by mailing written notice to all owners of property within a 300-foot radius of the exterior boundary of the subject property. In instances where the municipal legislative body has specifically imposed a PUD condition more restrictive than originally recommended by the Planning Commission, any minor amendment of that specific condition must be approved by the City Council.

Nothing herein shall preclude the Planning Commission from requiring compliance with Section 1703, Zoning Map Amendments, if the Commission determines that the proposed amendment, if approved, will result in a significant departure from the approved Development Plan or otherwise change the character of the PUD significantly.

2. Major Amendment:

If the Planning Commission determines that a proposed minor amendment does not meet the criteria of Section 1107.G.1 Minor Amendment, or the cumulative effect of a number of minor amendments substantially alters the approved Development Plan, then the amendment shall be deemed a major amendment to the Development Plan. Major amendments shall comply with the notice and procedural requirements of Section 1703, Zoning Map Amendments.

3. Appeals to the City Council

An appeal from any minor amendment decision by the TMAPC may be taken by any person or persons aggrieved, or any taxpayer or any officer, department, board or bureau of the City, to the City Council by filing with the City Clerk and with the Secretary of the TMAPC within ten days from the date of such action. Such notice of appeal shall specify the grounds of the appeal. No bond or deposit for costs shall be required for such appeal. Upon filing of the notice of appeal, the TMAPC shall forthwith transmit to the City Council, the original or certified copies of all the papers constituting the record in the case, together with the decision of TMAPC. The City Council shall notify the applicant and all interested parties, as recorded in the minutes of TMAPC, of the appeal hearing date.

H. Abandonment

Abandonment of a Planned Unit Development shall require the City Commission's Council's approval, after recommendation by the Planning Commission, of an application for amendment to the Zoning Map repealing the supplemental designation of PUD. The TMAPC may include a requirement that the underlying zoning be amended to the zoning classification(s) on the property prior to the approval of the PUD, or in the alternative some other appropriate zoning classification. Upon final action authorizing the abandonment of the Planned Unit Development, no building permit shall be issued except in accordance with the restrictions and limitations of the general zoning district or districts.