

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1946
Wednesday, October 27, 1993, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Broussard	Ballard	Gardner	Linker, Legal
Carnes, 2nd Vice Chairman	Horner	Jones	Counsel
Dick		Lindersmith	
Doherty, Chairman		Stump	
Midget, Mayor's Designee			
Neely Secretary			
Pace			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, October, 26 1993 at 1:03 p.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 1:30 p.m.

Minutes:

Approval of the minutes of October 13, 1993, Meeting No. 1947:
On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Broussard, Carnes, Dick, Doherty, Pace, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Ballard, Horner, Midget "absent") to **APPROVE** the minutes of the meeting of October 13, 1993 Meeting No. 1947.

REPORTS:

Comprehensive Plan Committee

Mr. Neely announced that the Comprehensive Plan Committee met to review Tax Increment Financing, the Economic Development Plan for the Springdale neighborhood, and briefing of the Neighborhood Development Program and its current status.

CONTINUED ZONING PUBLIC HEARING:

ZONING PUBLIC HEARING

Application No.: **Z-6344-SP-4**

Applicant: Michael Thoendel

Location: South of the southeast corner of East 61st Street South
and the Mingo Valley Expressway.

Date of Hearing: October 27, 1993

Staff Recommendation

The applicant is proposing a 26,400 SF gymnastics/swimming facility and a possible 4800 SF future expansion. Staff's review of the Site Plan finds that the layout generally is in conformance with the Corridor District requirements and is designed in a manner to be compatible with the surrounding uses. There is sufficient parking for the initial phase of the construction, but not the future expansion. The landscaping proposed meets the new landscape ordinance standards with the exception that three additional trees are required around the north parking lot. The only other addition Staff would recommend is that the trash receptacle be screened from public view. With the above conditions, Staff recommends **APPROVAL** of the initial 26,400 SF facility. Staff would also recommend that the future expansion be considered at a later date as a Minor Amendment to the Corridor Site Plan.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Horner "absent") to **APPROVE** Z-6344-SP-4 Corridor Site Plan as recommended by Staff.

LEGAL DESCRIPTION

The north 136.4' of Lot 3 and the south 280' of Lot 2, Block 1, Fred C. Langencamp Addition, Tulsa County, Oklahoma.

* * * * *

PUD-257-5: Minor amendment to allow additional signage - Southeast corner of East 51st Street South and South Columbia Avenue.

The applicant is requesting to increase the number of signs allowed in the PUD from two to three and an increase in the PUD permitted display surface area from 64 SF to 119 SF. The PUD is zoned OM. The zoning code limits signage in this office PUD to two signs with a total display surface area of 102 SF. The Board of Adjustment at their October 12, 1993 meeting waived these requirements for a maximum of five years to allow the proposed signs. On February 27, 1991 the TMAPC denied a similar request after the Board of Adjustment denied a variance on the signs. The additional sign proposed is a wall sign which contains 55 SF and would be placed above the fourth floor windows on the north side of the building.

Staff cannot support this request because this office PUD is no different from many others in Tulsa. Approval of this request would establish an undesirable precedent for advertising businesses in office areas rather than informing the public where a company's offices are located. Therefore, Staff recommends DENIAL of PUD-257-5.

Staff investigated claims that the stormwater runoff from this project was not handled in the manner approved by the City. The Public Works Department was consulted to determine what stormwater management efforts were required. Staff was informed that after an earlier complaint about this site, their investigation concluded that the stormwater detention in the parking lot which was required by the City was constructed per the approved plans. The townhouse development to the south had not, however, constructed the stormwater detention facility and connected to the storm sewer system as required in their development. This was probably due to the project being taken over by the lender after only the western row of townhouses had been constructed. The City has a hold on any new building permits for that site until the stormwater drainage system is completed.

Applicant's Comments

Mr. Moody, attorney for the applicant, advised having reviewed drainage plans with the engineer, Ted Sack, who worked on the project, and determined that the project complies with conditions placed on the PUD. He noted that Mr. Sack also prepared drainage plans for the condominiums to the south, and at the time the property was purchased, the owner agreed to receive water runoff. The owner elected, in an effort to save cost, to use overland flow over the driveways rather than placing underground drainage. Mr. Moody advised that his client has offered to work with the nearby homeowners in an attempt to reduce the velocity of the water coming from the project subject to Public Works Department approval.

Mr. Moody informed that the property was acquired subject to existing tenants whose signage is on two existing ground signs. A new tenant has been acquired, Rich and Cartmill, who is requesting

a wall sign. Mr. Moody noted that the signs do not duplicate tenant names. He proposed that the wall sign be erected for a maximum of five years. Mr. Moody advised that when the existing tenants' leases expire, his client intends to remove the ground sign and erect a new monument sign. He declared that if one of the ground signs were to be removed it would create a hardship for existing tenants.

Ms. Wilson asked if any thought has been given to removing both signs and replacing them with one sign listing all twelve tenants.

Mr. Moody advised that this will be done at the end of the requested five-year period. His client is not prepared to do so at this time.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Doherty, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Horner "absent") to APPROVE PUD 257-5 Minor Amendment for a period of five years and with the stipulation that one of the monument signs must be removed by October 1, 1998 and APPROVAL of the Detail Sign Plan.

LEGAL DESCRIPTION

Lot 1, Block 1, Elmcrest Park, Tulsa County, Oklahoma.

* * * * *

ZONING PUBLIC HEARING:

Amendment to the City and County Zoning Codes pertaining to the classification of Homeless Shelter, Emergency and protective Shelter, Residential Treatment Center and other similar uses and the consideration of spacing requirements between such uses and from residential zoned areas.

Mr. Gardner noted that this item has been in public hearing previously; however, interested parties raised the issue that only one side of the issue was fairly debated before the Planning Commission. Mr. Gardner presented Alternatives "A" and "B" as follows:

HOMELESS SHELTER AND OTHER COMMUNITY SERVICES

ALTERNATIVE PROPOSAL A

SECTION 1202. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES

A. Description

Uses which in some instances may be suitable for location in any district, but because of their potential adverse influence on adjacent properties require site review and are therefore permitted in all districts, as a special exception requiring Board of Adjustment approval.

B. Included Uses:

Adult Detention Center
Airport, Heliport
Bus Station
Cemetery
Construction facilities (off site)
Convict Pre-release Center
Correctional Community Treatment Center
Crematory
Governmental Services, NEC
Homeless Shelter
Hydro-electric Generation Plant
Jail
Juvenile Delinquency Center
Mausoleum
Post Office
Prison
Rifle and Skeet Range, Gun Club
Sanitary Land Fill
Sewage Disposal Facility
Water Treatment Plant
Uses which utilize tents, canopies or open air activities* such as:
 Carnival
 Christmas tree sales
 Circus
 Fruit and vegetable sales
 Plant sales
 Other sale of merchandise
 Tent Revival

* "Open air activities shall include sales from trucks, trailers, pickups and other vehicles."

C. Use Conditions

1. Uses which utilize tents, canopies or open air activities may be approved for a maximum of 150 days per calendar year. The Board of Adjustment may permit alternative off-street parking materials.
2. Required parking spaces shall not be used for the tent, canopy or open air activity.
3. Tents, canopies, and open air activities shall meet the building setback requirements set forth in the applicable zoning districts.
4. **Construction Facilities:**
 - a. The use may continue for a period not to exceed two years in the same location.
 - b. Ingress and egress must be from arterial or collector streets, provided that the Board of Adjustment may approve a location with access to a minor street upon finding that such location would result in less traffic on streets in residential areas.
 - c. The use shall not be located nearer than 100 feet to any lot containing an occupied dwelling, without the consent of the owner thereof.
5. **Detention/Correctional and Homeless Shelter Facilities:** To avoid clustering, detention/correctional and homeless shelter facilities shall not be located on a lot within one-thousand feet (1,000') from any other lot containing such facilities or from a residential treatment center, transitional living center or emergency and protective shelter. The Board of Adjustment, however, may as a special exception, permit the clustering of such uses if determined that the location of such uses will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

D. Off-Street Parking and Loading Requirements

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Airport	1 per each 500 SF of enclosed passenger terminal area.	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per each add'l 100,000 SF.
Homeless Center, Juvenile Delinquency Center	1 per 1,000 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area.
Other uses	As may be required by the Board of Adjustment in granting the special exception use.	

SECTION 1205. USE UNIT 5. COMMUNITY SERVICES & SIMILAR USES

A. Description

Community services, cultural, educational, recreational, and religious facilities, and certain residential facilities which are needed in residential areas to serve the residents or need a residential environment, but which may be objectionable to nearby residential uses. These uses are permitted by special exception in some districts, by right in some districts, and prohibited in other districts.

B. Included Uses:

Aquarium
Art Gallery, not operated for profit
Children's Nursery
Church
College
Community Center
Community Group Home
Convent, Monastery and Novitiate
Cultural Facility, NEC
Day Camp
Emergency and Protective Shelter
Golf Course
Hospital
Library
Marina
Museum
Nursing Home
Planetarium
Private Club or Lodge, the chief activity of which is
a service not carried on as a business.
Public Park
Public Tennis Court
Residential Treatment Center
Schools, offering a compulsory education curriculum
Transitional Living Center
University

C. Use Conditions

1. Churches when located within an AG or R District:

- a. Minimum lot area of 1-acre and minimum lot width of 100 feet.
- b. No parking shall be permitted within a required front yard.

2. Schools:

- a. High Schools shall have their principal vehicular entrance and exit on an arterial street. A minimum lot area of one acre shall apply. Buildings and grounds which have been approved by the Board of Adjustment for Use Unit 5 school use may also be used for a children's nursery, preschool, community center or day camp.

3. **College, university, hospital:** A minimum site area of one acre shall apply.
4. **Residential treatment center, transitional living center, emergency or protective shelter:** To avoid clustering, a residential treatment center, transitional living center, or emergency or protective shelter shall not be located on a lot within 1/4-mile one-thousand feet (1,320 1,000 feet) from any other lot containing such facilities or detention/correctional facility. The Board of Adjustment, however, may, as a special exception, permit the clustering of such uses if determined that the location of such uses will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. **Nursing Home:** The nursing home shall meet applicable licensing requirements of the State of Oklahoma. The maximum floor area ratio is .5.
6. **Community Group Home, Convent, Monastery and Novitiate:** The maximum floor area ratio is .5.
7. **Aquarium, day camp, museum, planetarium and private club or lodge** when located within an AG, RE or RS District shall have a minimum lot area of one acre.

D. Off-Street Parking and Loading Requirements

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Aquarium art gallery museum, plane- tarium, and cultural facility NEC	1 per 800 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Children's Nursery	1 per 500 SF of floor area	NA
Church	1 per 35 SF of chapel or sanctuary floor area or 1 per 3 seats (20" of pew equals one seat) whichever is greater	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
College, University	1 per 600 SF of classroom floor area plus 1 per 4 dormitory beds, plus 1 per 4 stadium seats	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Community Center	1 per 500 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area

Community Group Home	1 per 1,000 SF of floor area	None
Convent, Monastery and Novitiate	1 per 1,000 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Emergency and Protective Shelter	1 per 1,000 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Golf Course	5 per green plus 1 per 400 SF of clubhouse floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Hospital	1 per bed	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Library	1 per 500 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Nursing Home	.35 per nursing home bed	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Private Club	1 per 100 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Public Park	1 per 4 stadium seats plus 1 per 500 SF of community center or recreation building plus 1 per 300 SF pool area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Public Tennis Court	2 per court, plus 1 per 400 SF of clubhouse area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area

Residential Treatment Center, and Transitional Living Center and other such residential facilities NEC	1 per 1,000 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
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Schools:

Elementary & Junior High	1 per 1,200 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Senior High	1 per 800 SF of floor area plus 1 per 4 stadium seats	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area

SECTION 1608. SPECIAL EXCEPTION

A. General

The Board of Adjustment upon application and after hearing subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

1. Special exception uses as designated and regulated within the permitted principal or accessory use provisions of the zoning districts;
2. Modification of restrictions as provided within Section 208;
3. The change of a nonconforming use as provided in Section 1402.F, Chapter 14, Nonconformities;
4. The restoration of a partially destroyed structure, containing a nonconforming use as provided in Section 1402.G, Chapter 14, Nonconformities;
5. The restoration of a partially destroyed nonconforming structure as provided in Section 1405, Chapter 14, Nonconformities;
6. The modification of a screening requirement, as provided in Chapter 2, Section 212.C;
7. The modification of a screening requirement, as provided in Chapter 12, Section 1228.E.3;
8. The modification of the parking and loading requirements as provided in Section 1407.C, Chapter 14, Nonconformities;
9. Antenna supporting structures in an AG, R or O District as provided in Section 1204.C.1, and the setback provisions as provided in Section 1204.C.2;
10. The modification of permitted yard obstructions as provided in Chapter 2, Section 210.B.3; and
11. Permit residential accessory uses and structures on abutting residentially zoned lots which are under common ownership.

12. The modification of the requirements in Sections 1211.E, 1212.E, 1213.E, 1214.E, 1216.E and 1222.E.
13. Reduction of the number of required off-street parking spaces on a lot or may allow the required off-street parking on a lot other than the lot which contains the adult business as provided in Sections 1409 and 1410;
14. Reduction of the 300 foot spacing requirement between a dance hall and a residential district as provided in Section 1410; and
15. The modification of front yard requirements as provided in Chapter 4, Section 403.A.7.
16. The clustering of residential treatment center, transitional living center, emergency and protective shelter and detention/correctional facility as provided in Chapter 12.

B. Application

A request for a Special Exception shall be initiated by the filing of an application with the Board, and shall be set for public hearing by the Clerk in accordance with the rules established by the Board.

Dwelling, Townhouse: A building containing two or more attached dwelling units with no unit above another unit and each unit located on a separate lot within a townhouse development.

Dwelling, Single-Family Detached: A building, other than a manufactured home, containing one dwelling unit designed for occupancy by not more than one family.

Dwelling Unit: A room or group of rooms arranged, intended, or designed as a habitable unit, containing kitchen, bath and sleeping facilities, for not more than one family living independently of any other family.

Elderly/Retirement Housing: A residential complex containing multifamily dwellings designed for and principally occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area, but exclude institutional care such as medical or nursing care and are distinguished from life care retirement centers as elsewhere defined.

Emergency and Protective Shelter: A residential facility which provides room and board for a temporary period (30 days or less), protection, counseling, and pre-placement screening for families and children and/or abused, and displaced individuals. ~~;-or-transient-children-or-adults-~~ These facilities would typically be smaller than homeless shelters.

Family: One or more persons occupying a single dwelling unit, as a single housekeeping unit, provided that unless all members are related by blood, marriage, or adoption, no such family shall contain over six persons, including any roomers, boarders and/or domestic servants. A home for independent living with support personnel that provides room and board, personal care and habilitation services in a family environment as a single-housekeeping unit for not more than six resident elderly or disabled persons (mentally and/or physically impaired with at least one, but not more than two resident staff persons shall be considered a family.

Family Day Care Home: A dwelling used to house and provide supervision and care for seven children, said total to include those preschool children under five years of age who reside in the residence.

Flashing Illumination: A light source or other image which in whole or in part physically changes in light intensity or gives the appearance of such change.

Floor Area: The sum of the gross horizontal areas of the several floors, including basements, of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Provided that for the purpose of determining compliance with the permitted floor area, the floor area of enclosed required off-street parking areas shall not be included. Provided further that floor area for outdoor display of merchandise or customer seating, whether uncovered or covered by a tent or canopy, under the provisions of Sections 1212, 1212a, 1213, and 1214 shall mean the smallest rectangular area encompassing the display or customer seating area.

Floor Area Ratio (FAR): The floor area of a building or buildings on a lot divided by the lot area.

Foster Home: A dwelling used in whole or in part as living quarters for a household including one or more minor children placed by a licensed child placement agency who are not members of the family occupying said dwelling but, are under their supervision. Further, provided that a maximum of five children are allowed to reside in the home including any natural children living in the home, if any children in the home are age two or younger. If no children are under two years, the maximum number of children residing in the home is six.

Freeway: A street designated as a freeway on the Major Street Plan.

Freeway Sign Corridor: An area 400 feet in width on each side of and adjacent to the publicly acquired right-of-way of a freeway.

Frontage: The lineal measurement of a lot boundary which abuts a public street or the lineal measurement of the building setback line when the boundary of the lot abuts a curved nonarterial street or cul-de-sac.

Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used for storage purposes only is not a "habitable floor".

Height, Building: The vertical distance measured from the average ground elevation at the building wall to the highest horizontal point of the structure, provided that Height Exceptions listed under Section 208.B. shall apply.

Height, Sign: The vertical distance measured from the curb level to the highest point of the sign.

Home Occupation: That accessory use of a dwelling which constitutes some or all of the livelihood of a person living in the dwelling.

Homeless Shelter: A facility whose primary purpose is to provide for the shelter needs of the homeless population. Related services that are provided to the homeless in such a facility may include meals, clothing, bathing facilities, minor health care, counseling and job placement services.

Intoxicating Beverages: All beverages containing more than three and two-tenths percent (3.2%) alcohol by weight and all mixed beverage coolers, as defined in Section 506 of Title 37, Oklahoma Statutes, regardless of percent of alcohol content.

Junk and Salvage Yard: An open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed, crushed or handled. Materials shall include, but are not limited to, scrap iron and other metals, paper, plastic, rags, rubber tires, salvaged or dismantled vehicles, vehicular parts, wrecked vehicles, bottles and cans.

HOMELESS SHELTER AND OTHER COMMUNITY SERVICES

ALTERNATIVE B

SECTION 1202. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES

A. Description

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B. Included Uses:

- Adult Detention Center
- Airport, Heliport
- Bus Station
- Cemetery
- Construction facilities (off site)
- Convict Pre-release Center
- Correctional Community Treatment Center
- Crematory
- Emergency and Protective Shelter**
- Governmental Services, NEC
- Hydro-electric Generation Plant
- Jail
- Juvenile Delinquency Center
- Mausoleum
- Post Office
- Prison
- Residential Treatment Center**
- Rifle and Skeet Range, Gun Club
- Sanitary Land Fill

Sewage Disposal Facility
 Transitional Living Center
 Water Treatment Plant
 Uses which utilize tents, canopies or open air activities* such as:
 Carnival
 Christmas tree sales
 Circus
 Fruit and vegetable sales
 Plant sales
 Other sale of merchandise
 Tent Revival

* "Open air activities shall include sales from trucks, trailers, pickups and other vehicles."

C. Use Conditions

1. Uses which utilize tents, canopies or open air activities may be approved for a maximum of 150 days per calendar year. The Board of Adjustment may permit alternative off-street parking materials.
2. Required parking spaces shall not be used for the tent, canopy or open air activity.
3. Tents, canopies, and open air activities shall meet the building setback requirements set forth in the applicable zoning districts.
4. **Construction Facilities:**
 - a. The use may continue for a period not to exceed two years in the same location.
 - b. Ingress and egress must be from arterial or collector streets, provided that the Board of Adjustment may approve a location with access to a minor street upon finding that such location would result in less traffic on streets in residential areas.
 - c. The use shall not be located nearer than 100 feet to any lot containing an occupied dwelling, without the consent of the owner thereof.

D. Off-Street Parking and Loading Requirements

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Airport	1 per each 500 SF of enclosed passenger terminal area.	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per each add'l 100,000 SF.
Emergency and Protective Shelter, Juvenile Delinquency Center	1 per 1,000 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area.

Residential Treatment Center, and Transitional Living Center and other such residential facilities NEC	1 per 1,000 SF of floor area	1 per 10,000 to 100,00 SF plus 1 per each add'l 100,000 SF of floor area
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Other uses As may be required by the Board of Adjustment in granting the special exception use.

SECTION 1205. USE UNIT 5. COMMUNITY SERVICES & SIMILAR USES

A. Description

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B. Included Uses:

- Aquarium
- Art Gallery, not operated for profit
- Children's Nursery
- Church
- College
- Community Center
- Community Group Home
- Convent, Monastery and Novitiate
- Cultural Facility, NEC
- Day Camp
- Emergency-and-Protective-Shelter
- Golf Course
- Hospital
- Library
- Marina
- Museum
- Nursing Home
- Planetarium
- Private Club or Lodge, the chief activity of which is a service not carried on as a business.
- Public Park
- Public Tennis Court
- Residential-Treatment-Center
- Schools, offering a compulsory education curriculum
- Transitional-Living-Center
- University

C. Use Conditions

1. **Churches when located within an AG or R District:**
 - a. Minimum lot area of 1-acre and minimum lot width of 100 feet.
 - b. No parking shall be permitted within a required front yard.
2. **Schools:**
 - a. High Schools shall have their principal vehicular entrance and exit on an arterial street. A minimum lot area of one acre shall apply. Buildings and grounds which have been approved by the Board of Adjustment for Use Unit 5 school use may also be used for a children's nursery, preschool, community center or day camp.
3. **College, university, hospital:** A minimum site area of one acre shall apply.
- ~~4. Residential treatment center, transitional living center, emergency or protective shelter: To avoid clustering, a residential treatment center, transitional living center, or emergency or protective shelter shall not be located on a lot within 1/4 mile (1,320 feet) from any other lot containing such facilities or detention/correctional facility.~~
4. 5. **Nursing Home:** The nursing home shall meet applicable licensing requirements of the State of Oklahoma. The maximum floor area ratio is .5.
5. 6. **Community Group Home, Convent, Monastery and Novitiate:** The maximum floor area ratio is .5.
6. 7. **Aquarium, day camp, museum, planetarium and private club or lodge** when located within an AG, RE or RS District shall have a minimum lot area of one acre.

D. Off-Street Parking and Loading Requirements

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Aquarium art gallery museum, plane- tarium, and cultural facility NEC	1 per 800 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Children's Nursery	1 per 500 SF of floor area	NA

Church	1 per 35 SF of chapel or sanctuary floor area or 1 per 3 seats (20" of pew equals one seat) whichever is greater	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
College, University	1 per 600 SF of classroom floor area plus 1 per 4 dormitory beds, plus 1 per 4 stadium seats	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Community Center	1 per 500 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Community Group Home	1 per 1,000 SF of floor area	None
Convent, Monastery and Novitiate	1 per 1,000 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Emergency and Protective Shelter	1 per 1,000 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Golf Course	5 per green plus 1 per 400 SF of clubhouse floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Hospital	1 per bed	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Library	1 per 500 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Nursing Home	.35 per nursing home bed	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Private Club	1 per 100 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area

Public Park	1 per 4 stadium seats plus 1 per 500 SF of community center or recreation building plus 1 per 300 SF pool area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
Public Tennis Court	2 per court, plus 1 per 400 SF of clubhouse area	1 per 10,000 to 100,000 SF plus 1 per each add'l 100,000 SF of floor area
-----Residential-----	-----1 per 1,000 SF of-----	-----1 per 10,000 to 100,000
-----Treatment-----	-----floor area-----	-----SF plus 1 per each add'l
-----Center, and-----	-----	-----100,000 SF of floor area
-----Transitional		
-----Living Center		
-----and other such		
-----residential		
-----facilities-NEC		
Schools:		
Elementary & Junior High	1 per 1,200 SF of floor area	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area
Senior High	1 per 800 SF of floor area plus 1 per 4 stadium seats	1 per 10,000 to 200,000 SF plus 1 per each add'l 200,000 SF of floor area

Interested Parties

Gary Watts

200 Civic Center

Councilor Watts informed that the City Council asked the Planning Commission to again review the proposals since it was moving in tandem with a change to the District 1 Plan, which stated that in the northwest quadrant of District 1, these kinds of uses would be allowed. He voiced concern that, this coupled with the provision that the Board of Adjustment can determine the location of various uses, would have meant de facto these kinds of uses would be concentrated in the northwest quadrant. He was concerned that the Comprehensive Plan was encouraging the location of these uses in the northwest quadrant only. Councilor Watts questioned the status of the District 1 Plan amendment. He declared the importance of not having concentration and noted that concentration is a disservice to those receiving services, as well as an undue burden on the area where that occurs. Councilor Watts supports an approach that ensures needed uses are allowed, but that they not be clustered. Councilor Watts suggested that, if transitional living centers area placed in Use Unit 2 or 5, the spacing requirements be retained. He expressed concern that, if de facto or by Comprehensive Plan, we designate a particular area of the city as being appropriate, and at the same time leave all the decisions to

the Board of Adjustment, the result will be concentration. He does not feel concentration of these services would be healthy for the community, people receiving services or service providers, and encouraged adoption of an approach that requires spreading out and not allowing concentration.

Paul Wilson

3714 East 45th Street 74135

Mr. Wilson, president of 21st Properties Inc., supported the changes proposed in Alternative "B" and urged adoption of those changes. He noted that Alternative "A" could allow OM or CS areas abutting residentially-zoned properties to become drug abuse or alcohol treatment centers or centers for juvenile delinquency by right. Mr. Wilson declared that these facilities are needed in the City and foresees that more will be required in the future. He expressed support that the Board of Adjustment be part of the process.

Norma Turnbo

1822 South Cheyenne 74119

Co-Chair District 7 Planning Team

Ms. Turnbo expressed support of Alternative "B" and voiced confidence in the Board of Adjustment in making those decisions. She cited instances in her neighborhood where several facilities exist which have no spacing since at present it is not required. Ms. Turnbo suggested adding a spacing requirement to Alternative "B" to aid the Board of Adjustment in making these determinations. She suggested a spacing of 1,320 feet and stressed the importance of review by the Board of Adjustment.

John Moody

6846 South Canton, Ste 120 74136

Mr. Moody presented a letter to the Planning Commission regarding his client's position, Skyline Vista, Inc. formerly Twelve and Twelve Transition House, Inc., expressing opposition to proposed changes to the Tulsa Zoning Code which would place Transitional Living Centers or Residential Treatment Centers in the Use Unit 2 classification. He referred to the seven studies, previously presented, and an abstract of 16 studies conducted with respect to group homes, alcoholic treatment centers, convince prerelease centers, etc. Mr. Moody challenged the assumption that there is something damaging that happens when a group home or residential treatment center for alcohol and drug substance abusers or a residential transitional living center for such persons locates adjacent to residential properties. He disputed this assumption and noted that the information he presented to the Rules and Regulations Committee sustains this. Assumptions are inaccurate that those facilities providing counseling and care and those residents in them cause crime, depreciation in property values and need more regulations, i.e. more lighting, security, etc., than adult bookstores and motion pictures. Mr. Moody declared each of these studies show there was a stabilization of and general increase in property values. The study found strong evidence to contest the commonly-held assumption that declining neighborhood property values would be a consequence of approving a special exception use permit residential facilities. Mr. Moody noted that there are things a planning department should do before making

Bonnie Hutchinson**206 North Frisco 74103**

Ms. Hutchinson advised that she resides in the northwest quadrant referred to. She urged support of a spacing requirement. Ms. Hutchinson related that her neighborhood is contending with the Day Center for the Homeless and the Salvation Army. She declared that restrictions are needed. Ms. Hutchinson stated that these facilities cannot be concentrated in one area.

Mr. Broussard asked Ms. Hutchinson to describe the problems she has experienced.

Ms. Hutchinson informed that individuals from the Center sit on her porch and the parkway; grocery carts with peoples' belongings are scattered in the area; cardboard shelters are being constructed for protection from the weather; and there is verbal abuse of residents, litter, etc.

Catherine Councill**217 North Frisco 74103**

Ms. Councill, an employee of the Department of Human Services, voiced support of a spacing requirement between subject facilities. She affirmed that Twelve and Twelve has a good reputation. Ms. Councill advised that her home is 600' from the Day Center for the Homeless and noted concerns of the neighborhood. She questioned whether giving the Board of Adjustment final approval is the correct procedure. Ms. Councill reported appearing before the Board of Adjustment to protest the Day Center for the Homeless moving closer to her neighborhood, which was to no avail since the Board of Adjustment approved the request. She stated that the Planning Commission must protect residential areas. Ms. Councill informed that clustering these facilities is detrimental to downtown Tulsa.

Charles Norman**2900 Mid-Continent Tower 74103**

Mr. Norman, who recently represented the Day Center for the Homeless in application before the Board of Adjustment which was subsequently appealed to district court, expressed support of Alternative "B" without a spacing requirement. He advised of definition problems with Alternative "A", particularly in reference to the operation of a typical Emergency and Protective Shelter. Mr. Norman noted that, according to information from the Day Center, 80% of their clientele are residents of the Tulsa area with the remainder being transient. He declared the spacing requirement to be impractical because of the differences in the kinds of operations. He noted that some separation may be appropriate if major centers located to one another. However, if only two such facilities were to provide services for a small number of people, they probably would experience no significant problem being located across the street from one another, as compared to two major facilities. Mr. Norman referred to evidence presented in the court case which was to the effect that, in the Tulsa area and other major centers, the homeless tend to congregate in particular parts of the city, usually close to places of transportation, public buildings and park areas. He noted that in Tulsa, these areas are located on the west side of the Inner Dispersal Loop (IDL). Mr.

Norman stated that in this case, requiring the Day Center to be located 1,320 from the Salvation Army to the east would have placed the Center in an area where there would have been no demand and no public transportation. To establish as a matter of principle that all these facilities should be separated is not a practical way to approach the problem. Mr. Norman believes the BOA can take these matters under consideration and the appeal process to district court provides a safeguard for any who object to the decision of the BOA.

Tom Smalley

209 North Frisco 74103

Mr. Smalley pointed out that many of the interested parties speaking did not live in the area, but rather worked within the IDL. He presented a map of the area indicating where the residential area and facilities are located. Mr. Smalley noted that social services are less than 100' from his residence. He supports a spacing requirement between residential neighborhoods and the subject uses to ensure quality of life for the residents. Mr. Smalley informed that these agencies are open 2 hours. He referred to the Comprehensive Plan which indicates relocating residents before portions of the Plan are implemented because of the harm it will create, and declared that harm is being created now. Regarding real estate value, Mr. Smalley cited a 50% loss of property value due to the facilities locating near him. Referring to the Comprehensive Plan, Mr. Smalley declared that the facilities do not support development of new structures, reinforcing the existing environment by providing compatible and supportive land use activities, etc., as stated in 4.1.2.3 District 1 Comprehensive Plan. Mr. Smalley noted that developing two blocks of social services near his residence is not compatible with the existing residential neighborhood. Mr. Smalley declared that consideration of the effects of the social service agencies is not being given to residents who actually live in the area. He declared that spacing from a residential neighborhood is imperative. Mr. Smalley informed that according to the Comprehensive Plan, neighborhoods are to be bought out before the subject facilities are constructed.

Since there were no other interested parties wishing to address the Planning Commission, Chairman Doherty declared the public comment portion closed.

TMAPC Review

Mr. Parmele voiced concern that the entire Planning Commission did not receive copies of the materials Mr. Moody distributed at an earlier Rules and Regulations Committee meeting. Mr. Parmele understood that after analysis of the studies, the Rules and Regulations Committee would make a recommendation to the full Commission. He noted that questions have been raised to indicate that this needs to return to Committee for further review.

Mr. Broussard agreed that he would like to see the studies referred to by Mr. Moody. He indicated having reservations with Alternative "B" regarding the transitional living centers definition. Mr. Broussard conveyed that the real problem is temporary facilities

and day centers which are impacting neighborhoods. He also questioned whether transitional living centers should go through the process of BOA review.

Ms. Pace suggested use by right in some districts, use by exception in others and being prohibited in others should be considered.

Chairman Doherty asked Mr. Linker to prepare a summary of legal requirements of the protected class and ADA and legal requirements and what constitutes a protected class.

Chairman Doherty stated that Hotels/Motels, Beds and Breakfast, Boarding Houses, etc., are permitted by right in some districts, by exception in others and asked the Planning Commission to consider how transitional living centers differ from that type of use and what nexus is available among those uses, transitional living centers and also transient services. He questioned whether a spacing requirement is needed, and should that requirement be waived by exception or variance, etc.

Mr. Parmele instructed Staff to set this item on the work session agenda for November 17 and suggested continuing the public hearing for 90 days.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Doherty, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Horner "absent") to CONTINUE the Public Hearing to January 19, 1994.

* * * * *

ZONING PUBLIC HEARING

Application No.: Z-5620-SP-7

Location: Southeast corner of 93rd Street South & South Memorial Drive.

Date of Hearing: October 27, 1993

The applicant is requesting that outdoor advertising be included as a permitted use in a 175' square area at the southeast corner of 93rd Street South and South Memorial Drive. The area was previously approved for 296 apartment units under Z-5620-SP-1 in 1982, but has yet to be developed. The Board of Adjustment, at their October 12, 1993 meeting, granted a variance so that an outdoor advertising sign could be placed on this property, even though it was outside an expressway corridor, and limited it to 18 months. The proposed sign would be 20' X 12' and would advertise

the Oak Leaf II subdivision, which is presently under development approximately 1300' east of this site.

Staff can support the 20' x 12' sign proposed for a maximum period of 18 months from the date of the Board of Adjustment's action, with the condition that it only advertise the Oak Leaf II subdivision. With these conditions Staff recommends **APPROVAL** of Z-5620-SP-7.

There were no interested parties present.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Horner "absent") to recommend **APPROVAL** of Z-5620-SP-7 Corridor Site Plan as recommended by Staff.

LEGAL DESCRIPTION

Part of Lot 1, Block 2, Sunchase, an Addition to the City of Tulsa, Tulsa County, Oklahoma, to wit: The West 175' of the North 175' thereof and located on the southeast corner of S. Memorial Drive and E. 93rd Street South.

* * * * *

ZONING PUBLIC HEARING

Application No.: **PUD-411-C/Z-5842-SP-5**
Applicant: Charles Norman
Location: Northeast corner of 101st Street South and South Memorial Drive.
Date of Hearing: October 27, 1993
Presentation to TMAPC: Charles Norman

The applicant is proposing to modify the development areas, permitted uses and development standards. Since Development Areas 12, 13, 14, 19 and a portion of 20 were taken for the Creek Turnpike, they have been removed from the PUD. Development Areas 2 and 3 are unchanged and are not included in this Major Amendment. Development Areas 4 and 5 have been reduced in size and the uses changed. Development Areas 1 and 6 have been enlarged and uses changed. Development Areas 7-11, 15-18, 20 and 21 have been reconfigured into a large development area for single-family dwellings.

Staff is generally supportive of the requested changes so long as sufficient buffering is provided between commercial uses and single-family dwelling uses. The collector street changes in the

development are generally supported by Staff, with the condition that collector streets in the single-family area should be designed to control excessive vehicle speed and dwellings should generally not front on these collectors.

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 411-C/Z-5842-SP-5 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-411-C/Z-5842-SP-5 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
2. **Development Standards:**

DEVELOPMENT AREA 1-A

Permitted Uses: Use Units 10, 11, 12, 13 and 14 customary accessory uses, also automotive and light truck sales and service are allowed subject to the development standards of Area 2.

Land Area (Gross): 27.74 acres
(Net): 24.10 acres
Maximum Building Floor Area: 262,500 SF
Maximum Lot Coverage by Buildings: 25%
Maximum Building Height: 26'
Minimum Arterial Street Frontage: 150'
Minimum Non-Arterial Street Frontage: 100'

Off-Street Parking: As required by the Tulsa Zoning Code.

Minimum Building Setbacks:
From centerline of Memorial Drive
within 550' of centerline of 101st St. 110'
greater than 550' from centerline of 101st St. 210'
From centerline of 101st Street
within 550' of centerline of Memorial Dr. 100'
greater than 550' from centerline of Memorial 200'
From centerline of abutting internal collector 100'
From centerline of minor internal street 50'

Minimum Landscaped Open Space: 10% of net lot area

Signs:

1. Ground signs shall be limited to one per lot on each arterial street frontage with a maximum of 160 SF of display surface area and 25' in height;
2. Wall signs shall be permitted not to exceed 1.5 SF of display surface area per lineal foot of building wall to which attached;
3. On lots of 5 acres or more - one monument sign shall be permitted at each arterial street entry, with a maximum of 60 SF of display surface area and 6' in height.

Lighting:

1. Light standards shall be limited to 30' in height with deflectors directing the light downward and away from internal boundaries of Development Area 1-A; and
2. Building mounted lights shall be hooded and directed downward to prevent spillover lighting.

DEVELOPMENT AREA 4-A

Permitted Uses:

Automobile and light truck sales and service and uses customarily accessory thereto*

Land Area (gross): 5.13 acres
(net): 4.93 acres
Maximum Building Floor Area: 53,500 SF**
Minimum Lot Frontage: 100'
Maximum Building Height: 35'
Maximum Lot Coverage by Buildings: As prescribed in the CO chapter of the Tulsa Zoning Code.

Maximum Building Setbacks:

From centerline of a street: 90'
From west development area boundary: 10'
From north development area boundary: 35'
From east development area boundary: 150'

Minimum Landscaped Open Space: 10% of net lot area

Minimum Width of Landscaped Buffer Strip on East Boundary of the Development Area: 30'

Screening Wall or Fence Required: Within the east 30' of Dev. Area.

Off-street Parking: As required by the Tulsa Zoning Code.

Signs:

1. One ground sign shall be permitted with a maximum of 160 SF of display surface area and 25' in height. It shall be setback at least 250' from the east boundary of the development area;
2. Wall signs shall be permitted not to exceed 1.5 SF of display surface area per lineal foot of building wall to which attached;
3. Monument signs shall be permitted at each non-arterial street entry with a maximum of 32 SF of display surface area and 4' in height.

Lighting:

1. Light standards shall be limited to 12' in height in the east 100' of the development area and 25' in the remainder with deflectors directing the light downward and away from adjacent lot boundaries; and
2. Building mounted lights shall be hooded and directed downward to prevent spillover lighting.

General Restrictions and Design Controls for Automobile Sales and Service Areas:

1. Interior automobile service and work areas shall not be visible from the residential area to the east;
2. The use of temporary signs, banners and streamers shall be prohibited;
3. All building exteriors shall be concrete or masonry;
4. Automotive body work and painting shall be permitted only within a building and shall not be within 250' of the east development area boundary;
5. No trucks larger than one ton or equivalent shall be displayed or offered for sale.

* Uses allowed in Development Area 5-A may be added to Development Area 4-A by Minor Amendment with appropriate development standards

** All or a portion of the building floor area allocated to Development Area 4-A may be transferred to Development Area 3 by Minor Amendment.

DEVELOPMENT AREA 5-A

Permitted Uses:

1. Use Units 10 and 11 and uses customarily accessory thereto;
2. Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers, data processing and air conditioning equipment, elevator parts and service, solar heating and auto parts, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, print shops and equipment, mail services, plumbing and lighting supplies and equipment, food preparation supplies and equipment, telephone and communications systems, supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, wholesale landscape plants, air freight and armored car services, gourmet food preparation supplies, electrical supplies, equipment and pumps, miscellaneous electrical equipment, home remodeling supplies such as windows, sliding doors, and kitchen equipment, and other similar service and supply businesses; and
3. Warehouse and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within the Trade Center, provided no exterior storage shall be permitted

Land Area (gross):	6.00 acres
(net):	5.01 acres
Maximum Building Floor Area:	89,500 SF
Maximum Lot Coverage by Buildings:	As prescribed in the CO chapter of the Tulsa Zoning Code.
Maximum Building Height:	22'
Off-street Parking:	As required by the Tulsa Zoning Code.

Minimum Building Setbacks: 85' from the centerline of an abutting street, 90' from east boundary of the development area.

Truck Loading Dock, Access Driveways and Parking Area
Setback: 150' from east boundary of development area.

Minimum Lot Frontage: 150'

Minimum Landscaped Open Space: 10% of net lot area

Minimum Width of Landscaped Buffer Strip on East Boundary of Development Area: 15'

Screening Wall or Fence Required: Within the east 15' of the development area.

Signs:

1. One ground sign shall be permitted with a maximum of 120 SF of display surface area and 25' in height;
2. Wall signs shall be permitted not to exceed 1 SF of display surface area per lineal foot of building wall to which attached; and
3. Monument signs shall be permitted at each street entry with a maximum of 32 SF of display surface area and 4' in height.

Lighting:

1. Light standards shall be limited to 10' in height in the east 90' of the Development Area and 25' in the remainder. Deflectors directing light downward and away from residential areas shall be provided;
2. Building mounted lights shall be hooded and directed downward and away from residential areas.

DEVELOPMENT AREA 6-A

Permitted Uses: Use Units 7, 7A and 8 and uses customarily accessory thereto.

Land Area (gross): 12.78 acres
(net): 11.14 acres

Maximum Number of Dwelling Units: 327

Maximum Land Coverage by Buildings: As prescribed by the
CO chapter of the
Tulsa Zoning Code.

Maximum Building Height: 3 stories not to exceed 42'

Off-street Parking: As required by the Tulsa
Zoning Code.

Minimum Required Yards:

As required in the RM-1 District by Section 403 of the
Tulsa Zoning Code, provided all buildings shall be set
back a minimum of 75' from the east boundary of the
Development Area.

Minimum Livability Space per Dwelling Unit: 600 SF

**Minimum Width of Landscaped Buffer on
East Boundary of the Development Area:** 10'

Screening Wall or Fence Required: Within the east 10' of
the development area.

Signs:

As permitted in the RM-1 District of the Tulsa Zoning
Code.

DEVELOPMENT AREA 7-A

Permitted Uses: Use Unit 6 and uses customarily
accessory thereto; stormwater
detention facilities and open
spaces.

Land Area (gross): 80.00 acres
(net): 78.74 acres

Maximum Number of Dwelling Units: 315

Maximum Land Coverage by Buildings: As prescribed in the
CO chapter of the
Tulsa Zoning Code.

Minimum Bulk and Area Requirements:

As required in the RS-3 District by Section 403 of the
Tulsa Zoning Code, except lot fronting cul-de-sacs have a
minimum required front yard of 20'.

Off-street Parking: As required by the Tulsa
Zoning Code.

Signs:

As allowed in the RS-3 District of the Tulsa Zoning Code.

3. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area except area 7-A, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan for each development area except area 7-A 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 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.
5. 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.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. 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.
8. 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.
9. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

Applicant's Comments

Mr. Norman, representative of Schwab-Fox properties, gave a detailed history of the property and surrounding area. He advised that the purpose of the major amendment is to reconfigure the west portion of the PUD as indicated in exhibits distributed. Mr. Norman informed that the major change is to propose the east 80 acres for single-family development. He described that there would

be an interior collector street system established with the single-family area connecting to streets to the east, with a separate internal collector street proposed on the interior of the west portion for service of uses proposed under the new plan. Mr. Norman reviewed the proposed street system. He proposed deleting from the PUD any exclusively office areas. Mr. Norman commented on Development Area 4-A restriction #4.

4. Automotive body work and painting shall be permitted only within a building and shall not be within 250' of the east development area boundary.

Mr. Norman asked that body work and painting not be permitted within 150' of the east development area boundary, rather than the 250' stated. He noted that a 150' setback would be adequate with the landscape buffered area required, plus a double-loaded parking area containing a building and without any opening on the east wall other than for loading.

Staff agreed to the 150' setback request.

Mr. Norman then addressed Development Area 6-A. He is requesting that RM-2 density be allowed. Mr. Norman noted that on the north side of this development are three development areas within the corridor district, one of which was developed at RM-2 standards. He suggested that setback from the single-family area be established at 85'.

Mr. Gardner advised that Staff recommendation of RM-1 and 600' livability are at the root of this recommendation.

Mr. Norman proposes setbacks from the east boundary greater than RM-2 requirements, with 404 dwelling units and a minimum livability space per dwelling unit of 300 SF.

Mr. Gardner pointed out that the development to the north fronts Memorial Drive, whereas the subject development is more interior.

Interested Parties

John and Mary McCabe	1018 South 91st East Avenue	74133
Connie Goodman	8910 E. 100th Place South	74133
Wesley O'Neill	8906 East 100th Place South	74133
Don Hardcastle	9612 South 89th East Avenue	74137
Tim Anderson	8929 East 100th Place	74133
Philip Scherer	8905 East 96th Street	74133
Lynne Daurelle	8947 East 100th Place South	74133

The above-listed individuals made the following comments:

Concern was voiced over maintenance of screening.

Concern over the effects of increased traffic flow on the neighborhood was expressed.

There was support of Development Area 6-A remaining RM-1.

Preservation was urged of the greenbelt and pond area.

One individual advised that the pond area was declared a wetland.

One individual expressed concern that any change in drainage may adversely affect his property.

Concern was expressed over street improvements to accommodate increased traffic the proposed project will generate.

It was noted that this project will add to an already-crowded school system.

Opposition was expressed to extending 96th Street, since the street already experiences a high volume of traffic with drivers exceeding the speed limit.

One individual noted that a warehouse in this area does not create an area with similar common interest among properties surrounding the subject tract.

Applicant's Rebuttal

Mr. Norman clarified that this project is downzoning for the 80 acres adjacent to Cedar Ridge Park. He indicated that he would like to meet with interested parties to thoroughly explain the project. Regarding the area in the southeast corner where the pond is, in the original submission in 1986 and today, it was identified as an area required to be improved for stormwater detention. He noted that the western portion of the property will require onsite detention. Mr. Norman declared that this project will be an improvement in the area adjacent to the interested parties' neighborhood.

TMAPC Action; 9 members present:

On **MOTION of CARNES**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Horner "absent") to recommend **APPROVAL** of PUD 411-C Major Amendment and Z-5842-SP-5 Corridor Site Plan as recommended by Staff with the following changes:

DEVELOPMENT AREA 4-A

4. Automotive body work and painting shall be permitted only within a building and shall not be within 150' of the east development area boundary with no opening on the east side of the building;

and

DEVELOPMENT AREA 6-A

Maximum Number of Dwelling Units:

404

Minimum Required Yards:

As required in the RM-2 District by Section 403 of the Tulsa Zoning Code, provided all buildings shall be setback a minimum of 85' from the east boundary of the Development Area.

Minimum Livability Space per Dwelling Unit:

300 SF

LEGAL DESCRIPTION PUD 411

A tract of land that is part of the SW/4 of Section 24, T-18-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows, to-wit: starting at the SW corner of the SW/4 of said Section 24; thence N 89°37'01" E along the southerly line of Section 24 for 1,110.02' to the Point of Beginning of said tract of land; thence due North 60.00' to a point on the northerly right-of-way line of East 101st Street South; thence S 89°37'01" W along said right-of-way line, parallel with and 60.00' northerly of as measured perpendicular to the southerly line of Section 24 for 944.77'; thence N 84°38'13" W along the northerly right-of-way line of east 101st Street South for 49.94'; thence N 49°13'17" W along said right-of-way line for 86.53' to a point on the easterly right of way line of South Memorial Drive; thence due north along said right of way line, parallel with and 50.00' easterly of as measured perpendicular to the westerly line of Section 24 for 997.14'; thence due east for 545.02'; thence N 51°00'00" E for 304.17'; thence N 34°55'00" W for 263.45' to a point of curve; thence northwesterly along a curve to the left, with a central angle of 10°05'00" and a radius of 835.20' for 146.98' to a point of compound curve; thence northwesterly and westerly along a curve to the left, with a central angle of 77°01'38" and a radius of 25.00' for 33.61' to a point of tangency, said point of tangency being on the southerly right-of-way line of East 98th Street South; thence N 57°58'22" E for 0.00' to a point of curve; thence northeasterly along the southeasterly right-of-way line of East 98th Street South on a curve to the left, with a central angle of 12°58'22" and a radius of 220.00' for 49.81' to a point of tangency; thence N 45°00'00" E along said tangency and along the southeasterly right-of-way line of East 98th Street South for 403.80'; thence N 45°00'00" W for 211.90'; thence due north for 540.00' to a point on the northerly line of the SW/4 of said Section 24'; thence N 89°37'22" E along said northerly line for 1,909.63' to the northeast corner of the SW/4 of Section 24 thence S 00°01'40" E along the easterly line of the SW/4 of Section 24 for 2,204.15'; thence S 89°37'01" W and parallel with the southerly line of Section 24 for 297.00'; thence S 00°01'40" E and parallel with the easterly line of the SW/4 of Section 24

thence S 89°37'01" W along said southerly line for 1,233.89' to the Point of Beginning.

LEGAL DESCRIPTION FOR Z-5842-SP-5

Notice is hereby given that a public hearing will be held before the Tulsa Metropolitan Area Planning Commission (TMAPC), in the Francis F. Campbell City Council Room, City Hall, 200 Civic Center, Tulsa, OK, at 1:30 p.m. on Wednesday, the 27th day of October, 1993.

At that time and place, consideration will be given to a proposed Corridor Site Plan (Z-5842-5). The proposal is to enlarge the shopping center area, delete an interior automobile sales area, add an area for office-warehouse development, establish a single area fronting on East 101st Street for multifamily dwellings and utilize the approximately 80 remaining acres for single family development on property described as a tract of land that is part of the SW/4 of Section 24, T-18-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows, to-wit: starting at the SW corner of the SW/4 of said Section 24; thence N 89°37'01" E along the southerly line of Section 24 for 1,110.02' to the Point of Beginning of said tract of land; thence due North 60.00' to a point on the northerly right-of-way line of East 101st Street South; thence S 89°37'01" W along said right-of-way line, parallel with and 60.00' northerly of as measured perpendicular to the southerly line of Section 24 for 944.77'; thence N 84°38'13" W along the northerly right-of-way line of east 101st Street South for 49.94'; thence N 49°13'17" W along said right-of-way line for 86.53' to a point on the easterly right of way line of South Memorial Drive; thence due north along said right of way line, parallel with and 50.00' easterly of as measured perpendicular to the westerly line of Section 24 for 997.14'; thence due east for 545.02'; thence N 51°00'00" E for 304.17'; thence N 34°55'00" W for 263.45' to a point of curve; thence northwesterly along a curve to the left, with a central angle of 10°05'00" and a radius of 835.20' for 146.98' to a point of compound curve; thence northwesterly and westerly along a curve to the left, with a central angle of 77°01'38" and a radius of 25.00' for 33.61' to a point of tangency, said point of tangency being on the southerly right-of-way line of East 98th Street South; thence N 57°58'22" E for 0.00' to a point of curve; thence northeasterly along the southeasterly right-of-way line of East 98th Street South on a curve to the left, with a central angle of 12°58'22" and a radius of 220.00' for 49.81' to a point of tangency; thence N 45°00'00" E along said tangency and along the southeasterly right-of-way line of East 98th Street South for 403.80'; thence N 45°00'00" W for 211.90';

thence due north for 540.00' to a point on the northerly line of the SW/4 of said Section 24' thence N 89°37'22" E along said northerly line for 1,909.63' to the northeast corner of the SW/4 of Section 24; thence S 00°01'40" E along the easterly line of the SW/4 of Section 24 for 2,204.15'; thence S 89°37'01" W and parallel with the southerly line of Section 24 for 297.00'; thence S 00°01'40" E and parallel with the easterly line of the SW/4 of Section 24 for 440.00' to a point on the southerly line of Section 24; thence S 89°37'01" W along said southerly line for 1,233.89' to the Point of Beginning and located in the northeast corner of East 101st Street South and South Memorial Drive.

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ZONING PUBLIC HEARING

Application No.: **Z-6419** Present Zoning: AG
Applicant: Jeffrey Levinson Proposed Zoning: RS-3
Location: East of the northeast corner of South Memorial Drive and
101st Street South
Date of Hearing: October 27, 1993
Presentation to TMAPC: Jeffrey Levinson

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject area as Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested RS-3 District is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 10 acres in size, is located east of the northeast corner of Memorial Drive and 101st Street South. It is partially wooded, gently sloping, and contains a single-family home.

Surrounding Area Analysis: The tract is abutted on the north and east by single-family homes, zoned RS-3; to the south by scattered single-family homes and agricultural uses, zoned AG; and to the west by a church, zoned AG.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicates that the single-family, RS-3 properties that abut the subject tract on the north and east were rezoned from AG to RS-3 in May, 1979. The portion of PUD-411A that abuts the subject tract to the northwest has been approved for medium residential intensities and major amendment PUD-411C proposes single-family dwellings at RS-3 density in this area.

Conclusion: RS-3 zoning is in accordance with the Plan Map and existing and proposed development.

Therefore, Staff recommends **APPROVAL** of RS-3 zoning for Z-6419.

Applicant's Comments

The applicant expressed agreement with Staff recommendation.

Interested Parties

John and Mary McCabe 10018 South 91st East Avenue 74133
Mr. McCabe expressed concern over street layout of the subject area.

Chairman Doherty explained that two points of access off 101st will be required. He advised that this will be addressed in the platting process.

Robin Cox

9014 East 101st Street 74133

Mr. Cox whose family recently purchased the property, was speaking on behalf of his grandparents Ralph and Helen Curley; uncle, Ralph Curley, Jr.; and his parents Ann and Ken Rhinehart, his wife and himself. He advised that they live on the property directly across the street from the subject property. In June of this year he submitted a proposal to the owner's son-in-law, Jim Pompeli. Mr. Pompeli's mother-in-law's wishes were to ensure this property was to remain as agricultural zoning. Before anything could be finalized, the mother-in-law died. Mr. Cox noted that the Haikey Creek United Methodist Church, with a country setting, has been located there for 75 years or more. He noted that if the subject property is made into a high-density residential project, it will detract from the historical area and country flavor of the area. He made an offer to the new owner to purchase the property to keep it from becoming a residential area.

TMAPC Action; 6 members present:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Broussard, Carnes, Dick, Doherty, Pace, Parmele, "aye"; no "nays"; no "abstentions"; Ballard, Horner, Midget, Neely, Wilson "absent") to **APPROVE** Z-6419 for RS-3 zoning as recommended by Staff.

LEGAL DESCRIPTION

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter, Section 24, Township 18 North, Range 13 East, and located east of the northeast corner of S. Memorial Drive and 101st Street South, Tulsa County, Oklahoma.

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ZONING PUBLIC HEARING

Application No.: Z-6420 Present Zoning: AG
Applicant: William B. Jones Proposed Zoning: CS & RM-1
Location: 8900 East 71st Street South
Date of Hearing: October 27, 1993

Mr. Doherty announced that the applicant has requested a 60-day continuance.

TMAPC Action; 7 members present:

On MOTION of MIDGET, the TMAPC voted 7-0-0 (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to CONTINUE Z-6420 to January 5, 1994.

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ZONING PUBLIC HEARING

Application No.: Z-6421 Present Zoning: IM
Applicant: William B. Jones Proposed Zoning: CBD
Location: 312 West Brady Street
Date of Hearing: October 27, 1993

Chairman Doherty announced that the applicant has requested a continuance.

Interested Parties

Tom Smalley 209 North Frisco 74103

Mr. Smalley requested continuance be set after the date of the public hearing over transitional living centers.

Chairman Doherty suggested that a neighborhood meeting be held and that Mr. Smalley address the Planning Commission on the date the application has been continued to. He advised that there are concerns over the application.

TMAPC Action; 7 members present:

On MOTION of MIDGET, the TMAPC voted 7-0-0 (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele, "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to CONTINUE Z-6421 to November 17, 1993.

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OTHER BUSINESS:

PUD 484 Detail Sign Plan and Revised Detail Site Plan - southeast corner of East 11th Street south and South Delaware Place.

The applicant is requesting approval of a 25' high ground sign containing 150 SF of display surface area. A Revised Site Plan must also be approved because three parking spaces were converted to a grassed area on which the sign is located. The sign meets all the requirements of the PUD and even with the three space reduction, the site exceeds the required number of off-street parking spaces. Therefore, Staff recommends **APPROVAL** of the Sign Plan and Revised Site Plan.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **APPROVE** PUD 484 Detail Sign Plan and Revised Detail Site Plan as recommended by Staff.

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PUD-190: Detail Site Plan for a temporary accessory tent - southwest corner of 71st Street South and South Sheridan Road.

The applicant is again requesting approval of a Christmas sales promotion tent accessory to Price Mart in its parking lot. Since this has been approved in the past and at present the Summit Square Shopping Center appears to have sufficient off-street parking to accommodate this reduction in spaces and increase in demand, Staff recommends **APPROVAL** for one season from November 20, 1993 to December 31, 1993.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **APPROVE** PUD 190 Detail Site Plan as recommended by Staff.

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PUD-379-A: Detail Sign Plan - "Mondo's Italian Restaurant" - north of the northwest corner of East 71st Street South and South Memorial Drive.

Staff has reviewed the proposed wall signs on the east and west sides of Mondo's Italian Restaurant and finds they conform with the PUD requirements. Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **APPROVE** PUD 379-A Detail Sign Plan as recommended by Staff.

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PUD-360-A: Detail Sign Plan for "Back Yard Burgers" on Lot 3, Block 1 - north of the northwest corner of East 91st Street South and South Memorial Drive.

The applicant has submitted a single ground sign 25' high containing 114 SF of display surface area and a canopy sign on the east end of the building. The ground sign and the canopy sign comply with the PUD conditions; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **APPROVE** PUD 360-A Detail Sign Plan as recommended by Staff.

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PUD-179-S: Restrictive Covenants reflecting the changes made by PUD-179-S-2, Howerton Acres.

Staff recommends **APPROVAL** of the Amendments to Certificate of Dedication for Howerton Acres which incorporates the changes to the PUD made by Minor Amendment PUD-179-S-2, subject to approval by the Legal Department as to form.

TMAPC Action; 7 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **APPROVE** PUD 179-S Amendments to the Declaration of Covenants for Howerton Acres subject to Approval by the Legal Department as to form and final Staff review.

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Consider making a recommendation to the Cherokee Nation Tax Commission concerning a retail tobacco operation at 743 North Lewis Place.

There was discussion among the Planning Commissioners noting that the subject location is in a residential area and is inappropriate use for retail sales. The Planning Commission instructed the Chairman to write a letter of opposition to the operation.

TMAPC Action; 7 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Broussard, Carnes, Dick, Doherty, Midget, Pace, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Horner, Neely, Wilson "absent") to **INSTRUCT** the Chairman to write the strongest possible letter opposing retail use in a residential area.

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There being no further business, the Chairman declared the meeting adjourned at 4:38 p.m.

Date Approved: 11/10/93

James R. Corbett
Chairman

ATTEST:

[Signature]
Secretary

