

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1974

Wednesday, May 11, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes, 2nd Vice
Chairman
Horner
Midget, Mayor's
Designee
Neely, 1st Vice
Chairman
Pace
Parmele
Chairman
Wilson

Members Absent

Broussard
Doherty
Harris

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, May 10, 1994 at 1:06 p.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of April 27, 1994, Meeting No. 1972:

On **MOTION** of, **WILSON** the TMAPC voted **6-0-1** (Ballard, Carnes, Horner, Pace, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Broussard, Doherty, Harris, Midget "absent") to **APPROVE** the minutes of the meeting of April 27, 1994 Meeting No. 1972.

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REPORTS:

Chairman's Report:

Respond to a request to TMAPC from City Council for a recommendation on the closing of South 135th East Avenue, south of East 21st Street South, between lots 3 and 4, Smittle Addition.

Ted Sack

110 South Hartford Avenue, 74120

Mr. Sack, representing Charity Baptist Church, presented the preliminary plat which was reviewed by TAC and noted that it will be presented to the Planning Commission when the street issue is settled by the City Council. He explained that rights-of-way surrounding this property have never been open. Mr. Sack noted that the church purchased Lots 3 & 4 planning to combine the property and they have requested vacation of South 135th East Avenue between these two tracts. Mr. Sack informed that owners of the southern tract were

gaining access to his property through a trail existing along East 21st Place South. He explained that because of topography, opening South 135th East Avenue to East 21st Street South is impractical. Mr. Sack explained that Mr. Davenport owns the property to the southeast of the subject tract and was concerned over accessing 21st Street. He explained that the church is willing to grant Mr. Davenport an access easement across this property until such time as his tract develops. He disclosed that it is possible for Mr. Davenport to access East 21st Street South from South 133rd East Avenue and East 21st Place South.

Chairman Parmele disclosed that Mr. Doherty field checked the property and supports an access easement across the church property so long as the property is used for agricultural purposes. Should the property be developed in the future, then access should be granted along South 133rd East Avenue to East 21st Place South.

Chairman Parmele asked if there would be sufficient access should the tract to the south of the subject property be developed.

Mr. Gardner surmised that East 21st Place South would be able to carry the traffic. In response to Chairman Parmele's question over whether the closing of the small section of South 135th East Avenue would affect future development, Mr. Gardner advised that it would not. He stated that 133rd East Avenue would have to remain open, but it would not be necessary for both to remain open in order to serve the traffic.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **RECOMMEND** the street closing as presented with easement to Mr. Davenport's property so long as the back parcel is used for agriculture.

Chairman Parmele referred a request to the Rules and Regulations Committee reviewing policies for adding late agenda items to the TMAPC agenda.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced that the Budget and Work Program Committee will meet in work session May 18 at the conclusion of the regularly scheduled TMAPC meeting.

Comprehensive Plan Committee

Mr. Neely announced that the Comprehensive Plan Committee meeting regarding the Brookside Study was canceled today due to lack of quorum and is rescheduled for May 25, at 11:30 a.m. in the INCOG conference room.

Rules and Regulations Committee

Chairman Parmele announced that the Rules and Regulations Committee will meet in work session May 18 at the conclusion of the regularly scheduled TMAPC meeting.

Director's Report:

Mr. Gardner suggested that the Planning Commissioners bring their Comprehensive Plans to the committee meeting for Staff to bring them up-to-date.

SUBDIVISIONS:

REINSTATEMENT OF PRELIMINARY PLAT:

Home Depot North Tulsa (194) (PD-1)(CD-4)
NE/c of East 11th Street South & South Elgin Avenue.

Staff Comments

Mr. Jones announced that Home Depot North was approved by the Planning Commission April 21, 1993. He disclosed that they are in the final stages of the platting process, but the plat has expired. Mr. Jones noted that there are no changes from the original plat, therefore, and Staff can recommend **APPROVAL** of reinstatement of Home Depot North for one year.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **APPROVE** REINSTATEMENT OF PRELIMINARY PLAT for Home Depot North Tulsa as recommended by Staff.

FINAL APPROVAL AND RELEASE:

Home Depot North Tulsa (194) (PD-1)(CD-4)
NE/c of East 11th Street South & South Elgin Avenue.

Staff Comments

Mr. Jones declared that all the release letters have not been received and Staff recommends this item be stricken from the agenda. He informed that the engineer was in agreement with striking the item.

Hearing no objection, Chairman Parmele declared the item stricken from the agenda.

CHANGE OF ACCESS ON RECORDED PLAT:

Kensington, Block 16 (783) (PD-18)(CD-2)
North of the NE/c of East 81st Street South & South Riverside Pkwy.

Staff Comments

Mr. Jones announced that Wayne Alberty was present representing the applicant. He informed that when this project was developed, Riverside Parkway was not extended; therefore, there are limits of no access the entire 501' along Riverside Parkway. The applicant is now requesting to add one 40' access point in approximately the center to provide access to Oral Roberts University apartments. Mr. Jones advised that Traffic

Engineering has reviewed this plat and recommended approval; therefore, Staff recommends **APPROVAL** based on the diagram presented.

In response to a question from Ms. Wilson, Mr. Jones explained that the site plan indicates a median cut directly across from the proposed access points permitting both right and left hand turns.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **APPROVE** the **CHANGE OF ACCESS ON RECORDED PLAT** as recommended by Staff.

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CONTINUED ZONING PUBLIC HEARING:

Application No: **PUD-510**

Present Zoning: RS-3/CH

Applicant: Charles C. Boyd

Proposed Zoning: RS-3/CH/PUD

Location: South of the SW/c of East 11th Street South & South Yale Avenue.

Date of Hearing: May 11, 1994

Chairman Parmele announced receipt of a request for continuance from the applicant to May 18, in order to meet with area residents to introduce the revised PUD.

Interested Parties

Ron Miller

1148 South Vandalia 74112

Jason Johnson

1148 South Vandalia 74112

Shirley Marney

1204 South Winston Avenue 74112

Freeman Jordan

4703 East 12st Street 74112

Mr. Miller informed that interested parties from the previous TMAPC meeting have not received notification of meetings from the applicant. He addressed the inconvenience of taking time off from work to attend the TMAPC meeting when no action is taken.

Mr. Gardner explained that since the Planning Commission denied the closing of the street, that significantly impacts the project, and the church is just now developing an alternate plan to present to area residents.

There was discussion over the length of continuance and it was determine that June 1 would be an appropriate date. Chairman Parmele instructed Staff to contact the applicant and request that he meet with the interested parties.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **CONTINUE** PUD 510 to June 1, 1994.

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Application No.: **PUD-306-C**
Applicant: Roy Johnsen
Location: East of the NE/c of East 101st Street South & South Yale Avenue.
Date of Hearing: May 11, 1994

Chairman Parmele announced that the applicant has requested a continuance to June 1, in order for additional site plan information to be secured.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **CONTINUE** PUD 306-C to June 1, 1994.

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ZONING PUBLIC HEARING:

Application No.: **Z-6442**
Applicant: Jack C. Cox
Location: South Sheridan Road & East 108th Street South.
Date of Hearing: May 11, 1994
Presentation to TMAPC:

Present Zoning: AG
Proposed Zoning: RS-2

Chairman Parmele announced that the applicant has withdrawn this item.

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Application No.: **405-D/Z-5722-SP-5**
Applicant: Steve Schuller
Location: Northwest corner of South Memorial Drive and the Creek Turnpike.
Date of Hearing: May 11, 1994
Presentation to TMAPC: Steve Schuller

PUD-405-D

The applicant is proposing a Major Amendment to PUD-405 to allow retail uses and Use Unit 17 uses in Development Area 3. In addition, a 50' high, 200 SF ground sign is proposed. It is envisioned that the 219' tract would be split into two lots sharing one common access to Memorial Drive. The southern lot will probably be used as a tire store and no end user has been determined for the other lot.

Since the construction of the Creek Turnpike, development areas fronting Memorial Drive have been allowed to convert from the original office uses to retail and limited automobile related uses. Staff can support this amendment with appropriate limitations on the type of automobile-related activities, size and number of signs and number of access points.

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-405-D 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-405-D subject to the following conditions:

1. The applicant's Outline Development Plan and Text and the requirements of PUD-405 be made a condition of approval, unless modified herein.

2. **Development Standards:**

Land Area (Net): 73,250 SF
Permitted Uses: Use Units 11, 13, 14, 16 and an automobile tire and wheel store and suspension and muffler repair.

Maximum Floor Area Ratio Per Lot: 0.25
Minimum Landscaped Open Space (Net): 10%
Minimum Lot Frontage: 100'
Maximum Building Height: 35'
Minimum Building Setbacks
From Memorial Drive R/W: 50'
From all other PUD-405-D Boundaries: 10'

3. Only one access point to Memorial Drive is permitted and all owners of property in PUD-405-D shall have access to it. Also a north-south mutual access shall be provided near the Memorial Drive frontage which connects PUD-405-D properties to the lots to the north.
4. Wall signs shall be permitted which do not exceed 1 SF per lineal foot of building wall to which they are attached.
5. Only one ground sign is permitted in PUD-405-D. It shall be placed along the Memorial Drive frontage and the display surface area shall be perpendicular to the centerline of Memorial Drive. The sign shall meet the setback requirements of 1103.B.2.b. and shall not exceed a height of 40' nor a display surface area of 200 SF.
6. All exterior walls shall be of masonry construction. Smooth concrete block is not allowed. No garage doors or service area access doors shall face Memorial Drive.
7. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
8. A Detail Landscape Plan for each development area shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for that 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.

9. 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.
10. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
11. 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.
12. 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.

Z-5722-SP-5

The applicant is requesting that no detailed Corridor Site Plan be submitted with this application. Instead, the Detail Site, Sign and Landscape Plans approved by the TMAPC would satisfy this requirement. Since this has been done in other PUD's with underlying Corridor zoning, Staff recommends **APPROVAL** of Z-5722-SP-5 for this same procedure.

Applicant's Comments

Mr. Schuller noted that commercial development is what is becoming more appropriate for the area. He pointed out that the subject property abuts the Creek Turnpike and the applicant is proposing dividing the tract into two development areas. Mr. Schuller informed that limiting the property to one sign presents a problem since there will be two separate owners with two separate uses. He questioned whether the 40' height limitation is enough height to be visible because of the turnpike. Mr. Schuller suggested two signs lower in height or one 50' sign. He expressed agreement with the remainder of the Staff recommendation.

There was discussion among the Planning Commission that if an exception is made in this instance that others who have already been denied will request the same exception.

Mr. Stump informed that Staff did not oppose dividing what was originally intended to be a single-lot development into two lots if the net effect was to look like a single lot, i.e., one point of access and one sign.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **APPROVE** PUD 405-D MAJOR AMENDMENT and Z-5722-SP-5 CORRIDOR SITE PLAN as recommended by Staff.

LEGAL DESCRIPTION

Lot 3, Block 4, 9100 Memorial, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma according to the recorded Plat thereof, less and except a portion or part thereof described as beginning at a point in the West line of Lot 3 which is 219.20' South of the Northwest corner thereof, thence North 88°03'37" East a distance of 0.00' to a point of curve, thence along said curve to the right (said curve having a radius of 11,759.16') a distance of 304.23' to a point in the South line of Lot 3 which is 32.32' from the Southeast corner thereof, thence South 74°02'50" West along the South line of Lot 3 a distance of 316.35' to the Southwest corner thereof, thence due North along the West line of Lot 3 a distance of 80.58' to the point of beginning, and being located at 9344 South Memorial Drive, Tulsa, Oklahoma.

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Application No.: **Z-6443**
Applicant: Roy Johnsen
Location: 5620 South Mingo Road.
Date of Hearing: May 11, 1994
Presentation to TMAPC:

Present Zoning: RS-3
Proposed Zoning: OM

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 1, Industrial Area.

According to the Zoning Matrix the requested OM District **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 200'. The property is wooded, flat and contains a vacant single-family dwelling.

Surrounding Area Analysis: The subject tract is abutted on the north and west by single-family dwellings, zoned RS-3; to the south by a vacant single-family dwelling, zoned IL; and to the east by commercial and industrial businesses, zoned IL.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicates that non-residential zoning has been approved north and south of the subject tract.

Conclusion: The subject property is identified as being within a future industrial development area with the future industrial activities which are moderate to heavy to be primarily located in the northeastern section. The Comprehensive Plan also designates that industrial development will be located and buffered to prevent adverse effects on nearby non-industrial uses. Therefore Staff recommends **APPROVAL** of **OM** zoning for Z-6443.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris, Midget "absent") to recommend **APPROVAL** of Z-6433 for OM zoning as recommended by Staff.

LEGAL DESCRIPTION

Lot 4, Block 1, Anderson Addition, Tulsa County, Oklahoma, and being approximately located at 5620 South Mingo Road.

Application No.: **PUD-223-B**

Applicant: John Moody

Location: Northeast corner of West Edison Street and North Country Club Drive

Date of Hearing: May 11, 1994

Presentation to TMAPC: John Moody

Major Amendment

The applicant is proposing a community group home for pregnant women and women with children on a 2.52-acre tract at the northeast corner of West Edison Street and North Country Club Drive. In addition, 8 apartments for staff or patrons and a chapel are to be provided. A separate single-family dwelling for the director is also shown.

PUD-223-A would presently allow 30 townhouse units in this same area.

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-223-B 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-223-B 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:**

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|------------------|--|
| Land Area (Net): | 2.52 acres |
| Permitted Uses: | Use Units 6 and 8 and a community group home for pregnant women and women with children. |

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|-----------------------------|-----------|
| Maximum Building Floor Area | |
| Single-Family Dwelling: | no limit |
| Apartments & Group Home: | 18,000 SF |

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|----------------------------------|---|
| Maximum Number of Dwelling Units | |
| Apartment Units: | 8 |
| Single-Family Dwellings: | 1 |
| Community Group Homes: | 1 |

| | |
|----------------------------------|------------|
| Minimum Off-Street Parking | |
| Single-Family & Apartment Units: | 2 per unit |
| Group Home: | 6 |

Minimum Landscaped Open Space: 40,000 SF

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|----------------------------|-----|
| Signs | |
| Ground Signs: | -0- |
| Wall Signs (max. of 32 SF) | 1 |

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| Minimum Required Yards for Group Home & Apartments | |
| From C/L of Edison: | 85' |
| From C/L of Country Club Drive: | 90' |
| From C/L of Guthrie: | 50' |
| From North Boundary of PUD: | 50' |

Minimum Required Yards for Single-Family Dwelling: same as in RS-2 district

| | |
|--------------------------|-----|
| Maximum Building Height | |
| Single-Family Dwelling: | 35' |
| Group Home & Apartments: | 25' |

3. The group home and apartment building shall be constructed in a residential style with a pitched shingled roof and all masonry exterior walls.

4. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan 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.
5. A Detail Landscape Plan 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 prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
6. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
8. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet.

9. 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.
10. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

Applicant's Comments

Mr. Moody expressed agreement with Staff recommendation. He proceeded to review the history of the Tulsa Baptist Women's Shelter, explaining that the proposed facility will replace one already existing. He disclosed that the facility is much like a group home and declared there is no drug or alcohol treatment program. Mr. Moody gave a detailed review of the proposed facility. He pointed out that the structure will be oriented facing North Guthrie because of the existence of a storm sewer pipe in an easement going through the property. This will orient the entrance of the property on North Guthrie and away from residential uses. Mr. Moody informed that a screening fence will be installed so the residential area will have no view of the activities within the facility. He then described the appearance of the proposed structure, noting that it will be compatible with existing residential structures. Mr. Moody pointed out that at present the PUD would permit 30 townhouse units and the proposed project will reduce the density, since there will only be 8 apartment units, ONE single-family and one group home constructed, thereby reducing building mass and reduction of generated traffic.

Mr. Moody answered questions from the Planning Commission regarding access and screening.

Mr. Gardner noted that the Planning Commission may wish to place a percentage on masonry exterior walls allowed for condition #3.

Mr. Moody disclosed that the structure will be all masonry exterior walls.

Interested Parties

Gloria Pasternak

1503 East 52nd Place 74105

Ms. Pasternak, owner of the property to the east of the subject property, expressed opposition to placing a community service facility in a residential area. She feels such a facility would be more appropriately located close to medical and educational facilities rather than in the middle of a totally residential area.

Jeff Fitts

1602 West Easton 74127

Mr. Fitts, representative of the Owen Park Homeowners Association which is south of the subject property on Edison, expressed opposition to the proposed facility. He declared that the northwest quadrant of the city is -saturated with these types of facilities. Mr. Fitts disclosed that there are approximately twelve social service-types of facilities such as this within a one-half mile radius, noting that none are on his side of the expressway at this point. He informed of private revitalization efforts taking place in his neighborhood, and noted that the homes built there have historical significance. Mr. Fitts disclosed that the applicant met with area residents who are apprehensive of foot traffic the facility will generate. He described problems experienced in Owen Park because of existing agencies. Mr. Fitts expressed concern over increased traffic flow in the neighborhood and the effect of short-term residents attending public schools in the area. He informed of obtaining 64 signatures from area residents expressing opposition to the facility. Mr. Fitts informed that area

residents fear that relocating the facility will bring along with it groups of people hanging around the outside smoking and drinking, boyfriends visiting and couples fighting, etc.

Cherokee Pettis

708 North Cheyenne 74106

Ms. Pettis resides across the street from the location of the present Baptist Women's Shelter and informed that the facility is moving only four blocks away from its present location. She informed that the shelter is not being forced to move, but is in a voluntary acquisition area. Ms. Pettis advised that the shelter is presently on the bus line, and by moving, will be farther from the line. She noted that within a one-half mile there are currently three other facilities which deal with pregnant women. Ms. Pettis related problems she has experienced with living across the street from the shelter, such as periods of transition when individuals are moving, police bringing individuals to the shelter, ambulance activity because many of the residents are leaving abusive situations. There is traffic through the neighborhoods searching for the shelter; all of the mentioned situations add to the density in the neighborhood. Ms. Pettis revealed that the Baptist Women's Shelter has already printed brochures listing their new location.

Ida Willis

2031 North Peoria 74106

Ms. Willis, proprietor of the Willis Museum of Miniatures, Dolls and Toys, was present representing her son Robert Willis III who resides in Boston and owns the property where the museum is located. Her son asked that she express his opposition to the location of the proposed facility. Ms. Willis informed that many of the area residents did not receive notice of the proposed development. Ms. Willis would like to see the area developed as residential. She expressed concern that the proposed facility will intrude into the peacefulness of the neighborhood. Ms. Willis expressed concern that the museum will be surrounded by buildings which might draw an undesirable element and adversely affect her patrons.

Doris Gilbert

564 North Country Club Drive 74106

Ms. Gilbert, who resides across the street from the proposed facility, expressed opposition to the location of the facility.

Ms. Robinson, affiliated with the Baptist Women's Shelter operation, informed that the address of the facility is never published and walk-ins are never accepted. She informed that individuals are accepted by referrals only. Ms. Robinson declared that residents are not allowed to loiter outside the building, and that visitors are not allowed and drugs and tobacco are not allowed. Ms. Robinson answered questions from the Planning Commission regarding length of stay, number of individuals to be housed and services provided by the facility.

Steve Bass, Executive Director, Tulsa Metro Baptist Association

Mr. Bass represents 124 Southern Baptist Churches in the Tulsa Metropolitan Area. He informed that the displaced individuals they are referring to are not those who are transient in the neighborhood. He stressed that they are a referral system through the pastors and chaplaincy of the police department, and references are always checked. He reiterated that they are not involved with drug or alcohol rehabilitation.

Applicant's Rebuttal

Mr. Moody informed that the total number of population includes staff, the director, nurse and others. Regarding land use in the area, Mr. Moody declared that the proposed use is compatible with the surrounding area. Mr. Moody answered questions from the Planning Commission, noting that the applicant would be willing to condition the PUD upon specifically the requested use by the Metropolitan Baptist Association. In response to Chairman Parmele's question as to whether this would be a use by right in RMO, where the applicant could build this facility by right on the eastern three lots, Mr. Moody explained that it would, but because of the existence of numerous utilities in the area, a PUD is required.

Chairman Parmele asked whether the 30 originally-planned townhouses could be constructed if the development were to occur in the RMO.

Mr. Gardner responded in the affirmative, explaining that the only difference being that this facility will have congregate meals.

Ms. Pace questioned the type of screening the applicant intends to use, and suggested additional screening for the safety of children on the premises.

Mr. Moody explained that a proposed play yard is enclosed with a solid screening fence. The applicant agreed to a condition that the need for additional screening will be reviewed at the time of final site plan approval.

Ms. Pace noted that the only RMO zoned area of this neighborhood is the small part of the original PUD, with the major portion being well-kept single-family, which she believes to be a precious commodity in this portion of Tulsa. She believes that the entire facility should be buffered with a security fence.

TMAPC Review Session

There was discussion among the Planning Commission regarding prohibiting access to Guthrie, requiring access only on Edison with screening on the north side of the property. There was discussion over screening adjacent to all single-family residences and review of screening at detail site plan review.

Mr. Neely made a motion for approval with the condition that the Planning Commission review screening conditions at site plan review.

Mr. Midget reluctantly expressed support of the motion because it was brought out that the proposed use would be allowed by right; however, the conditions placed on the PUD will allow for protection of the integrity of the neighborhood.

Ms. Pace does not believe this PUD is what the originators of the original PUD had in mind. She expressed opposition to the proposal.

Bill Gray

4908 South Narcissus, Broken Arrow 74011

TMAPC Action; 8 members present:

On **MOTION** of **NEELY**, the TMAPC voted 7-1-0 (Ballard, Carnes, Horner, Midget, Neely, Parmele, Wilson "aye"; Pace "nay"; no "abstentions"; Broussard, Doherty, Harris "absent") to recommend **APPROVAL** of PUD 233-B MAJOR AMENDMENT and require site plan review by the Planning Commission additional screening on the north side and possibly the perimeter of the property.

LEGAL DESCRIPTION

Lots 1 to 8, inclusive, Block 1, Country Club Oaks Addition, a Resubdivision of Part of Block 5, South Osage Hills Addition, an Addition to the City of Tulsa, County of Osage, State of Oklahoma, according to the recorded Plat thereof, and a tract of land lying in Lot 2, Block 5, South Osage Hills Addition, an Addition to the City of Tulsa, County of Osage, State of Oklahoma, according to the recorded Plat thereof, and being more particularly described as: Beginning at a point on the East line of said Lot 2, 120' North of the Southeast corner thereof, thence continuing North along said East line 119.3' to a point, thence South 89°49'27" West 138.56' to a point on the West line of said Lot, thence South 00°06'22" West along the West line of said Lot 2, 119.6' to a point, thence North 89°42'15" East 138.78' to the point of beginning, and being approximately located at 600 West Edison Street, Tulsa, Oklahoma.

Application No.: **PUD-512/Z-6444**
Applicant: Jerry Callaway
Location: Southwest corner of East 71st Street South and South Garnett Road.
Date of Hearing: May 11, 1994
Presentation to TMAPC:

Present Zoning: CS
Proposed Zoning: PUD

The applicant is proposing a retail development on 6.2 acres with three development areas. The main retailer in the PUD is planned to be an Albertson's store. The two other development areas would contain much smaller establishments. The property is currently zoned CO as is the land to the west and south. Concurrent zoning case Z-6444 is requesting that all of the PUD be rezoned CS.

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-512 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-512 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:**

Land Area (Gross): 7.6904 acres
(Net): 6.1983 acres

DEVELOPMENT AREA A:

Land Area (Net): 4.8214 acres
Permitted Uses: Use Units 11, 12, 13, and 14
Maximum Building Floor Area: *60,000 SF
Maximum Building Height: 35'
Minimum Building Setbacks
From C/L of E. 71st St.: *110'

From C/L of S. Garnett Rd.: 100'
 From South Boundary: *35'
 From West Boundary: *35'

DEVELOPMENT AREA B:

Land Area (Net): 0.8175 acres
 Permitted Uses: Uses permitted by right in the CS District
 Maximum Building Floor Area: 9,000 SF
 Maximum Building Height: 35'
 Minimum Building Setbacks
 From C/L of E. 71st St.: *110'
 From C/L of Garnett Rd.: 100'

DEVELOPMENT AREA C:

Land Area (Net): 0.5594 acres
 Maximum Building Floor Area: 6,000 SF
 Maximum Building Height: 35'
 Minimum Building Setbacks
 From C/L of S. Garnett Rd.: 100'
 From South Boundary of PUD: 60'

3. Signage shall not exceed the following standards:

DEVELOPMENT AREA A:

Ground Signs: One on East 71st Street South and one on South Garnett Road not to exceed 25' in height nor 150 SF per sign.

Wall Signs: *One and one-half square feet per lineal foot of building wall to which it is attached, except no wall signs on the south and west facing walls.

DEVELOPMENT AREA B:

Ground Signs: One on East 71st Street South and one on South Garnett Road. Signs shall not exceed 25' in height nor *125 SF if two signs are used or 150 SF if one sign is used.

Wall Signs: As provided in Section 1103.B.2.

DEVELOPMENT AREA C:

Ground Signs: One ground sign not to exceed 25' in height nor 100 SF.

Wall Signs: *One and one-half square feet per lineal foot of building wall to which it is attached, except none are permitted on south-or-west facing walls.

4. The entire south boundary of the PUD shall have a minimum of a 10' wide landscaped buffer strip planted with sufficient evergreen trees to form a visual screen within five years. Also, the loading area in Development Area A, including trucks, shall be screened from view from Garnett Road by erection of a wall to a height of the top of the truck or 10', whichever is less.

5. No outside storage of trash or materials meant for recycling is permitted except when completely screened from public view.
6. Each Development Area shall have mutual access to an abutting Development Area. *Two points of access are permitted onto 71st Street and three points of access are permitted onto Garnett Road. All are subject to approval by the City Traffic Engineer. Other access points on both street frontages are permitted if approved by the Traffic Engineer. Access shall also be allowed from this PUD to developments to the west and south if the TMAPC finds that such access is appropriate.
7. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
8. A Detail Landscape Plan for each development area shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for that 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.
9. 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.
10. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
11. All parking lot lighting shall be directed downward and away from adjacent residential areas.
12. 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.
13. 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.
14. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

*Amended at the Planning Commission meeting.

AND

Z-6444: Southwest corner of E. 71st Street and S. Garnett Road.

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Corridor - Medium and Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested CS/PUD District is in accordance with the Plan Map within the Medium Intensity node but is **not** in accordance with the Plan Map within the Low Intensity area.

Staff Comments:

Site Analysis: The subject property contains approximately 8 acres. The property is non-wooded, gently sloping, and vacant.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant land and a farm, zoned CS and AG; to the south and west by vacant property, zoned CO; and to the east by vacant land that is within the Broken Arrow fenceline.

Zoning and BOA Historical Summary: Previous zoning actions in this area have established commercial development within the commercial nodes of the arterial streets and along E. 71st Street. The proposed use and intensity of development would be compatible with the Comprehensive Plan if only the north 660' of the gross tract is zoned CS. Therefore Staff recommends **APPROVAL** of CS zoning of the area within 660' of the centerline of 71st Street and OL zoning on the remainder.

Applicant's Comments

Tony Callaway

17738 Preston Road, Dallas, TX

Callaway Architects

Mr. Callaway, representing Albertson's, expressed agreement with Staff recommendation with a few modifications. He reviewed areas of access to the property and addressed areas of modification to Staff recommendation.

Interested Parties

Craig Abrahamson

7518 South 107th East Avenue

Mr. Abrahamson resides in Hampton South, the residential subdivision south of the subject tract, and informed that the Homeowners Association has elected not to take a position regarding the proposed development. However, he expressed anxiety that drainage from the proposed development will adversely affect the existing subdivision's drainage, and that increased traffic will contribute to existing congestion problems. Mr. Abrahamson suggested that the developer consider publicly-funded private improvements for expansion of surrounding streets to accommodate traffic which will be drawn to the area.

Mr. Callaway informed that the developer will be dedicating right-of-way required for future expansion of Garnett Road and 71st Street.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to recommend **APPROVAL** of Z-6444 for CS zoning within 660' of the centerline of 71st Street and OL zoning on the remainder and **APPROVAL** of PUD 512 as amended and recommended by Staff.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") for EARLY TRANSMITTAL.

LEGAL DESCRIPTION PUD 512

A tract of land that is part of the NE/4 of Section 7, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a Point that is the Northeast corner of said Section 7, T-18-N, R-14-E; thence S 00°10'00" W along the Easterly line of Section 7 for 744.43'; thence S 89°46'10" W and parallel with the Northerly line of said Section 7 for 450.01'; thence N 00°10'00" E and parallel with the Easterly line of Section 7 for 744.43 to a point on the Northerly line of Section 7; thence N 89°46'10" E along said Northerly line for 450.01' to the Point of Beginning of said tract of land.

LEGAL DESCRIPTION Z-6444 CS PORTION

A tract of land that is part of the NE/4 of Section 7, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a Point that is the Northeast corner of said Section 7, T-18-N, R-14-E; thence S 00°10'00" W along the Easterly line of Section 7 for 660.00'; thence S 89°46'10" W and parallel with the Northerly line of said Section 7 for 450.01'; thence N 00°10'00" E and parallel with the Easterly line of Section 7 for 660.00 to a point on the Northerly line of Section 7; thence N 89°46'10" E along said Northerly line for 450.01' to the Point of Beginning of said tract of land.

Z-6444 OL PORTION

A tract of land that is part of the NE/4 of Section 7, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a Point that is the Northeast corner of said Section 7, T-18-N, R-14-E; thence S 00°10'00" W along the Easterly line of Section 7 for 744.43'; thence S 89°46'10" W and parallel with the Northerly line of said Section 7 for 450.01'; thence N 00°10'00" E and parallel with the Easterly line of Section 7 for 744.43 to a point on the Northerly line of Section 7; thence N 89°46'10" E along said Northerly line for 450.01' to the Point of Beginning of said tract of land, less and except the north 660.00' thereof.

Application No.: **PUD-411-4**
Applicant: Sack & Associates
Location: Southeast corner of East 98th Street South and South Memorial Drive.
Date of Hearing: May 11, 1994
Presentation to TMAPC:

Minor Amendment

The applicant is requesting that a PUD restriction which requires that all walls of buildings in Development Areas 2, 3, 4 and 5, used for auto sales and service, be entirely concrete or masonry. Instead they would be like those in Development Area 2, those building walls not facing Memorial Drive be required to be at least 50% concrete or masonry. Staff cannot support this amendment for a number of reasons. First, all existing buildings in this PUD as well as the similar PUD at the southwest corner of East 91st Street South and South Memorial Drive comply with the current wall covering requirement. Secondly, the north and south sides of a building in Development Area 2 will be just as visible from Memorial Drive as the wall facing Memorial Drive. Finally, if this area is to have a quality-coordinated appearance as originally proposed in the PUD, it needs similar quality building finishes. Therefore, Staff recommends **DENIAL** of PUD-411-4.

Applicant's Comments

Mr. Sack expressed willingness to modify the application. He explained that the rear of the building is 18' high, whereas the front is 24' high with a service area which is 12' high. He explained that the used car facility is 12' high, which sets in front and would block the back end. He requested that the application be modified to waive the requirement of total masonry to 50% for the 18' high on the south and east side of the building.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris, Parmele "absent") to **Deny** PUD 411-4 **MINOR AMENDMENT** as recommended by Staff.

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OTHER BUSINESS:

PUD-411 Jim Norton Center/Sack & Assoc.
E. 98th St. S. & S. Memorial Dr.
Detail Site Plan

(PD-26)(CD-8)

Staff Comments

Mr. Stump reported that no elevations have been received; therefore, Staff cannot move ahead with the site plan. Mr. Stump informed that the item can be heard at another time without needing to reapply. This was agreeable with the Planning Commission.

PUD-481: Revised Detail Site Plan - Braum's Lot 4 - northwest corner of East 71st Street South and the Mingo Valley Expressway

This revised plan is very similar to the previously approved plan for a Braum's restaurant. The new plan complies with the PUD conditions; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, , Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris, Parmele "absent") to **APPROVE** PUD 411 **DETAIL SITE PLAN** as recommended by Staff.

* * * * *

PUD-128-A: Detail Sign Plan - northeast corner of East Trenton Avenue and South Riverside Drive.

The Kensington Homeowners Association is requesting approval of a subdivision identification sign at the Riverside Drive entrance to the subdivision. The City of Tulsa has approved an agreement to allow the sign in the right-of-way of Riverside Drive and the Board of Adjustment will hear the request for a variance to allow a structure in the street right-of-way on May 10, 1994 (BOA-16659). Staff recommends **APPROVAL** of the sign if the BOA approves the variance.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, , Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris, Parmele "absent") to **APPROVE** PUD 128-A **SIGN PLAN REVIEW** as recommended by Staff..

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PUD-128: Detail Site Plan Revision - east side of South Riverside Drive at approximately East 78th Street South

The ORU apartments are being converted to apartments available to the general public. In order to increase their marketability to the general public, they wish to add an entrance onto South Riverside Drive. No buildings or parking areas are affected. Staff recommends **APPROVAL** of the revised Site Plan subject to approval of the access by the City Traffic Engineer.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Doherty, Harris "absent") to **APPROVE** PUD 128 **DETAIL SITE PLAN** as recommended by Staff.

* * * * *

PUD-282: Southwest corner of East 71st Street south and South Lewis Ave.

Staff Comments

Mr. Stump informed that this is the Kensington Galleria site and they are requesting additional signs. He explained that because of noncompliance with the sign code Staff would like the applicant to file a minor amendment for a plan encompassing the entire area.

It was the consensus of the Planning Commission to take no action on this item.

Applicant's Comments

Brian Ward

9520 East 55th Place

Mr. Ward requested the item be continued to allow time to determine signage needs for the entire property.

Ms. Wilson suggested a comprehensive sign review for the entire project.

Since no notice was required no action is required and the applicant will return after review.

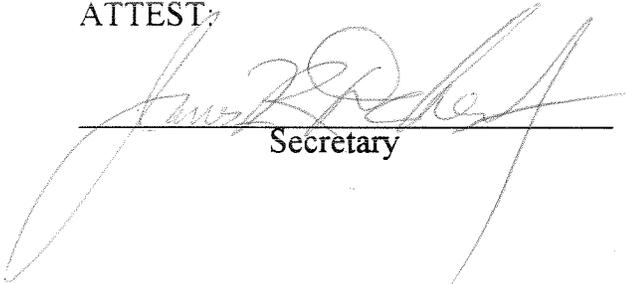
There being no further business, the Chairman declared the meeting adjourned at 3:35 p.m.

Date Approved: 5/25/94



Chairman

ATTEST:



Secretary

