

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1998

Wednesday, November 9, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

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

Members Absent

Ballard
Harris
Horner

Staff Present

Gardner
Hester
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, November 8, 1994 at 12:09 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 1:40 p.m.

Minutes:

Approval of the minutes of October 26, 1994, Meeting No. 1996:

On **MOTION** of, **CARNES** the TMAPC voted **5-0-2** (Carnes, Doherty, Pace, Parmele, Wilson "aye"; no "nays"; Gray, Neely "abstaining"; Ballard, Harris, Horner, Midget "absent") to **APPROVE** the minutes of the meeting of October 26, 1994 Meeting No. 1996.

REPORTS:

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced that the Budget and Work Program Committee will meet in work session November 16, 1994 to discuss Staff prioritization of the list from Paula Hubbard of suggested items for the work program, evaluation of the Fall training session, discussion of possible dates for the Spring training workshop and consideration of suggestions from the Planning Chairs for modification of the agenda to better inform the Chairs of the nature of proposed changes in zoning.

Comprehensive Plan Committee

Mr. Neely informed that the Comprehensive Plan Committee will meet in work session on November 16, 1994 to determine whether infrastructure should be in place prior to zoning or platting and receive a briefing on the Kendall-Whittier Urban Renewal Plan Amendments from Tulsa Development Authority.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee will meet in work session November 16, 1994 to discuss Bed and Breakfast facilities and other work items and receive a status report on the blanket zoning of West Dawson and East Lynn/Park Dale.

Director's Report:

Mr. Gardner reminded the Planning Commission that work sessions will be held at 11:30 on November 16, 1994 because of the length of the regular meeting.

Resolution to adopt amendment to the District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area - amendments relating to St. John Medical Center in Special District 1.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Midget "absent") to **ADOPT** Resolution 1997:768 amending the District 6 Plan Map and Text.

* * * * *

CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-5903-SP-1**

Applicant: John W. Moody

Location: South of the southwest corner of East 63rd Street South and South Mingo Road.

Date of Hearing: November 9, 1994

Corridor Site Plan
Alternative Compliance to Landscaping Requirements

Staff Recommendation

The applicant is requesting approval of a site plan for indoor and outdoor skating rinks on a 3.25-acre tract. The indoor rink contains 33,800 SF of floor area and the outside rink is 70' X 150'. A 40'-wide storm drainage ditch is proposed along the north and east sides of the property. The subject property was delineated into 3 tracts with only Tract A having a prescribed use and site plan. Tracts B and C do not have sufficient information to qualify as corridor site plans. Staff review of Tract A finds the uses to be compatible with the surrounding development. The landscaping proposed does not comply with the landscaping requirements of the Zoning Code. Also, the only access to the tract is directly onto Mingo Road, which is prohibited by Section 804 of the Corridor Chapter. No collector streets have been established in the area and because of the drainage way and existing dwelling on the north side of the development, a collector could not serve a significant amount of this area. Staff would recommend **APPROVAL** of the proposed access points so long as Tracts B and C are primarily accessed from the southern driveway as shown on the plan.

A 25' high ground sign is proposed with 200 SF of display surface area. A total of 165 off-street parking spaces are proposed which meets the Zoning Code requirements. Therefore, Staff recommends **APPROVAL** of the **CORRIDOR SITE PLAN Z-5903-SP-1** for Tract A subject to the following conditions:

1. A revised landscape plan be submitted which complies with Chapter 10 of the Zoning Code or the TMAPC approves alternative compliance.
2. The Board of Adjustment grants a variance from the requirements of Section 804.

The applicant expressed agreement with Staff recommendation.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Midget "absent") to **APPROVE** Z-5903-SP-1 **CORRIDOR SITE PLAN** and Alternative Compliance to Landscaping Requirements as recommended by Staff.

Application No.: **PUD-282-4**
 Applicant: Carl G. Vincent
 Location: Southwest corner of East 71st Street South & South Lewis Avenue.
 Date of Hearing: November 9, 1994
 Presentation to TMAPC: Carl G. Vincent

Minor Amendment - Kensington

The applicant is requesting approval of a Minor Amendment to allow the use of a satellite dish as a "corporate flag" - not counting the inscribed dish (Prevue Networks, Inc.) as a ground sign. The applicant also requests that the PUD be "considered as one parcel for the purposes of signage" and that new ground and monument signs be allowed with a PUD maximum of 1,995 SF.

Staff has reviewed the request and has determined the following:

1. The site plan as submitted by the applicant substantially represents the existing ground and directional signage within the PUD.
2. The applicant's computation of the existing area of signage in the PUD does not include the satellite dish (660 SF), the 31 "traffic control signs" (248 SF), or the 20 "reserved parking" signs (167 SF). The reserved parking signs exceed the 3 SF limit and therefore should be categorized as ground signs. The existing area of signage including these fixtures as signs is 1,764 SF. The number of signs is 32.
3. The information submitted by the applicant does not include the satellite dish and indicates that there are currently 11 ground signs totaling 911 SF. These signs are distributed as follows:

<u>Parcel:</u>	<u>Linear Footage:</u>	<u># of Signs:</u>	<u>Display Area:</u>
Parcel A	432 LF	4	453.00
Parcel B	961 LF	4	343.00
Parcel C	602 LF	1	67.00
Parcel D	0	2	48.00
Total:	1,995 LF	11	911.00

4. The satellite dish is highly visible from the westerly access into the Centre. Although similar in color to the surrounding architecture, the size, shape, and location (ground level at the southwest corner of the structure) of the dish make it a dominant feature of the southwest quadrant of the PUD.

Staff does not support the opinion of the applicant that the dish with the Prevue Network, Inc. inscription has "virtually no advertising value," "does not have a negative impact on the area," or does not "violate the spirit of the Zoning Code." The purpose of a PUD and PUD development standards is to create a comprehensive, integrated development where varieties of uses are combined to establish a cohesive overall character. The impact of the dish with the inscription does not lend itself to the projection of a cohesive image.

5. Staff's field visit identified 2 additional signs which add to the impact of overall ground signage. These signs include a Via TransFund monument sign which is located (albeit erroneously) in the northeast corner of this PUD. This sign has an area of 27 SF. The second sign is a United Video sign which stands around the southwest support for the space frame on the south side of the building. Although the sign stands around the column, it is unrelated structurally or visually to the space frame. The sign is a 2-sided sign (interior angle almost 90°) and includes a total of 117 SF. This sign was originally approved as a wall sign but functions as a ground sign.

Staff Recommendations:

Based on the previous review, Staff recommends **APPROVAL** of the request for this portion of the PUD to be considered as one parcel for purposes of computing signage.

Staff recommends **APPROVAL** for maximum display area of 1,995 SF and a maximum of 14 ground and monument signs.

Staff recommends **DENIAL** of the inscribed satellite dish as a "corporate flag".

Staff computations include the 11 existing ground signs, the 31 traffic control signs, the 20 reserved parking signs, the "Via" monument sign, and the satellite dish for a total of 33 signs and 1,765 SF of display area. Staff recommends that the 31 traffic control signs be exempted from consideration. Staff further recommends that the information of a directional nature on the lower panel of these signs be computed based on the actual area of the text, provided that the background area remains a solid color (bronze).

Staff recommends that the 7 red and white office tower reserved parking signs and the "Via" monument sign be removed. Staff also recommends that the 13 United Video reserved parking signs be replaced with signs of 3 SF or less. These changes will reduce total existing square footage to 1,571 SF and 12 signs. Available signage will be 424 SF and 2 signs.

Staff recommends that the allowed signage be allocated as follows:

<u>Parcel:</u>	<u>Linear Footage:</u>	<u># of Signs:</u>	<u>Display Area:</u>
Parcel A	432 LF	4	453.00
Parcel B	961 LF	6	767.00
Parcel C	602 LF	1	67.00
Parcel D	0	3	708.00
Total:	1,995 LF	14	1995.00

NOTE: The satellite dish has not been approved as a sign. In addition, it exceeds the maximum area allowed by the Zoning Code. The sign will require a variance from the Board of Adjustment and approval from the Planning Commission.

Applicant's Comments

Mr. Vincent expressed agreement with Staff recommendation.

Interested Parties

Julius Bankoff

2424 East 72nd Place 74136

Mr. Bankoff, representative of 66 homeowners in Esplanade Condominium Association located between 72nd and 73rd Place on Lewis Avenue, expressed support of Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Midget "absent") to **APPROVE** PUD 282-4 Minor Amendment as recommended by Staff.

Application No.: **PUD-435-B**

Applicant: Roy D. Johnsen

Location: East of the southeast corner of East 66th Street South & South Yale Avenue.

Date of Hearing: November 9, 1994

Chairman Parmele informed that the applicant has requested a one week continuance and the neighborhood Homeowners Association has expressed agreement to the continuance.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Midget "absent") to **CONTINUE** PUD 435-B MAJOR AMENDMENT to November 16, 1994.

ZONING PUBLIC HEARING:

Application No.: **PUD-294-6**
Applicant: Charles Norman
Location: Lot 2, Block 1, Mill Creek Bridge - 6904 East 91st Place South.
Date of Hearing: November 9, 1994
Presentation to TMAPC: Charles Norman

Minor Amendment

The applicant is requesting approval of a minor amendment to allow a reduction in the allowed minimum rear yard setback from 20' to 11'. The purpose of this request is to allow an addition to an existing unit.

Staff has reviewed the request and finds that the rear yard of the parcel in question is abutted by the rear yard of a single-family parcel of comparable size. Staff also finds that the usable area of the subject parcel is favorably comparable to the usable area of the other parcels in the area, and that a significant portion of the proposed addition to the existing unit is within the existing 20' setback.

Minor Amendments have been granted in this addition for reduction in side yard or front yard. One reduction of rear yard was granted in April, 1983 based upon the subject parcel being "unusually short in length". The current subject parcel is somewhat longer than the norm in this addition.

Finding no significant basis for hardship and based on the substantial size of the setback reduction (45%), Staff recommends **DENIAL**.

Applicant's Comments

Mr. Norman informed that this lot is a part of the Mill Creek Pond PUD that has a specific provision in the covenants that yard requirements may be modified by the Planning Commission with the approval of the Homeowner's Association (HOA). He distributed a copy of the letter from the Mill Creek Bridge (HOA) expressing support of the plans as presented with conditions. Mr. Norman pointed out the unusual shape of the subject lot and the significant difference in depth from others in the area. He pointed out that the houses backing up to the southern portion of the property are behind a fence and a considerable distance away and property owners to the east are also behind a fence and expressed no objection to the HOA or at this hearing to the proposal for the building addition.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-1-0** (Carnes, , Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; Doherty "nay"; no "abstentions"; Ballard, Harris, Horner "absent") to **APPROVE** PUD 294-6 **MINOR AMENDMENT**.

Application No.: **PUD-455-A**

Applicant: Jerry Ledford, Jr.

Location: South of the southeast corner of East 68th Street South and South Yale Avenue.

Date of Hearing: November 9, 1994

Major Amendment

The applicant is proposing to significantly alter the original PUD which provided for an 85'-wide detention pond and landscaped area immediately abutting Yale Avenue and then three restaurants and at the eastern end of the property, a strip shopping center. Since the original approval, the need for stormwater detention has been satisfied by a detention facility built immediately southeast of the PUD. This then freed the Yale Avenue frontage for development.

PUD-455-A proposes two development areas for commercial uses fronting on Yale Avenue and two development areas for office or parking development on the east side of the PUD. The total building floor area for the amended PUD would be the same as in the original PUD, but 14,000 SF of it would be office use rather than commercial.

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-455-A 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-455-A 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 (Net): 203,955 SF

DEVELOPMENT AREA 1:
(west 270' of north 225' of PUD)

Land Area (Net):	60,750 SF
Permitted Uses:	Use Units 10, 11, 12, 13 & 14
Maximum Building Floor Area:	7,500 SF
Minimum Building Setbacks from Development Area Boundaries	
West:	50'
South:	20'
East:	50'
North:	70'
Minimum Landscaped Open Space:	20% of lot
Minimum Widths of Landscaped Buffer Strip	
North boundary:	20'

East boundary:	30'
Maximum Building Height:	35'
Minimum Lot Frontage:	150'

DEVELOPMENT AREA 2:
(west 270' of south 225' of PUD)

Land Area (Net):	60,750 SF
Permitted Uses:	Use Units 10, 11, 12, 13 & 14
Maximum Building Floor Area:	7,500 SF
Minimum Building Setbacks from Development Area Boundaries	
West:	50'
South:	70'
East:	50'
North:	20'
Minimum Landscaped Open Space:	20% of lot
Minimum Widths of Landscaped Buffer Strip	
East boundary:	30'
Maximum Building Height:	35'
Minimum Lot Frontage:	150'

DEVELOPMENT AREA 3:
(east 165' of PUD less south 225')

Land Area (Net):	45,330 SF
Permitted Uses:	Use Units 10 & 11
Maximum Building Floor Area:	7,000 SF
Minimum Building Setbacks from Development Area Boundaries	
West:	60'
South:	20'
East:	40'
North (measured from NW/c of Dev. Area):	220'
Minimum Landscaped Open Space:	25% of lot
Minimum Widths of Landscaped Buffer Strip	
East boundary:	15'
West boundary:	15'
Maximum Building Height:	35'
Minimum Lot Frontage:	50'

DEVELOPMENT AREA 4:
(east 165' of south 225' of PUD)

Land Area (Net):	37,125 SF
Permitted Uses:	Use Units 10 & 11
Maximum Building Floor Area:	7,000 SF
Minimum Building Setbacks from Development Area Boundaries	
West:	60'
South:	20'
East:	40'
North:	20'
Minimum Landscaped Open Space:	20% of lot
Minimum Width of Landscaped Buffer Strip	
East boundary:	15'
West boundary:	15'
Maximum Building Height:	35'
Minimum Lot Frontage:	0'

3. Signage in the PUD shall be permitted in conformance with the following standards:

Development Areas 1 and 2:

One ground sign per development area with a maximum display surface area of 125 SF and a maximum height of 25'.

Wall signs shall be permitted at a rate of one square foot per linear foot of building wall to which they are attached. No wall signs are permitted on the east side of buildings nor on the north side of buildings in Development Area 1.

Development Areas 3 and 4:

One monument sign is permitted with a maximum display surface area of 32 SF and a maximum height of 6'.

No wall signs and no other ground signs are permitted in these development areas.

4. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and 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 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.
6. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
8. All parking lot lighting shall be directed downward and away from adjacent residential areas.
9. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
10. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have 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 and making the City beneficiary to said covenants.
11. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

Applicant's Comments

Mr. Ledford expressed agreement with Staff recommendation.

Interested Parties

Gene Kaefer

4214 East 74th Street 74136

Mr. Kaefer, representative of the South Ridge Homeowners Association, informed of missing the beginning development of PUD 455 and remembers when this area was limited to office-medium. He informed that area residents would have urged that it remain so. Mr. Kaefer expressed opposition to the major amendment. He expressed opposition to more development of strip commercial and removal of the holding pond. Mr. Kaefer cited examples of flooding in the area and urged that the applicant continue with his original proposal. However, he stated that if the applicant proceeds as the diagram indicates, there should not be a problem and he asked how area residents can ensure that the applicant complies with the proposal.

Chairman Parmele instructed Staff to notify Mr. Kaefer when the site plan and landscape plan are reviewed.

Mr. Carnes made a motion for approval of Staff recommendation. Mr. Doherty seconded the motion.

Ms. Wilson noted that since the stormwater detention issue has been satisfied, the developer would be prompted to reanalyze how the property would be used, and she does not see how this reconsideration would be injurious to the public or the neighborhood.

In response to Ms. Pace's question, Mr. Stump informed that the area southwest of the Hyde Park detention facility is zoned for commercial use, CS.

Mr. Gardner informed that the attitude of the Staff in reviewing this PUD was based on what was originally approved and this is a downscaling of that project. He informed of discussions about large single users on this property and property to the north which Staff

could not support. He informed that the Planning Commission would be reviewing the tract to the north, if someone proposes to change that zoning, which is approved for office use. Mr. Gardner said that Staff would go on record in opposition to any commercial extension to the north and are only supportive of the subject application based on what has been approved to date.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner "absent") to recommend **APPROVAL** of PUD 455-A MAJOR AMENDMENT as recommended by Staff.

Chairman Parmele instructed Staff to notify Mr. Kaefer when the site and landscape plans are presented.

LEGAL DESCRIPTION PUD 455-A

Part of the SW/4, SW/4 of Section 3, T-18-N, R-13-E of the Indian Base and Meridian, Tulsa, Tulsa County, Oklahoma, according to the official U.S. Government survey thereof, being more particularly described as follows; to-wit: Commencing at the Southwest corner of said Section 3; thence due North along the West line of said Section 3 a distance of 661.01'; thence S 89°49'36" E a distance of 60.00' to the Point of Beginning; thence due North 60.00' from and parallel to the West boundary of said SW/4, SW/4 a distance of 449.72'; thence due East a distance of 269.97'; thence N 00°00'08" E a distance of 179.71' to a point in the Southeasterly right-of-way line of East 68th Street South; thence N 65°09'58" E 30.00' from and parallel to the Southeast right-of-way line of East 68th Street South a distance of 43.23'; thence on a curve to the right having a radius of 120.00' a distance of 22.57'; thence S 00°00'17" W a distance of 230.62'; thence S 89°50'02" E a distance of 104.50' to a point on the South boundary of Lot 1, Block 1, Burning Hills 3rd, an Addition in the City of Tulsa, Tulsa County, Oklahoma according to the official recorded Plat thereof; thence S 00°00'17" W along the Westerly boundary of Lot 1, Block 1, Burning Hills 2nd, an Addition in the City of Tulsa, Tulsa County, Oklahoma according to the official recorded Plat thereof, a distance of 425.27' to the Southwest corner thereof; thence N 89°49'36" W a distance of 434.91' to the Point of Beginning; containing 204,923 square feet or 4.70 acres, more or less, and located north of Hyde Park 2nd and the Northeast corner of East 71st Street and South Yale Avenue.

Application No.: **PUD-519/Z-6460**

Applicant: Lenora Felix

Location: 653 East Apache Street, west of the northwest corner of East Apache Street and North Hartford Avenue

Date of Hearing: November 9, 1994

Presentation to TMAPC: Lenora Felix

Z-6460 Staff Recommendation

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity - Corridor.

According to the Zoning Matrix the requested OM is **not in** accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is 60' x 160' in size, it is partially wooded, gently sloping, contains a vacant dwelling and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north and west by single-family dwellings, zoned RS-3; to the southwest by a post office and parking lot, zoned CS and RS-3; to the south by a public park, zoned RS-3; to the east by a vacant lot and beyond the lot a is a manufacturing company and parking lot, zoned IL.

Zoning and BOA Historical Summary: No rezoning has taken place near the subject tract.

Conclusion: Based on the Comprehensive Plan, which designates the subject tract as low intensity - corridor, new development within this corridor is encouraged which would provide adequate neighborhood convenience and be compatible with the existing residential uses. Therefore, Staff recommends **DENIAL** of OM zoning and **APPROVAL** of OL zoning for Z-6460.

PUD-519: West of the northwest corner of Hartford and Apache Street

The applicant is requesting to establish a wellness center at 653 East Apache in an existing single-family residential structure. Accompanying the PUD is zoning request Z-6460 which proposes *OM* zoning on the tract.

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-519 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-519 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:

Permitted Uses:	Use Unit 6 and a Wellness Center as described in the applicant's submittal
Maximum Building Floor Area:	1,500 SF
Maximum Building Height:	1 story
Minimum Building Setbacks	
North boundary:	70'
East boundary:	12'
West boundary:	7'
South boundary:	25'

3. One ground sign is permitted a maximum of 4' high and containing no more than 20 SF of display surface area. No wall signs are permitted.

4. The existing structure shall be retained and its residential appearance preserved and a screening fence shall be provided along the north boundary and the east and west boundaries to a point 25' from the front property line.

5. No additional paved parking areas are permitted in the front of the existing structure. New paved parking spaces shall be provided to the rear of the existing structure, but no spaces shall be closer than 5' from the north, east, or west property lines.*

6. 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.

7. 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.

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

9. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 8 feet.

10. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have 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 and making the City beneficiary to said covenants.

11. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

*As amended by TMAPC.

Applicant's Comments

Ms. Felix expressed support of Staff recommendation. She noted that the proposed wellness center is the first opportunity for African-Americans to have their own wellness center located in this part of the city. Ms. Felix presented letters of support.

Planning Commission Comments

The Planning Commissioners inquired as to the reason for recommending parking in the rear of the property.

Mr. Gardner explained that the purpose for the requirement of parking in the rear is that should it revert to single-family usage, then a parking lot would not be appropriate in the front of the residential structure.

Interested Parties

Geneva Barnes
Victoria Wilson
Willie Crawford

240 East Apache 74106
532 East 32nd Street North 74106
2222 North Main 74106

The above-listed individuals expressed support of the proposal citing examples of the need for a wellness center in north Tulsa.

Peaches Curl

645 East 26th Place North 74106

Ms. Curl was opposed to the location of the wellness center and informed that there are others in the area who are also opposed. She conveyed concerns with existing traffic congestion in the vicinity and anticipates that the proposal will add to it. Ms. Curl suggested that the center be located elsewhere, noting that within two blocks of the proposed location is a medical complex, and Morton Health Center is approximately one mile away with free transportation. She declared that the center will create a nuisance in the neighborhood.

Applicant's Rebuttal

Ms. Felix explained that the protestant does not understand the impact for good that a wellness center will have within the community for the African-American people.

TMAPC Review Session

Ms. Gray, TMAPC liaison to this district, informed that she contacted the Planning Chairs for this area who informed that the neighborhood will support this wellness center. She disclosed that business owners in the area were contacted and have expressed agreement with the location and the type of business which will be conducted. Ms. Gray noted that this is an area in transition.

Ms. Pace suggested including a written specification for a paved driveway and paved parking lot. She requested that condition #5 be changed to read: No additional paved parking areas are permitted in the front of the existing structure. New *paved* parking spaces shall be provided to the rear of the existing structure, but no spaces shall be closer than 5' from the north, east, or west property lines.

Mr. Midget encouraged the applicant to preserve the residential character of this structure and surroundings as much as possible in order to protect this area.

Ms. Wilson asked if the detail site plan will come before the Planning Commission for review.

Mr. Stump informed that presently there is not sufficient off-street parking to meet the code and when parking is added the applicant will be required to present a site plan.

Mr. Doherty noted that other than for parking this site does not need a detail site plan and suggested that Staff review would be sufficient.

Ms. Wilson deemed OL zoning to be appropriate for the area noting that the parking lot in the rear and lighting being directed downward and away from residential is necessary.

TMAPC Action; 8 members present:

On **MOTION** of **WILSON**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner "absent") to recommend **APPROVAL** of PUD 519 and Z-6460 for OL zoning as recommended by Staff and changing condition #5 to read:

- 5. No additional paved parking areas are permitted in the front of the existing structure. New paved parking spaces shall be provided to the rear of the existing structure, but no spaces shall be closer than 5' from the north, east, or west property lines.

LEGAL DESCRIPTION Z-6460:

Lot 14, Block 9, Devonshire Place Resub of Block 9 through 13, and being located west of the northwest corner of East Apache and North Hartford Avenue, Tulsa County, Oklahoma.

Application No.: **PUD-520**

Applicant: Roy D. Johnsen

Location: Southwest corner of East 39th Street South & South Peoria Avenue.

Date of Hearing: November 9, 1994

Chairman Parmele announced that the applicant has requested a one-week continuance to allow a companion item to vacate an existing PUD to be heard at the same time.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Midget "absent") to **CONTINUE** PUD 520 to November 16, 1994.

Application No.: **Z-6466 (CZ-218)**

Applicant: Joe Donnelson

Location: North of the northwest corner of East 66th Street North & the Mingo Valley Expressway.

Date of Hearing: November 9, 1994

Present Zoning: AG

Proposed Zoning: IL or CG

CZ-218/Z-6466: 0.25 mile north of northwest corner of East 66th Street North and Mingo Valley Expressway

Relationship to the Comprehensive Plan:

The Owasso Comprehensive Plan designates the subject tract as High Intensity Industrial and Corridor.

According to the Plan the requested CG or IL zoning would be in accordance with the Plan.

Staff Comments:

Site Analysis: The subject property is approximately 14.15 acres in size. It is wooded, gently sloping, contains a single-family dwelling and accessory buildings, and is zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant property, zoned IL; to the south and west by vacant land, zoned AG; and to the east by the Mingo Valley Expressway, zoned AG, with property zoned IL on the east side of the expressway.

Zoning and BOA Historical Summary: A Planned Unit Development allowing light industrial and commercial uses was approved in 1991 on property located on the east side of the Mingo Valley Expressway.

Conclusion: Staff finds the request to be consistent with the existing zoning patterns and development in the area. Staff views the request as a continuation of a transition to light industrial. If the property is to be used to a greater intensity than light industrial, a PUD should be required.

Therefore, Staff recommends **APPROVAL** of IL zoning for CZ-218/Z-6466 as requested.

The applicant was not in attendance.

There were no interested parties present.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner "absent") to recommend **APPROVAL** of CZ-218/Z-6466 for IL zoning as recommended by Staff..

LEGAL DESCRIPTION CZ-218 Z-6466:

A tract of land situated in the SE/4 of Section 31, T-21-N, R-14-E, Tulsa County, Oklahoma according to the U.S. Government survey thereof and being more particularly described as follows, to-wit: Beginning at a point on the North line of said SE/4, 145.2' West of the Northeast corner thereof, thence Westerly and along the North line of said SE/4 for 300.00', thence South for 660', thence West for 343.8', thence South for 660' to a point on the South line of the NE/4, SE/4, thence Easterly and along the South line of said NE/4, SE/4 for 633.8', thence North and along the Westerly rights-of-way line of the Mingo Valley Expressway for 660', thence East for 10', thence North and along the Westerly rights-of-way line of the Mingo Valley Expressway for 660' to the point of beginning and containing 14.15 acres more or less, and located one quarter mile north of the northwest corner of 66th Street North and North Mingo Valley Expressway,

OTHER BUSINESS:

PUD-176: Detail Sign Plan Review - Lot 1, Block 1, Country Hollow Center - 4818 East 80th Street South

The applicant is requesting approval of a sign plan for Albertson's. The request includes the removal of the Food, Drug, and Rx signs on the east elevation, replacing them with the words Food and Pharmacy. It also includes the removal of the Albertson's sign from the north elevation.

The proposal as submitted reduces signage on both elevations which previously conformed to PUD standards.

Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner "absent") to **APPROVE** PUD 176 **DETAIL SIGN PLAN** as recommended by Staff.

PUD-481: Detail Sign Plan - Lot 1, Block 1, Mingo Marketplace - 10303 East 71st Street South

The applicant is requesting approval of a wall sign for Best Buy stores on the north side of the building. The sign as proposed conforms to PUD standards; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner "absent") to **APPROVE** PUD 481 **DETAIL SIGN PLAN** as recommended by Staff.

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PUD-235-A: Detail Landscape Plan - Lot 3, Block 1 and northerly 50' of Flynn Plaza - west of the northwest corner of East 71st Street South and South Mingo Road

The applicant is requesting approval of a landscape plan for "Media Play" and for the 50' buffer strip at the northern boundary of the PUD.

Staff has reviewed the requests and finds the following:

Northern Boundary Buffer Strip:

The issue of the buffer area was discussed under a request for a major amendment at the Planning Commission meeting of December 1, 1993. The Commission approved a 50'-wide green belt area to buffer the existing residences from future office use. This green belt is to be installed prior to occupancy of any building in the PUD. The Commission may, in the future, require a berm should an office development be submitted for site plan approval. Buildings in the northerly 300' of Development Area C are limited to one story.

The buffer issue was also discussed under final plat review at the Commission meeting of May 4, 1994. The principal portion of the issue had to do with the preservation of existing trees. The attorney for the applicant informed that the construction of the detention basin would impact some of the trees in the northeast corner but that the applicant was sensitive to the existing trees and that they would be taken into consideration during the planning of the landscaped area.

The applicant's plan for the green belt area shows a landscaped buffer area 50' in width extending across the northern end of the PUD from east to west. A berm ranging in height from 4' to 6' extends across the westerly 450' of the landscaped area. The 4' portion of the berm is located in the western portion of the site and is a function preserving 5 trees in the west.

The plan shows the detention basin in the east extending north into the buffer area. The maintenance road sits outside the basin and comes within 10' of the north boundary. A 6'

screening fence will be constructed along the boundary in this area. The basin as designed removes all existing trees in this area.

The landscaped area will be planted with approximately 45 Loblolly Pine and 17 Okie Redbuds. The western portion of the northern boundary has an existing 6' screening fence.

Staff Recommendation:

Staff recommends that the Commission at this time make a determination regarding the desired berming. Additional berming in the future would require the removal of trees and would impact the proposed detention basin. Staff's opinion is that the original intent of the Commission was to locate the basin outside the landscaped area, preserving some of the existing trees. The plan as shown presents significant buffering of impacts between the potential office development and the existing residential area.

Staff recommends **APPROVAL** subject to the Commission's determination regarding berming and detention basin placement.

Landscape Plan - Lot 3, Media Play:

The plan as proposed conforms to the landscape standards of the PUD and the Landscape Section of the Zoning Code.

Staff recommends **APPROVAL**.

Mr. Stump informed of receipt of a letter from the Burning Tree Neighborhood Association requesting continuance of the northern boundary strip portion of the application. He advised that Charles Norman, attorney for the applicant, is in agreement with a one-week continuance. Mr. Stump informed that Staff recommends approval of the southern portion of the landscape plan around the commercial buildings.

Applicant's Comments

Mr. Norman expressed agreement with the request for continuance of the northern boundary buffer strip portion of the application. Mr. Norman gave a history of the subject tract, explaining in detail the changes made in the surrounding area stormwater detention. Mr. Norman presented a plan with 50' of landscaping and trees and berm for approximately 450' that varies in height from 4' to 6'.

Ms. Pace asked if the applicant was opposed to the 6' masonry or stone fence as requested by the HOA.

Mr. Norman informed that the applicant would be opposed to that request, noting that in the past, a berm is all that was requested and the Planning Commission decided that determination would be made in the future. He noted that there is a 6' fence along the west 450' and the applicant's plan proposes a 6' fence in the unfenced area. Mr. Norman advised that the landscape architect will be requested to contact Mr. Spiegelberg, the HOA representative.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Harris, Horner, Neely "absent") to **APPROVE** PUD 235-A LANDSCAPE PLAN for Lot 3, Media Play and **CONTINUE** PUD 235-A LANDSCAPE PLAN for the 50' area on the north property line to November 16, 1994.

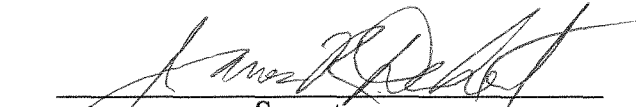
There being no further business, the Chairman declared the meeting adjourned at 3:00 p.m.

Date *Nov 30, 1994*



Chairman

ATTEST:



Secretary

