

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2022
Wednesday, May 24, 1995, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes
 Chairman
Doherty, 1st Vice
 Chairman
Gray, Secretary
Ledford
Taylor

Members Absent

Boyle
Horner
Midget
Pace
Selph

Staff Present

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 Friday, May 19, 1995 at 4:14 p.m., in the Office of the County Clerk at 4:09 p.m. as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of May 10, 1995, Meeting No. 2020:

On **MOTION** of **TAYLOR**, the TMAPC voted **5-0-1** (Ballard, Carnes, Doherty, Ledford, Taylor "aye"; no "nays"; Gray "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** the minutes of the meeting of May 10, 1995 Meeting No. 2020.

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REPORTS:

Committee Reports:

Budget and Work Program Committee

Mr. Doherty informed that the TMAPC budget is to appear before the City Council Budget Committee later this afternoon.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee met May 17 after the regularly scheduled Planning Commission meeting and received a status report from Staff regarding a potential conservation district zoning category. He informed that the Rules and Regulations Committee will meet June 21 in work session to discuss further progress on this proposal.

Mr. Doherty advised that Staff presented a proposed fee schedule and the Rules and Regulations Committee voted unanimously to request guidance from the City Council on the percentage of operating expenses the Planning Commission should expect to recover from fees. He informed that the Rules and Regulations Committee voted unanimously to recommend to the full Planning Commission that the request for guidance be made of the City Council.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **REQUEST** guidance from the City Council on the percentage of operating expenses the Planning Commission should expect to recover from fees.

Mr. Doherty disclosed that the Rules and Regulations Committee briefly reviewed the tent permitting process for recreational events and expect to further consider this topic at the next work session.

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Director's Report:

Mr. Stump requested guidance for Staff regarding the Historic Preservation (HP) District for the Yorktown Neighborhood, which is scheduled for public hearing June 14. He informed that there are two areas in question, the area near 21st Street and Lewis Avenue (the parking lot behind Mazzio's) and the existing YWCA facility, that were not advertised for the HP zoning and asked if the Planning Commission wants these areas included and readvertised. He explained that these areas are zoned light-office, and nonresidentially-zoned property is usually excluded from HP zoning. He noted that the YWCA advised that they would be transmitting a letter informing that they had no opposition to being included in the HP district. Mr. Stump advised that the YWCA's properties are in a PUD.

Mr. Doherty agreed that HP zoning is not structured to address nonresidential property and deemed that there are sufficient controls under the PUD to address any concerns. None of the Planning Commissioners suggested that the subject property be advertised for HP zoning.

Mr. Stump revealed that that two residential lots near 15th and Victor Avenue were not included in the Preservation Commission's request for HP zoning. He inquired as to whether the Planning Commission wants Staff to advertise these two lots for rezoning as well.

Mr. Bruce Bolzle, representative for Terrace Park Partnership, informed that the owner of these properties requested that these properties be excluded from the HP process. None of the Planning Commissioners suggested that those properties be advertised for HP zoning.

SUBDIVISIONS:

PRELIMINARY PLAT:

QuikTrip Commercial Center (294)
East Admiral Place at South 165th East Avenue.

(PD-17)(CD-6)

Staff Comments

Mr. Jones reminded the Planning Commission that a preliminary plat was approved on the subject property April 27, 1994 as Howerton Acres II and on April 19, 1995 the Planning Commission granted a one-year extension. He informed that since the preliminary plat was approved a slight change in the location of the cul-de-sac was made, a 40' shift to the east, slightly changing lot dimensions. Since there were interested parties at the first public hearing, Staff deemed it to be significant to merit review by the Planning Commission. Mr. Jones stated that notice was again given to abutting property owners. Mr. Jones informed that Staff recommends **APPROVAL**.

TMAPC Action; 6 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** the **PRELIMINARY PLAT** for QuikTrip Commercial Center as recommended by Staff.

FINAL APPROVAL AND RELEASE:

Storage Station (PUD-513)(3293)
West of the southwest corner of East 51st Street South & South Harvard Avenue.

(PD-18)(CD-9)

Staff Comments

Mr. Jones presented a copy of the plat and informed that Kevin Coutant was present representing the plat. Mr. Jones reminded the Planning Commission that this is an office and mini-storage project. He informed that all release letters have been received, and it is in accord with subdivision regulations; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 6 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** the **FINAL PLAT** of Storage Station and **RELEASE** same as having met all conditions of approval as recommended by Staff.

EXECUTION OF AMENDED CERTIFICATE OF DEDICATION:

PUD-379-2 (The Village at Woodland Hills)(283) (PD-18)(CD-7)
North of the northwest corner of East 71st Street South & South Memorial Drive.

Staff Comments

Mr. Jones informed that a minor amendment was approved that modified some development standards and added requirements to the original PUD. He informed that this document filed of record imposes those conditions. Mr. Jones advised that the Legal Department and Staff have reviewed this document and Staff recommends **APPROVAL** of the amended certificate of dedication for PUD 379.

TMAPC Action; 6 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** the EXECUTION OF AMENDED CERTIFICATE OF DEDICATION incorporating the amendments approved in PUD 379-2 as recommended by Staff.

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PUD-270-2 (MPSI Centre)(1483) (PD-18)(CD-8)
8282 S. Memorial Drive.

Staff Comments

Mr. Jones informed that there were amendments to this PUD that modified the original deed of dedication and subdivision plat. He advised that Staff has reviewed this document and find it to be in accordance with the PUD and recommend **APPROVAL**. Mr. Jones informed that the Legal Department has reviewed this document as to form and have signed off on it.

TMAPC Action; 6 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **5-0-1** (Ballard, Carnes, Doherty, Gray, Taylor "aye"; no "nays"; Ledford "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** the EXECUTION OF AMENDED CERTIFICATE OF DEDICATION incorporating the amendments approved in PUD 270-2 as recommended by Staff.

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CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6485**
Applicant: Ruby Thompson
Location: 405 S. 129th East Avenue.
Date of Hearing: May 24, 1995

Present Zoning: OL/RS-2
Proposed Zoning: CG)

Chairman Carnes announced that the applicant has requested a continuance to June 7, 1995, to allow a PUD recently filed on the subject property to be heard at the same time.

There were no interested parties in attendance.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **CONTINUE** Z-6485 to June 7, 1995 as requested by the applicant.

Application No.: **Z-6487**
Applicant: Anita C. Miller
Location: Southeast corner of 47th Place South & South Mingo Road.
Date of Hearing: May 24, 1995
Presentation to TMAPC: Hubert Cox

Present Zoning: RS-3
Proposed Zoning: IL

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 IL **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property contains approximately one acre. The property is flat, non-wooded, vacant and is zoned RS-3.

Surrounding Area Analysis: The property across E. 47th Place S. and to the north of the subject tract, is a lumber yard, zoned IL; the property to the west, across Mingo Road, is a service station, zoned CS; and to the south and east, abutting the property are commercial businesses, zoned IL.

Zoning and BOA Historical Summary: There have not been any recent rezoning cases within the immediate area. The zoning history in this area indicate that the subject tract has been zoned RS-3 and been surrounded by IL zoning since 1970.

Conclusion: Industrial development within this area is encouraged and commercial uses are considered not appropriate. Based on the Comprehensive Plan and the developing zoning patterns and uses for this area, Staff, can support IL zoning on the subject tract and recommends **APPROVAL** of IL zoning as requested.

Staff Comments

Mr. Stump disclosed that this item was on the May 10 agenda; however, due to a typographical error on the notice that was mailed out to property owners within 300', the hearing was advertised for May 5. He informed that new notice was mailed to property owners advertising the hearing for today. Mr. Stump informed that at the May 10 public hearing there were no interested parties present and the Planning Commission recommended approval of IL zoning.

Applicant's Comments

Mr. Cox expressed agreement with Staff recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to recommend **APPROVAL** of Z-6487 for IL zoning as recommended by Staff.

LEGAL DESCRIPTION

A tract of land described as Lots 9, 10, and 11, Block 25, Alsuma Addition, and located at the southeast corner of 47th Place South and South Mingo Road, Tulsa, Oklahoma.

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ZONING PUBLIC HEARING:

Application No.: **PUD-437-1 Minor Amendment**

Applicant: Bruce Bolzle

Location: Lot 9, Block 3 of Terrace Drive Addition - east of East 14th Place South and South
Utica Avenue

Date of Hearing: May 24, 1995

The applicant is requesting a minor amendment to divide one development area into two separate areas.

Staff has reviewed the request and finds it to be in conformance with the intent if the PUD.

Therefore, Staff recommends **APPROVAL** subject to the following:

1. PUD standards as submitted by the applicant, unless modified herein.
2. Medical office use prohibited in Development Area "B".
3. The execution of a parking agreement between Development Areas A and B, dedicating the use of one space located in Area A to the use of Area B.

The applicant expressed agreement with Staff recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **APPROVE** PUD 437-1 **MINOR AMENDMENT** as recommended by Staff.

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Application No.: **PUD-489-6 Minor Amendment**

Applicant: Don Rethman/Design Forum

Location: A portion of Lot 6, Block 1, 71 Mingo Center - northeast corner of East 71st Street South and South Mingo Road

Date of Hearing: May 24, 1995

Presentation to TMAPC: Doug Beall

The applicant is requesting approval of a reduction to the minimum building setback along 71st Street from 110' to centerline to 96' to centerline. The purpose of the request is to allow an architectural projection used for mounting business signage. There is no usable floor space in the projection.

Staff has reviewed the request and finds that 110' is the minimum setback along this portion of 71st Street between Mingo Road and the expressway. Other setbacks vary from 120' to 200'. The 110' setback was based on a minimum 50' from the minimum primary arterial right-of-way location. Additional widening of 71st Street is a viable possibility based on traffic counts in this location.

While Staff appreciates the intent of the architectural feature, it remains Staff's opinion that an architectural feature that protrudes 14' out from the building wall should be located behind the minimum building setback line and that the minimum 110' setback from centerline should be maintained. Therefore, Staff recommends **DENIAL** of the amended setback request to 96'.

Applicant's Comments

Doug Beall

9901 West 509th Avenue, Wheat Ridge, CO 80033

Ultimate Electronics

Mr. Beall presented graphics depicting the proposed structure and acknowledged that the projection is primarily signage. He noted that the sign would not protrude any farther into setback than is currently allowed for other signage along 71st Street, 60' from centerline. Mr. Beall acknowledged that the signage is a structural element of the building and that there are no buildings closer than 90' from centerline. He noted that the sign portion of the structure is in compliance with the sign setback and that it is not an occupied portion of the building but an extension of the building to accommodate the sign.

TMAPC Review Session

It was the consensus of the Planning Commission that to reduce the building setback would allow the building too close to the street. It was noted that the Planning Commission has attempted to keep the 71st Street streetscape open in an attempt to lessen urban congestion in this corridor.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **DENY** PUD 489-6 MINOR AMENDMENT as recommended by Staff.

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Application No.: **PUD-535**

Applicant: Scott Seligmann

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

Date of Hearing: May 24, 1995

Presentation to TMAPC: Bill Richert

The applicant is proposing a movie rental store on a tract of land zoned *CH* and *RS-3* at the southwest corner of East 39th Street South and South Peoria Avenue. The *RS-3* zoned area fronts Owasso Avenue and 39th Street and is surrounded on all sides by single-family dwellings. The *CH* zoned portion fronts Peoria Avenue and is surrounded on the north, south and east by commercial uses. On the west it abuts the *RS-3* zoned portion of the proposed PUD. The entire PUD is currently vacant.

The building is proposed on the *CH* zoned portion with its parking area on the *RS-3* zoned portion. This arrangement is a significant intrusion into the residential areas especially considering that the single-family dwellings on both Owasso Avenue and 39th Street face directly into the proposed parking area. The only way Staff could support this request is if the types of commercial uses are restricted and there is significant sound and visual buffering provided to the surrounding residences.

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-535 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-535 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): 46,063 SF

Permitted Uses: Retail Trade Establishments permitted in Use Unit 14, except Pawn Shop, and to permit Video Rentals and Sales

Maximum Building Floor Area: 8,600 SF

Maximum Building Height: one story not to exceed 25'

Minimum Building Setbacks

From centerline of Peoria: 78'

From centerline of 39th Street: 35'

From centerline of Owasso Avenue: 169'

From south boundary of *CH* zoned portion of PUD: 0'

Minimum Parking Lot Setbacks in <i>RS-3</i> zoned Area	
From centerline of 39th Street:	40'
From centerline of Owasso Avenue:	50'
From south boundary of PUD:	5'

Minimum Off-Street Parking: As required for the applicable use by the Tulsa Zoning Code.

Minimum Trash Container Setback	
From centerline of Owasso Avenue:	95'
From centerline of 39th Street:	100'

Ground Signs: One ground sign is permitted on the Peoria Avenue frontage not exceeding 25' in height nor 150 SF in display surface area.

Wall Signs: Wall signs are permitted on the east and south building walls not exceeding 2 SF of display surface area per linear foot of building wall to which they are attached. Wall signs are permitted on the north wall of the building so long as they do not exceed a total display surface area of 40 SF and are at least 210' east of the centerline of Owasso Avenue. No wall signs are permitted on the west side of the building.

Screening: Within the *RS-3* zoned portion of the PUD an 8' high decorative masonry wall shall be provided along the south boundary and setback 25' from the west boundary and 40' from the centerline of 39th Street on the north boundary.

Access: No vehicular access to Owasso Avenue is permitted and any vehicular access point on 39th Street shall be at least 135' east of the centerline of Owasso Avenue.

Landscaped Buffer Strips: Landscaped strips at least 25' in width fronting Owasso Avenue and 15' in width fronting 39th Street, beginning 25' from the centerline of these streets, shall be provided.

Maximum Hours of Operation: 7:30 a.m. to 12:00 a.m.

3. 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.
4. 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.

5. 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.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. 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 and shall be at least 65' from the west and north boundaries of the PUD.
8. 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 have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
9. 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.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Applicant's Comments

Mr. Richert

6033 South Quebec 74135

Mr. Richert was in agreement with Staff recommendation with the following exceptions:

- 1) Minimum Parking Lot Setbacks in RS-3 Zoned Area from centerline of 39th Street.
- 2) Minimum Building Setback from centerline of 39th Street.
- 3) Variance of the distance between the building and property line to permit parking and ingress and egress to parking at the front of the building.
- 4) Screening setback of the fence from the centerline of 39th Street to be 25', which will allow it to line up with the fence of the residence to the west. This will eliminate vehicle lights from shining into homes in the area and allow parking and ingress on the side facing the building.
- 5) Two feet of landscaping on the Peoria side of the building plus right-of-way and a lesser amount of landscaping on the 39th Street side of the building.

The Planning Commission expressed concern over the minimal amount of landscaping on the Peoria side of the proposed structure.

Interested Parties

Pam Deatherage

1516 East 36th Street 74105

Planning District 6 Chair

Ms. Deatherage generally expressed support of Staff recommendation. She deemed the building footprint to be too wide for the proposed site. Ms. Deatherage expressed concern that having two areas of parking separated by the structure will add to traffic congestion. She supports buffering of the neighborhood, that the building be located on the CH portion of the tract, and that the 39th Street entrance be as close to the utility easement as possible. Ms. Deatherage requested that no lighted signage be allowed on the west side of the structure facing the residential area. She suggested that a two-story structure with the amount of square footage the applicant is requesting would be more appropriate for this tract.

Nancy Apgar

3914 South Norfolk 74105

Ms. Apgar expressed that area residents welcome development of this tract. She expressed the following: concern of allowing traffic to exit on 39th Street; that the PUD be approved for this use only; that a sidewalk be constructed on the 39th Street side; a masonry fence with appropriate landscaping and height to protect residential property on 39th Street and Owasso; the proposed driveway on 39th Street be no farther west of Peoria than Yale Cleaners on the northwest corner and not be constructed across from the residences; hours of operation 10:00 a.m. to midnight; trash receptacle placed away from the residential area, and no neon lighting facing 39th Street or Owasso. She expressed support of a two-story structure.

David Dowland

1111 East 39th Street 74105

Mr. Dowland explained that he is blind and that sidewalks would benefit him immensely since development would create more traffic for him to maneuver around. He also expressed opposition to traffic exiting onto 39th Street, and regarding landscaping, he expressed the need for trees to be kept trimmed to avoid limbs from hitting him in the face.

Barbarous Nelson

3110 South Quaker

Ms. Nelson owns property abutting the subject tract to the south at 3917 South Owasso. She suggested that no parking be allowed on the Peoria side of the structure and that parking be at the rear of the structure. Ms. Nelson noted that the area is already quite congested.

Joan Fofema

3908 South Owasso 74105

Guy Britton

3916 South Owasso 74105

Ed Crockett

6380-A East 31st Street 74135

Applicant's Rebuttal

Mr. Richert expressed agreement with the request for the masonry fence and hours of operation mentioned in the Staff recommendation. He also expressed that signage on Peoria extending no farther west than that of the Yale Cleaners would be acceptable. However, repositioning the building on the tract would not be acceptable because it would cause the building to protrude farther east than other structures in the area. Mr. Richert deemed that most of the customers will access the building from the Peoria side of the structure, thereby keeping intrusion into the neighborhood to a minimum.

TMAPC Review Session

There was discussion among the Planning Commission regarding providing adequate screening from vehicle lights intruding into the residential area; however, there was concern about providing adequate line-of-sight for vehicles exiting the parking lot onto 39th Street. It was the consensus of the Planning Commission that the proposed building is too large for the site and concern was expressed regarding traffic circulation and the entrance from a residential street intruding this distance into a residential neighborhood.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to **CONTINUE** PUD 535 to June 7, 1995.

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Application No.: **PUD-536**

Present Zoning: RS-1/RM-1/RM-2

Applicant: Roy D. Johnsen

Proposed Zoning: RS-1/RM-1/RM-2/PUD

Location: East of the southeast corner of East 61st Street South and South Peoria Avenue.

Date of Hearing: May 24, 1995

Presentation to TMAPC: Roy Johnsen

The applicant is proposing expansion of an existing nursing home. The expansion would add to the east side of the existing nursing home as well as construct a new building on the eastern half of the PUD for use as an assisted living facility.

The applicant has submitted a concept plan and the proposed maximum number of nursing home beds (186) and resident rooms (54) as well as the maximum building floor area for both facilities. No other development standards were proposed.

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-536 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-536 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):		10.42 acres
Permitted Uses:	Nursing Home and Retirement Center	Life Care
Maximum Intensity of Use		
Nursing Home Beds:		186
Life Care Retirement Residences:		54
Maximum Building Floor Area		
Nursing Home:		60,000 SF
Life Care Retirement Center:		35,000 SF
Maximum Building Height:		1 story
Minimum Building Setbacks		
From centerline of E. 61st St. S.:		85'
From west boundary of PUD:		25'
From east boundary of PUD:		100'
From south boundary of PUD:		25'
Minimum Setback for New Parking Lots		
From centerline of E. 61st St. S.:		75'
From west boundary:		0'
From east boundary:		20'
From south boundary:		20'

Signage:

Two signs are permitted. One for the nursing home and one for the life care retirement center. If ground signs are used, each shall not exceed 8' in height nor 64 SF in display surface area and any ground sign must be at least 150' from the east boundary of the PUD. If wall signs are used, each shall not exceed 100 SF in display surface area.

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

3. A screening wall or fence shall be provided along the east boundary and east 165' of the south boundary of the PUD.
4. No Zoning Clearance Permit shall be issued 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 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 16 feet.
9. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention 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 during the subdivision platting process which are approved by TMAPC.

Applicant's Comments

Mr. Johnsen, attorney for the applicant, distributed a site plan of the proposed development. He presented a detailed description of the properties surrounding the subject tract. Mr. Johnsen presented the application and defined a life care retirement center. He pointed out the considerable amount of open space for this project. Mr. Johnsen disclosed a telephone conversation with District 18, Area A Vice Chair Stanley Synar, Jr. who reported favorable response from individuals who contacted him regarding this project. Mr. Johnsen expressed agreement with Staff recommendation.

Interested Parties

Lloyd Hobbs

5846 South Hudson Place 74135

Planning District 18 Chair

Mr. Hobbs informed that area residents agree that this is a good project. However, area residents have expressed concern over stormwater runoff. Residents want to be assured that additional runoff created by this project will be adequately addressed.

Chairman Carnes informed that the stormwater issue will be addressed during the preliminary plat process.

Mr. Doherty suggested that the stormwater issue should be accommodated at the preliminary plat and that interested parties be notified.

Mr. Hobbs informed that this would be acceptable.

Tom Rogers

1535 East 62nd Street 74136

Mr. Rogers explained that his property has no city water and asked if when this project is undertaken if it would be possible for water lines to be extended so he and others in the area can connect to City water.

Mr. Doherty suggested that Mr. Rogers contact the Public Works Department regarding access to City water.

Mr. Rogers also expressed concern that the applicant may have plans to use the RS-2 zoned property south of the subject tract in a commercial manner.

Ken Worrall

1536 East 62nd Street 74136

Mr. Worrall, who resides south of the subject tract, reiterated concerns over accommodating stormwater runoff and presented a copy of a topographical map of the area. He informed that this tract is in a floodplain area. Mr. Worrall stated that substantial onsite detention will be required. He described existing problems experienced by stormwater runoff. He asked for assurance that stormwater runoff will be addressed prior to earth moving or before expansion begins.

Stacy Clark

16 East 26th Place

Mr. Clark informed that he owns the ten-acre property zoned RM-1 that runs north/south. He reiterated comments regarding stormwater runoff. Mr. Clark advised of attempts made to contact the City to address the problem. He disclosed that that residents are not opposed to development, but want flooding concerns addressed. Mr. Clark informed that residents affected from flooding go beyond the 300' of required notification.

Applicant's Rebuttal

Mr. Johnsen acknowledged that during the platting process this project will be subject to Stormwater Management review. He noted that the basic standard is that new development not adversely affect downstream circumstance. Mr. Johnsen declared that this standard must be met and there may be more than one way to meet that standard.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Horner, Midget, Pace, Selph "absent") to recommend **APPROVAL** of PUD 536 as recommended by Staff.

LEGAL DESCRIPTION

A tract of land described as: Lot 3, Block 1, Peoria Plaza; the North 388.8' of Lots 3 and 4, Block 1, Valley View Addition, less the North 15' thereof; the North 314.4' of Lots 1 and 2, Block 1, Valley View Addition; and Lot 4, Valley Center Addition, located on the southeast corner of East 61st Street South and South Peoria Avenue, Tulsa, Oklahoma.

There being no further business, the Chairman declared the meeting adjourned at 3:10 p.m.

Date Approved: 6-7-95


Chairman

ATTEST:


Secretary

