

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2127

Wednesday, September 3, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Boyle	Gray	Almy	Romig, Legal
Carnes	Ledford	Dunlap	Counsel
Dick		Jones	
Doherty		Stump	
Horner			
Jackson			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, September 2, 1997 at 9:25 a.m., in the Office of the City Clerk at 9:07 a.m., as well as in the office of the County Clerk at 9:12 a.m.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:30 p.m.

### Minutes:

#### **Approval of the minutes of August 20, 1997, Meeting No. 2125:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Boyle "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of August 20, 1997 Meeting No. 2125.

\*\*\*\*\*

### Reports:

#### Director's Report:

Mr. Stump stated there are several TMAPC items scheduled for the September 4, 1997, City Council agenda. Jim Doherty and staff will be in attendance.

## **Subdivisions:**

### **Preliminary Plat:**

#### **Winbury Place (PUD-538) (2283)**

(PD-26) (CD-8)

East of the northeast corner of East 101<sup>st</sup> Street South and South Yale Avenue

#### **TAC Recommendation:**

Jones presented the plat with David Brown in attendance.

French recommended the entrance be redesigned for one 70' access with median.

Cox noted the legal description was not correct on the second sheet.

McCormick noted that on-site detention would be required.

Winbury Place is development area "C" of Planned Unit Development 538 and is approved for residential single-family use to be served by a private street. A previous version of the plat was reviewed by the TAC on July 3, 1997 and recommended for sketch plat only. The applicant has resubmitted the plat for preliminary approval.

Staff would offer the following comments and/or recommendations:

1. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 40' (1" = 100' required).
2. A waiver of the Subdivision Regulations is required to permit the creation of lots with more than three side lot lines (Lots 7, 8, 10 and 11).
3. Show either book/page information for East 101<sup>st</sup> Street right-of-way or right-of-way dedicated by this plat.
4. Show address and disclaimer on face of plat.
5. Remove utility information from face of plat.
6. Show book/page information for existing Explorer Pipeline easement.
7. Label street name and "Private Street and Utility Easement".
8. Identify area south of Lot 15.
9. All conditions of PUD-538 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and reference to Sections 1100-1107 of the Zoning Code in the covenants.
10. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.

11. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
12. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
13. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
14. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
15. Street names shall be approved by the Department of Public Works and shown on plat.
16. All curve data, including corner radii, shall be shown on final plat as applicable.
17. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
18. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
19. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
20. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
21. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
22. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
23. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
24. The key or location map shall be complete.

25. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
26. The restrictive covenants and/or deed of dedication shall be submitted for review with preliminary plat. (Include subsurface provisions, dedications for stormwater facilities, and PUD information as applicable.)
27. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
28. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
29. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Winbury Place, subject to all conditions listed above.

**TMAPC Action; 9 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of Winbury Place, subject to the conditions as recommended by the TAC; Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 40'; and Waiver of Subdivision Regulations to permit the creation of lots with more than three side lot lines (Lots 7, 8, 10 and 11).

\*\*\*\*\*

**O'Reilly North (1202)**

(PD-25) (CD-1)

North of the northwest corner of East 46<sup>th</sup> Street North and North Peoria Avenue

**TAC Recommendation:**

Jones presented the plat with Adrian Smith present.

Smith stated that the lot will now be one lot.

McCormick stated that drainage must be to an approved system.

Considerable discussion was given in regards to East 47<sup>th</sup> Street North which is on the south side of this property.

Lee pointed out a one-inch waterline that may need to be vacated.

Miller asked that the existing ONG easement be shown if it is outside the street right-of-way.

O'Reilly North is a two-lot commercial subdivision plat which was recently rezoned commercial shopping and Lot 1 is the site of an automobile parts store. The property is abutted to the north by residential single-family use and to the west by unplatted property. East 47<sup>th</sup> Street North with 31' of total dedication is abutting the subject tract to the south.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 30' (1" = 100' required).
2. Remove zoning designation from abutting property.
3. Show East 47<sup>th</sup> Street North on the south boundary and dedicate appropriate amount to meet the Major Street Plan. If street is to be vacated, then Lot 2 would not abut a public street and need a variance by the Board of Adjustment. If the street is vacated, the developer may want to consider a mutual access easement to provide access to Lot 2.
4. Correct key map showing correction section and all platted and unplatted property.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)

12. Street names shall be approved by the Department of Public Works and shown on plat.
13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
15. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
16. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
17. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
18. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
19. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Lee, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat for O'Reilly North, subject to all conditions listed above.

**TMAPC Comments:**

Ms. Pace questioned whether the subject tract is zoned CS or CH. Mr. Jones replied the property was recently rezoned to CS.

Ms. Pace stated in CS zoning there is rarely any recommendation for required landscaping and asked for clarification on landscaping requirements. Mr. Jones replied the subject property will be subject to the Landscape Chapter of the Zoning Code, noting these requirements are not normally shown on the plat.

Ms. Pace feels the landscaping requirements are important and should be listed as a condition in staff recommendation. She noted an O'Reilly's facility near her home that has never installed any trees. Mr. Jones reminded her that other conditions of the Zoning Code are not listed; however, he would include a condition to that effect if directed to do so.

Mr. Doherty feels the plat is not the appropriate place since it deals with easements and accesses; however, the requirements should be monitored and enforced.

Ms. Pace questioned how the TMAPC can ensure quality redevelopment. Mr. Jones feels the landscaping and other requirements are functions of the building permit process.

Mr. Midget asked what type of facility currently occupied the subject property. Mr. Jones replied the property is currently vacant for the most part.

Mr. Midget noted the North Peoria Corridor Study calls for reducing the type of business that is proposed. Mr. Jones replied when the TMAPC approved the CS zoning, it allows any use that is permitted in a CS-zoned district. Mr. Jones recognized there may be some uses that are permitted in CS that are not compatible with the North Peoria Corridor Study.

Ms. Pace suggested including the landscaping condition in the motion.

Mr. Midget stated that Ms. Pace has a very valid point about ensuring that the landscaping and screening conditions are met. He feels once the facility is up and operating it is hard to enforce conditions or requirements.

Chairman Carnes reminded the Commission that this is a plat and that the zoning was previously approved.

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-1-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; Midget "nay"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat for O'Reilly North, subject to the conditions as recommended by the TAC and Waiver of Subdivision to permit the plat to be drawn at a scale of 1" = 30'.

\*\*\*\*\*

**Sutton West (3304)**

(PD-16) (CD-6)

Southeast corner of East Pine Street and 129<sup>th</sup> East Avenue

**TMAPC Comments:**

Chairman Carnes stated a request for a one-week continuance has been received on this item.

**TMAPC Action; 9 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **CONTINUE** the Preliminary Plat for Sutton West to September 10, 1997.

\* \* \* \* \*

**Indian Health Care Resource Center (192)**

(PD-4) (CD-4)

Northwest corner of East 6<sup>th</sup> Street South and South Peoria Avenue

**TAC Recommendation:**

Jones presented the plat with Ted Sack in attendance.

Somdecerrf recommended that the full 50' of right-of-way be dedicated for South Peoria Avenue.

French noted that the proposed additional 10', for a total of 40', would be more than existed in the area.

After discussion, Sack agreed to a 17.5' utility easement on Peoria and a 10' utility easement along 6<sup>th</sup> Street.

Indian Health Care Resource Center is a one-lot subdivision plat which is a resubdivision of Block 9, Central Park Place Addition. The property is zoned CS and was the site of a Tulsa Public School.

Staff would offer the following comments and/or recommendation:

1. Since the development is in a resubdivision of an existing plat, it is subject to Oklahoma Statutes, 42-106.
2. Staff would recommend the underlying plat be vacated in accordance with accepted legal procedures.
3. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required).
4. Show book/page information for all existing right-of-way.



5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. Street names shall be approved by the Department of Public Works and shown on plat.
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
13. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
14. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
15. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.

19. A Corporation Commission letter; Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
21. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
22. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
23. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of French, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Indian Health Care Resource Center, subject to all conditions and recommendations listed above.

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the Preliminary Plat of Indian Health Care Resource Center, subject to the conditions as recommended by the TAC and Waiver of Subdivision to permit the plat to be drawn at a scale of 1" = 60'.

\* \* \* \* \*

**Hawthorne Woods (3483)**

(PD-26) (CD-8)

West of the northwest corner of East 121<sup>st</sup> St. South and South Sheridan Road

**TAC Recommendation:**

Jones presented the plat with Ted Sack in attendance.

McCormick stated that all drainage must be to an approved system and to the Arkansas River or Fry Ditch.

French noted that a stub street to the east may be required. Also, a minimum of 12' of right-of-way must exist behind the street curb.

Hawthorne Woods is a residential single-family subdivision plat which contains 30 lots and 10.3 acres. The property has an underlying zoning of RS-1 and is abutted on all sides by unplatted property.

Staff would offer the following comments and/or recommendations:

1. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" - 60' (1" = 100' required).
2. On corner lots where building line is 15', add standard language regarding garage setbacks.
3. Reserve area "A" is not mentioned in deed of dedication language.
4. Show address and disclaimer on face of plat.
5. If possible, remove utility easement from Reserve "A".
6. Key map will probably have additional subdivisions by the time this plat is ready to be filed.
7. Remove "TO BE" from 121<sup>st</sup> Street dedication.
8. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
9. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
10. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
11. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
12. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
13. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
14. Street names shall be approved by the Department of Public Works and shown on plat.
15. All curve data, including corner radii, shall be shown on final plat as applicable.
16. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.

17. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
18. All adjacent streets, intersections and/or widths there of shall be shown on plat.
19. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
20. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
21. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
22. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
23. The key or location map shall be complete.
24. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
25. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
26. This plat has been referred to Bixby, Jenks and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
27. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
28. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
29. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Hawthorne Woods, subject to all conditions and recommendations listed above.

**Staff Comments:**

Mr. Jones acknowledged receipt of a letter from Janet Davis. The letter addressed three concerns. Her concerns are that 30 units are too many, too high a density; drainage is an issue; and the abutting tract will develop in a similar manner.

Mr. Jones feels with the rezoning the lots conform to the RS-1 lot size, frontages and minimum lot size, and therefore are in accordance with the zoning. The drainage issue will be addressed during the platting process. As far as the property surrounding the subject tract developing in a similar way, it is the owner's prerogative.

**TMAPC Comments:**

Mr. Doherty asked whether the request met Subdivision Regulations. Mr. Jones replied in the affirmative.

**TMAPC Action; 8 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the Preliminary Plat of Hawthorne Woods, subject to the conditions as recommended by the TAC and Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'.

\*\*\*\*\*

**Woodland Park Center (PUD-567) (784)** (PD-18) (CD-8)  
Southeast corner of East 71<sup>st</sup> Street South and U.S. Highway 169

**This item was heard and/or considered in conjunction with PUD-567/Z-4789-SP-6.**

**TAC Recommendation:**

Jones presented the plat with Ted Sack present.

Considerable discussion was given in regards to access and openings.

French recommended that access for this plat align with final design locations of median openings and noted that no final design has been approved at this time.

McCormick recommended that the drainage channel be dedicated to the City.

Discussion was given to the new alignment of South 108<sup>th</sup> East Avenue.

As a PUD recommendation, French noted that a mutual access easement should be shown from Albertson's to South 108<sup>th</sup> East Avenue. French pointed out that a signal would be located at the East 71<sup>st</sup> Street and South 108<sup>th</sup> East Avenue intersection.

French recommended a "T" intersection be made at South 108<sup>th</sup> East Avenue and East 73<sup>rd</sup> Street with no drive onto the south.

Woodland Park Center is a 59-acre mixed use development which is Planned Unit Development 567. The subdivision plat proposes seven lots in two blocks and a corridor collector street connecting East 71<sup>st</sup> Street South and South Garnett Road.

Staff would offer the following comments and/or recommendations:

1. Show book/page information for existing right-of-way of East 71<sup>st</sup> Street South.
2. Show "right-of-way dedicated by this plat" for South Garnett Road dedication.
3. All conditions of PUD-567 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and reference to Sections 1100-1107 of the Zoning Code in the covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. Street names shall be approved by the Department of Public Works and shown on plat.

11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
13. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
14. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
15. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phases and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedication for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat for Woodland Park Center, subject to all conditions and recommendations listed above.

**Comments:**

Refer to PUD-567/Z-4789-SP-6

**TMAPC Action; 6 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **6-0-0** (Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Gray, Ledford, Midget "absent") to **APPROVE** the Preliminary Plat for Woodland Park Center, subject to the conditions as recommended by the TAC and that the westernmost access shown be moved to the east to accommodate mutual access with property to the north.

\*\*\*\*\*

**The Villas (PUD-569) (1884)** (PD-18) (CD-8)

Southeast corner of East 81<sup>st</sup> Street South and U.S. Highway 169

**TMAPC Comments:**

Chairman Carnes stated a request for a one-week continuance has been received on this item.

**TMAPC Action; 9 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **CONTINUE** the Preliminary Plat for The Villas to September 10, 1997.

\*\*\*\*\*

**Plat Waiver, Section 213 or Section 260:**

**PUD-564 (Groveland Addition) (1393)** (PD-17) (CD-5)

South and west of the Skelly Drive frontage road and 86<sup>th</sup> East Avenue

**TAC Recommendation:**

Jones presented the application with Ted Sack present.

McCormick recommended that the trees along the east side be located so as not to interfere with drainage.



Planned Unit Development 564 permitted the expansion of an existing automobile sales facility and automobile storage on an existing lot. The PUD provided for a landscape buffer along the east side of the development and utilized an existing drainage channel as a buffer to the south. The applicant is now requesting a plat waiver for the subject tract.

Although the subject tract is larger than 2.5 acres, staff is supportive of the plat waiver based on the existing subdivision plat and proposed use of the property. Staff can see no benefit to the City in a replat and would recommend approval of the plat waiver for PUD-564 subject to the following conditions.

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-564, subject to the conditions and recommendations listed above.

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the Plat Waiver for PUD-564, subject to the conditions as recommended by TAC.

\*\*\*\*\*

**PUD-108B (Woodlake Village) (2393)** (PD-5) (CD-5)  
Northeast corner of East 33<sup>rd</sup> Street South and South 73<sup>rd</sup> East Avenue

**TAC Recommendation:**

Jones presented the request with no representative present.

Somdecerff recommended dedication of 25' radius right-of-ways at the property corners.

McCormick stated that drainage must tie into an approved system.

Planned Unit Development 108B permits the expansion of an existing church on nine platted residential single-family lots. The existing church is located at the southwest corner of East 31<sup>st</sup> Street South and South 73<sup>rd</sup> East Avenue. All necessary right-of-way and utility easements exist for the proposed development.

Although the proposed development would constitute "substantial" new development, the tract is less than 2.5 acres in size and already platted. Staff can see no benefit to the City in the requiring of a replat.

Staff recommends approval of the plat waiver for PUD-108-B subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.
3. TMAPC approval of a document stating all PUD conditions and filing said document of record in the office of the Tulsa County Clerk's office.

On motion of Rains, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-108-B, subject to the conditions and recommendations listed above.

**Staff Comments:**

Mr. Jones stated the PUD hearing is scheduled for next week; therefore, if the request is approved, it should be subject to the approval of the PUD.

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the Plat Waiver for PUD-108-B, subject to the conditions as recommended by TAC and approval of PUD-108.

\* \* \* \* \*

**Lot-Splits for Ratification of Prior Approval:**

- |  |                  |
|--|------------------|
| <b><u>L-18535 Jeanne Edwards (3393)</u></b><br>4138 East 53 <sup>rd</sup> Place            | (PD-18b) (CD-7)  |
| <b><u>L-18536 City of Tulsa (2194)</u></b><br>3619 South 134 <sup>th</sup> East Avenue     | (PD-17) (CD-6)   |
| <b><u>L-18537 Jerry B. Haywood (3224)</u></b><br>12624 North 129 <sup>th</sup> East Avenue | (PD-14) (County) |

**Staff Comments:**

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

\*\*\*\*\*

**Final Plat Approval:**

**9300 Mingo Center (PUD-268-B) (2483)** (PD-18) (CD-8)  
South of the southwest corner of East 81<sup>st</sup> Street South and South Mingo Road

**Staff Comments:**

Mr. Jones presented the final plat with Ted Sack present.

Mr. Jones stated the plat is for a two-lot office complex at meets the Subdivision Regulations. He noted notice was given at both the preliminary and final plat stage.

Mr. Jones stated everything is in order and all release letters have been received. He noted comments have been received from the Legal Department. Therefore, staff recommends approval.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the 9300 Mingo Center Final Plat as recommended by staff.

\*\*\*\*\*

## **CONTINUED ZONING PUBLIC HEARING:**

This item was heard and/or consider in conjunction with Plat Waiver request for Woodland Park Center.

**Application No.:** PUD-567/Z-4789-SP-6

**CO to CO/PUD**

**Applicant:** Charles E. Norman

(PD-18) (CD-8)

**Location:** South and east, southeast corner East 71<sup>st</sup> Street and South Mingo Valley Expressway

**Presented to TMAPC:** Charles E. Norman

*(Planned Unit Development and Corridor Site Plan for commercial and apartment development.)*

### **Staff Recommendation:**

The PUD/Corridor Site Plan proposes a mixed use development on 59 acres of land at the southeast corner of 71<sup>st</sup> Street South and the Mingo Valley Expressway. The subject tract extends south from 71<sup>st</sup> Street approximately 1260' and from the expressway east to Garnett Road. A seven-acre tract at the southwest corner of Garnett Road and 71<sup>st</sup> Street developed by Albertson's is not included in the PUD.

Surrounding development includes a single-family subdivision (Hampton South) which abuts the PUD along the south boundary except the east 515', which abuts a planned detention pond. The area east of Garnett Road is in Broken Arrow and currently vacant, but recently rezoned for commercial. Across 71<sup>st</sup> to the north is zoned CO, OL and CS and is currently undeveloped. To the west beyond the Mingo Valley Expressway is a large building supply store zoned corridor. The intent is to develop the area south of 71<sup>st</sup> Street east of the Mingo Valley Expressway in the same manner as exists on the west side of the expressway.

Development Areas A, B C and E allow office, restaurants, convenience goods and services and retail shopping. In addition, Area B allows motion picture theaters and video and electronic games; Area C allows Use Unit 19, hotel, motel and recreation uses; and Area E allows dry cleaners/laundry uses up to 5,000 SF. Development Area D proposes Use Unit 8, apartments, at 30 units per acre for a total of 304 units. Development Area F, which wraps around the southwest and south boundary of the PUD, is reserved for open space and a stormwater drainageway that is being redirected from the middle of the tract to the perimeter of the tract. The channel also serves as a buffer between the uses proposed in the PUD and the single-family homes to the south.

Staff can generally support the proposed PUD, but has some concerns in the following areas: 1) adequacy of the buffer provided for the single-family subdivision to the south; 2) location and number of access points onto 71<sup>st</sup> Street; 3) amount and location of signs; and 4) access between development

area and adjacent areas, as well as proper utilization of the corridor collector system in the PUD. Staff is proposing modifications and additions to the applicant-proposed development standards to address these concerns.

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-567 as modified by staff to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding area; (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-567, subject to the following conditions:

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

#### **DEVELOPMENT AREA A**

LAND AREA (Net): 4.6359 Acres 201,940 SF

#### PERMITTED USES:

Uses as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and East Establishments other than drive-ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA: 50,000 SF

MAXIMUM BUILDING HEIGHT: One story not exceeding 25 FT

Architectural elements may exceed the maximum building height with Detail Site Plan approval.

#### OFF-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code.

#### MINIMUM BUILDING SETBACKS:

From the centerline of East 71<sup>st</sup> Street 135 FT

From the west boundary of Area A 20 FT

From the east boundary of Area A 40 FT

From the south boundary of Area A 10 FT

Internal lot side yards to be established by Detail Site Plan.

MINIMUM LOT FRONTAGE ON 71<sup>ST</sup> STREET 350 150 FT

MAXIMUM ACCESS POINTS ON 71<sup>ST</sup> STREET\* 3

LANDSCAPED AREA:

A minimum of 10% of the lot area of each lot shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

SIGNS:

- 1) Ground signs shall be limited to one sign for each lot along the East 71<sup>st</sup> Street frontage with a maximum of 160 square feet of display surface area for each sign and a maximum of 25 feet in height.
- 2) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 3) One monument sign shall be permitted at the northeast corner of Development Area A with a maximum of 64 square feet of display surface area and six feet in height.
- 4) The existing outdoor advertising sign may continue until the ~~Final Plat of any portion of the PUD is recorded,~~ First occupancy permit is issued in Development Areas A or B, then it must be removed in its entirety within 30 days.

**DEVELOPMENT AREA B**

LAND AREA (Net): 17.6994 Acres 770,984 SF

PERMITTED USES:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, motion picture theaters and video and electronic games only; and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA: 150,000 SF

MAXIMUM BUILDING HEIGHT:

Motion picture theaters 52 FT  
Other uses 35 FT

Architectural elements may exceed maximum building height with Detailed Site Plan approval.

OFF-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From the north boundary of Area B:	450 FT
From the west boundary of Area B:	20 FT
From the south boundary of Area B:	
Motion picture theaters	150 FT
Other uses	75 FT
From the east boundary of Area B	60 FT

LANDSCAPED AREA:

A minimum of 10% of the lot area of the lot shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

SIGNS:

- 1) ~~One ground sign shall be permitted at the northwest corner of Area B with a maximum of 280 square feet of display surface area and 35 feet in height. (Display Surface area transferred to wall signage on north face of building, if BOA approves.)~~
- 2) Marquee wall signs shall be permitted not to exceed 280 SF plus two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building. No marquee or wall signs shall be permitted on the south and east facing walls of a building, nor on west facing walls within 300 feet of the south boundary of Development Area B. In no instance shall wall signs on a west facing wall exceed ~~450~~ 350 SF.
- 3) One monument sign shall be permitted at each collector street entry, with a maximum of 64 square feet of display surface area and six feet in height.

LIGHTING:

Light standards and building-mounted lights for Development Area B shall not exceed 35 feet in height and shall be hooded and directed downward and away from the south and east boundaries of Development Area B. Light standards or building-mounted lights within the south 150 feet of Area B shall not exceed 16 feet in height. No lighted decorative features of the buildings shall be visible from the south boundary of the PUD nor the west boundary of Development Area D.

#### BUILDING FACADE:

The exterior building materials of all buildings in Area B shall be of a similar masonry, stucco or artificial stucco material and shall be similar on all sides of the buildings. Elevation drawings of all sides of buildings, specifying exterior materials, shall be submitted for approval at the time of Detail Site Plan approval.

#### BULK TRASH CONTAINER SETBACKS:

All bulk trash containers shall be compactors and shall be set back a minimum of ~~250~~ 150 feet from the south and east boundaries of Area B and in a masonry enclosure.

#### EXTERIOR NOISE AND ACCESS:

No exterior speakers are permitted in Area B. All public entrances to buildings if on the south, west or east sides of a building shall be at least 250 feet north of the south boundary of Area B.

#### SCREENING AND BUFFERING:

A ~~six-foot~~ eight-foot high or greater screening wall or fence shall be provided ~~within five feet of the~~ along the entire southernmost boundary of ~~parking, loading or paved vehicular access areas in~~ Development Area B and constructed with all braces and supports on the south side of the fence. Also, ~~the same~~ a six-foot screening wall or fence shall be provided along the west and east boundaries of these parking, loading or paved vehicular access areas when such areas are within 200 feet of the south boundary of Area B. When Development Area D is developed with multifamily dwellings, this screening wall or fence shall be extended along the entire west boundary of Development Area D. ~~A landscape buffer strip at least 10 feet in width shall be provided immediately behind (south or west) of this required screening wall or fence on the south and west sides of Area B. The landscaped buffer shall be planted with trees on a minimum of 25-foot centers of various varieties designed to provide, after ten years, a significant screening of the commercial buildings to the north. A landscaped buffer strip shall be provided between the single-family dwelling to the south and this Development area. The exact location and design of this buffer strip shall be determined by TMAPC during the Landscape Plan approval process.~~



**DEVELOPMENT AREA C**

LAND AREA (Net): 11.1087 Acres 483,897 SF

**PERMITTED USES:**

- 1) Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, Hotel, Motel and Recreation Uses; and uses customarily accessory to permitted principal uses, and
- 2) Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers and data processing equipment, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, mail services, telephone and communications systems supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, gourmet food preparation supplies.

MAXIMUM BUILDING FLOOR AREA: 130,000 SF

MAXIMUM BUILDING HEIGHT: 35 FT\*

Architectural elements may exceed maximum building height with Detailed Site Plan approval.

**MINIMUM BUILDING SETBACKS:**

From the centerline of East 71 <sup>st</sup> Street	110 FT
From the west boundary of Area C (collector street)	40 FT
From the south boundary of Area C	35 FT
From the east boundary of Area C	11 FT

MINIMUM LOT FRONTAGE IF FRONTING ON 71<sup>ST</sup> STREET: ~~200~~ 150 FT

**OFF-STREET PARKING:**

As required by the applicable Use Unit of the Tulsa Zoning Code.

MAXIMUM ACCESS POINTS ONTO 71<sup>ST</sup> STREET: 3

\* The maximum building height for hotel/motel uses shall be determined by the TMAPC at Detail Site Plan Review.

**LANDSCAPED AREA:**

A minimum of 10% of the area of the lot shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

**SIGNS:**

- 1) Ground signs shall be limited to one sign for each lot along the East 71<sup>st</sup> Street frontage with a maximum of 160 square feet of display surface area and a maximum of 25 feet in height.
- 2) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building. No wall signs are permitted on south-facing walls within 150 feet of the south boundary of Area C.

**LIGHTING:**

Light standards for Development Area C shall not exceed 35 feet in height and shall be hooded and directed downward and away from the south boundary of Development Area C.

**DEVELOPMENT AREA D**

LAND AREA (Net):	10.1360 Acres	441,526 SF
------------------	---------------	------------

**PERMITTED USES:**

Those uses permitted as a matter of right in use Unit 8, Multifamily Dwellings and Similar Uses; and uses customarily accessory to permitted uses.

MAXIMUM NUMBER OF DWELLING UNITS:	304
-----------------------------------	-----

**MAXIMUM BUILDING HEIGHT:**

Within 150 feet of southern boundary of Area D - two stories nor more than 35 feet.

Remainder of Area D - three stories nor more than 45 feet.

**OFF-STREET PARKING:**

As required by the applicable Use Unit of the Tulsa Zoning Code.

**MINIMUM BUILDING SETBACKS:**

From the north boundary of Area D (collector street)	25 FT
From the centerline of South Garnett Road	85 FT
From the south boundary of Area D	50 FT
From the west boundary of Area D	50 FT

MINIMUM PARKING SETBACK:

From south boundary of Area D 25 FT

MINIMUM LIVABILITY SPACE PER DWELLING UNIT: 500 FT

SIGNS:

One ground sign on the South Garnett Road frontage and one ground sign on the collector street frontage not exceeding 32 square feet of display surface area each and 12 feet in height.

SCREENING AND BUFFERING:

~~A six-foot \* screening wall or fence shall be provided along the entire southern boundary of Area D where it abuts Area F. Trees shall be planted between the screening wall or fence and the building or parking area on the south side of the development area. The exact number, location and type will be determined with the approval of the Detail Landscape Plan.~~ A landscape buffer strip shall be provided between the single-family dwelling to the south and this Development Area. The exact location and design of this buffer strip shall be determine by TMAPC during the Landscape Plan approval process.

LIGHTING:

Light standards and building-mounted lights in Development Area D shall not exceed 25 feet in height except that those south of the southernmost buildings shall not exceed 12 feet in height. All lights shall be hooded and directed downward.

All landscaping shall meet or exceed the Tulsa Zoning Code's landscaping requirements.

ACCESS:

The ~~principal~~ primary accesses to developments in Area D shall be from the corridor collector street. At least two access points to the collector street shall be provided. One access to Garnett Road is permitted, which is designed primarily to serve the rental office and clubhouse area.

~~BUILDING ORIENTATION:~~

~~Every effort shall be made to design the layout of apartment buildings in Area D so that the narrow ends of buildings on the south side of the Area face south. The exact layout of buildings will be determined at the time of Detail Site Plan review.~~

\* TMAPC may require an eight-foot fence at the time of review of the Detail Site Plan.

**BULK TRASH CONTAINERS:**

All bulk trash containers shall be screened from public view and located at least 300 feet from the south boundary of the PUD.

**DEVELOPMENT AREA E**

AREA (Net): 1.2242 Acres 53,327 SF

**PERMITTED USES:**

Uses permitted as a matter of right in Use Units 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 15, Dry Cleaning/Laundry Only (laundry and dry cleaning area not to exceed 5,000 square feet); and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA: 13,000 SF

MAXIMUM BUILDING HEIGHT: 25 FT

**OFF-STREET PARKING:**

As required by the applicable Uses Unit of the Tulsa Zoning Code.

**MINIMUM BUILDING SETBACKS:**

From the north boundary of Area E (collector street)	35 FT
From the centerline of South Garnett Road	100 FT
From the south boundary of Area E	25 FT
From the west boundary of Area E	25 FT

**LANDSCAPED AREA:**

A minimum of ten percent of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

**SIGNS:**

- 1) One ground sign along the South Garnett Avenue frontage shall be permitted with a maximum of 120 square feet of display surface area and a maximum of 25 feet in height, and shall be at least 150 feet north of the south boundary of Area E.
- 2) Wall signs shall be permitted not to exceed ~~4.5~~ 2.0 square feet of display surface area per lineal foot of building wall to which attached. No wall signs shall be permitted on the south and west faces of a building or canopy.

LIGHTING:

Exterior light standards shall not exceed 25 feet in height. All exterior light fixtures shall be hooded and shall direct light downward and away from the south and west boundaries of the development area.

ACCESS:

~~Principal~~ Primary access to Area E shall be from the corridor collector street. Only one access is permitted onto Garnett Road and it shall be at least 50 feet from the south boundary of Area D.

**DEVELOPMENT AREA F**

LAND AREA (Net):                      8.5668 Acres                      373,169 SF

PERMITTED USES:

Stormwater drainage facility and landscaped open space only.

3. Mutual access shall be provided between abutting Development Areas and lots within Development Areas except no access shall be permitted between Development Areas B and D nor D and E. All lots shall abut a corridor collector street or be able to access a corridor collector street through a mutual access easement. Mutual access shall be provided from corridor collector streets to the development in PUD-512 ~~from both corridor collector streets, where that PUD does not abut a public corridor.~~ All access points onto arterial streets shall be approved by the Tulsa Traffic Engineer. A curb cut and apron shall be provided on the corridor collector street that would allow access from the south side of PUD-512 to that collector street.
4. ~~Public access to Development Area F shall not be allowed. The erection of security fencing, in addition to the privacy fencing earlier required, shall be provided to accomplish this.~~
5. When Development Area D is developed a sidewalk shall be installed along the Garnett Road frontage by the developer if it is not already in place.
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. 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.

8. 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.
9. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
10. The Department 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 servicing a development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
11. No Building Permit shall be issued until the requirements of Section 1170F 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.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

**Applicant's Comments:**

**Charles Norman**, 2900 Mid-Continent Towers, 74103, stated he is the attorney representing the applicant in this request. The request involves approximately 54-55 acres located at the southeast corner of the intersection of the Mingo Valley Expressway and 71<sup>st</sup> Street.

Mr. Norman stated the subject property has been zoned in the Corridor District for many years. He noted that the Hampton South Subdivision was developed after the subject property was zoned in the Corridor District. Hampton South Subdivision has no stub street to the north side and no provision was ever made for this subdivision to be connected to or a part of the subject property.

Mr. Norman stated the subject property will be developed as seven development areas, which were reviewed and detailed in staff's recommendation. He noted the cornerstone of the proposed development is a major motion picture theater complex, which will be the largest in the metropolitan area of Tulsa and consisting of 19 motion pictures theaters when fully developed. He noted the parking requirement for the theaters would be approximately 5,000 spaces. The proposal would also require adequate landscaping.

Mr. Norman stated that staff's recommendation is for approval for the combination of the theater complex, peripheral commercial uses along East 71<sup>st</sup> Street, one multifamily development area and a large site to the south for a stormwater drainage facility.

Mr. Norman stated the stormwater drainage area upstream is approximately 300 acres, which is not considered large in terms of the drainage basin. This drainage area receives drainage from the south side of 71<sup>st</sup> Street and from the development at the northeast corner of 71<sup>st</sup> Street and the Mingo Valley Expressway. He feels the initial challenge is to receive the off-site stormwater and convey it through the property to the southeast corner where the ten-acre stormwater detention site is located and will be improved as a part of the proposed development. The further development of the drainage system will require the dedication of approximately 8.5 acres to the City of Tulsa. However, the proposed system will provide appropriate drainage facilities through a grass-lines drainage swell and development of the detention facility. In addition, it will provide a significant separation from the single-family area to the south to the proposed commercial uses that are within the Corridor District zoning ordinance and the master plan designation of the property.

Mr. Norman stated with the drainage channel located directly behind the proposed motion picture theater ~~is approximately~~ averages 140 feet in width. The revised site plan relocated the theater building 150 feet north of the south property line so that the south wall of the theater ranges from more than 300 feet from the north line of Hampton South and tapers to the southeast corner. He noted the substantial separation between the proposed development and the single-family area to the south.

Mr. Norman stated the staff's recommendation imposed numerous conditions on the application, which most have been accepted by the applicant. However, some of staff's recommendations have a significant effect on proposed uses. He submitted the following comments and requests for modifications of the staff recommendations:

Development Area A:

Development Area A consists of 4.6 net acres with more than 700 feet of frontage on East 71<sup>st</sup> Street. Area A will be bisected by a mutual access easement providing access from East 71<sup>st</sup> Street to Area A and to Area B, the proposed motion theater site.

Lot Frontage:

The staff has recommended that the minimum lot frontage on East 71<sup>st</sup> Street be 350 feet and that the maximum access points on East 71<sup>st</sup> Street be three.

The minimum lot frontage of 350 feet would require oversized lots much larger than ordinarily marketable for Area A uses. The applicant requested that the minimum lot frontage be reduced to 150 feet with the number of access points

remaining at three, as proposed by the staff. This change would permit the creation of four lots sharing the mutual access easement and one point of access for each two lots on East 71<sup>st</sup> Street. The shared access points would be right-turn in and right-turn out, upon the completion of the planned improvements on East 71<sup>st</sup> Street.

#### Existing Outdoor Advertising Sign:

The staff has recommended that an existing billboard at the off-ramp of the Mingo Valley Expressway at East 71<sup>st</sup> Street be permitted to continue until the final plat of "any portion of the planned unit development is recorded and that it must then be removed within 30 days".

The applicant requested that the existing billboard be permitted to remain until the first certificate of occupancy is issued within either Area A or B.

#### Development Area B

##### Signage:

The proposed use within Area B is a major motion picture theater complex with fifteen theaters proposed in phase one and a possible future addition of four theaters. The complex will be named Tinseltown USA. The principal building will have a front width of approximately 400 feet with the north/south end walls approximately 264 feet in length. The front wall of the theater complex will be approximately 50 feet high including parapets. Thus, the front wall (north facing) will have an area of more than 20,000 square feet.

The front wall of the theater will have four marquee wall signs eight feet high and 20 feet wide with each marquee indicating the title of the movie in four or five theaters. The total display surface area of the four marquees will be 640 square feet.

In the center of the building between two marquees on each side and above the theater entrance will be the Tinseltown USA name and logo. The total display surface area of Tinseltown USA measured by the most extreme limit of the lettering will be approximately 16.5 feet by 38 feet or 625 square feet.

No wall signs were requested for the east- and south-facing walls. However, the theater operator proposes a wall sign on the west wall facing the Mingo Valley Expressway that would contain only the name "Tinseltown" with the lettering 9.2 feet by 38-foot and a display surface area of 348 feet. The 38 feet long Tinseltown west wall sign would be located on the 264-foot long west wall.

The total wall signs on the north facing wall be 1,265 square feet or approximately six percent of the wall area.

The applicant requested and the staff has recommended approval of a pole sign at the northwest corner of Area B 35 feet in height with a maximum of 280 square feet of display surface area.



Finally, there will be poster cases on the sides of entrances to the theater complex approximately 2.5 feet by 4 feet for the display of motion picture posters provided by the studios. The small posters will be at least 700 feet south of East 71<sup>st</sup> Street and will not be visible from that street nor from the north/south internal collector. Therefore, the posters should not be considered as signs under Section 1221.C.4.d.

Staff has recommended that the marquee and wall signs not exceed two square feet of display surface area per lineal foot of building wall and that the wall sign on the west wall facing the expressway not exceed 150 square feet and be located more than 300 feet from the south boundary of Development Area B.

In order to permit the standard Tinseltown USA signage which has been approved in numerous other communities, the applicant requested approval of the following modifications to the staff recommendations:

1. Delete the staff recommended ground sign at the northwest corner of Area B and permit the transfer of 280 square feet of display surface area to the north-facing wall signage;
2. Increase the permitted display surface area of the Tinseltown sign on the west wall facing the expressway to 350 square feet;
3. Permit the transfer of surplus west wall display surface area calculated at 2 square feet per lineal foot of wall to the north wall signage. The west wall at 264 feet times two would permit 528 square feet of display surface area less the 350 feet for the west wall signage, or a transfer of 178 square feet to the north wall.

The transfer of 280 square feet from the pole sign and 178 square feet would increase the permitted north wall signage by 428 feet and should accommodate the total requested marquee and Tinseltown USA signage which would equal 1,265 square feet of display surface area.

Finally the applicant requested that motion picture posters not exceeding 2.5 feet by 4 feet not be classified as signs under Section 1221.C.4.d.

#### Bulk Trash Container Setbacks:

The staff has recommended that all bulk trash containers be set back a minimum of 250 feet from the south and east boundaries of Area B. The minimum building setback from the south boundary of Area B is 150 feet. Thus, trash containers must be located on the sides of the theater complex.

Each theater within the complex is served by a central entrance on the north of the building and individual theaters are entered from an internal central hallway system. Under the Tulsa Building Codes, each theater must have a separate exist to the outside.

Trash from the theaters is limited to food and beverage, boxes, containers and wrappers and is deposited within a single compactor rather than a dumpster-type trash container that might be required for some other type of commercial use. The applicant requests approval of a compactor location on the south side of the building which would be approximately 300 feet from the north boundary of the residential subdivision to the south with a requirement that the compactor be within a masonry enclosure, screening it from view from the south.

#### Development Area C:

##### Permitted Uses:

Area C contains 11 acres and fronts on East 71<sup>st</sup> Street and is served by the internal collector street on the west and south. The applicant requested approved of a group of uses which, together would constitute a typical office, service and storage center for the sale, service and storage of scientific, business and office machines, equipment, furnishings and supplies. The staff recommendation deletes the storage component.

The applicant requested the addition of storage as a permitted use for machine equipment products and supplies displayed and sold within Area C provided no exterior display of storage shall be permitted and provided that storage shall not be permitted as a principal use.

##### Maximum Building Height:

The applicant proposed a maximum building height in Area C of 35 feet which is recommended for approval. The applicant failed to propose a building height for hotel and motel use which is recommended for approval within Area C.

The applicant requested addition of language which would permit the height of a hotel or motel to be established at detail site plan review.

##### Lot Frontage:

Staff has recommended that the minimum lot frontage for a lot fronting on East 71<sup>st</sup> Street be 200 feet with a maximum of three access points onto East 71<sup>st</sup> Street.

As in Area A, applicant request that the minimum lot frontage be established at 150 feet with the number of access points remaining at three. This change would permit internal lots but would require shared access to East 71<sup>st</sup> Street.

#### Development Area D:

##### Access:

The staff recommendation for the multifamily Area D requires principal access to be from at least two access points to the internal collector street. One access point to Garnett Road is permitted but it must be designed primarily to serve the rental office and clubhouse areas.

Typically, multifamily projects have their principal access from an abutting arterial street and from an access point passing or adjacent to the rental office and clubhouse. The staff recommendation requiring "principal access" to be from the collector street requiring two principal accesses from the corridor collector street would unnecessarily limit security and force the principal access points to be across from the rear of the existing Albertson's store and future commercial buildings within Area C.

The applicant requests that the requirement of the principal access to Area D be from the collector street be deleted and that the phrase related to the Garnett Road access requiring it to be "designed primarily to serve the rental office and clubhouse areas" also be deleted.

#### Building Orientation:

The staff recommendation requires that every effort be made to design the apartment buildings in Area D so that the narrow ends of buildings set on the south side of the area face south. Area D is separated from the single-family area to the south by a drainage dedication (Area F) approximately 100 feet wide and by a ten-acre detention site. In addition, the staff has imposed parking area setbacks and setbacks on three store buildings which are typical for apartment complexes immediately adjacent to single-family developments. The requirement that the project be designed so that the narrow ends face south is unreasonable and unwarranted. If that is a desirable design standard for multifamily buildings, it should be made a requirement for all multifamily development areas and not applied on a case-by-case basis.

The applicant requested the design requirement be deleted.

#### Development Area E:

##### Signs:

Because of the small size of Area E, the applicant requests that wall signs equal to two square feet of display surface area per lineal foot of building wall be permitted rather than the 1.5 square feet recommended by the staff.

##### Access:

The staff recommends that "principal access" to Area E be from the internal collector street rather than from Garnett Road. Any commercial building within Area E will undoubtedly be designed to face Garnett Road rather than at the rear of the Albertson's building on the north side of the collector street. With that design, the access from Garnett would probably be considered the principal access to the area.

The applicant requested that the phrase "principal access" be deleted from the staff recommendation.

### General Recommendation No. 3:

The mutual access requirements of the staff recommendation are overly broad and should be left to the detail site plans and platting when development occurs.

Mutual access is required to Planned Unit Development No. 512 from both collector streets. The Albertson's and Git-N-Go stores are located within Planned Unit Development No. 512. The staff recommendation as written would require the applicant to provide access for Albertson's and Git-N-Go entirely upon its property even if Albertson's and Git-N-Go should not request that access.

The applicant requested that General Recommendation No. 3 be modified to permit more flexibility in the detail site plan planning and platting process.

### General Recommendation No. 4:

The staff recommendation provides that principal access to the drainage dedication not be allowed and that a security fence be provided to prevent public access.

Area F will be dedicated to the City of Tulsa by the plat as required by the Department of Public Works. The requirement prohibiting public access apparently would apply to the City of Tulsa as the owner of the land. Whether such a requirement can be met depends on the design of the detention area to the south and east and the drainage structures from the west under the expressway. In any event, General Recommendation No. 4 should not apply to the applicant.

In closing, Mr. Norman pointed out that staff has imposed numerous conditions, a few for which he is requesting modifications. He noted he has met on three occasions with the steering committee and/or attorney of Hampton South Homeowners Association. He stated the association has requested the screening fence be constructed with the smooth side toward the development area to prevent easy accessibility up and over the fence.

### Interested Parties Comments:

**Roy Johnsen**, 201 West 5<sup>th</sup> Street, Suite 440, 74103, stated he is representing Ms. Janet Hall, who owns property on the north side of 71<sup>st</sup> Street. He indicated the OL tract, as indicated on the case map, is a portion of Ms. Hall's property.

Mr. Johnsen expressed concern with the access points, future median cuts and left-turn access into the Hall property. He stated he met with Ted Sack and Jon Eshelman, Traffic Engineer, and that there is concurrence that the westernmost access can be moved approximately 30 feet to the east, which would set a median break and an access point on the north side of 71<sup>st</sup> Street, which would be split between the Hall property and their neighbor.

Mr. Johnsen requested that some notation be made on the plat and that he be notified of the final plat release for review of said notation.

**A. Craig Abrahamson**, 7518 South 107<sup>th</sup> East Avenue, 74133, stated he is the attorney representing the Hampton South Homeowners Association and that he is also a homeowner in Hampton South.

Mr. Abrahamson stated most of the concerns have already been addressed in staff's recommendation and conditions. He stated he met with staff to review the conditions.

Mr. Abrahamson feels that Hampton South subdivision is a successful neighborhood with homes on large lots and that the property values have steadily increased over the years. He expressed concern over the impact the proposed development will have on Hampton South subdivision.

Mr. Abrahamson stated the association is not opposed to the proposed development in general, but would like conditions and requirements imposed to protect the surrounding area.

Mr. Abrahamson addressed four concerns of the association. First, the area of separation between Hampton South subdivision and the proposed development should be increased. He suggested aligning the channel to have an equal distance of buffering at both ends by maintaining the wide strip throughout the entire length.

Mr. Abrahamson stated the association feels very strongly about having an eight-foot screening fence installed on the entire south boundary of the project. He noted the association also requested the smooth side of the fence to be placed inward towards the proposed development for security reasons. He feels this will make the fence harder to scale by children and others. He noted the fence will also be used for routing pedestrians out to Garnett Road instead of through the neighborhood.

Mr. Abrahamson stated if the 20-foot easement is eliminated by the Public Works Department, then a 30-foot buffer should be required. He feels a 30-foot buffer would allow trees to be planted in two staggered rows to provide maximum buffering. Also, he feels the shade trees should be at least three inches in diameter and evergreens should be at least 8- to 9 feet in height at the time of planting.

In regard to the apartments, Mr. Abrahamson feels 30 units per acre is too dense. He feels RM-1 density or less should be the maximum density for the apartment complex.

Mr. Abrahamson feels the restriction on signage, as recommended by staff, should be followed and not altered.

Mr. Abrahamson stated the association is opposed to having the trash compactor located on the south side of the proposed facility. He stated the association requested that all trash dumpsters/compactors to be located as far to the north and west as possible. He feels the noise and smell will be offensive to the residents of Hampton South.

Mr. Abrahamson questioned the number of movie screens that will actually be constructed and feels that a specific number should be determined prior to approval of the application. He also feels the setbacks should coincide with the number of movie screens and that 150-foot setback should be required regardless of the use and building heights be restricted to 35 feet.

Mr. Abrahamson noted that the landscape buffer should be located on the south side of the screening fence. He feels the building material should be of similar type for all facilities in the development areas.

Mr. Abrahamson requested that the Planning Commission deny Hotel/Motel use in Area C of the proposed development. He feels this type of use is incompatible with the surrounding area.

In regard to the warehouse, Mr. Abrahamson feels it is not an accessory use for the movie theater and should not be allowed.

Mr. Abrahamson feels staff's recommendation on building orientation should be followed for further protection and buffering of the subdivision.

In closing, Mr. Abrahamson noted Section 804 of the Zoning Code in regard to primary accesses. He feels with the six-lane traffic reducing to two-lanes in the immediate area that limited access points are appropriate and desired by the association.

**Rich Detleff**, 7405 South 111<sup>th</sup> East Avenue, 74133, stated the residents of Hampton South desire to maintain the enjoyment, security and enhancement of the property values in their subdivision and surrounding area.

Mr. Detleff feels an eight-foot fence constructed on the entire south boundary is appropriate for the protection of the neighborhood.

**Margaret Hohmann**, 10703 East 74<sup>th</sup> Place, 74133, stated she serves on the Board of Directors for the Hampton South Homeowners Association. She feels the eight-foot screening fence should extend the entire length of the south boundary.

**Dan Alaback**, 10623 East 74<sup>th</sup> Street, 74133, stated the association knows the development will happen; however, they are trying to restrict the uses and guide the development.

Mr. Alaback stated he has spoken with Paul Zachery and he indicated that the access easement on the south side of the channel will be removed. With this, Mr. Alaback feels a 30-foot buffering strip should be required, with the realignment of the channel to provide equal buffering distance across the southern boundary of the proposed project.

**Kim McCarty**, 10919 East 74<sup>th</sup> Street, 74133, expressed concern with the alignment of the channel and related buffering since her property abuts the eastern end of the channel.

Ms. McCarty feels the density of the apartment complex should be reduced to 20-24 units per acres to be more appropriate and harmonious with the surrounding area.

**Scott McCarty**, 10919 East 74<sup>th</sup> Street, 74133, feels staff's recommendation is an attempt to make the proposed development more harmonious with the surrounding area.

**Ruth Dalrymple**, 10914 East 74<sup>th</sup> Street, 74133, pointed out that the existing landscaping and watershed has not been considered in the planning process.

Ms. Dalrymple expressed concern with the increased of traffic in the area.

**Applicant's Rebuttal:**

Mr. Norman stated, in regard to the drainage channel, because of the terrain the channel right-of-way is approximately 250 feet wide at the southwest corner, which is lost land to the development, and then narrows to the east. He feels the separation provided is in excess of what is normally required.

In regard to the eight-foot screening fence, Mr. Norman feels the eight-foot high fence behind the movie theater tract would be appropriate; however, he feels its should not be extended across the multi-family residential area.

Mr. Norman stated that, in regard to the additional buffering, if approved by the Public Works Department, a 30-foot buffer strip could be dedicated as requested by the Hampton South Homeowners Association. He noted the preliminary plat could be modified to reflect any agreement made in regard to the buffer strip. In regard to the trees, he feels 2- to 2-1/2 trees are appropriate and could be located to the south side subject to approval by the Commission at the Detail Landscape Plan phase.

In regard to the trash compactor, Mr. Norman feels with the 300-foot separation it will not be a nuisance to the neighborhood.

Mr. Norman stated he objects to omitting Hotel/Motel uses in Area C and feels there is a need in this area. He requested that the height of the hotel/motel be reviewed and discussed at the time of the Detail Site Plan approval process.

Mr. Norman feels most of the comments by interested parties will be addressed at future stages of the process. In regard to the density of the apartments, Mr. Norman suggested restrictive covenants with the homeowners association.

In regard to access, Mr. Norman feels there is a difference between "primarily" and "principally" and explained his request. He feels he is meeting the requirements for access.

Therefore, Mr. Norman requested approval of the application as modified.

### **TMAPC Comments:**

Mr. Doherty stated, as liaison for District 26, he has received numerous telephone conversations with several of the interested parties.

Mr. Boyle noted the plat shows one point of access for the development area. Mr. Norman stated the applicant is anticipating, as users are identified and specific sites are marketed, there would be lot-splits of the larger lots. Mr. Norman feels there could be four lots, but limits of only three accesses.

Mr. Boyle questioned the rationale of 350 feet. Mr. Stump replied the main concern is the number of access points, but staff could support 150' if only three access points are allowed.

Mr. Doherty asked whether there will be left-turn lanes available at the access points. Mr. Norman replied the construction plans call for two of the access points to have four-way access and one access with signal lights.

In regard to the billboard in Area A, Mr. Stump stated staff can concur with the 30-day removal condition.

Mr. Stump reminded the Planning Commission that the PUD chapter of the Zoning Code limits signage to two square feet of building wall or wall to which the sign is affixed. He feels the applicant should file for a variance with the Board of Adjustment.

Mr. Doherty stated if the Commission agrees with the proposal, as submitted by Mr. Norman in regard to signage, it would be up to the BOA to concur, and that should be made a condition of approval.

Mr. Boyle questioned whether the signage proposal is agreeable with staff. Mr. Stump feels it is reasonable to trade ground signage for wall signage when it is so far away from an arterial street and cannot be seen from the residential area.

In regard to the trash compactor, Mr. Doherty asked staff to clarify their recommendation. Mr. Stump stated staff's intent is to not have the compactor located on the south side of the building to avoid the noise, when serviced, from bouncing into the neighborhood. Mr. Norman stated his proposal is a "functional" one.

In regard to Recommendation No. 4, Mr. Stump stated this is for security purposes.

In regard to the eight-foot screening fence, Mr. Doherty suggested an eight-foot fence behind the movie theater and an six-foot fence behind the apartment complex.

Mr. Westervelt questioned whether, in regard to page 3, item 3 and page 5, section on signs, could be approved subject to Board of Adjustment approval of these items. Mr. Romig replied in the affirmative.



Ms. Pace asked whether the exteriors of the building would be uniform throughout the development. Mr. Norman replied he agrees with having the facility exteriors being similar in character and compatible.

Ms. Pace asked whether roof-top mechanical and electrical units would be screened. Mr. Doherty replied it is a standard staff conditions. Mr. Norman agreed.

Ms. Pace recognized Mr. Abrahamson. Mr. Abrahamson requested notification of future meetings. Mr. Doherty stated all interested parties will be notified of the site plan and plat process.

Ms. Pace asked whether the plan submitted is the actual plan or conceptual, as stated. Mr. Stump replied the plan is a conceptual plan and detailed plan will be provided at a later date. Mr. Doherty noted interested parties will be notified of the meeting.

Mr. Jackson asked the distance from the expressway to the far west boundary of Hampton South subdivision. Mr. Doherty replied approximately 100 feet.

Mr. Jackson asked the height of the screening fence that is located between the expressway and Hampton South subdivision. Mr. Doherty replied it is possibly six feet in height, but noted the homeowners may know the exact height.

Mr. Westervelt suggested approving the PUD subject to staff recommendation and incorporating the changes recommended by Mr. Norman's September 3, 1997 document. He specifically noted page 3, item 3, should be subject to Board of Adjustment approval if determined necessary by Legal Counsel; page 5, Development Area E in regard to "principal access", should be subject to Board of Adjustment approval if determined necessary by Legal Counsel; page 4, Development Area C, paragraph 2 in regard to storage should be deleted and staff's recommendation retained; page 6 in regard to a mutual access, to require the applicant to construct curb cut and approach only to a point to satisfy Albertson's requirement for access; install a privacy fence across the entire southern boundary of the project, noting the fence height shall be eight feet in height behind the movie theater and six feet in height for the remainder and/or modified at the site plan process; landscaping will be deferred to the Landscape Plan process and be brought back before the Planning Commission for review and consideration; page 2, Existing Outdoor Advertising Sign will be removed prior to issuance of an occupancy permit; and that the trash compactor to be permitted on the southern wall of the proposed development will be enclosed by a masonry wall.

Ms. Pace feels the dumpster should located on the west side of the building as recommended by staff.

**TMAPC Action; 6 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **5-1-0** (Dick, Doherty, Horner, Jackson, Westervelt "aye"; Pace "nay"; none "abstaining"; Boyle, Carnes, Gray, Ledford, Midget "absent") to recommend **APPROVAL** of PUD-567/Z-4789-SP-6, subject to the conditions as recommended by staff and modified by the Planning Commission. (Language deleted by TMAPC is shown as ~~strikeout~~, language add or substituted by TMAPC is underlined.)

**Legal Description for PUD-567/Z-4789-SP-6:**

A tract of land that is part of the NE/4, Section 7, T-18-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows, to-wit: starting at the Northeast corner of said Section 7; thence S 00°10'00" W along the Easterly line of Section 7 for 744.43' to the Point of Beginning of said tract of land; thence continuing S 00°10'00" W along said Easterly line for 579.40'; thence N 89°43'32" W for 2,326.67' to a point on the Easterly ROW line of the Mingo Valley Expressway; thence N 00°07'37" W along said Easterly line for 280.65'; thence N 19°35'15" E continuing along said Easterly line for 637.36'; thence N 00°07'37" W continuing along said Easterly line for 340.08' to a point on the Southerly ROW of way line of East 71<sup>st</sup> Street South; thence S 89°46'10" E along said Southerly line for 330.32'; thence N 84°06'54" E continuing along said Southerly line for 704.01'; thence N 00°13'50" E for 25.00' to a point on the North line of said Section 7; thence S 89°46'10" E along said Northerly line for 637.48'; thence S 00°10'00" W and parallel to the East line of said Section 7 a distance of 744.43'; thence S 89°46'10" E and parallel to the North line of said Section 7 a distance of 450.01' to the Point of Beginning of said tract of land, and located south and east of the Southeast corner of East 71<sup>st</sup> Street South and South Mingo Valley Expressway, Tulsa, Oklahoma.

\*\*\*\*\*

## **ZONING PUBLIC HEARING:**

**Application No.:** PUD-483-2

(PD-18) (CD-8)

**Applicant:** Arthur Haggard

**Location:** Southwest corner West 57<sup>th</sup> Street and South 33<sup>rd</sup> West Avenue

**Presented to TMAPC:** Arthur Haggard

*(Minor Amendment to eliminate an approved ground sign and to permit a 72 square foot wall sign in Development Area B and request permission to occupy the site prior to installation of the approved landscape materials.)*

### **Staff Recommendation:**

The applicant is requesting minor amendment approval to eliminate the six foot high, 72 square foot ground sign allowed in Development Area B and substitute one 72 square foot wall sign. The applicant is also requesting permission to occupy the site before the installation of the approved landscape materials.

Staff has reviewed the request and finds the PUD standards permit one six foot high ground sign with a display area of 72 square feet fronting on 33rd Street. The PUD standards expressly prohibited wall signs in the development area. Staff can support the substitution of a wall sign for the approved ground sign in that the wall sign will be more in keeping with the residential character of the surrounding area.

Staff also can support the request to delay planting landscape materials until after the summer and early fall months. The application states that the required landscape material will be installed prior to December 1, 1997.

Staff, therefore, recommends **APPROVAL** of the minor amendment subject to the following conditions:

1. PUD 483 Development Standards for Development Area B be amended to read as follows:

**Signs:** One wall sign is permitted. It shall front on 33rd West Avenue and be placed on that portion of the east-facing wall which is located no farther than 30 feet north of the entry drive to the mini-storage facility. The maximum display surface area permitted is 72 square feet. No wall signs are allowed on the north or south walls. No ground signs are permitted within the development area.

2. That all landscape materials approved by TMAPC on 10-19-94 be installed prior to December 1, 1997, if occupancy occurs before this date, or be installed prior to occupancy if occupancy occurs after December 1, 1997. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping has been installed in accordance with the approved Landscape Plan for Development Area B.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** Minor Amendment PUD-483-2 to eliminate an approved ground sign and to permit a wall sign in Development Area B and request permission to occupy the site prior to installation of the approved landscape materials, subject to the conditions as recommended by staff.

\*\*\*\*\*

**OTHER BUSINESS:**

**PUD-432-D Dwayne Wilkerson**

(PD-4) (CD-4)

12<sup>th</sup> and Victor

*(Site Plan for a parking lot and associated landscaping for off-site Hillcrest Medical facilities.)*

**Staff Recommendation:**

The applicant is requesting site plan approval for a parking lot and associated landscaped open space for the northern half of Development B. The southern half of the development area contains an existing parking lot.

Staff has reviewed the request and finds the parking area meets the use, access, circulation and landscaped area requirements of the PUD.

Staff, therefore, recommends **APPROVAL** of the PUD-432-D for that portion of Development Area B per the submitted site plan.

**TMAPC Action; 8 members present:**


On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the Detail Site Plan for PUD-432-D for that portion of Development Area B per the submitted site plan as recommended by staff.

\*\*\*\*\*

There being no further business, the Chairman declared the meeting adjourned at 4:25 p.m.

Date Approved: \_\_\_\_\_

9/17/97



Chairman

ATTEST: \_\_\_\_\_



Secretary