

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2139

Wednesday, December 10, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Almy	Linker, Legal
Dick	Ledford	Beach	Counsel
Doherty	Pace	Dunlap	
Gray		Stump	
Horner			
Jackson			
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, December 9, 1997 at 11:25 a.m., in the Office of the City Clerk at 11:20 a.m., as well as in the office of the County Clerk at 11:19 a.m.

After declaring a quorum present, Chairman Boyle called the meeting to order at 1:37 p.m.

Reports:

Director's Report:

Mr. Stump stated there are three items scheduled for the December 11, 1997, City Council meeting. He stated he would be in attendance. Chairman Boyle stated he would also be in attendance.

Subdivisions:

The Reinstatement of Expired Preliminary Plat and the Final Plat for Sheridan Oaks Estates were heard simultaneously.

Reinstatement of Expired Preliminary Plat/Final Plat:

Sheridan Oaks Estates (1583) (PD-18) (CD-8)

North of the northwest corner East 91st Street and South Sheridan Road

Staff Recommendation:

This subdivision received preliminary plat approval from TMAPC June 19, 1996. The preliminary plat expired after one year according to the Subdivision Regulations. Since the approval, the owner has hired a different engineer to

complete the platting process. L&D Engineering submitted this plat and asked for final plat approval. Construction is well under way on this site and the current engineer said he has received approval of his plans from the utilities.

If the TAC finds that this submittal is consistent with the previously-approved preliminary plat, the applicant will ask the Planning Commission for an extension of the previous approval and to consider this one for final plat approval.

Beach presented the revised plat with Roy Johnsen and John Duncan present.

The following issues were discussed:

- Miller requested that the words "Private Street" appear on all such streets on the face of the plat.
- Miller requested that the utility easements be separated from the overland drainage easements between Lots 12 & 13, Block 1 and between Lots 32 & 33, Block 2.
- Johnsen and Duncan stated that the City required the overland drainage easement to be added at these locations.
- Miller stated that there can be no obstructions to the overland flow of storm water and utility risers would be considered obstructions. This limits the usefulness of the utility easement and it has been a matter of policy that the utility easement and the overland drainage easement must be separate.
- After more discussion, it was suggested that the utilities be limited to sanitary sewer and storm sewer.
- Cox requested that the existing utility easements in the abutting platted areas to the west and south of this property be shown on the plat. He also requested an 11' utility easement along the west property line in Reserve Area A.
- Beach read a letter of concurrence from PSO requesting additional easements as follows:
 1. The east 5 feet Lot 3, Block 2
 2. The west 5 feet Lot 2, Block 2
 3. The west 5 feet Lot 14, Block 1
 4. Across reserve Area A being a northward extension of the two 7.5' wide utility easements abutting the common lot line between Lots 8 & 9, Block 2, extending to the south lot line of Lot 6, Block 2.
 5. 10 feet wide along the south boundary of Lots 6 & 7, Block 2 beginning at the westerly line of the proposed easement described in #4 above and extending to a point 10 feet east of the southwest corner Lot 7, Block 2.

6. In addition, PSO concurrence is contingent on inclusion of language in the Deed of Dedication, Section 3.1 allowing overhead electrical lines along the north perimeter of the property.
- Beach relayed concerns of Southwestern Bell Telephone that there is abutting unplatted property shown on the location map south of this site but not shown on the plat and a utility easement is needed along the west boundary of Reserve Area A.
 - Cox expressed concern over construction specifications and maintenance of private streets and asked how wide the rights-of-way will be.
 - Duncan stated the streets will be built to City specifications but will be private and gated. Rights-of-way will be 30'.
 - Cox asked if there will be sewer or septic.
 - Johnsen answered that the area will have sewer.
 - Lee asked if James McGill with the Fire Department has been consulted about the gates.
 - Duncan answered in the affirmative.
 - McCormick stated that the Deed of Dedication needs language dedicating Reserve Areas to the homeowners.
 - Johnsen stated that they are seeking reinstatement of the preliminary plat and final plat approval from the Planning Commission on December 10, subject to all release letters.

The Technical Advisory Committee would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit cul-de-sacs of more than 500' in length.
2. Waiver of the Subdivision Regulations to permit a residential collector, East 86th Street South, with 50' of right-of-way (60' required by the Major Street Plan) and 26' of paving.
3. All conditions of PUD-542 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 references to Section 1100-1107 of the Zoning Code in the covenants.
4. The engineer should ensure that all lots meet the minimum required lot area of 22,500 square feet per the PUD conditions.
5. A letter from an attorney is required prior to the approval of the final plat that the Sheridan Oaks Estates L.L.C. is a duly formed organization and the person signing the plat for the L.L.C. is qualified to do so.
6. Only storm sewer and sanitary sewer utilities will be permitted wherever utility easements are shown combined with overland drainage easements. Such combination easements should be labeled as such.

7. Utility easements shall meet the approval of the utilities. Coordinate with Sub-surface 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.
8. The Department of Public Works (Water & Sewer) shall approve water and sanitary sewer plans prior to release of final plat. (Include language for W/S facilities in covenants.)
9. 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).
10. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
11. 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.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
13. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
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 thereof 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. The City/County Health Department shall approve the method of sewage disposal and plans. (Percolation tests required prior to preliminary approval of plat.)

23. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
24. The City/County Health Department shall approve the method of water supply and plans.
25. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
26. The key or location map shall be complete.
27. 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.)
28. 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.)
29. This plat has been referred to Bixby, Jenks and Broken Arrow because of its location near or inside a "fence line" of that municipality. The applicable municipality may make additional requirements. Otherwise only the conditions listed apply.
30. 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.)
31. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
32. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to support the applicant's request for reinstatement of the preliminary plat and approval of the final plat subject to the conditions listed above.

Applicant's Comments:

Roy Johnsen, 201 West 5th Street, Suite 440, 74103, stated he was in agreement with staff's recommendation. He noted the waiver-items were previously waived at the original preliminary hearing and have not been affected by the changes.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **11-0-0** (Boyle, Dick, Doherty, Gray, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Pace "absent") to **APPROVE** the Reinstatement of Expired Preliminary Plat for Sheridan Oaks Estates and Reaffirm the Waivers of the Subdivision Regulations to permit cul-de-sacs of more than 500' in length and to permit a residential collector, East 86th Street South, with 50' of right-of-way and 26' of paving.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Boyle, Dick, Doherty, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray, Ledford, Pace "absent") to **CONTINUE** the Final Plat of Sheridan Oaks Estates to December 17, 1997.

Continued Zoning Public Hearing:

Application No.: Z-6610

Applicant: Lyon Moorehead

Location: Northeast corner East Archer Street and North Yale Avenue

CH/OL to CH

(PD-3) (CD-3)

Chairman Boyle stated a letter of withdrawal has been received. Therefore, the item was stricken from the agenda.

Application No.: CZ-238

Applicant: James P. Coleman

Location: East of northeast corner 265th West Avenue and U.S. Highway 51

Presented to TMAPC: James P. Coleman

AG to CG

(PD-23) County

TMAPC Comments:

Mr. Doherty stated he had communication with Commissioner Selph and staff in regard to this item. He stated there is some discussion on the future development of Highway 51 and adequacy of the Comprehensive Plan. He feels if the applicant has no objections, he would suggest continuing this item for another week so final discussions can be completed.

Applicant's Comments:

James Coleman, Box 351, Mannford, stated he does not object to the continuance except that he would be out of the country during that time. He noted he has been corresponding with Commission Selph in regard to this application. He suggested continuing the hearing until after the first of the year.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Gray, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Pace "absent") to **CONTINUE** the Zoning Public Hearing for CZ-238 to January 14, 1998.

Application No.: Z-6603/PUD-576

OM to CS/PUD

Applicant: Elizabeth Southard/Kevin Coutant

(PD-18) (CD-7)

Location: 6927 South Canton

Presented to TMAPC: Elizabeth Southard/Kevin Coutant

(A Planned Unit Development for an English Pub.)

Staff Recommendation:

Z-6603:

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – Linear Development Area.

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

Staff Comments:

Site Analysis: The subject property is 88' x 150' in size and located north of the northeast corner of East 71st Street South and South Canton Avenue. The property is flat, non-wooded, has a two-story office building and is zoned OM.

Surrounding Area Analysis: The subject tract is abutted on the north, south, and east by offices, zoned OL and to the west across South Canton Avenue by a multi-story hotel, zoned CS/PUD-260-C.

Zoning and BOA Historical Summary: The subject tract was rezoned from OL to OM in 1992 and in 1996 the TMAPC approved a Major Amendment to a Planned Unit Development to allow a high-rise hotel on property located across Canton Avenue from the subject tract on the west.

Conclusion: The Comprehensive Plan designates the subject tract to be in Low Intensity – Linear Development Area which does not permit CS zoning and there is no commercial zoning on the east side of Canton Avenue; therefore, staff recommends **DENIAL** of CS zoning for Z-6603.

PUD-576:

The PUD proposes commercial, office and residential uses on this 13,200 SF tract located at 6927 South Canton Avenue. The tract has 88 feet of frontage on Canton and is 150' deep. The subject tract is abutted on the north, south and west by offices zoned OL and to the west across South Canton Avenue by a multi-story hotel, zoned CS/PUD-260-C.

There is an existing two-story, 5,162 SF structure on the tract. The proposal would allow the following:

1. All uses by right in OM District not to exceed 2,589 square feet LESS any part thereof used for an English Pub (as described in this application);
2. Use Unit 12a uses only insofar as required to permit English Pub not to exceed 1,000 square feet; and
3. One (1) residential unit not to exceed 2,573 square feet.
4. The proposed PUD has inadequate parking and landscaping, and because of the existing structure and layout of the site, adequate parking and landscaping cannot be provided. Therefore, staff recommends **DENIAL** of the request.

Applicant's Comments:

Kevin Coutant, 320 South Boston, 74103, stated he distributed a handout of the proposal. He stated the original request, submitted a few months ago, was for CS zoning. He stated the subject facility is a two-story office building, residential in character, and approximately 5,000 square feet in size.

Mr. Coutant stated Ms. Southard is proposing an English pub in a small section of the ground floor. He noted the second floor is used as residential and the balance of the ground floor is office-type uses. He stated the English pub use would require CS zoning. He gave a brief description of the subject and surrounding property, noting the different zoning and use types.

Mr. Coutant stated staff raised the issue on parking. He feels, by his calculations, the number of parking spaces required for the single-family resident, the office area and the English pub would be 20-21 spaces. He stated the pub itself would require 13 parking spaces, based on 1 space per 750 SF; the office area would require 5 spaces, based on 1 space per 300 SF; and 2 spaces for the residential area. He feels these number of spaces meet the code requirement.

Mr. Coutant pointed out the site plan that was included in his handout. He noted he is willing to further discuss the parking issue, but feels the code requirement can be met. However, he stated there may be technical issues to be resolved at the time of Detail Site Plan review. He noted the landscaping, as indicated on the site plan, noting the heavy landscape along the north side. He stated there would be no exterior changes made to the structure, that it would remain residential in character.

Mr. Coutant stated he provided the interested parties with the handout for their review and information.

Elizabeth Southard, 6927 South Canton, stated that the proposal is for an English pub, which will serve English food, wine and imported beer in a charming setting. She reminded the Commission the proposal is not for a bar; it would not have pool tables or operate at late hours. She feels the space is adequate for the proposed pub.

Ms. Southard stated, in regard to parking requirements, that there is a wood walkway that can be reduced in size to provide additional space for parking. There would also be large areas of green space around the building and along the street as required by the Code. She stated a tree has been planted and more landscape will be provided once the parking issue is resolved.

Ms. Southard feels the English pub would be an asset to Tulsa.

Interested Parties Comments:

Leonard Brown, 6913 South Canton, expressed concerns with the proposed pub becoming a bar in the future. He stated there is no restriction on live entertainment. He questioned the available parking and whether it would be to code.

Mr. Brown stated, other than the concerns he noted, he has no objections to the English pub.

Applicant's Rebuttal:

Mr. Coutant stated live entertainment would not be an issue and requested a restriction to prohibit live entertainment. In regard to parking, he stated the applicant is aware that the requirements have to be met and it is the intent of the applicant to meet those requirements.

TMAPC Comments:

Mr. Westervelt asked staff to comment on the concerns of the technical issues of the required parking. Mr. Stump stated that the site plan indicates spaces 10, 11 and 12 are identified as for compact vehicles, that the compact identification no longer exists and would be substandard. In order to make these spaces standard, there would only be six feet for backing room from spaces 18 and 19. If these spaces were eliminated, the parking requirement would not be met.

Mr. Stump noted that Traffic Engineering normally do not allow curb cuts for backing out onto a busy commercial street for safety reasons. He expressed concerns with the applicant being able to meet the requirement of the parking, as well as the landscaping requirements if most of the property is used to meet the parking requirement. Mr. Coutant stated he feels there are ways to meet the parking requirements and it would be the responsibility of the applicant to meet these requirements.

Mr. Doherty asked whether the applicant would present a Detail Site Plan at a later date. Mr. Coutant replied in the affirmative and feels meeting the Landscaping requirements will not be a problem.

Chairman Boyle expressed concerns with denying the request based on the parking issues or approving the request knowing the applicant would be responsible for meeting the requirements.

Mr. Doherty feels the site cannot be made workable in regard to parking. He stated he does not oppose the use. Therefore, if approved it would be at the applicant's risk to see if they can fulfill the requirements

Chairman Boyle stated he could support the application knowing that Mr. Coutant knows what the requirements and restrictions are and that it will be the responsibility of the applicant to meet these requirements.

Mr. Horner stated it is the responsibility of the applicant to provide a detail site plan to show the required number of parking spaces and landscaping. He would be willing to allow the applicant the opportunity and would recommend approval of the request.

Mr. Doherty reminded the applicant that if the living area was divided, then there would be additional parking spaces required.

Mr. Stump stated that if the Planning Commission approves the request, the CS zoning would only need to be approved for the west one foot of the lot in order to provide sufficient zoning for the pub.

Ms. Gray asked whether the overflow parking could be incorporated into other parking areas. Mr. Stump replied this is the only parking area for this entire development.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-1-0** (Boyle, Dick, Doherty, Gray, Horner, Jackson, Midget "aye"; Westervelt "nay"; none "abstaining"; Carnes, Ledford, Pace "absent") to recommend **APPROVAL** of CS zoning on the west one foot of the subject lot for Z-6603 and **APPROVAL** of PUD-576 for an English pub as submitted by the applicant except the site and landscape plans which do not comply with the Zoning Code (See below), including standard PUD conditions and prohibiting any live entertainment.

1. Development Area. There shall be a single development area.
2. Requested Land Uses. This PUD application is filed in conjunction with Application for Rezoning Z-6603 which proposes CS zoning. The total square footage of the building is 5,162 (2,589 on the first floor and 2,573 on the second floor). The permitted uses under the PUD shall be as follows:
 - A. All uses by right in OM District not to exceed 2, 589 square feet LESS that part thereof used for an English pub (not to exceed 1,000 SF and as further described in this application);

- B. Use Unit 12A uses only insofar as required to permit English pub not to exceed 1,000 square feet with no live entertainment permitted; and
 - C. One (1) residential dwelling unit not to exceed 2,573 square feet.
3. Maximum number and size of business signs: as permitted in the OM District.
 4. Maximum building heights and minimum buildings setbacks: as required in the OM District.
 5. Explanation of the character of PUD: The sole purpose of this Application and Rezoning Application Z-6602 is to permit the operation of an English pub in approximately 1,000 square feet of the ground floor of the existing building. The English pub should be subject to the following development standards:
 - A. Hours of operation shall be limited to Monday through Thursday between 4:00 p.m. and 10:00 p.m. and Friday and Saturday between 4:00 p.m. to 11:00 p.m. (closed Sunday).
 - B. Seating capacity shall not exceed 50.
 - C. Drink menu shall be limited to imported ales, wines and spirits (as well as non-alcoholic drinks).
 - D. No exterior building alterations.
 - E. Single exterior sign to not exceed 3 feet by 4 feet.
 6. Expected Schedule of Development: Property is already developed, Interior renovation for the English pub will commence shortly after final approval of this PUD.
 7. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all buildings and requiring parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
 8. A Detail Landscape Plan shall be submitted to the TMAPC for review and approval prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
 9. No sign permits shall be issued for erection of a sign within the PUD unit a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

10. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
11. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
12. No Building Permit shall be issued until the requirements of Section 1170F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Legal Description for Z-6603

The South 88' of the West 1' of the North 220' of the South 470' of Lot 1, Block 3, Burning Hills Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Legal Description for PUD-576:

The South 88' of the West 150' of the North 220' of the South 470' of Lot 1, Block 3, Burning Hills Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Other Business:

PUD-389 David Smith/Ted Sack

(PD-18) (CD-8)

South and east of East 81st Street and South Yale Avenue
(Amended Detail Site Plan and Landscape Plan.)

Staff Recommendation:

The applicant is requesting amended site plan approval for a 31-acre site reviewed and approved on July 16, 1997 and as amended on November 5, 1997. The revised site plan proposes a reconfiguration of the southeast portion of the site which abuts Lots 12-16 of the Signal Hill Addition. The site plan indicates that 67% of the entire area will be maintained as natural or landscaped open space.

Staff has reviewed the amended site plan and finds it conforms to bulk and area, setback, access, circulation, landscaped area and parking requirements of the PUD and the applicable sections of the Tulsa Zoning Code.

The amended site plan modifies the 25 foot garage and parking setback in the southeast corner of the site (approved by minor amendment on November 5) to 100 feet with little, if any, grading of the slope areas along the southern boundary of the site. The plan retains the bulk of the natural vegetative cover abutting Lots 6-16 of Signal Hill Subdivision.*

The amended plan also proposes the repositioning of multifamily dwelling units in the southeast portion of the site in a northward direction, resulting in 175 feet of separation between multifamily units and the northern property boundary of Lots 12-16. Finally, the site plan indicates a six-foot solid screening fence along the entirety of the southern boundary. Staff understands this fence is not acceptable to abutting property owners.

Staff has not reviewed the site plan for conformance to slope and grading plan requirements because detailed grading plans were not submitted for the amended detail site plan. The grading plans must conform to site grading standards relating to slope, cross-slope, parking area and driveway grades approved by the commission on 7/16/97 and 11/5/97.

Based on conformance to the PUD standards and the increase in parking and building setbacks to a distance acceptable to abutting property owners, Staff recommends **APPROVAL** of the amended site plan for PUD 389 as submitted subject to the following conditions:

1. Prior to the issuance of a building permit, submission and approval of a grading and erosion control plan which meets the standards stated below and is certified as meeting those standards by a professional engineer.
 - a. Slopes in excess of 3:1 will be stabilized with a retaining system approved by the City of Tulsa Public Works Department.
 - b. Slopes less than 3:1 will be sodded or seeded in a manner to prevent erosion.
 - c. Parking and driveway grades will not exceed the following:
 - longitudinal grades (max.): 5%
 - cross slopes (max.): 5%
 - drives: 15%
2. Elimination of the owner-installed site screen fencing on the southern property boundary.

*Staff has not received a landscape plan which conforms to the current detail site plan currently being reviewed.

NOTE: *Detail Site Plan approval does not constitute Landscape or Sign Plan approval.*

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, stated this is the fourth site plan for this development, each of which has been recommended by staff for approval and two have been approved by the Planning Commission.

Mr. Norman stated this site plan has significant modifications as a result of agreements which the applicant has entered into with the three property owners immediately to the south of the subject property. He stated these parties have signed a copy of the amended site plan and the agreement documents are being prepared.

Mr. Norman stated the previously-approved site plan included two conditions, which were imposed by the Planning Commission, that would be deleted by this site plan. The first that prohibited windows on the third floor of the two buildings near the three interested property owner's residences. He noted these buildings are being located at least 75 feet farther to the north and there is no need to prohibit the windows. Also, since there will be a 100-foot strip of natural landscaping along the southern boundary, there is no need for the screening fence along the south boundary. He stated the interested parties do not object to deleting these conditions.

Mr. Norman stated the landscape plan, which has not been changed in detail or context, except for it has to be redrawn to relocate it 50 feet to the north. He requested an administrative review and approval for the landscape plan.

Therefore, Mr. Norman requested approval of the amended Detail Site Plan.

There were no interested parties wishing to comment.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Gray, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Pace "absent") to **APPROVE** the Amended Detail Site Plan for PUD-389, subject to the conditions as recommended by staff and eliminating the conditions prohibiting windows on the third floor of the southernmost building and constructing a screening fence along the southern boundary of the subject PUD; and that the Landscape Plan will be reviewed and approved administratively.

PUD-500 Sack and Associates, Inc.

(PD-18) (CD-8)

Northeast corner East 81st Street South and South Yale Avenue, Lot 1, Block 1,
Holland Center, Borders Books
(Detail Site Plan for a retail facility.)

Staff Recommendation:

The applicant is requesting detail site plan review for a 24,773-square foot retail facility on a 3.03 acre (net) tract.

Staff has reviewed the site plan submitted for conformance to development standards approved on June 9, 1993. The site plan meets the PUD requirements for building area, setback, access, circulation, parking, lighting, signage location, site screening and total landscaped area. The height of the building is indicated as 25 feet on the site plan and meets PUD standards. Building elevations provided by the applicant, however, indicate a parapet wall on the front or westernmost building wall with a height of 35 feet. The PUD standard allows a maximum height of 30 feet "if found appropriate by TMAPC when the detail site plan is approved." Staff cannot support a 35-foot parapet wall but finds 30 feet acceptable for a small portion of the west elevation.

In addition, the eastern 50 feet of the tract adjacent to single-family lots shown as "landscaped buffer area" will be a greenbelt to be established and maintained by all lot owners according to the Holland Center Plan and separate agreements between the developer of Holland Center Plat, the developer of Holland Center and the homeowners in the Holland Lakes Subdivision. This area was deeded to the City of Tulsa by the owner as an overland drainage area and has been graded by Public Works but contains no underground drainage structures.

Staff, therefore, recommends **APPROVAL** subject to the following conditions: Reduction of height of the parapet wall on the western elevation of the building from 35 feet to 30 feet.

NOTE: Detail Site Plan approval does not constitute Landscape and Sign Plan approval.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, stated the applicant agreed to reduced the parapet wall to 30 feet and if they need more than 30 feet, a minor amendment would have to be filed.

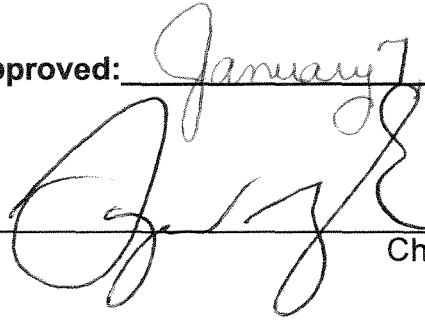
TMAPC Action; 8 members present:

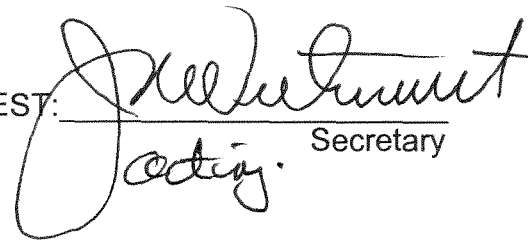
On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Gray, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Detail Site Plan for PUD-500 as recommended by staff.

Chairman Boyle noted receipt of a letter from John A. Wheat in regard to flooding problems.

There being no further business, the Chairman declared the meeting adjourned at 2:19 p.m.

Date Approved: January 7, 1998


Chairman

ATTEST: 
Secretary