

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2153

Wednesday, April 1, 1998, 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>
Carnes	Boyle	Beach	Linker, Legal
Gray	Selph	Dunlap	Counsel
Harmon	Westervelt	Huntsinger	Myers, Legal
Horner		Stump	Counsel
Jackson			
Ledford			
Midget			
Pace			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 30, 1998 at 3:40 p.m., posted in the Office of the City Clerk at 3:33 p.m., as well as in the office of the County Clerk at 3:30 p.m.

After declaring a quorum present, 2<sup>nd</sup> Vice Chairman Carnes called the meeting to order at 1:30 p.m.

### **Minutes:**

#### **Approval of the minutes of March 11, 1998, Meeting No. 2150:**

On **MOTION** of **HORNER** the TMAPC voted **7-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of March 11, 1998 Meeting No. 2150.

**Mr. Midget in at 1:35 p.m.**

### **Reports:**

#### **Committee Reports:**

##### **Community Participation Committee:**

Ms. Gray stated the quarterly training meeting was held Tuesday, March 31, 1998, for the processes of Board of Adjustment and TMAPC. She reported the training meeting had a good turn out and she will announce the next quarterly meeting.

**Director's Report:**

Mr. Stump stated there would be no need for anyone to attend the City Council meeting on Thursday April 2, 1998.

**SUBDIVISIONS:**

**Preliminary Plat:**

**Antioch Baptist Church (1102)**

(PD-25) (County)

West of the southwest corner of West 56<sup>th</sup> Street North and North Cincinnati Avenue.

This is a one-lot, one-block subdivision containing 70.91 acres in north Tulsa County. It is outside the Tulsa city limits. It will be developed as a church and received approval from the Tulsa County Board of Adjustment on

*The Technical Advisory Committee has the following comments:*

1. *Limits of Access and No Access need to be shown on the plat where it abuts public streets.*
2. *All existing on-site and off-site easements and rights-of-way need to be labeled with book and page numbers or dedicated by this plat.*

**Staff recommends approval** of the preliminary plat subject to the following:

1. A waiver of the Subdivision Regulations will be needed to allow a scale of 1" = 200".
2. Letter of release from Turley Water District as to water supply for the subdivision.
3. 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.
4. Water and sanitary sewer plans shall be approved by the County Engineer prior to release of final plat. (Include language for W/S facilities in covenants.)
5. 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).
6. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.

7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the County Engineer and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. Limits of Access or LNA as applicable shall be shown on plat as approved by the County Engineer. Include applicable language in covenants.
13. It is recommended that the Developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
14. 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.
15. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
16. 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.)
17. The method of water supply and plans therefore shall be approved by the City/County Health Department.
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, dedications for storm water facilities, and PUD information as applicable.)
22. 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.)
23. All other Subdivision Regulations shall be met prior to release of final plat.
24. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Preliminary Plat of the Antioch Baptist Church; subject to conditions as recommended by staff.

\* \* \* \* \*

**Mr. Jerry Ledford, Sr. announced that he will abstaining from the Carroll Addition and the Fellowship Bible Church preliminary plats.**

**Carroll Addition (2683)** (PD-26) (CD-8)  
 North of the northwest corner East 111<sup>th</sup> Street South and South Memorial Drive

**Staff Recommendation:**

This is a subdivision with 3 lots in 2 blocks on 2.79 acres. It is proposed for an office development in PUD 570. It would contain a 30' wide private street east west from Memorial Drive. TAC reviewed this proposal and the Planning Commission approved a sketch plat in September, 1997.

*The Technical Advisory Committee has the following comments:*

1. *Eshelman asked if there is a median-cut proposed on Memorial and stated that Memorial is under O.D.O.T. jurisdiction at this location.*
2. *Ledford stated there will be a median-cut and showed an exhibit.*
3. *McCormick asked how will drainage and detention be handled.*
4. *Ledford stated that a temporary (6-7 months) detention pond will be built on the property but when the balance of the 40-acre tract is developed, a permanent facility will be constructed.*
5. *In addition, water and sewer mains will be extended to this project from approximately 1 mile away.*

6. *Somdecerrf stated that standard language for private streets needs to be included in the covenants.*

**Staff recommends approval** of the preliminary plat subject to the following:

1. A waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1"=30' (1"=100' required).
2. All conditions of PUD-570 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.
3. 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.
4. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
5. 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).
6. 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.
7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
9. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
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. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
19. 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.)
20. The method of water supply and plans therefore shall be approved by the City/County Health Department.
21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
22. The key or location map shall be complete.
23. 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.)
24. 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.)

25. This plat has been referred to Broken Arrow, Bixby and Jenks 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.
26. 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.)
27. All other Subdivision Regulations shall be met prior to release of final plat.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET** the TMAPC voted **7-0-1** (Carnes, Gray, Harmon, Horner, Jackson, Midget, Pace, "aye"; no "nays"; Ledford "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Preliminary Plat for the Carroll Addition subject to the conditions as recommended by staff.

\*\*\*\*\*

**Fellowship Bible Church (2283)**  
5434 East 91<sup>st</sup> Street

(PD-18b) (CD-8)

**Staff Recommendation:**

This is a subdivision with 17 lots in 3 blocks on 17.99 acres. It is PUD 570 with two development areas approved for a church, nursing home and accessory uses and single-family residential uses. Two private streets would serve the residential lots.

*The Technical Advisory Committee has the following comments:*

1. *Easements on abutting properties need to be labeled with purpose, dimensions, and book and page number.*
2. *A water line easement will be required along the east side of the property, connecting the 20' Restrictive Water Line Easements shown near the northeast corner and the southeast corner.*
3. *The location map needs to be complete.*
4. *In addition to the graphic scale, the scale of 1"=60' needs to be written on the face of the plat and needs a waiver of the subdivision regulations.*
5. *Limits of No Access needs to be shown on the south property line near the southeast corner of the plat.*
6. *Existing right-of-way dedication of 91<sup>st</sup> St. needs book and page number.*

**Staff recommends approval** of the preliminary plat subject to the following:

1. A waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1"=60' (1"=100' required).
2. Limits of No Access to be shown on the south property line near the southeast corner of the property where the public street ends from within Darlington South subdivision.
3. A Restrictive Water Line Easement along the east side of the property, connecting the 20' Restrictive Water Line Easements shown near the northeast corner and the southeast corner of the plat.
4. Easements on abutting properties need to be labeled with purpose, dimensions, and book and page number.
5. All conditions of PUD-580 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.
6. 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.
7. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
8. 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).
9. 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.
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
12. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)



13. Street names shall be approved by the Department of Public Works and shown on plat.
14. All curve data, including corner radii, shall be shown on final plat as applicable.
15. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
16. 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.
17. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
18. 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.
19. 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.)
20. 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.
21. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
22. 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.)
23. The method of water supply and plans therefore shall be approved by the City/County Health Department.
24. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
25. The key or location map shall be complete.
26. 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.)

- 27. 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.)
- 28. This plat has been referred to Broken Arrow, Bixby and Jenks 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.
- 29. 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.)
- 30. All other Subdivision Regulations shall be met prior to release of final plat.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **7-0-1** (Carnes, Gray, Harmon, Horner, Jackson, Midget, Pace, "aye"; no "nays"; Ledford "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the preliminary plat for Fellowship Bible Church subject to conditions as recommended by staff.

\*\*\*\*\*

**Block 26, Gilcrease Hills Village II (2702) (Preliminary Plat)** (PD-2) (CD-1)  
 South side of West Queen Street, east side of North Union Avenue

**And**

**Block 26, Gilcrease Hills Village II (2702) (Final Plat)** (PD-2) (CD-1)  
 South side of West Queen Street, east side of North Union Avenue

**Staff Recommendation:**

The applicant is asking the Planning Commission to permit the release of this subdivision plat without additional assurance of the safety of a producing oil well located within the boundaries of the plat.

This plat received final plat approval from the Planning Commission February 25, 1998 subject to final legal review. After this review, the applicant was advised of two requirements:

1. 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.) *(This is a standard condition for all plats. The Subdivision Regulations require a 200-foot setback from oil wells)*
2. A letter from an engineer stating that residential development is consistent with the location of the active oil well on Lot 13 and such development is safe.

The following was provided in response to these requirements:

- A letter from the Oklahoma Corporation Commission stating they do not have jurisdiction in Osage County.
- Plugging and drilling information from the Bureau of Indian Affairs, Osage Agency, Pawhuska, Oklahoma.
- A letter from the Engineer stating that the Planning Commission reviewed and approved the 50-foot setback from this well on 8/21/91 as shown on this plat. He further stated that the Planning Commission's action was supported by a letter from Handy Waychoff and Associates, Inc. which discussed the safety of the oil well.

Neither staff nor the legal department have sufficient knowledge of oil wells to determine from the documents provided if this well is safe. However, we can imagine that there might be other potential dangers besides blowouts that could exist. We have serious concerns with a reduction of the required setback by 75% because of the potential danger to residential properties nearby.

Without written assurance by a knowledgeable expert as to the safety of this well and the development surrounding it, we recommend that the plat not be permitted to be filed of record.

**Staff Comments:**

Mr. Beach stated that the issues at the March 25, 1998 TMAPC meeting were issues of setbacks surrounding the oil well that is now located in "Reserve A". Prior to this submittal, the entire property was platted into single family lots. The applicant has deleted the single family lots on the easterly end of the project and redefined it as "Reserve A" and indicated the required 200' building line around the oil well. The applicant is asking for an approval of the preliminary plat for Lots 1-10, "Reserve A" and final plat approval.

Mr. Beach indicated the applicant will return in the future and plat "Reserve A" into more single family lots. He explained that the applicant needs relief from the Board of Adjustment to allow the reduction of the oil well setback.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Preliminary Plat and Final Plat for Block 26, Gilcrease Hills Village II as presented.

**Mr. Midget out at 1:39 p.m.**

**FINAL PLAT:**

**Quik Trip No. 83r (684)** (PD-18) (CD-8)

West of the Southwest corner East 61<sup>st</sup> Street and South Peoria Avenue

**Staff Comments:**

Mr. Beach stated that this is a 1 Lot, 1 Block, and Subdivision with everything in order, pending final legal review. Staff recommends approval of the Final Plat for Quick Trip No. 83R.

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

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER** the TMAPC voted **7-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Midget, Selph Westervelt "absent") to **APPROVE** the final plat for Quick Trip No. 83R; subject to final legal review, as recommended by staff.

\*\*\*\*\*

**Swan Lake Terrace (PUD-561) (793)** (PD-6) (CD-4)

Southeast corner East 18<sup>th</sup> Street and South Peoria Avenue

**Staff Recommendation:**

Mr. Beach stated this application is a 4 Lot, 1 Block, and Subdivision. He indicated the final plat is in order pending final legal review and staff recommends approval.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **7-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Midget, Selph Westervelt "absent") to **APPROVE** the Final Plat for Swan Lake Terrace; subject to final legal review, as recommended by staff.

\*\*\*\*\*

Mr. Midget in at 1:41 p.m.

**Cornerstone Plaza (PUD-539) (584)**

(PD-17) (CD-6)

Southeast corner South 123<sup>rd</sup> East Avenue & East 7<sup>th</sup> Street

**Staff Recommendations:**

Mr. Beach stated this application has received a signature by Mayor Savage and is scheduled for the City Council meeting on April 2, 1998. He indicated everything is in order on this plat and staff recommends approval.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Final Plat for Cornerstone Plaza as recommended by staff.

\*\*\*\*\*

**Woodland Park Center (PUD-567) (784)**

(PD-18) (CD-8)

Southeast corner East 71<sup>st</sup> Street and U.S. Highway 169

**Staff Recommendations:**

Mr. Beach stated the final plat is in order subject to final legal review and staff recommends approval.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Final Plat for Woodland Park Center; subject to final legal review as recommended by staff.

\*\*\*\*\*

**Living Word Missions (PUD-555) (1383)**

(PD-18) (CD-8)

East of the Northeast corner East 91<sup>st</sup> Street South and South Memorial Drive

**Staff Recommendation:**

Mr. Beach stated staff recommends approval for the final plat subject to final legal review.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Final Plat for Living Word Missions; subject to final legal review as recommended by staff.

\*\*\*\*\*

**The Park at Oak Grove (874)** (PD-19) (County)  
Southwest corner of East 131<sup>st</sup> Street South and South 121<sup>st</sup> East Avenue

**Staff Recommendation:**

Mr. Beach stated staff recommends approval subject to final legal review.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace, "aye"; no "nays"; none "abstaining"; Boyle, Selph Westervelt "absent") to **APPROVE** the Final Plat for The Park at Oak Grove; subject to final legal review as recommended by staff.

\*\*\*\*\*

**ZONING PUBLIC HEARING:**

**PUD-585 – Charles E. Norman** **CS to CS/PUD**  
Southwest corner East 61<sup>st</sup> Street and South Memorial Drive (PD-18) (CD-9)

**Staff Recommendation:**

The PUD proposes to permit the development of a studio and suite hotel within Development Area A.

The proposed hotel with approximately 92 rooms will serve business travelers and visitors to the South Memorial Drive commercial and office corridor.

The property is zoned CS and was originally a part of Planned Unit Development No. 202 which included approximately 46 acres to the west and south of the subject tract.

The proposed PUD located on the west side of South Memorial Drive between East 61<sup>st</sup> Street and East 63<sup>rd</sup> Street was platted in 1982 as Southbridge East Office Park after the Tulsa Metropolitan Area Planning Commission approved the deletion of that area from Planned Unit Development No. 202.

Development Area B at the southwest corner of East 61<sup>st</sup> Street and South Memorial Drive is presently developed with one and two story office structures with a total gross floor area of approximately 32,000 square feet. The existing office buildings within Development Area B were designed for condominium ownership. A two-story office building was constructed within Block 3 of Southbridge East Office Park immediately south of Development Area A. Development Area A (Block 2, Southbridge East Office Park) has remained vacant since the initial development within Development Area B in 1982.

As a part of the initial development of Southbridge East Office Park, concrete curbs were constructed along the east property line of Development Areas A and B and Block 3 to the south. Trees were planted along the South Memorial Drive frontage within the right-of-way and along the north and south boundaries of Development Areas A and B. Four concrete curbed planter boxes approximately 10 feet square were installed along the South Memorial Drive frontage of Development Area A. Consequently, the applicant proposes that the street frontage landscape requirements of the Landscape Chapter of the Tulsa Zoning Code be modified for Development Area A by Detail Site Plan approval to recognize the existing landscaping within Development Areas A and B and Block 3 to the south. Staff cannot support this modification of the landscape requirement since in all likelihood the trees currently in the Memorial Drive right-of-way will be lost when Memorial Drive is widened.

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-585 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-585 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

Net Land Area		
Gross	2.09 Acres	91,080 SF
Net	1.71 Acres	74,520 SF

### Permitted Uses:

Uses permitted as a matter of right in CS – Commercial Shopping Center District, except no Use Unit 12a uses and only hotel and motel uses in Use Unit 19.

### Maximum Building Floor Area:

Use Unit 4, 12, 13 and 14 Uses:	18,625 SF
Hotel, motel and office uses:	57,500 SF
Total floor area for all uses shall not exceed:	57,500 SF

### Maximum Building Height:

Use Unit 12, 13 and 14 uses: One story not exceeding	25 FT
Hotel, motel and office uses: Three stories not exceeding	38 FT
Hotel and motel architectural element: (tower not exceeding 150 SF)	52 FT

### Off-Street Parking:

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

### Minimum Building Setbacks:

From the centerline of South Memorial Drive	110 FT
From the west boundary of Area A	30 FT
From the north boundary of Area A	45 FT
From the south boundary of Area A	45 FT

### Minimum Landscaped Area in Each Lot:



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

Signs:

- A) One ground sign shall be permitted along the South Memorial Drive frontage with a maximum of 160 square feet of display surface area and 25 feet in height.
- B) 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 architectural elements of a hotel or motel, which exceed 38' in height.

Access:

No vehicular access shall be permitted directly to or from Memorial Drive.

**DEVELOPMENT AREA B**

Net Land Area:

Gross:	2.72 acres	118,307 SF
Net:	1.88 acres	81,986 SF

Permitted Uses:

Uses permitted as a matter of right in the CS – Commercial Shopping Center District, except no Use Unit 12a uses and only hotel and motel uses within Use Unit 19.

Maximum Building Floor Area:

Use Unit 4, 12, 13 and 14 uses:*	20,500 SF
Hotel, motel and offices:*	47,000 SF
Total floor area for all uses shall not exceed:	47,000 SF

Maximum Building Height:

Use Unit 12, 13 and 14 uses:	
One story not exceeding	25 FT
Hotel, motel and office uses:	
Three stories not exceeding	38 FT

Off-Street Parking:

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

\*As currently developed Development Area B does not have sufficient parking for any of the existing buildings to be used for retail, commercial, medical and dental office or clinics and laboratory uses. Also Development Area B is subdivided into 17 different lots all using the same parking lot. Therefore prior to establishing any Use Unit 4, 12, 13, 14 or 19 uses, or any Use Unit 11 use that require greater than one parking space per 300 square feet of floor area or expansion of any existing use, the property shall be replatted and a new Detail Site Plan approved by the Planning Commission.

Minimum Building Setbacks:

From the centerline of East 61 <sup>st</sup> Street	108 FT
From the centerline of South Memorial Drive	110 FT
From the west boundary of Area B	25 FT
From the south boundary of Area B	45 FT

Minimum Landscaped Area Per Lot:

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

Signs:

- A) One ground sign shall be permitted along the South Memorial Drive frontage with a maximum of 160 square feet of display surface area and 25 feet in height.
- B) 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.

Access:

No vehicular access shall be permitted directly to or from Memorial Drive.

- 3. 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 requiring parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

4. 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.
5. 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.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. 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 have been installed in accordance with the approved plans prior to issuance of an occupancy permit
8. No Building Permit shall be issued until the existing plat is vacated for the area being developed and 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.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

**Applicant's Presentation:**

**Mr. Charles E. Norman**, 2900 Mid-Continental Tower, stated he represents Home Gate Hotel, who proposed to build a three-story, 92-room, maximum hotel on the center block of three that were platted in 1982. He explained that on the north block (Development Area B) there will be a two-story and office development constructed.

Mr. Norman stated that the proposed hotel does not have any ancillary facilities and this results in a higher floor area ratio than typical office or commercial development. The proposed hotel will be about 12,000 feet larger than what would be permitted under the CS zoning area.

Mr. Norman commented that he discussed the proposal with the staff and it was decided that a PUD would be the best procedural method. He stated his client will transfer 12,000 SF of unused building floor area from the block to the north; Area B, to Area A.

Mr. Norman indicated the height and setback standards are consistent with or exceed the required CS zoning district. He stated the staff recommendations are acceptable to his client.

Mr. Norman stated he proposed in the PUD that he be given permission to modify the landscaped area, but still provide an overall 10% landscaped area. He commented that the staff has pointed out that this is not procedurally possible in the PUD process, but to submit an alternative landscape proposal that would incorporate the use of the existing planter boxes and would leave the paving in the same position as it has been in for almost twenty years. He explained that if he had to move the pavement back 5', it would change the street frontage appearance of the property to the north and south. He concluded that he will return with a detail site plan and landscape plan to deal with this issue.

**Interested parties:**

**Mr. Kevin Coutant**, 320 South Boston, representing Dr. Able and Triad Eye Center, stated he has no objection to this application. He requested that he be notified for the detail site plan and landscaped plan.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to recommend **APPROVAL** of PUD-585 as recommended by staff.

**Legal Description of PUD-585:**

A tract of land that is all of Block 2 and a part of Reserve A of Southbridge East Office Park, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows, to-wit: Starting at the Southwest corner of Southbridge East Office Park; thence N 00°05'05" W along the Westerly line of Southbridge East Office Park for 273.91' to the Point of Beginning of said tract of land; thence continuing N 00°05'05" W along said Westerly line for 276.00'; thence N 89°54'55" E for 270.00' to a point on the Easterly line of Southbridge East Office Park; thence S 00°05'05" E along said Easterly line for 276.00'; thence S 89°54'55" W for 270.00' to the Point of beginning of said tract of land, and a tract of land that is all of Block 1 and a part of Reserve A of Southbridge East Office Park, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows, to-wit: Starting at the Southwest corner of said Southbridge East Office Park; thence N 00°05'05" W along the Westerly line of Southbridge East Office Park for 549.91' to the Point of Beginning of said tract of land,

thence continuing N 00°05'05" W along said Westerly line for 35.09'; thence N 11°32'23" W continuing along said Westerly line for 251.76' to the Northwest corner of Southbridge East Office Park; thence S 89°59'20" E along the Northerly line thereof for 290.05' to a point of curve; thence Easterly and Southeasterly along a curve to the right with a central angle of 89°54'15" and a radius of 30.00' for 47.07' to a point of tangency; thence S 00°05'05" E along said tangency and along the Easterly line of Southbridge East Office Park for 251.35'; thence S 89°54'55" W for 270.00' to the Point of Beginning of said tract and located on the southwest corner of East 61<sup>st</sup> Street South and South Memorial Drive, Tulsa, Oklahoma.

\*\*\*\*\*

**Z-6630 – Charles E. Norman**  
West side of Garnett, North of 71<sup>st</sup> Street

**RS-4 to CO**  
(PD-18) (CD-8)

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 – Corridor.

According to the Zoning Matrix the requested CO zoning **is** in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is approximately 8.74 acres size and is located on west side of S. Garnett Road north of the northwest corner of East 71<sup>st</sup> Street and S. Garnett Rd. The property is flat, wooded on the east and non-wooded on the west, is vacant and is zoned RS-4.

**Surrounding Area Analysis:** The subject tract is abutted on the north by single-family dwellings, zoned RS-3; to the south by vacant property, zoned CO and RM-1; to the west by vacant property, zoned RS-3 and presently being considered for CO zoning, and to the east by a school within the City Limits of Broken Arrow.

**Zoning and BOA Historical Summary:** The most recent rezoning in this area rezoned the subject tract from RS-3, RM-1 and CO to RS-4 for a residential development.

**Conclusion:** Based on the Comprehensive Plan and the existing zoning and uses in this area, staff recommends **APPROVAL** of CO zoning for Z-6630.

**AND**

**Z-6631 – Charles E. Norman**

North of Northwest corner East 71<sup>st</sup> Street and South Garnett

**RS-3 to CO**

(PD-18) (CD-8)

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 – Corridor.

According to the Zoning Matrix the requested CO zoning is in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is approximately 4 acres size and is located north of the northwest corner of East 71<sup>st</sup> Street and S. Garnett Rd. The property is flat, partially wooded, is vacant and is zoned RS-3

**Surrounding Area Analysis:** The subject tract is abutted in all directions by vacant property, zoned CO, except for the northeast corner which is abutted by vacant property, zoned RS-4 and presently being considered for rezoning to CO.

**Zoning and BOA Historical Summary:** The most recent rezoning in this area approved RS-4 zoning for residential development on the nine acre tract located and abutting the subject tract on the northeast.

**Conclusion:** Based on the Comprehensive Plan and the existing zoning patterns, CO zoning is now designated for this tract. Staff therefore, recommends **APPROVAL** of CO zoning for Z-6631.

**Staff Comments:**

Mr. Stump stated that in the future, when a Corridor Site Plan is processed, staff will not support any higher intensity uses in this area. He further stated if there is any development, other than single family residential staff, will ask that 109<sup>th</sup>, which is stubbed into this area to the north, not be allowed to connect to any development to the south.

**Applicant’s Presentation:**

Mr. Norman, 2900 Mid-Continent Tower, stated the application is a continuation of a process that resulted in the rezoning of the subject property. He recited the history of the land rezoned surrounding the subject property.

Mr. Norman stated the Corridor street that will serve this entire area is 107<sup>th</sup> East Avenue, which exists to the north and comes down through multifamily development to the north. He indicated that 109<sup>th</sup> Street is not planned as a collector street and should not be extended to the east. He stated that the entire property will come back as a part of a Corridor Site Plan when a specific development is proposed.

**The following names are Interested Parties who oppose this application:**

**Rich Strain**, 11016 East 68<sup>th</sup> Street, Tulsa, OK 74133, **Gary Woodward**, 6802 South 109<sup>th</sup> East Avenue, Tulsa OK 74133; **James Allen**, 10904 East 68<sup>th</sup> Street, Tulsa, OK 74133; **Ken Jones**, 11114 East 68<sup>th</sup> Street, Tulsa, OK 74133.

**The following concerns were voiced by the above listed Interested Parties:**

Loss of the greenbelt and wooded area; rezoning the RS-4 to CO; noise; commercial development; increased traffic through the neighborhood; increased traffic on Garnett Road; having a street behind their home and in front of their home: children's safety; stormwater management and drainage; area can not handle more businesses and development; residential property value decreasing; 109<sup>th</sup> East Avenue becoming a corridor street; Garnett Road is not wide enough to handle the increase in traffic; three schools in the immediate area; residents requested to be notified for future hearings on the subject property.

**TMAPC Comments:**

Ms. Gray asked Mr. Jones if he knew the President of his Neighborhood Association. He responded he did not know the name.

Ms. Gray explained to the Interested Parties that the notices for anything outside of their 300' area is submitted to their Neighborhood Association President. If they would like to be notified in the future, they need to leave their name, which will go on the list at the Mayor's Office.

**Applicant's Rebuttal:**

**Mr. Norman** stated the subject property was zoned in the Corridor and the Multifamily districts until last October when it was zoned from Corridor to the RS-4. The subject property was to be developed into small single family lots. He explained that this concept did not work and the subject property was put back on the market.

Mr. Norman indicated that the drainage from the subject property will go to the southeast direction. His client will be required to have a detention facility for the stormwater runoff, which will be a part of the planning process in the future.

Mr. Norman stated that a corridor district does not permit commercial uses as a matter of right. It has a wide range of permitted uses that are subject to returning with a detail site plan and corridor site plan. The staff has already suggested and his client has been advised that the panhandle on the subject property will not be appropriate for commercial type uses. He explained that the panhandle could be a potential location for office uses or properly developed multifamily adjacent to the property to the south. The north/south corridor between 61<sup>st</sup> and 71<sup>st</sup> Street needs another corridor going east and west to alleviate the traffic problems that are presently occurring because 107<sup>th</sup> Street was not carried on to the south.

Mr. Norman stated that the purpose for assembling the property in this application and the property immediately west is to permit the site to be large enough to establish the arterial street system to serve the development, which is already occurring within the corridor zoned areas.

**TMAPC Comments:**

Mr. Harmon stated he is sensitive to the homeowners in the immediate area, but when the homes were built to the north of the subject property the subject property was zoned CO.

Mr. Norman reminded the TMAPC and Interested Parties that the Corridor zoning does not guarantee any use as a matter of right.

Mr. Carnes reminded the TMAPC and Interested Parties that the only issue before the TMAPC today is the CO zoning. He stated the neighborhood will be better protected with the CO zoning than the RS zoning.

Ms. Gray urged the Interested Parties to register with the Mayor's Office and learn how to begin their own neighborhood association.

Mr. Horner stated the issue today is taking the subject property back to CO zoning.

Mr. Ledford stated that the CO zoning is unlike any other zoning. He explained that the CO zoning requires the PUD process and the neighborhood's will have added protection, which they would not have with straight zoning.

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to recommend **APPROVAL** of CO zoning for Z-6630 as recommended by staff.

**Legal Description for Z-6630**

A tract of land that is part of the SE/4, SE/4 of Section 6, 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: beginning at a point that is the northeast corner of said SE/4, SE/4; thence S 00°00'00" E along the Easterly line of said Section 6 for 300.00'; thence N 89°42'09" W parallel with the Northerly line of said SE/4, SE/4 for 1,319.28' to a point on the Westerly line of the SE/4, SE/4; thence N 00°00'06" E along said Westerly line for 300.00' to the Northwest corner of the SE/4, SE/4, said point also being the Southwest corner of Block 5 of Southbrook II, an Addition in the City of Tulsa, Tulsa County, Oklahoma; thence S 89°42'09" E along the Southerly line of said Southbrook II and also along the Northerly line of the SE/4, SE/4 for 1,319.27' to the point of beginning and located north of the northwest corner of East 71<sup>st</sup> Street and South Garnett Road, Tulsa, Oklahoma.



**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to recommend **APPROVAL** of CO zoning for Z-6631 as recommended by staff.

**Legal Description of Z-6631:**

Beginning at the Northeast corner of the SW/4, SE/4, of Section 6, T-18-N, R-14-E, Tulsa County, State of Oklahoma, thence South on the East line of the SW/4, SE/4, of said Section a distance of 528' to a point; thence West on a line parallel with the South line of said tract a distance of 330' to a point; thence North to a point on the North line of the said tract which is 330' West of the Northeast corner of said tract above mentioned; thence East to the place of beginning, also a right of easement 18' wide and running along the East side of the SW/4, SE/4, of Section 6, T-18-N, R-14-E, Tulsa County, Oklahoma, from the South line of said land to a point 1,324.7' North, and located north of the northwest corner of East 71<sup>st</sup> Street and South Garnett Road, Tulsa, Oklahoma.

**Interested Parties:**

Ken Jones, stated he is still concerned with Garnett Road due to the traffic. He explained that Garnett Road badly needs to be widened and improved. He commented that he would like to see the City of Tulsa improve the roads before allowing development.

\*\*\*\*\*

**PUD-272-2 – James C. Healy**

(PD-18) (CD-8)

West of Southwest corner East 81<sup>st</sup> Street and South Sheridan  
(Minor Amendment to reduce building setback)

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to modify the PUD setback standard for the west property boundary abutting an RM-O District from 50 feet to 25 feet. The applicant has presented no specific building design for the site but has represented the intended use as a bank building in Development Area A (CS District) with an associated drive-thru facility in Development Area B (OM District). Use Unit 11 uses are allowed by right in both the CS and OM Districts.

The PUD standards approved in 1982 envisioned a strip commercial center backing to the RM-O District with a 50 foot setback from the west property boundary to allow access to the rear of the commercial buildings and to provide access to office uses to the south. The setback also provided a buffer between the multi-family and commercial/office uses. The PUD further set a maximum building height of 26 feet in both development areas.

The failure of the PUD to build out with an intensity as was originally intended appears to have been as much a function of the irregular shape of the tract as weak market forces. A narrow southern portion of the tract, which is the farthest from East 81st Street, appears to have limited uses. The current application proposes a reduction in setback to allow a greater portion of the tract to be used. The applicant has provided a conceptual site plan indicating a proposed use of Area B as a drive-thru facility related to a bank structure located in the western half of Area A. The concept indicates a temporary facility for the eastern half of Area A.

Staff can support the reduction in the west boundary building setback to 25 feet noting the approved PUD standard of a maximum 26 foot building height. Staff would further note that before development can proceed, a Detail Site Plan and any related proposals for Minor Amendments should be reviewed and approved to enable the applicant to file a subdivision plat as required by the Zoning Code.

Staff, therefore, recommends **APPROVAL** of PUD-272-2 modifying the required 50 foot building setback from the west boundary to 25 feet with the following conditions:

1. That only uses permitted in an OM District be permitted in Area B and that only uses permitted in a CS District be permitted in Area A.
2. Two feet of additional building setback will be required for each additional foot of building height over 26 feet along the western boundary of the PUD abutting the RM-O District.

**Applicant's Presentation:**

**Mr. Healy** stated he agrees with staff's recommendations.

**Interested Parties:**

**Nola Vaughn**, 8130 South Lakewood, stated she manages the apartments adjoining the proposed area. She explained that she does not object to the facility, but she is concerned with narrowing the setback, which will bring the project 25' closer to her buildings. She requested information on what the intended use will be for the extra 25'.

**Applicant's Rebuttal:**

**Mr. Healy** stated the proposed facility is bank facility and the shaped of the subject property is an L-shaped configuration. He explained that the intention is to have a bank building facing 81<sup>st</sup> Street and the L-shaped portion will be back-up space for the drive-thru lane. The 25' setback is where the west face of the bank facility with landscaping between the property line and the paving strip to the south.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to **APPROVE** the Minor Amendment for PUD-272-2 subject to the following conditions: 1. That only uses permitted in an OM District be permitted in Area B and that only uses permitted in a CS District be permitted in Area A. 2. Two feet of additional building setback will be required for each additional foot of building height over 26 feet along the western boundary of the PUD abutting the RM-O District as recommended by staff.

\*\*\*\*\*

**Z-5903-SP-2b – Ted Larkin**

(PD-18) (CD-8)

6415 South Mingo Road

(Minor Amendment Corridor Site Plan to increase building floor area)

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval for an approved Corridor Site Plan to increase the maximum allowed floor area from 8,470 to 9,740 square feet. The applicant is proposing a 1,270 square foot addition along the northern building wall of the existing 8, 470 single-story structure.

Staff has reviewed the application and finds the amended site plan meets the approved corridor site and corridor district standards for height, lot coverage, setback, access, circulation, and open space area.

The addition of 3 parking spaces, however, does not meet the parking requirement for Use Unit 19 uses. With the increased floor area the parking ratio provided is 1:226.5. Use Unit 19 requires the provision of a minimum of 1 space for each 225 square feet of floor area. In addition, two of the new spaces provided are located in the northwest corner of the lot and would appear to conflict with circulation in the 30 foot perpetual mutual access easement providing access for the vacant lot to the east.

Staff, therefore, recommends **DENIAL** of the Minor Amendment to the Corridor Site Plan as submitted.

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

**Staff Comments:**

Mr. Stump stated the proposal does not meet the minimum parking requirement for the addition by one space. He commented that staff would prefer that the applicant rearrange their parking if possible.

Mr. Ledford stated the access is a mutual access by plat and there is no reason to allow anything in the mutual access.

**Applicant was not present.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to **DENY** the Minor Amendment to the Corridor Site Plan.

\* \* \* \* \*

**Mr. Jerry Ledford, Sr. announced that he would be abstaining from PUD-554-2.**

**PUD-554-2 – Jerry Ledford, Jr.** (PD-26) (CD-8)  
North and West of Northwest corner East 101<sup>st</sup> Street and South Memorial  
(Minor Amendment to modify required yards)

**Staff Recommendation:**

The applicant is seeking Minor Amendment approval to modify exterior side yard building lines on selected lots abutting private streets within the proposed 30.89 acre single family and clustered single family residential development.

The applicant has provided detail sheets from the preliminary plat (currently under review) showing a total of 53 lots in Development Areas A and B where one exterior or side yard building line abutting a private street has been reduced from the required 40 foot setback to a 25 foot setback (as measured from the centerline of an abutting 30 foot private street). Each lot detailed maintains at least one yard with a 40 foot building line, except selected lots in Development Area B, which meet the approved standard of 18 foot front yards (as measured from the front lot line to the building wall).

Staff has reviewed the request and finds that all reductions in building lines occur on lots abutting the internal private street system. No building line reductions occur on lots abutting East 101st Street South (public) or East 98th Street South (private; the primary collector street providing access to South Memorial Drive).

Further, Staff also finds that the minimum average livability space standards are maintained as is the character and intent of the original approval. Staff found no instances where the proposed lot modifications reduced line-of-site visibility or reduced the size of access points into the development.

Staff, therefore, recommends **APPROVAL** of Minor Amendment PUD 554-2 as submitted. The approved Final Plat, reflecting building lines detailed in this application, will serve as the modified standard.

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

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER** the TMAPC voted **7-0-1** (Carnes, Gray, Harmon, Horner, Jackson, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Boyle, Selph, Westervelt "absent") to **APPROVE** the Minor Amendment PUD 554-2 as submitted; the approved Final Plat, reflecting building lines detailed in this application, will serve as the modified standard, as recommended by staff.

\* \* \* \* \*

**OTHER BUSINESS:**

**Proposed closing of Rockford Avenue Between 41<sup>st</sup> Street and 42<sup>nd</sup> Street South to allow development of the abutting tract as a single unit.**

**Staff Recommendation:**

Mr. Stump stated this item was referred to the TMAPC by the Public Works Department for comments on the proposed street closing of Rockford between 41<sup>st</sup> Street and 42<sup>nd</sup> Street South.

Mr. Stump stated the street is currently functioning as the access to an apartment complex on both the east and west sides of Rockford. Staff has reviewed and site checked this application. He explained that the single family residential to the south that would be cut off from use of Rockford has several accesses and would probably benefit from lower traffic being generated from the apartment complex.

Mr. Stump indicated the street closing request will enable the area to be redeveloped as a single tract.

Mr. Stump stated the staff can see no planning concerns for closing the street and in fact it will help separate the incompatible uses. Staff recommends approval.

**Interested Parties:**

**Nancy Apgar**, Vice President for Brookside Neighborhood Association, 3914 South Norfolk, Tulsa, Oklahoma, 74105, stated the neighborhood association is neither for or against this application at this time. The notices have not been sent out to the people who live within 300' of the subject property. She indicated that there are new principals associated with the subject property and the original project may be changed.

Ms. Apgar stated that as soon as the notices are mailed she plans to have a neighborhood meeting including all of the homeowners from Peoria to Trenton and from 41<sup>st</sup> Street to 43<sup>rd</sup> Street. She indicated the applicant is willing to come to the meeting to explain his project.

Ms. Apgar expressed concerns with the project possibly changing and not being agreeable with the neighborhood.

**TMAPC Comments:**

Mr. Ledford stated that Max Sutter indicated that he does not suggest the applicant pay the fee until the facts are in and it is determined that the street can be closed.

Ms. Gray requested that Nancy Apgar be notified if there are any changes or filings made on the subject property.

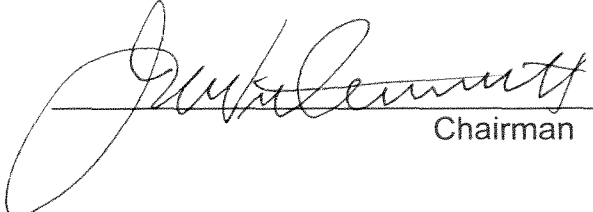
**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Carnes, Gray, Harmon, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Selph, Westervelt "absent") to inform the City Council it has not objection to the **CLOSING** of Rockford Avenue Between 41<sup>st</sup> Street and 42<sup>nd</sup> Street South to allow development of the abutting tract as a single unit.

\*\*\*\*\*

There being no further business, the Chairman declared the meeting adjourned at 2:45 p.m.

Date approved: 4/22/98

  
Chairman

ATTEST:   
Secretary