

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2226

Wednesday, January 5, 2000, 1:30 p.m.

Aaronson Auditorium, 400 Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Boyle		Beach	Swiney, Legal
Carnes		Bruce	Counsel
Collins		Dunlap	
Harmon		Huntsinger	
Hill		Matthews	
Horner		Stump	
Jackson			
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, January, 2000 at 8:30 a.m., posted in the Office of the City Clerk at 10:42 a.m., as well as in the office of the County Clerk at 10:37 a.m.

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

### Minutes:

#### **Approval of the minutes of December 1, 1999 Meeting No. 2224**

On **MOTION** of **HORNER** the TMAPC voted **7-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Collins, Midget "absent") to **APPROVE** the minutes of the meeting of December 1, 1999 Meeting No. 2224.

### REPORTS:

#### Committee Reports:

##### **Budget and Work Program Committee:**

Mr. Horner reported that there will be a work session on January 19, 2000 at 11:30 a.m.

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**Director's Report:**

Mr. Stump reported that staff is preparing the Budget and Work Program draft for FY 2001 and it has to be submitted to the City of Tulsa in draft form by the end of January. He reiterated that there will be a Budget and Work Program Committee work session as Commissioner Horner stated.

Mr. Stump encouraged the Commissioners to submit ideas to the Committee within the next two weeks. He indicated that a memo will be sent to the neighborhood associations that are registered with the Mayor's Office and the memo will be posted onto INCOG's website.

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**CONTINUED ITEMS:**

**PRELIMINARY PLAT:**

**THE ESTATES OF POSEY CREEK FARMS (1773)** (PD-21) (County)  
One-half mile west of South Harvard Avenue, north side of East 151<sup>st</sup> Street

**Staff Recommendation:**

Staff requests a continuance to January 19, 2000.

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

**Mr. Ledford announced that he would be abstaining.**

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Collins, Midget "absent") to **CONTINUE** the preliminary plat for the Estates of Posey Creek Farms to January 19, 2000 at 1:30 p.m.

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**SUBDIVISIONS**

**FINAL PLAT:**

**TRINITY PARK (3304)** (PD-16) (CD-6)  
North of northeast corner of I-244 and 129<sup>th</sup> East Avenue

**Staff Recommendation:**

Mr. Bruce stated that this final plat is in order and staff recommends approval.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Collins, Midget "absent") to **APPROVE** the final plat for Trinity Park as recommended by staff.

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**THE ORCHARD (PUD-431) (2783)**

(PD-26) (CD-8)

6226 East 101<sup>st</sup> Street (west of southwest corner of 101<sup>st</sup> Street and South Sheridan)

**Staff Recommendation:**

Mr. Bruce stated that this final plat is in order and staff recommends approval.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HILL**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Collins, Midget "absent") to **APPROVE** the final plat for The Orchard as recommended by staff.

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**COVENTRY GARDENS AMENDED (PUD-469) (1814)**

(PD-15) (County)

East of East 96<sup>th</sup> Street North and North Mingo Road

**Staff Recommendation:**

Mr. Beach stated that this final plat is in order and all release letters have been received. He indicated that staff recommends approval.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Collins, Midget "absent") to **APPROVE** the final plat for Coventry Gardens Amended as recommended by staff.

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**PRELIMINARY PLAT:**

**GREENHILL 1 (2993)**

(PD-6) (CD-9)

North of the northeast corner East 45<sup>th</sup> Street and South Lewis Avenue

**Staff Recommendation:**

This plat consists of 11 lots in one block on 3.82 acres. It's a resubdivision of Lots 2,3,6, and 7, Block 2, 41<sup>st</sup> Street and Lewis Addition.

The following were discussed **December 16, 1999** at the Technical Advisory Committee (TAC) meeting:

**1. Zoning:**

- The property is zoned RS-1, which allows for minimum lot sizes of 13,500 square feet and minimum average lot width of 100 feet. All lots meet these requirements. No Board of Adjustment action would be required to create these lots. There is no PUD or zoning change anticipated.

**2. Streets/access:**

- All lots have frontage on a proposed public cul-de-sac to be called East 44<sup>th</sup> Place South. The street would be accessed from South Atlanta Avenue and is approximately 400 feet long. There would be limits of no access along the entire Lewis Avenue frontage.
- There were no specific comments.

**3. Sewer:**

- Sewer is readily available to serve the project.
- There were no specific comments.

**4. Water:**

- Water is readily available to serve the project.
- There were no specific comments.

**5. Storm Drainage:**

- This site drains generally toward Lewis Avenue.
- McCormick, Stormwater, stated that on-site detention would be required in a dedicated reserve and the drainage system must tie into a public storm sewer.
- Sack, Engineer, stated that the developer also owns the abutting property to the north and will provide the required detention on that property.

**6. Other:**

- The utility easements shown were acceptable to the TAC members present.

**Staff recommends approval** of the preliminary plat subject to the conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. A letter from the Stormwater Engineer stating that the proposed drainage plans with the detention off-site are acceptable.

**Standard Conditions:**

1. 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.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
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 Public Works Department 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 City Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

**Applicant's Comments:**

**Ted Sack**, 111 South Elgin Avenue, Tulsa, Oklahoma, 74120, stated that he agrees with the staff recommendation. Mr. Sack indicated that he would like to hear from the interested parties and then give his rebuttal.

**Interested Parties Comments:**

**Donald and Virginia Bellows**, 2415 East 45<sup>th</sup> Street, Tulsa, Oklahoma 74105, stated that their property abuts the subject property. Ms. Bellows indicated that she opposes the preliminary plat. She expressed concerns that the ground would be leveled and cause problems with an existing retaining wall, a 100-year old oak tree and drainage problems into her backyard.

Ms. Bellows stated she has lived in home for over 50 years and this proposal will change the whole nature of her neighborhood.

**Tim Speicher**, 4421 South Atlanta Avenue, Tulsa, Oklahoma 74105, expressed concerns with the entrance and exit to the subdivision. He stated he would prefer the entrance and exit be located onto Lewis and not Atlanta Avenue. He explained that the entrance and exit will be perpendicular to his home and the lights will be shining into his home. Mr. Speicher concluded that he is concerned with the integrity of his neighborhood if this subdivision is allowed.

**Applicant's Rebuttal:**

**Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that his client has met all of the technical requirements in the Subdivision Regulations. He indicated that his client would meet the conditions regarding the stormwater drainage.

Mr. Norman indicated that there would be a stormwater conveyance along the south boundary of the subject property running to the west. He explained that this would accurately handle the stormwater drainage along with the offsite detention facility.

**TMAPC Comments:**

Mr. Boyle asked Mr. Norman if it would be a better plan to have the stub street exit onto Lewis in order to not disturb the neighborhood. Mr. Boyle stated that the small number of lots will not cause a traffic problem, but all of the property owners will come out with their lights shining directly into Mr. Speicher's home. In response, Mr. Norman stated that he can't speak to the orientation of the interested parties' home, but he understands that street is offset from Mr. Speicher's driveway. Mr. Speicher stated that his home is south of his driveway, which would be in the path of the proposed street. Mr. Norman stated that there are eleven lots and the traffic will be minimal. In response, Mr. Boyle stated that he is not concerned with the additional traffic, but he is concerned with the disruption that the street causes the immediately-affected lot at the end of the subdivision.

After a lengthy discussion it was determined that the City of Tulsa Traffic Engineer would not approve access onto Lewis Avenue because of the high speed and the amount of traffic on Lewis.

**Mr. Midget in at 1:43 p.m.**

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; Midget "abstaining"; Collins "absent") to **APPROVE** the preliminary plat for GreenHill I subject to special conditions and standard conditions as recommended by staff.

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**PLAT WAIVER:**

**CBOA-1669 (2813)**

(PD-15) (County)

North of northwest corner of East 76<sup>th</sup> Street and North Yale Avenue

**Staff Recommendation:**

Considering that the purposes of the Subdivision Regulations would not be served by waiving the plat on this property, **staff recommends DENIAL** of the plat waiver. The proper tool to accomplish the street dedication, additional easements, and restrictive covenants would be a subdivision plat.

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 1) Has property previously been platted?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat?             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |  |                          |                          |
|--|--------------------------|--------------------------|
| 4) Is right-of-way dedication required to comply with Major Street and Highway Plan?           | √1                       | <input type="checkbox"/> |
| 5) Would restrictive covenants or deeds of dedication be needed by separate instrument?        | √5                       | <input type="checkbox"/> |
| 6) Infrastructure requirements   |                          |                          |
| a) Water   |                          |                          |
| i) Is a main line water extension required?  | √2                       | <input type="checkbox"/> |
| ii) Is an internal system or fire line required?   | √2                       | <input type="checkbox"/> |
| iii) Are additional easements required?  | √2                       | <input type="checkbox"/> |
| b) Sanitary Sewer  |                          |                          |
| i) Is a main line extension required?  | <input type="checkbox"/> | √3                       |
| ii) Is an internal system required?  | <input type="checkbox"/> | √3                       |
| iii) Are additional easements required?  | <input type="checkbox"/> | √3                       |
| c) Storm Sewer   |                          |                          |
| i) Is a P.F.P.I. required?<br>(PFPI's are City only)   | NA                       |                          |
| ii) Is an Overland Drainage Easement required?   | <input type="checkbox"/> | √                        |
| iii) Is on-site detention required?  | √4                       | <input type="checkbox"/> |
| iv) Are additional easements required?   | <input type="checkbox"/> | √                        |
| 7) Floodplain  |                          |                          |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain?                          | <input type="checkbox"/> | √                        |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain?                                  | <input type="checkbox"/> | √                        |
| 8) Change of Access  |                          |                          |
| a) Are revisions to existing access locations necessary?                                       | <input type="checkbox"/> | √                        |
| 9) Is the property in a P.U.D.?  | <input type="checkbox"/> | √                        |
| a) If yes, was plat recorded for the original P.U.D.?  | N/A                      |                          |
| 10) Is this a Major Amendment to a P.U.D.?   | <input type="checkbox"/> | √                        |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | N/A                      |                          |



- 1 Dedication is required to a total width of 50 feet west of the centerline of Yale Avenue.
- 2 Property is served by Rogers County Rural Water District. They will extend water and fire service and would need easements.
- 3 Property will use an individual on-site sewer system. The permitting process is through the Oklahoma D.E.Q.
- 4 The site is currently undeveloped. The increase in impervious area increases the runoff and requires on-site detention.
- 5 Several separate instruments would be needed to accomplish the dedications if the property were not platted.

**TMAPC Comments:**

Mr. Harmon asked Mr. Beach if the reason for staff recommending denial is because it would take several deeds, which could be accomplished by separate instruments. Mr. Beach stated that all of the deeds could be accomplished by separate instrument; however, the principal reasons for requiring a plat is to consolidate the records into one sight vehicle so that future research on the subject property can be performed reasonably well. Mr. Beach explained that the research is easier when everything is on the plat.

**Applicant's Comments:**

**Joe Donnelson**, 17440 South 89<sup>th</sup> East Avenue, Bixby, Oklahoma, stated that he represents the owner of the subject property. He indicated that he submitted a site plan to the County Engineer, which included an on site detention facility in order to obtain a grading permit.

Mr. Donnelson stated that he agrees with staff regarding the location and the dedications of easements, right-of-ways, etc. Under the present conditions there are utility easements along Yale, and by giving a 50' easement it would consolidate these easements and he would be happy to do so. He indicated that all of the requirements have been met for the platting process.

Mr. Donnelson read a letter from Tom Raines, County Engineer, stating that his office does not have an objection to the plat waiver with conditions recommended by staff.

**TMAPC Comments:**

Mr. Ledford asked Mr. Donnelson if his schedule would be disrupted if his client continued the grading process in order to get the construction underway and still initiate the platting process. In response, Mr. Donnelson stated that he is in the process of grading the subject property today and he does not know what the church's schedule is with respect to actually starting the construction of the church.

**Interested Parties Comments:**

**Steve Berry**, 11710 North Harvard, Skiatook, Oklahoma 74070, indicated that there are people willing to do work for the church and he could use these people today. He commented that he understood at the TAC meeting that this plat waiver would be approved. He stated that he recently found out that INCOG was recommending denial.

Mr. Berry stated that the time and money are issues regarding this project. He indicated that the subject property would be developed for a church and nothing else.

**TMAPC Comments:**

Mr. Carnes asked if the 30 acres on the corner could be split off for commercial use. In response, Mr. Donnelson answered affirmatively. Mr. Donnelson indicated that, should the lot-split happen, then the 30 acres would be subject to platting.

Mr. Harmon asked Mr. Donnelson how much time he would gain by waiving the platting process. In response, Mr. Donnelson stated that the only dedication or easement that would be necessary at this time, which would be required by plat as well, is the 50' dedication west of the centerline of Yale Avenue.

**Interested Parties Comments:**

**No name given**, stated that he understood that the plat waiver would be approved after meeting with TAC. He further stated that Mr. Raines was also under the same assumption. He commented that the plat waiver is necessary in order to save money. He explained that the church is doing all the requirements that they have been asked to do, but would like to save money by obtaining a plat waiver. He concluded that if and when the 30 acres on the corner is sold, then the owner could worry about the platting process.

**TMAPC Comments:**

Mr. Ledford stated that whether the development is a church or something else, it is still a subdivision and that is the reason for the platting process. The plat waiver was never set up to waive the requirements of platting on unplatted property and new development. The plat waiver process was to give some sort of relief for property that has already been through the platting process before and the owners are adding on.

Mr. Ledford stated that the plat waiver should be denied due to the intensity of the proposed development.

**Commissioner Collins in at 2:00 p.m.**

Mr. Westervelt stated that the Commission has found that many times by granting a plat waiver, it creates more problems for the City staff and for the applicant. Since time is not an issue and with the intensity of the development proposed, whether it is a church or commercial is irrelevant. The proposal is for a large subdivision of land and a plat would become a record for the future. Mr. Westervelt concluded that requiring a plat is

Mr. Swiney stated that he is bothered that the applicant was under the impression that his plat waiver would be approved after meeting with the TAC Committee. He asked staff how the applicant arrived at this conclusion. In response, Mr. Beach stated that he apologizes if the applicant was under the impression that they would receive a plat waiver after the TAC meeting. Mr. Beach explained that the TAC meetings are a method used in order to gather information from various technical experts in the public sector. Mr. Beach stated that he remembers that there were a number of problems that should be addressed through the platting process. Mr. Beach commented that he does not recall anyone at the TAC meeting stating that staff would recommend that the plat be waived.

Mr. Berry stated that he attended the TAC meeting and assumed that if there were any problems it would come out during that meeting. He commented that there was some miscommunication.

Mr. Ledford stated that the different subcommittees spent a year on the plat waiver process in order to make it easier to understand and determine whether the property met the conditions that would allow a plat waiver. The plat waiver process has been of public record and in the hands of the consulting engineers. Mr. Ledford concluded that the owners could obtain a copy of the plat waiver checklist and answer the questions in order to determine whether the property meets the requirements for a plat waiver.

Mr. Boyle stated that the checklist is a tool that the Commission uses to make decision regarding plat waivers. He indicated that the checklist for CBOA-1669 does not meet the requirements for a plat waiver and there are reasons for not waiving the plat. Mr. Boyle stated that the TAC Committee understands that their job is to identify technical problems and the committee does not fill out the plat waiver form. Staff fills it out. Mr. Boyle commented that he does not believe that any of the checks are in the wrong place on the form. Mr. Boyle concluded that time does not seem to be an issue and the grading is underway; therefore, he would have to agree with staff's recommendation and Mr. Ledford's suggestion that the plat waiver be denied.

Mr. Westervelt stated that timing is not an issue and the church is well underway with their process. The difference between platting is that the church will have a picture to refer to as the site is further developed. If there is a plat waiver, the church will have nothing except a file full of legal documents. The plat is very valuable to the owner and the staff, because it will depict where easements are located.

Mr. Harmon stated that since the subject property will be a single use, he did not see how granting the plat waiver would be putting anyone at risk.

Mr. Carnes stated that in past experience, especially in the County with church properties, the process becomes entangled when trying to find out where the utility lines run, where streets are, etc. Mr. Carnes commented that he agrees that the church should plat the subject property and it will be up to the church in the future should they

**TMAPC Action; 11 members present:**

On **MOTION** of **LEDFORD**, the TMAPC voted **9-1-1** (Boyle, Carnes, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; Harmon "nay"; Collins "abstaining"; none "absent") to **DENY** the plat waiver for CBOA-1669 as recommended by staff.

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**Mr. Boyle welcomed Commissioner Collins to the Planning Commission.**

**CONTINUED ITEMS:**

**APPLICATION NO.: Z-6738/PUD-626**

**OL, RS-3/HP TO CS/PUD**

**Applicant:** Charles Miller

**(PD-6) (CD-4)**

**Location:** Southeast corner of East 15<sup>th</sup> and South Owasso Avenue

**TMAPC Comments:**

Mr. Boyle announced that this item has been withdrawn and it will be stricken from the agenda.

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**PARTIAL PLAT VACATION:**

**Oaklane Addition (PUD-617) (1793)**

**(PD-5) (CD-4)**

South side of East 21<sup>st</sup> Street at South Atlanta Place

**Staff Recommendation:**

Mr. Bruce stated that this is a request for a partial vacation of the Oaklane Addition. He explained that the vacation of the plat is for the south side of East 21<sup>st</sup> and South Atlanta Place, which consists of three acres, (seven lots and all of Lots 1-6 and a portion of Lot 7). Mr. Bruce explained that the southern portion along the southern boundary of Lot 7 is being conveyed.

**TMAPC Action; 11 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to **APPROVE** the partial plat vacation for Oaklane Addition as recommended by staff.

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## CONTINUED ZONING PUBLIC HEARING

**APPLICATION NO.:** Z-6721

**Applicant:** Susanne Thompson

**Location:** 1440 North Quannah Avenue

**RS-3 TO OL**

(PD-11) (CD-1)

### Staff Recommendation:

Ms. Matthews stated that this application was continued in order to give the applicant an opportunity to file a PUD. She explained that staff has not heard from the applicant and staff has not received new information.

**Relationship to the Comprehensive Plan:** The District 11 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity-No Specific Land Use.

According to the Zoning Matrix the requested OL zoning **may be found** in accordance with the Plan Map.

### Staff Comments:

**Site Analysis:** The subject property is approximately 100' x 150' in size and is located on the southwest corner of West Pine Street and North Quannah Avenue. The property is flat, non-wooded, contains a single-family dwelling and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is abutted on the north by part of the Gilcrease Hills residential area, a large stormwater detention facility and to the northwest a vacant grocery store, zoned CS/RM-1/PUD-441; to the south by single-family residential uses; to the west by a smoke shop; and to the east by single-family residential uses, zoned RS-3.

**Zoning and BOA Historical Summary:** The most recent zoning activity in this area was in 1998 when a request was approved to amend PUD-232 located on the northwest corner of W. Pine Street and N. Union and west of the subject tract to reduce the number of dwelling units on the PUD, and changing the 198-unit condominium to 82 single-family homes.

**Conclusion:** Based on existing development, the provisions of the District 11 Plan and land use trends, staff cannot support the requested OL zoning on this site. The adjacent smoke shop has generated significant traffic at peak periods both on Pine Street and into the adjacent single-family residential neighborhood. The site is directly across the street from single-family residential uses that would face into the OL and probably would eventually transition into non-residential uses in the future. Staff therefore recommends **DENIAL** of the requested OL zoning.

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

**Applicant was not present.**

**TMAPC Action; 11 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **DENIAL** of the OL zoning for Z-6721 as recommended by staff.

**Legal Description for Z-6721:**

The North 100' of the East 150' of Lot 1, Block 1, Lombard Subdivision, an Addition to the City of Tulsa, Osage County, State of Oklahoma, and located on the southwest corner of West Pine Street and North Quannah Avenue, Tulsa, Oklahoma. **From RS-3 (Residential Single-family High Density District) to OL (Office Low Intensity District).**

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**APPLICATION NO.: PUD-624**

**Applicant:** Roy D. Johnsen (PD-11) (CD-1)

**Location:** North of West Apache Street, west of Osage Drive and south of proposed Gilcrease Expressway

**Mr. Ledford announced that he would be abstaining from this item.**

**Staff Recommendation:**

The PUD contains 658 gross acres of land and proposes mixed uses including single-family, multifamily and commercial uses. The subject tract is located on the north side of Apache Street, west of Osage Drive and extending north to the proposed Gilcrease Expressway and extending west to 41<sup>st</sup> West Avenue. The subject tract was initially part of the proposed Gilcrease Hills development (approximately 1,600 acres) and was included within the initial zoning applications filed in 1970. The subject tract was zoned for single-family, multifamily and commercial purposes. No change in the underlying zoning is proposed. A summary of intensity permitted by the underlying zoning and proposed development is as follows:

	<u>Existing Zoning</u>	<u>Proposed PUD</u>
Nonresidential Floor Area	842,668 SF	820,387 SF
Dwelling Units	6862 D.U.s	4116 D.U.s

On July 23, 1997, TMAPC recommended approval of PUD-565 for the subject tract. PUD-565 proposed mixed uses including single-family residential, townhouses, apartments, a golf course and commercial development. At the request of the applicant, PUD-565 was never transmitted to the City Council.

Although PUD-565 and PUD-624 are similar in concept, there are some significant modifications. PUD-565 proposed a golf course and PUD-624 proposes a community center, additional residential, a senior care facility, a daycare center, a sports complex and a proposed school site. Alternative uses have been proposed for areas such as the school site and the sports facility site.

Most of the abutting property is undeveloped or sparsely developed with large rural style single-family homes. The exception is the area to the southeast, which is part of the Gilcrease Hills development. That area contains urban density single-family subdivision development on the south side of Apache Street.

Staff finds PUD-624, as modified by staff, 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-624 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:**

**Tracts A-1 through A-5**

Single-Family Residential

Gross Area:	415.86 Acres
Permitted Uses:	Detached single-family residences and customary accessory uses (Use Unit 6).
Maximum Number of Dwelling Units:	2,495
Bulk and Area Requirements:	As provided within an RS-3 district.

**Tract J-1**

Patio Homes (single-family detached)

Gross Area:	28.05 Acres
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Permitted Uses:	Detached single-family residences and customary accessory uses (Use Unit 6).
Maximum Number of Dwelling Units:	196
Bulk and Area Requirements:	As provided within an RS-4 district.

**Tracts E-1 and E-2**  
Multifamily

Gross Area:	41.07 Acres
Permitted Uses:	Multifamily dwellings and customary accessory uses (Use Unit 8).*
Maximum Number of Dwelling Units:	1,027
Maximum Number of Dwelling Units Per Acre per Lot:	25
Maximum Building Height:	40 FT
Maximum Stories:	3
Other Bulk and Area Requirements:**	As established within a RM-1 district.

\*Use Unit 7a (townhouse dwellings) and Use Unit 6 (single-family dwellings) may be permitted by minor amendment.

\*\* Additional setbacks and buffering may be required by TMAPC at the time of Detail Site plan review, depending upon surrounding use and physical features.



## Tracts C-1 and C-2

### Commercial

Gross Area:	29.21 Acres
Permitted Uses:	As permitted by right within a CS district, excluding Use Unit 12a.
Maximum Floor Area Ratio per Lot:	.30
Maximum Building Height:	two-story/not to exceed 35 FT.
Minimum Building Setback from abutting residential areas:	*30 FT
Other Bulk and Area Requirements:*	As provided within a CS district.
Off-Street Parking:	As required by the applicable use unit.
Minimum Landscaped Open Space:	10% of net lot area.

\*Additional setbacks or buffering may be required by the TMAPC at the time of Detail Site Plan review depending upon surrounding uses and physical features.

## Tracts F-1 and F-2

### Open Space

Gross Area:	67.23 Acres
Permitted Uses:	Landscaped Open Space Area, <u>(landscaping, pedestrian path ways, and similar open air facilities)</u> *

\*Open air facility must be approved by TMAPC on Detail Site Plan review.

**Tract G**  
Sports Complex

Gross Area: 22.27 Acres

Permitted Uses:

Open air sports facilities such as tennis courts, swimming pools and athletic fields, and limited indoor facilities such as gymnasium, fitness center and health club and customary accessory facilities. Alternatively the north 9.47 acres may be developed as single-family dwellings subject to the development standards set forth for Tract A-1 through A-5, and the south 12.80 acres may be developed as retail commercial facilities subject to the development standards set forth for Tracts C-1 and C-2.

Maximum Floor Area Ratio: .20

Maximum Building Height: Two-story/not to exceed 45 FT

Minimum Building Setback from abutting residential areas: 30 FT

Other Bulk and Area Requirements: As provided within CS district.

Off-Street Parking: As required by the applicable use unit.

Minimum Landscaped Open Space: 10% of net lot area

**Tract H-1**  
Community Center

Gross Area: 8.78 Acres

Permitted Uses:

Residential community center intended for noncommercial use of the residents of the development and may include a principal building and customary recreational facilities (Use Unit 5).

Maximum Floor Area Ratio: .10

Maximum Building Height: two-story/not to exceed 40 FT.

Minimum Building Setback from abutting residential areas:	10 FT plus two feet of setback for each foot of building height exceeding 15 feet.
Off-Street Parking:	As required by the applicable use unit.
Minimum Landscaped Open Space:	75% of net Tract H

**Tract B-1**  
Senior Care

Gross Area: 15.92 Acres

Permitted Uses:

Multifamily dwellings and customary accessory uses (Use Unit 8) intended for the elderly, including but not limited to, elderly/retirement housing, life care retirement center, and assisted living facilities and skilled nursing facilities (Use Unit 2).\*

Maximum Number of Dwelling Units:\*\* 398

Maximum Number of Dwelling Units per Acre: 25

Minimum Livability Space Per Dwelling Units: 200 SF

Maximum Building Height: 40 FT

Maximum Stories: 3

Other Bulk and Area Requirements:

As established within RM-1 district, provided however, pursuant to minor amendment, setbacks may be modified from internal development area boundaries, proposed expressway right-of-way and open space area.

\*Use Unit 7a (Townhouse dwellings) and Use Unit 6 (Single-family dwellings) may be permitted by minor amendment.

\*\*The permitted intensity of residential care facilities shall be determined by applying the floor area ratio of .5.

## Tract D-1

### Daycare

Gross Area:	11.63 Acres
Permitted Uses:	Children's daycare facility (Use Unit 5) and office facilities (Use Unit 11).
Maximum Floor Area Ratio:	
Daycare	.25
Office	.30
Maximum Building Height:	two-story/not to exceed 35 FT.
Minimum Building Setback from abutting residential areas:	50 FT for two stories, 30 FT for one story.
Off-Street Parking:	As required by the applicable use unit.
Minimum Landscaped Open Space;	15% of net lot area.

## Track K-1

### School Campus

Gross Area:	18.31 Acres
Permitted Uses:	Public or private school offering a compulsory education curriculum from K-9 grades (Use Unit 5). Alternatively, Tract K-1 may be developed as single-family dwellings subject to the development standards set forth for tracts A-1 through A-5.
Maximum Floor Area Ratio:	.10
Maximum Building Height:	two-story/not to exceed 40 FT.

Minimum Building Setback from abutting residential areas: 30 FT for one story,  
60 FT for two stories.

Off-Street Parking: As required by the applicable use unit.

Minimum Landscaped Open Space: 15% of net lot area

3. No Zoning Clearance Permit shall be issued for a lot other than residential single-family lots within the PUD until a Detail Site Plan for the lot, which includes all buildings, 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 lot other than residential single-family lots shall be approved by the TMAPC 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 for the lot, 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 on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas.
8. The Department Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. In single-family residential areas a homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guardhouses or other commonly owned structures within the PUD. Private street residential subdivisions are not permitted but may be permitted by approval of a minor amendment to the PUD.

10. The precise alignment of arterial streets and collector streets shall be determined at the time of subdivision platting.
11. If permitted by minor amendment, all private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness that meet the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
12. If private streets are permitted by minor amendment, the City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets, or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
13. No building permit shall be issued until the requirements of Section 1107F 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 that relate to PUD conditions.
14. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
15. Entry gates or guardhouses, if proposed, must receive Detail Site Plan approval from TMAPC prior to issuance of a building permit.
16. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
17. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**Applicant's Comments:**

**Mr. Johnsen**, 201 West 5<sup>th</sup>, Suite 501, Tulsa, Oklahoma 74103, stated that this application does not propose changes to the underlying zoning. The previously proposed golf course has been changed to proposed single-family residential use, which is consistent with the alternatives that were previously proposed.

Mr. Johnsen reviewed the proposed development and the various uses. He indicated that he is in agreement with the staff recommendation with a modification to Tracts F-1 and F-2. He explained that Tracts F-1 and F-2 make up the open space area, totally 67 acres, and he disagrees with the language. He pointed out that the Zoning Code definition of landscape and open space states "no paved area". He indicated that there

may be pedestrian paths, a pavilion, etc., facilities normally found in a park, and the development might need a drive and parking area. He suggested the language be changed to "...landscaping, recreational uses, pedestrian paths and similar open air facilities."

Mr. Johnsen stated that he met with the neighborhood and issues were discussed. He indicated that his client will provide a detention facility and it will not adversely impact downstream.

In response to Mr. Boyle, Mr. Swiney stated that since there was an accurate notice mailed, accurate address and PUD number on the agenda with the correct explanation of the PUD, he did not see a problem with taking action on this item. He explained that the intent of the Open Meeting Act is to give notice to the public and anyone who is interested in this particular item. He stated that this has been satisfied with the language present on the agenda.

**Interested Parties Comments:**

**Larry Duke**, 1919 West Seminole, Tulsa, Oklahoma 74127-2248, stated that he is representing the Gilcrease Hills Homeowners' Association. He indicated that the Homeowners' Association is in support of the subject PUD.

**TMAPC Action; 11 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **APPROVAL** PUD-624; subject to conditions as recommended by staff, subject to the use being approved in the Detail Site Plan by the Planning Commission and modifications by applicant.

**Legal Description for PUD-624:**

A TRACT OF LAND THAT IS PART OF SECTIONS 21 AND 22, T-20-N, R-12-E, OSAGE COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS, TO-WIT: "BEGINNING AT A POINT" THAT IS THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE S 89°37'46" E ALONG THE SOUTHERLY LINE OF SECTION 22 FOR 658.97' TO THE SOUTHWEST CORNER OF THE SE/4 OF THE SW/4 OF THE SW/4 OF SECTION 22; THENCE N 0°32'09" E ALONG THE WESTERLY LINE OF THE SE/4 OF THE SW/4 OF THE SW/4 FOR 657.01' TO THE NORTHWEST CORNER THEREOF; THENCE N 00°32'09" E FOR 330.41'; THENCE S 89°27'11" E FOR 682.35'; THENCE N 00°26'35" E FOR 139.97'; THENCE S 89°33'25" E FOR 475.00'; THENCE S 00°26'35" W FOR 460.00'; THENCE N 89°33'25" W FOR 204.65' TO THE NORTHEAST CORNER OF "GILCREASE HILLS VILLAGE IV BLOCK-9 AND PART OF BLOCK-10", A SUBDIVISION IN OSAGE COUNTY, OKLAHOMA; THENCE S 06°32'52" E ALONG THE EASTERLY LINE OF "GILCREASE HILLS VILLAGE IV BLOCK-9 AND PART OF BLOCK-10" FOR 9.66'; THENCE S 30°44'43" E CONTINUING ALONG SAID EASTERLY LINE FOR 269.94'; THENCE S 17°48'29" E ALONG SAID EASTERLY LINE FOR 341.03' TO A POINT ON THE CENTERLINE OF WEST APACHE STREET; THENCE N 69°27'28" E FOR 0.00'

TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 20°28'55" AND A RADIUS OF 1521.72' FOR 543.98' TO A POINT OF TANGENCY; THENCE N 48°58'33" E ALONG SAID TANGENCY AND ALONG SAID CENTERLINE FOR 934.05' TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 18°13'31" AND A RADIUS OF 2088.97' FOR 664.48' TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE OSAGE EXPRESSWAY; THENCE N 22°47'56" W ALONG SAID RIGHT-OF-WAY LINE FOR 60.00'; THENCE N 67°30'49" E ALONG SAID RIGHT-OF-WAY LINE FOR 418.14'; THENCE N 00°01'14" E ALONG SAID RIGHT-OF-WAY LINE FOR 516.15'; THENCE N 02°50'47" E ALONG SAID RIGHT-OF-WAY LINE FOR 508.52'; THENCE N 00°00'07" W ALONG SAID RIGHT-OF-WAY LINE FOR 100.00'; THENCE S 88°57'37" E ALONG SAID RIGHT-OF-WAY LINE FOR 50.00' TO A POINT ON THE CENTERLINE OF OSAGE DRIVE; THENCE N 00°00'07" W ALONG SAID CENTERLINE FOR 2328.32' TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE OSAGE EXPRESSWAY; THENCE S 75°57'37" W ALONG SAID RIGHT-OF-WAY LINE FOR 5.30' TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PROPOSED GILCREASE EXPRESSWAY; THENCE S 52°52'53" W ALONG SAID RIGHT-OF-WAY LINE FOR 337.90'; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S 89°15'01" W FOR 3714.96' TO A POINT ON THE WESTERLY LINE OF SAID SECTION 22, SAID POINT BEING 535.30' SOUTHERLY OF THE NORTHWEST CORNER OF SECTION 22; THENCE S 89°13'27" W ALONG SAID RIGHT-OF-WAY LINE FOR 550.74'; THENCE S 72°02'51" W ALONG SAID RIGHT-OF-WAY LINE FOR 230.87'; THENCE N 81°27'38" W ALONG SAID RIGHT-OF-WAY LINE FOR 455.41'; THENCE S 57°38'50" W ALONG SAID RIGHT-OF-WAY LINE FOR 678.40'; THENCE S 70°13'37" W ALONG SAID RIGHT-OF-WAY LINE FOR 839.83' TO A POINT ON WESTERLY LINE OF THE NE/4 OF SECTION 21, T-20-N, R-12-E, SAID POINT BEING 1179.95' SOUTHERLY OF THE NORTHWEST CORNER OF THE NE/4 OF THE SAID SECTION 21; THENCE S 00°29'59" W ALONG SAID WESTERLY LINE FOR 166.78' TO A POINT THAT IS THE NORTHEAST CORNER OF THE S/2 OF THE NW/4 OF SAID SECTION 21; THENCE S 89°07'55" W ALONG THE NORTHERLY LINE OF THE S/2 OF THE NW/4 FOR 686.18' TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE PROPOSED GILCREASE EXPRESSWAY; THENCE S 57°09'15" W ALONG SAID RIGHT-OF-WAY LINE FOR 2269.90' TO A POINT ON THE WESTERLY LINE OF THE NW/4 OF SAID SECTION 21; THENCE S 00°21'52" W ALONG SAID WESTERLY LINE FOR 169.60' TO THE SOUTHWEST CORNER OF SAID NW/4; THENCE N 88°34'12" E ALONG THE SOUTHERLY LINE OF THE NW/4 FOR 2583.26' TO THE SOUTHEAST CORNER OF THE NW/4 OF SAID SECTION 21; THENCE S 00°30'13" W ALONG THE WESTERLY LINE OF THE SE/4 OF SAID SECTION 21 FOR 2629.66' TO THE SOUTHWEST CORNER OF THE SE/4 OF SAID SECTION 21; THENCE N 88°40'00" E ALONG THE SOUTHERLY LINE OF THE SE/4 OF SAID SECTION 21 FOR 1897.41'; THENCE N 00°38'16" E FOR 250.00'; THENCE N 88°40'00" E FOR 150.00'; THENCE S 00°38'15" W FOR 250.00' TO A POINT ON THE SOUTHERLY LINE OF THE SE/4 OF SAID SECTION 21; THENCE N 88°40'00" E ALONG SAID SOUTHERLY LINE FOR



531.00' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, LESS AND EXCEPT A TRACT OF LAND THAT IS PART OF THE SE/4 OF SECTION 21, T-20-N, R-12-E, OSAGE COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS, TO-WIT: STARTING AT A POINT THAT IS THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE N 00°38'12" E ALONG THE EASTERLY LINE OF SECTION 21 FOR 1317.28' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, SAID POINT BEING THE SOUTHEAST CORNER OF THE NE/4 OF THE SE/4 OF SECTION 21; THENCE S 88°36'52" W ALONG THE SOUTHERLY LINE OF SAID NE/4 FOR 1290.77' TO THE SOUTHWEST CORNER OF THE NE/4 OF THE SE/4; THENCE N 00°34'12" E ALONG THE WESTERLY LINE OF THE NE/4 OF THE SE/4 FOR 1316.05' TO THE NORTHWEST CORNER OF THE NE/4 OF THE SE/4; THENCE N 88°33'56" E ALONG THE NORTHERLY LINE OF THE NE/4 OF THE SE/4 FOR 1292.34' TO THE NORTHEAST CORNER OF THE NE/4 OF THE SE/4; THENCE S 00°38'12" W ALONG THE EASTERLY LINE OF SECTION 21 FOR 1317.28' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

AND

A TRACT OF LAND THAT IS PART OF THE NW/4 OF SECTION 21, T-20-N, R-12-E, OSAGE COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: STARTING AT A POINT THAT IS THE NORTHEAST CORNER OF THE NW/4 OF SAID SECTION 21; THENCE S 00°29'59" W ALONG THE EASTERLY LINE OF SAID NW/4 FOR 1346.73' TO A POINT THAT IS THE NORTHEAST CORNER OF THE S/2 OF THE NW/4; THENCE S 89°07'55" W ALONG THE NORTHERLY LINE OF THE S/2 OF THE NW/4 FOR 1456.70' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PROPOSED GILCREASE EXPRESSWAY; THENCE S 67°20'04" W ALONG SAID RIGHT-OF-WAY LINE FOR 160.26'; THENCE S 68°19'45" W ALONG SAID RIGHT-OF-WAY LINE FOR 534.88'; THENCE S 55°26'45" W ALONG SAID RIGHT-OF-WAY LINE FOR 468.72'; THENCE N 00°51'51" W ALONG SAID RIGHT-OF-WAY FOR 100.00'; THENCE S 89°08'09" W ALONG SAID RIGHT-OF-WAY LINE FOR 99.06' TO A POINT ON THE WESTERLY LINE OF THE NW/4 OF SAID SECTION 21, SAID POINT BEING 962.46' NORTHERLY OF THE SOUTHWEST CORNER OF THE NW/4 OF SAID SECTION 21; THENCE N 00°21'52" E ALONG SAID WESTERLY LINE FOR 409.53' TO A POINT THAT IS THE NORTHWEST CORNER OF THE S/2 OF THE NW/4; THENCE N 89°07'55" E ALONG THE NORTHERLY LINE OF THE S/2 OF THE NW/4 FOR 1129.07' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND. **From AG/RS-3/RM-1/OL/CS (Agriculture District/Residential Single-family High Density District/Residential Multifamily Low Density District/Office Low Intensity District/Commercial Shopping Center District) to AG/RS-3/RM-1/OL/CS/PUD (Agriculture District/Residential Single-family High Density District/Residential Multifamily Low Density District/Office Low Intensity District/Commercial Shopping Center District/Planned Unit Development)**

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## ZONING PUBLIC HEARING

**APPLICATION NO.:** CZ-261

**Applicant:** Greg Gaytan

**Location:** Southeast corner Southwest Boulevard and South 68<sup>th</sup> West Avenue

**RS TO CG**

(PD-23) (County)

**Mr. Midget out at 2:34 p.m.**

### Staff Recommendation:

**Relationship to the Comprehensive Plan:** The subject tract is not within any adopted comprehensive plan for land use and development. In cases where properties are not included within adopted plans, the general provisions of the Metropolitan Development Guidelines, as well as existing physical facts, apply. It is located just west of the District 9 planning area where Medium Intensity - No Specific Land Use is recommended along Southwest Boulevard.

According to the Zoning Matrix the requested CG zoning **is not** in accordance with the Development Guidelines for those properties fronting on Southwest Boulevard. Because its location is not in a node, as defined by the Metropolitan Development Guidelines, the requested CG zoning **is not** in accord with those guidelines.

### Staff Comments:

**Site Analysis:** The subject property is approximately 80' x 100' in size and is located on the southeast corner of Southwest Boulevard and South 68<sup>th</sup> West Avenue. The property is sloping, non-wooded, contains a tire shop, and is zoned RS in the County.

**Surrounding Area Analysis:** The subject tract is abutted on the north by Southwest Boulevard and beyond that is the Frisco Railroad right-of-way, zoned RS; to the south, west and east by single-family dwellings, mobile homes and some nonconforming business activities in various states of repair, zoned RS. Farther to the east is a nonconforming forklift parts and service business, zoned RS.

**Zoning and BOA Historical Summary:** The most recent zoning activity in this area approved CS zoning on a half-acre tract located on the southeast corner of Southwest Boulevard and South 67<sup>th</sup> West Avenue and east of the subject tract from RS.

**Conclusion:** Based on the fact that this property is not included within any adopted Comprehensive Plans and the existing physical facts in the area, staff can support the requested CG zoning and recommends **APPROVAL** of CZ-261 for CG zoning.

**The applicant indicated his agreement with staff's recommendation.**

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

**TMAPC Action; 10 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; Midget "absent") to recommend **APPROVAL** of CG zoning for CZ-261 as recommended by staff.

**Legal Description for CZ-261:**

Lots 36, 37, and 38, less the East 30', Block 51, Taneha Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, **from RS (Residential Single-family District ) to CG (Commercial General District).**

\*\*\*\*\*

**Mr. Midget in at 2:36 p.m.**

**APPLICATION NO.: Z-6740**

**IL TO CBD**

**Applicant:** Curtis J. Shacklett

**(PD-1) (CD-4)**

**Location:** Southeast corner West Brady and North Denver

**Staff Recommendation:**

**Relationship to the Comprehensive Plan:** The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as part of the Old Towne identity area, appropriate for commercial/residential/light industrial uses at Medium/High Intensity.

According to the Zoning Matrix the requested CBD zoning **is** in accordance with the Plan Map. (Note that technically all of District One is a Special District, and therefore CBD may be found to be in accordance with the Plan Map. However, provisions in the plan indicate that eventually all or most of the area encompassed in the Planning District is intended to be zoned CBD.)

**Staff Comments:**

**Site Analysis:** The subject property is approximately 45' x 50' in size and is located on the southeast corner of West Brady Street and North Denver Avenue. The property is flat, non-wooded, vacant, and zoned IL.

**Surrounding Area Analysis:** The subject tract is abutted on the north by a dairy processing company, zoned IL; to the northwest by the County Correctional facility, zoned CBD; to the west by the Salvation Army facility, zoned CBD/PUD-532; to the south and east by a parking lot, zoned IL; beyond the parking are commercial businesses, zoned CBD.

**Zoning and BOA Historical Summary:** The most recent zoning activity in this area was in 1997, which approved CBD from IL zoning on a large area between N. Main Street, N. Denver Avenue, E. Archer and E. Cameron St.; and in 1996 approval was granted for CBD zoning on a tract originally zoned IM, IL, RS-3 and RM-2 for the County correctional facility.

**Conclusion:** Based on the Comprehensive Plan, existing development and trends in the area, staff recommends **APPROVAL** of Z-6740 for CBD zoning.

**The applicant indicated his agreement with staff's recommendation.**

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

**TMAPC Action; 11 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **APPROVAL** of CBD zoning for Z-6740 as recommended by staff.

**Legal Description for Z-6740:**

West 45' of the Northerly 50' of Lot 6, Block 38, Original Townsite of the City of Tulsa, Tulsa County, State of Oklahoma, **from IL (Industrial Light District) to CBD (Central Business District).**

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**APPLICATION NO.: Z-6741**

**RS-3 TO OM**

**Applicant:** Renee El-Bahri

**(PD-4) (CD-4)**

**Location:** Southeast corner East 8<sup>th</sup> Street and South Madison Avenue

**TMAPC Comments:**

Chairman Boyle stated that he has had some ex parte communication regarding this item and is associated with the purchaser of the property; however, he has no financial interest in the property and believes that he will be able to consider this item without conflict.

Mr. Westervelt stated that he has had ex parte communication but feels that he can consider this item without conflict.

**Staff Recommendation:**

**Relationship to the Comprehensive Plan:**

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – No Specific Land Use.

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

Staff Comments:

**Site Analysis:** The subject property is approximately 190' x 160' in size and is located on the southeast corner of East 8<sup>th</sup> Street South and South Madison Avenue. The property is flat, non-wooded, contains the old and vacant Fire Alarm Building, and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is abutted on the north by vacant property, zoned RM-2; to the south by the Oaklawn Cemetery, zoned RS-3; to the east by a storage building and a private club, zoned RS-3; and to the west by the Cherokee Expressway (I-444 IDL), zoned RS-3.

**Zoning and BOA Historical Summary:** Approval was granted for CS zoning from RM-2 on a tract located on the northwest corner of E. 6<sup>th</sup> Street and S. Peoria Avenue and just east of the subject tract in 1995.

**Conclusion:** Based on the Comprehensive Plan, surrounding existing and proposed land uses and trends in the area, staff recommends **DENIAL** of OM zoning for Z-6741 and **APPROVAL** of OL zoning in the alternative.

TMAPC Comments:

Mr. Carnes stated that he understands that OM zoning is necessary for the intended use of the subject property. In response, Ms. Matthews stated that she is aware of that and informed the applicant that there are other avenues to accomplish their goal, i.e. Board of Adjustment actions. Ms. Matthews explained that based on zoning issues, the surrounding development, and the Comprehensive Plan staff recommends OL zoning for the subject property.

Mr. Carnes stated that the subject property has been vacant and the OM zoning should be allowed in order to clean up the neighborhood. In response, Ms. Matthews stated that the zoning requested would go with the land and there are no assurances that the intended use will be on this property. Ms. Matthews reiterated that the OM zoning, if granted by the City Council, would remain with the land and not the owner.

In response to Mr. Horner, Mr. Westervelt stated that staff recommends OL zoning for the subject property and have the applicant go before the Board of Adjustment in order to have conditions and control of the uses, which would not occur if OM zoning is approved.

Applicant's Comments:

**Jeff Dunn**, 2828 East 51<sup>st</sup> Street, Suite 400, Tulsa, Oklahoma 74105, Attorney representing the American Lung Association, stated that he is in support of this application. Mr. Dunn submitted a memorandum (Exhibit A-1).

Mr. Dunn reminded the Commission that the subject building is eligible for the National Register of Historical Preservation. He indicated that his client has applied for the historical designation. He commented that the subject building is on the Tulsa Preservation Commission's list.

Mr. Dunn stated that there has been some information omitted from the application. He explained that the staff was under the impression that the Fire Alarm Building would be destroyed and that is not the case. He indicated that the existing structure would be utilized for office use and the proposed annex to the east would be used for educational purposes, meeting rooms, etc.

Mr. Dunn concluded that OL zoning would not allow office use and there would be problems with the floor area ratio. He requested the Commission to approve the OM zoning as requested.

**Interested Parties Comments:**

**Robey Jamieson**, Route 3, Box 150A, Cleveland, Oklahoma, 74020, stated that he is one of the partners for the Village at Central Park, L.L.C., which is north of 8<sup>th</sup> Street and West of Peoria. He indicated that he is in support of the application.

**Marty Newman**, 1107 East 19<sup>th</sup>, Tulsa, Oklahoma 74120-7416, stated that he is in support of this application. He informed the Commission that he is the present owner of the subject property and he deeded the façade easement to the Tulsa Preservation Commission and the building cannot be destroyed. He stated that Mr. Jamieson represents the only potential residents.

**TMAPC Comments:**

Ms. Pace stated that the existing building appears to be a two-story building. In response, Mr. Newman stated that by definition the existing building is one story. He explained that the main level is four and half feet above grade.

Mr. Boyle stated that the height of the building is the same as a two-story building. In response, Mr. Newman answered affirmatively.

Mr. Boyle commented that this is an excellent project and will be good for the City of Tulsa. He stated that this proposal will vastly improve the subject area and he is in support of this application.

Mr. Carnes stated that in respect to the staff recommendation, he feels that there are safeguards present and the OM zoning will be acceptable.

Mr. Westervelt stated that he believes that staff has reviewed this application in the proper technical way and they are warranted to have concerns because of the unique physical facts. Mr. Westervelt stated that staff is technically correct in their staff recommendation; however, he is in support of the OM zoning with the safeguards that are in place regarding the façade.

Mr. Midget asked if the use could change with the OM zoning, regardless of the façade issue. In response, Mr. Westervelt stated that the use could change.

Mr. Horner stated that he is in full support of this application.

Ms. Hill reiterated that the application is a good project and will preserve the art deco building.

Ms. Pace stated that she feels confident that the façade easement will protect the subject property.

Mr. Midget stated that he agrees with the project and he does not feel that the issue is with the art deco building, but the additional step by going to the Board of Adjustment. He commented that he did not hear the applicant state that he is opposed to going to the Board of Adjustment.

Mr. Ledford stated that the OM zoning will allow 30% FAR and the Board of Adjustment will only be able to grant 40% FAR. He indicated that the applicant needs 50% FAR in order to add the proposed annex.

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **APPROVAL** the OM zoning for Z-6741.

**Legal Description for Z-6741:**

A tract of land in City of Tulsa's Oaklawn Cemetery, lying adjacent to Oaklawn Addition, an addition in the SE/4, SE/4, Section 1, T-19-N, R-12-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma; more particularly described as follows: commencing at the Northeast corner of Lot 6, Block 4 of the Oaklawn Addition; thence due South along the East line of said Lot 6 and extending through a vacated 20' alley a distance of 160' to a point on the South line of said Oaklawn Addition, also being the North line of said Oaklawn Cemetery; thence due West along said South line of Oaklawn Addition a distance 109' to the Point of Beginning; thence due South a distance of .7'; thence due West a distance of 64'; thence due North a distance of .7' to a point on said South line of Oaklawn Addition, also being the North line of said Oaklawn Cemetery; thence due East along South line of Oaklawn Addition a distance of 64' to the Point of Beginning, and all of Lots 6, 7, and the East 60' of Lot 8, and the vacated 20' alley lying South of and adjacent to said Lots 6 and 7, and the vacated 20' alley lying between Lots 7 and 8, all in Block 4, Oaklawn Addition, an addition in the SE/4, SE/4 of Section 1, T-19-N, R-12-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

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**APPLICATION NO.:** Z-6742/PUD-299-A

**RD/RM-1/PUD TO RS-4/PUD**

**Applicant:** Howard Raskin

(PD-18) (CD-8)

**Location:** Northeast corner East 81<sup>st</sup> Street and South Harvard  
(MAJOR AMENDMENT)

**Staff Recommendation for Z-6742:**

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 – Single-Family Residential Land Use.

According to the Zoning Matrix the requested RS-4 zoning **is** in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is approximately 4.5 acres in size and is located on the northeast corner of East 81<sup>st</sup> Street South and South Harvard Avenue. The property is steeply sloping, wooded, vacant, and zoned RD, RM-1 and Planned Unit Development 299.

**Surrounding Area Analysis:** The subject tract is abutting single-family dwellings on the north and east, zoned RS-1; to the west across South Harvard Avenue by single-family dwellings, zoned RS-2 and to the south across East 81<sup>st</sup> Street South by a commercial shopping center, zoned CS/OL/PUD-168. To the southwest is another commercial shopping center, zoned CS.

**Zoning and BOA Historical Summary:** There has been no zoning activity in this area for several years.

**Conclusion:** Based on the Comprehensive Plan, existing development and trends in the area, staff recommends **APPROVAL** of Z-6742 for RS-4/PUD-299-A zoning.

**Staff Recommendation for PUD-299-A:**

The subject tract contains 4.5 acres (gross) and is located at the northeast corner of East 81<sup>st</sup> Street South and Harvard Avenue. The tract has approximately 419' of frontage on South Harvard Avenue and 341' on East 81<sup>st</sup> Street.

There is a single-family subdivision to the north of the subject tract that is zoned RS-1. Vacant RS-1 zoned property abuts the tract on the east. To the west across Harvard Avenue is a single-family subdivision zoned RS-2. To the south, across 81<sup>st</sup> Street is a shopping center zoned OL, CS, RS-1/PUD-168.



The subject tract is zoned RD, RM-1/PUD-299. Currently an application has been filed (Z-6742) to rezone the tract to RS-4. The approved PUD designated two development areas proposed for residential townhouses and light office uses.

This major amendment proposes a maximum of 21 single-family dwellings with a maximum height of 36 feet. Other minimum bulk and area requirements would be as provided within an RS-4 district. The proposed development would allow a private roadway system that would have access to South Harvard Avenue and East 81<sup>st</sup> Street. An eight-foot high masonry-screening fence enclosing the entire area is also being proposed.

The conceptual site plan does not indicate the minimum amount of right-of-way required along East 81<sup>st</sup> South within 388' of the centerline of Harvard Avenue, which should be 58'. Also the cul-de-sac depicted on the conceptual site plan is not large enough. The text of the proposed PUD states that "guest parking is permitted in designated areas", although the conceptual site plan does not indicate where those areas would be.

If Z-6742 is approved as recommended by staff, staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code based on the following conditions, staff finds PUD-299-A as modified by staff, 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-299-A subject to the following conditions:

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

**2. Development Standards:**

Land Area (Gross):	4.50 acres	196,020 SF
(Net):	4.375 acres	190,575 SF
Permitted Uses:	Use Unit 6, detached single-family dwellings and customary accessory uses.	
Maximum Number of Dwelling Units:	21	
Maximum Building Height:	36 FT	
Maximum Access Points onto South Harvard Avenue:	One*	

Maximum Access Points onto East 81<sup>st</sup> Street South: One\*

Other Minimum Bulk and Area requirements: As provided within an RS-4 district.

Landscaping:

Landscaping shall be in substantial compliance with the standards described in the text of the applicant's outline development plan and depicted on the applicant's conceptual site plan.

3. An eight-foot screening wall may be installed along the boundaries of the PUD. Screening walls shall consist of masonry construction using brick, stone, stucco or concrete tilt-up panels. Metal or standard (smooth) concrete-block screening walls are not permitted. TMAPC shall review and approve the wall design.
4. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guardhouses or other commonly-owned structures within the PUD.

\*Access points shall be approved by Traffic Engineering.

5. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness that meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent.
6. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets, or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
7. No building permit shall be issued until the requirements of Section 1107F 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 that relate to PUD conditions.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
9. Entry gates or guardhouses, if proposed, must receive Detail Site Plan approval from TMAPC and Traffic Engineering prior to issuance of a building permit.

10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.

Mr. Dunlap stated that the conceptual site plan includes a great deal of detail that is not consistent with the subdivision regulations or the requirements of the RS-4 district. He reminded the Commission that the site plan before them is conceptual.

**The applicant indicated his agreement with staff's recommendation.**

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

**TMAPC Action; 11 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **APPROVAL** of the RS-4/PUD-299-A zoning for Z-6742 and recommend **APPROVAL** of PUD-299-A subject to conditions as modified and recommended by staff.

**Legal Description for Z-6742/PUD-299-A:**

Lot 6, Block 3, Timbercrest Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located on the northeast corner of East 81<sup>st</sup> Street South and South Harvard Avenue, Tulsa, Oklahoma, **from RD/RM-1/PUD-299 (Residential Duplex District/Residential Multifamily Low Density District/Planned Unit Development to RS-4/PUD-299-A (Residential Single-family Highest Density District/Planned Unit Development.**

\*\*\*\*\*

**APPLICATION NO.: Z-6743**

**RS-3 TO CS**

**Applicant:** Ted Sack

(PD-25) (CD-1)

**Location:** East of southeast corner East 46<sup>th</sup> Street North and North Peoria

**Staff Recommendation:**

Relationship to the Comprehensive Plan:

The District 25 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – No Specific Land Use. Additionally, in previous planning efforts in this District, the planning teams have been very supportive of new retail development in the area.

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

Staff Comments:

**Site Analysis:** The subject property is approximately 60' x 350' (.482 acres) in size and is located east of the southeast corner of East 46<sup>th</sup> Street and North Peoria Avenue. The property is flat, vacant, and zoned RS-3.

**Surrounding Area Analysis:** The subject property is abutted on the north by a shopping center, zoned CS; to the south and east by vacant property, zoned RS-3; and to the west by a gasoline service station, zoned CS.

**Zoning and BOA Historical Summary:** In 1997 a small .4-acre tract located south of the southeast corner of E. 46<sup>th</sup> Street North and North Peoria Avenue was rezoned from OL to CS and approval was granted on the tract for automobile sales. In May 1999, approval was granted for a cosmetology school and for a bar on property adjoining the subject tract to the east.

**Conclusion:** Based on the Comprehensive Plan, existing development and previous support for additional retail development in the area, staff recommends **APPROVAL** of Z-6743 for CS zoning.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

**TMAPC Action; 11 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to recommend **APPROVAL** of the CS zoning for Z-6743 as recommended by staff.

**Legal Description for Z-6743:**

A TRACT OF LAND THAT IS PART OF U.S. GOVERNMENT LOT 1 OF SECTION 18, T-20-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: STARTING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE N 89°22'40" E ALONG THE NORTHERLY LINE OF SECTION 18 FOR 240.00' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, THENCE DUE SOUTH AND PARALLEL WITH THE WESTERLY LINE OF SECTION 18 FOR 350.00'; THENCE N 89°22'40" E AND PARALLEL WITH THE NORTHERLY LINE OF SECTION 18 FOR 60.00'; THENCE DUE NORTH AND PARALLEL WITH THE WESTERLY LINE OF SECTION 18 FOR 350.00' TO A POINT ON THE NORTHERLY LINE OF SECTION 18; THENCE S 89°22'40" W AND ALONG THE NORTHERLY LINE OF SECTION 18 FOR 60.00' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

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## **OTHER BUSINESS:**

**APPLICATION NO.:** PUD-417

**Applicant:** Pam Deatherage

**Location:** Northeast corner of 21<sup>st</sup> Street and Utica

**DETAIL SITE PLAN**

(PD-6) (CD-4)

### **Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a multilevel 1,825-space parkade as part of the planned expansion of the St. John Medical Center. The existing 402-space 21<sup>st</sup> Street parkade was recently removed. The expansion constitutes Phase I of a three-phase expansion within Development Area A. Phases II and III, consisting of a hospital addition and medical offices, will require future Detail Site Plan approval.

Staff has examined the Detail Site Plan for the new 21<sup>st</sup> Street parkade and finds conformance to height, setback and landscaped area standards for Development Area A. The applicant has provided a detailed analysis of floor area transfers, required parking and open spaces within Development Area A and abutting development areas. Staff finds the analysis to be accurate reflecting development activity during the past 15 years.

Staff solicited comments from the Traffic Division of Public Works. Tulsa Traffic provided comments related to the Detail Site Plan and a traffic study provided by St. John. The traffic study indicates that the additional hospital and medical office spaces will generate approximately 10,000 trips per day. Tulsa Traffic is currently studying the impact on surrounding neighborhoods and the need for area roadway modifications and additional signalization at 19<sup>th</sup> and Utica.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for the 21<sup>st</sup> Street parkade within PUD-417 Development Area A subject to the following condition:

Any roadway modifications, traffic control improvements or traffic mitigation measures required by the City to handle the increased traffic generated by this expansion or to limit the negative traffic impacts on surrounding residential neighborhoods will provided by St. John Medical Center.

**The applicant indicated his agreement with staff's recommendation.**

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

### **Staff Comments:**

Mr. Stump stated that the Traffic Engineer is conducting a study of other traffic control devices along Utica to improve access.

**TMAPC Action; 11 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **10-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Collins "abstaining"; none "absent") to **APPROVE** the detail site plan for PUD-417 for the 21<sup>st</sup> Street parkade within PUD-417 Development Area A subject to conditions as recommended by staff.

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**APPLICATION NO.: PUD-518**

**Applicant:** Lee Roy Smith

**Location:** 8816 South Sheridan

**DETAIL SITE PLAN**

(PD-18) (CD-8)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a three-story office building with 6,997 SF of total floor area on a 34,890 SF (net) parcel. The building proposed is 38 feet in height and contains offices, product display areas and media and equipment display areas related to the principal office uses.

A recent Minor Amendment modified the development specifications to allow an increase in building height from one to three stories.

Staff has examined the request and finds conformance to bulk and area, building floor area, height, setback, parking, screening and total landscaped area standards as approved or amended for PUD-518 Development Area D.

Staff notes that the site slopes significantly with a 44-foot increase (before grading) from the southeast to the northwest. The slope will provide adequate buffering and transition between the proposed office facility and residential uses to the west, but will present difficulty in the development of the parking area. Staff has worked with the site architect and engineer to modify the slope. Due to the amount of slope retainage required, the design team could only reduce the slope from 12% to 9%. Staff sought assistance from City Engineering to require that the parking surface slope be reduced to the 5%-6% range with additional requirements that the City approve all retaining structures. City Engineering is of the opinion that the parking slope and retaining structures will not impact public improvements, and therefore, does not wish to impose any requirements on the design or review of structures in the parking area.

Staff also notes that the second floor of the commercial office structure is configured as a residence. The owner has provided documentation that this layout is to provide showroom spaces for home technology products in a realistic setting.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-518 subject to the following conditions:

1. No residential occupancy of the structure will be allowed.
2. No parking of service vehicles or warehousing of merchandise will be allowed on the premises.

**Applicant was not present.**

**Interested Parties' Comments:**

**Tom Henson**, 8917 South 69<sup>th</sup> East Avenue, Tulsa, Oklahoma 74133, President of Chimney Hills Homeowners Association, stated that he has not had the opportunity to review the detail site plan. He explained that he would like the opportunity to determine if the proposal will impact his neighborhood.

Mr. Stump provided Mr. Henson with a copy of the detail site plan and staff recommendation.

Mr. Henson stated that he would like the record to reflect that he was heard and that he will be more observant in the future.

**TMAPC Comments:**

Ms. Pace commented that when PUD-518 first came to the Planning Commission, it was discussed at great length. She expressed concern that the interested party did not receive notification.

After a lengthy discussion, it was determined that the 300' radius property owners and the Southeast Tulsa Homeowners Association did receive notice, and the agenda is mailed to all homeowner associations that are registered with the Mayor's office.

Ms. Pace suggested that the detail site plan be continued in order for the interested parties to review the detail site plan.

Mr. Midget encouraged the interested parties to check with the Mayor's office and make sure that the homeowner's association is registered with the correct address.

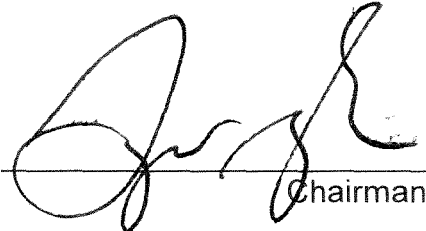
**TMAPC Action; 11 members present:**

On amended **MOTION** of **PACE**, the TMAPC voted **9-1-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; Westervelt "nays"; Collins "abstaining"; none "absent") to **CONTINUE** the detail site plan for PUD-518 to January 19, 2000 at 1:30 p.m.

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There being no further business, the Chairman declared the meeting adjourned at 3:05 p.m.

Date approved: 1-19-00

  
Chairman

ATTEST: Brendan J. Jackson  
Secretary