

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2300

Wednesday, February 20, 2002, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Bayles	Horner	Beach	Romig, Legal
Carnes		Bruce	
Dick		Dunlap	
Harmon		Huntsinger	
Hill		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, February 15, 2002 at 9:00 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Minutes:

Approval of the minutes of February 6, 2002, Meeting No. 2299

On **MOTION** of **HILL**, the TMAPC voted 9-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner, Ledford "absent") to **APPROVE** the minutes of the meeting of February 6, 2002, Meeting No. 2299.

REPORTS:

Director's Report:

Mr. Stump reported that staff is now trying to evaluate the next round of revisions to the computerization for the Boards of Adjustment.

Mr. Ledford in at 1:31 p.m.

SUBDIVISIONS:

Lot-Splits for Waiver of Subdivision Regulations:

L-19348 – Andrea Albright (2783) (PD-26) (CD-8)

Location: 6001 East 104th Street

Staff Recommendation:

An application has been filed to split the back triangle tract off of Tract 2 and tie it to Tract 1. Both resulting tracts meet the RS-3 bulk and area requirements; however, they will have more than three side lot lines, requiring a waiver of the Subdivision Regulations. Therefore, the applicant is seeking a waiver of Subdivision Regulations that each tract have no more than three side lot lines.

The Technical Advisory Committee had no questions or concerns regarding this lot-split. Staff believes this lot-split would not have an adverse effect on the surrounding properties and would therefore recommend **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split.

The applicant indicated his agreement with staff's recommendation.

Interested Parties Comments:

Irene Chaney, 5834 East 103rd Street, Tulsa, Oklahoma 74133, asked why the applicant is splitting the lots.

Applicant's Comments:

David Albright, 6001 East 104th Street, Tulsa, Oklahoma 74133, stated that he lives on Tract 1 and his neighbor is giving him the extra land from Tract 2 in order to build a garden.

TMAPC Action; 10 members present:

On **MOTION** of **HILL**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to **APPROVE** the lot-split for waiver of Subdivision Regulations and the lot-split for L-19348 as recommended by staff.

FINAL PLAT:

Woodland Valley Office Park (PUD-397-B) (-183)

(PD-18) (CD-7)

Location: South and east of the southeast corner of 61st Street South and 90th East Avenue

Staff Recommendation:

The proposed project will be an office park accessed from 61st Street South and 90th East Avenue. All releases are in order. Staff recommends **APPROVAL**.

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 **CARNES**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to **APPROVE** the final plat for Woodland Valley Office Park as recommended by staff.

Staff Comment:

Mr. Bruce informed the Planning Commission that this would be his last TMAPC meeting. He stated that he would be moving to California to do consulting work and wished the Planning Commission good luck.

Mr. Westervelt asked Mr. Bruce where he would be moving. In response, Mr. Bruce stated that he would be living in San Luis Obispo, California.

The Plains – (194)

(PD-17) (CD-6)

Location: North and East of 177th East Avenue, north side of Admiral Place

Staff Recommendation:

The west half of this property was zoned IL in 1983. The east half was rezoned in September 2001.

This plat consists of one lot in one block on 4.5 acres. It will be developed for light industrial uses permitted under IL zoning.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to **APPROVE** the final plat for The Plains as recommended by staff.

Mr. Ledford announced that he would be abstaining on the following item.

Renaissance on Memorial – (PUD-523-B) (1383) (PD-18) (CD-8)

Location: East 81st Street South and South Memorial Drive

Staff Recommendation:

The PUD allows offices, studios, support services (Use Unit 11), eating establishments other than drive-ins (Use Unit 12), convenience goods and services (Use Unit 13), and shopping goods and services (Use Unit 14).

This plat consists of one lot in one block on 2.4 acres. The permitted uses will be located in one building per the PUD.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

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 **HILL**, TMAPC voted 9-0-1 (Bayles, Carnes, Dick, Harmon, Hill, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Jackson "abstaining"; Horner "absent") to **APPROVE** the final plat for Renaissance on Memorial as recommended by staff.

ZONING PUBLIC HEARING

APPLICATION NO.: Z-6851

SR to CS

Applicant: Stephen Schuller

(PD-17) (CD-5)

Location: Northeast corner of East 43rd Street and South Garnett Road

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6582 March 1997: All concurred in approval of a request to rezone a 10.9-acre tract located across South Garnett Road to the northwest, from the subject property, from CO to CS for retail use.

Z-5444-SP-4 November 1995: Approval was granted for a Detail Corridor Site Plan which allowed a 200-unit multifamily apartment complex on property west of the subject tract across South Garnett Road.

Z-5413 July 1980: A request to rezone a 4.7-acre tract located west of the northwest corner of East 41st Street and South Garnett Road from AG to CS and FD. All concurred in approval of the south 2.8 acres for CS zoning with the balance being rezoned to FD.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.87 acres in size and is located on the northeast corner of East 43rd Street South and South Garnett Road. The property is flat, sloping, steeply sloping, wooded, partially wooded, non-wooded, vacant, and is zoned SR.

STREETS:

Exist. Access	MSHP Design.	MSHP ROW	Exist. # Lanes
East 43 rd Street South	50'	50'	2 lanes
South Garnett Road	100'	100'	2 lanes

The City of Tulsa Traffic Counts 1998 – 1999 indicates 22,800 trips per day on South Garnett Road between East 41st Street South and East 51st Street South.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject tract is abutted on the north by vacant land, zoned CS with a bank located on the southeast corner of East 41st Street and South Garnett; to the west are apartments, zoned CO; to the east are the offices for the Board of Realtors and the Tulsa Homebuilders Association, zoned SR; and to the south is vacant land, zoned CO.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 2 - Industrial.

According to the Zoning Matrix the requested CS zoning **may be found** in accordance with the Plan Map by virtue of its location within a Special District.

STAFF RECOMMENDATION:

Any zoning classification **may be found** in accordance with the special district designations, provided the uses permitted by the zoning classification are consistent with the land use and other existing physical facts in the area, and supported by the policies of the District Comprehensive Plan. Based on existing nearby uses and the Comprehensive Plan, staff can support the requested zoning designation and recommends **APPROVAL** of CS zoning for Z-6851.

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 **CARNES**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to recommend **APPROVAL** of CS zoning for Z-6851 as recommended by staff.

Legal Description for Z-6851:

Lots 1 and 2, Block 1, Southpark Center, (Block 1, Lots 1 through 4, Block 2, and Lot 1, Block 3) an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located in the northeast corner of East 43rd Street South and South Garnett Road, Tulsa, Oklahoma, **From SR (Scientific Research and Development District) To CS (Commercial Shopping Center District).**

APPLICATION NO.: PUD-598-2

MINOR AMENDMENT

Applicant: Ronald St. Clair

(PD-6) (CD-9)

Location: 4754 South Atlanta Avenue

Staff Recommendation:

The applicant is requesting a minor amendment of the minimum required front yard (measured from private street right-of-way) from 20 feet to 15 feet for the construction of a new residence on Lot 3, Block 1, Tara Addition (4754 South Atlanta Avenue).

PUD-598 consists of three lots on 1.30 acres located approximately 750 feet east of South Lewis Avenue, on the south side of East 47th Place. The subject tract is the southernmost lot in the subdivision.

The new residence would be permitted to infringe upon the setback along South Atlanta Avenue (private), southwest of where it terminates at the boundary of the subject tract.

The request is minor in nature and would be compatible with existing and proposed development. Therefore, staff recommends **APPROVAL** of the minor amendment as requested per the submitted site plan.

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 **MIDGET**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to **APPROVE** the minor amendment for PUD-598-2 per submitted site plan as recommended by staff.

OTHER BUSINESS:

Corrected Minutes for January 16, 2002, Meeting Number 2297:

(Words deleted are shown as ~~strikeout~~; words added or substituted are underlined)

APPLICATION NO.: Z-6844/PUD-658 **AG to OL/CS/PUD**

Applicant: Roy D. Johnsen (PD-26) (CD-8)

Location: Northwest corner of East 101st Street South and South Yale Avenue

Staff Recommendation for Z-6844:

RELEVANT ZONING HISTORY:

Z-6510/PUD-540 December 1995: All concurred in approval of a request to rezone a 19.5-acre tract located in the northwest corner of East 97th Street and South Yale Avenue north of the subject property, from AG to RS-1 and PUD 540. The Planned Unit Development was approved for a maximum of 46 single-family dwellings on private streets.

Z-6498/PUD-538 July 1995: A request to rezone a five-acre tract located on the northeast corner of East 101st Street South and South Yale Avenue from RM-2 and RM-0 to CS and RM-2 was approved subject to modifications within the CS development area. The mixed-use development included commercial, office and single-family uses.

Z-6451/PUD-516 October 1994: All concurred in approval of a request to rezone a ten-acre tract located on the southeast corner of East 101st Street and South Yale Avenue from AG to CS/RS-4/PUD to allow a mixed use development.

BOA-16438 November 1994: The Board of Adjustment approved a request for a special exception to allow a children's day care center in an existing church facility. The request was approved per site plan.

Z-6405/PUD-503 June 1993: All concurred in approval of a request to rezone a 4.4-acre tract located north of the subject property and fronting on South Yale and East 98th Street South, from AG to RS-1/PUD.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.50 gross acres and is located on the northwest corner of East 101st Street and South Yale Avenue. The property is sloping, partially wooded, contains a single-family dwelling and is zoned AG.

STREETS:

Exist Access	MSHP R/W	Exist. No. Lanes
East 101 st Street South	100'	2 lanes
South Yale Avenue	100'	2 lanes

The Major Street Plan designates East 101st Street South and South Yale Avenue as secondary arterial streets. The City of Tulsa Traffic Counts 1998 – 1999, indicates 12,400 trips per day on East 101st Street South at the intersection of South Yale Avenue.

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The tract is abutted on the north by church uses zoned AG and on the west by single-family uses zoned RS-1. There is a Jenks elementary school zoned RS-3/RM-0/RM-2 to the south of the tract across 101st Street. To the east, across Yale Avenue are commercial uses (Shops of Seville) zoned OL/CS/PUD-538. F&M Bank is located at the southeast corner of 101st Street and Yale Avenue zoned OL/CS/PUD-516.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject area as Low/Medium Intensity – No Specific Land Use. According to the Zoning Matrix, the requested OL **may be found** in accord with the Low Intensity and **is** in accord with the Medium Intensity. The requested CS **is not** in accord with the Low Intensity and **is** in accord with the Medium Intensity.

STAFF RECOMMENDATION:

Based on the District 26 Plan and the policy that the plan designation may allow up to a medium intensity development on the site, and on existing development and trends in the area, staff can support the requested OL and CS zoning and therefore recommends **APPROVAL** of OL and CS for Z-6844, provided that the accompanying PUD-658 or some version thereof is also recommended for approval.

RELATED:

Staff Recommendation for PUD-658:

The PUD consists of 1.74 net acres located at the northwest corner of East 101st Street and South Yale Avenue. The subject tract has 280 feet of frontage on Yale Avenue and 272 feet of frontage on 101st Street.

The subject tract is zoned AG. Concurrently, an application (Z-6844) has been filed to rezone the tract to OL and CS. The tract is abutted on the north by church uses zoned AG and on the west by single-family uses zoned RS-1. There is a Jenks elementary school zoned RS-3/RM-0/RM-2 to the south of the tract across 101st Street. To the east, across Yale Avenue are commercial uses (Shops of Seville) zoned OL/CS/PUD-538. F&M Bank is located at the southeast corner of 101st Street and Yale Avenue zoned OL/CS/PUD-516.

The PUD proposes uses that are included within Use Unit 11, Office, Studios and Support Services; Use Unit 12, Eating Establishments Other Than Drive-Ins; Use Unit 13, Convenience Goods and Services; and Use Unit 14, Shopping Goods and Services; however, selected uses would be excluded.

If Z-6844 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-658 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-658 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: 1.74 Acres 75,845 SF

Permitted Uses:

Those uses included within Use Unit 11, Office, Studios and Support Services; Use Unit 12, Eating Establishments, Other Than Drive-Ins; Use Unit 13, Convenience Goods and Services; and Use Unit 14, Shopping Goods and Services, provided however:

Within Use Unit 11; Broadcasting or Recording Studio; Dental, Medical and Optical Laboratories which are principal uses and related Research Facilities; Funeral Home; Insurance (claims adjustment providing onsite vehicle inspection and damage estimation); and Studio or School for teaching ballet, dance, drama, fine arts, music, language, business or modeling are prohibited and,

Within Use Unit 12; eating establishments shall be limited to Restaurants providing a full dinner menu and not providing drive-thru or take out service and any other eating establishment shall require the approval of the Tulsa Metropolitan Area Planning Commission of a minor amendment after notice and hearing as required by the Tulsa Zoning Code and,

Within Use Unit 13; Bakery (providing wholesale services); Convenience Grocery; Novelty, Souvenir Shop; and Animal Grooming are prohibited, and,

Within Use Unit 14, Subparagraph 1. Retail Trade Establishments; Automobile Parts and Accessories Store; Garden Supply Store; Hardware Store; Home Furnishing Establishments primarily selling Appliances or Floor Coverings; Paint Store; Pawn Shop; Pet Shop; Radio and TV Sales; Record, Tape and Compact Disc Sales; Secondhand Store; Video Rentals; and Wall Paper Store are prohibited, and

Within Use Unit 14, Subparagraph 2. Retail Building Material Establishments: all included uses are prohibited, and

Within Use Unit 14, Subparagraph 3. Service Establishments: all included uses are prohibited except Copying Service and Interior Decorating, with retail sales.

Maximum Building Floor Area:	15,000 SF
Maximum Building Height:	One story, not to exceed 28 FT
Maximum Number of Lots:	One
Minimum Building Setbacks: *	
From the centerline of East 101 st Street	120 FT
From the centerline of South Yale Avenue	130 FT
From the north boundary of the PUD	65 FT
From the west boundary of the PUD	90 FT

Off-Street Parking:

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

Minimum Landscaped Area:	15% of net lot area.
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*The drive-in facility, and/or canopy, shall be set back a minimum of 47 feet from the north boundary of the PUD, a minimum of 105 feet from the west boundary of the PUD and shall meet the other minimum building requirements listed above.

Landscaping and Screening:

Landscaping and screening within the PUD shall meet or exceed the requirements of the Tulsa Zoning Code and shall be in substantial compliance with the applicant's submittal. A masonry wall constructed in substantial accordance with the elevations depicted within Exhibits E-1 and E-2, not less than 8'8" in height and having an columns not less than 9'5" in height and having an exterior similar finish on both sides, shall be constructed and maintained along the west boundary of the PUD. A wood screening fence not less than six feet in height shall be constructed and maintained along the north boundary of the PUD commencing at the northwest corner and extending east a distance of not less than 185 feet. A landscaped area not less than 40 feet in width shall be maintained along the west boundary of the PUD and shall be landscaped in substantial accordance with the landscaping

concept (including the removal of an existing sycamore tree) depicted within Exhibit D and Exhibits E-1 and E-2.

Building Design Limitations:

The submitted building elevations (Exhibits C-1 and C-2) are conceptual and minor variations in building orientation and footprint may occur pursuant to finalization and approval of the detail site plan. The buildings, including any subsequent alteration, shall be constructed in substantial accordance with the concepts depicted within the submitted building elevations which shall include all-brick exterior walls and any significant deviation from the elevations shall require the approval by the Tulsa Metropolitan Area Planning Commission of a minor amendment after notice and hearing as required by the Tulsa Zoning Code.

Operational Limitations:

Business hours shall be limited to the period 7:00 a.m. to 11:00 p.m. Trash services and merchandise delivery shall be limited to the period 7:00 a.m. to 6:00 p.m. Exterior display of merchandise, exterior walk-up or drive-through automatic teller machines, and exterior pay telephones are prohibited.

Signs:

One monument-style ground sign shall be permitted at the southeast corner of the PUD, not exceeding ten feet in height and a display surface area of 70 square feet in display surface area and having a base of brick veneer of not less than 1.5 feet in height.

Wall signs shall be permitted, not exceeding 1.5 feet of display surface area per lineal foot of building wall of tenant space to which affixed. The length of a tenant wall sign shall not exceed 75% of the frontage on the tenant space. No wall sign shall be permitted on west- and north-facing walls. However, in no case shall wall signs exceed an aggregate display surface area of 150 square feet on the south-facing walls or 175 square feet on the east-facing walls.

Promotional business signs as set forth within numbered paragraph 8 of Subsection 1221.C. of the Tulsa Zoning Code shall require the approval of a minor amendment by the Tulsa Metropolitan Area Planning Commission after notice and hearing.

Access:

There shall be a maximum of one access point onto South Yale Avenue and one access point onto East 101st Street. All access shall be approved by Traffic Engineering.

Onsite Stormwater Detention

Onsite stormwater detention shall be provided equal to or exceeding 125% of the storage capacity customarily required by the City of Tulsa and if permitted by the City of Tulsa, shall be designed to prevent stormwater runoff onto the residential properties adjoining the west boundary of the PUD and to predominately direct stormwater runoff south to the 101st Street right-of-way.

3. No zoning clearance permit shall be issued for a lot 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 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, including building-mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. Bulk trash compactors shall be accessible only from the interior of the building and shall be located within a masonry enclosure, provided, however, a solid wood entry gate shall be permitted and the enclosure and gate shall exceed the height of the receptacle.

7. Parking area lighting shall be limited to shielded fixtures (rectangular shoebox style) designed to direct light downward and away from residential properties, provided, however, lighting may be directed toward the south and east elevations of the building. The lighting of the drive-through canopied area shall be provided by recessed can fixtures designed to direct light downward and away from residential properties. The light-producing elements and the polished light reflecting elements of lighting fixtures illuminating the site shall not be visible to a person standing within an abutting residential area. No light standard shall be located within 38 feet of the west boundary and no light standard shall exceed 16 feet in height and within 100 feet of the west boundary, no light shall exceed ten feet in height. The concrete supporting or protective base shall not exceed 24 inches in diameter or 30 inches in height and shall be painted the color of the light standard. Exterior lighting west of the west-building wall shall be turned off not later than one hour after the close of business.
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. 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.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
11. 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.
12. 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.

Staff Recommendation:

Mr. Dunlap stated that the corrections clarify the restrictions and it is what was originally approved by the TMAPC.

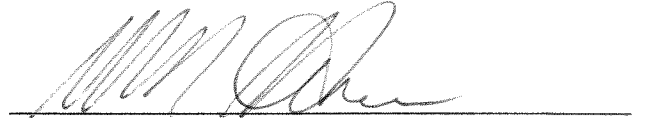
There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 10-0-0 (Bayles, Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner "absent") to **APPROVE** the corrected minutes for January 16, 2002 as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 1:42 p.m.

Date Approved: 2-27-02



Chairman

ATTEST: 
Secretary

