

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2323

Wednesday, October 2, 2002, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Coutant	Bayles	Huntsinger	Romig, Legal
Harmon	Carnes	Stump	
Hill	Dick		
Horner	Westervelt		
Jackson			
Ledford			
Midget			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, September 27, 2002 at 10:00 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.

REPORTS:

Director's Report:

Mr. Stump reported that there are two items on the City Council meeting Thursday, October 3, 2002.

Mr. Stump reviewed the TMAPC receipts for August 2002. He reported that this is about a 325% increase in revenues over last fiscal year. The increase in fees is definitely realizing increased revenues and both City and County are receiving significantly more money.

TMAPC Comments:

Mr. Horner asked Mr. Stump if the increases went to the City and bypassed the INCOG office. In response, Mr. Stump stated that the increases went to the same place the original fees would be sent and all of those fees go to the City general fund or the County general fund. INCOG does not keep any of the fees. In response, Mr. Horner stated that even though the Planning Commission built in hours of service that was reflected of the increases. The hours are still there,

but zero income as a result. In response, Mr. Stump stated that INCOG received a cut in income from the allocation from the general fund.

TMAPC Comments:

Mr. Harmon announced that the plat waiver for CBOA-2002, located at 17926 East 101st Street, has been annexed by the City of Broken Arrow and is stricken from the agenda.

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

SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19423 Sack and Associates, Inc. (1483) (RS-3) (PD-18) (CD-7)

Location: 8314 South 70th East Avenue

Staff Recommendation:

The developer has a potential buyer for Tract B if the additional four feet is included; therefore, the developer has requested the lot-split. Both resulting tracts meet the RS-3 bulk and area requirements; however, a waiver of the Subdivision Regulations is being requested because Tract A would have more than three side-lot lines.

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

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for L-19423 as recommended by staff.

L-19425 White Surveying, Co. (1793) (RS-2) (PD-6) (CD-9)

Located: 2205 South Delaware Place

Staff Recommendation:

With the building of the Broken Arrow Expressway, the owner acquired part of two streets that were vacated and required to be retained as utility easements by district court. They are now asking to split their property into two tracts, as reflected on their plot plan. Both resulting tracts meet the RS-2 bulk and area requirements, and the City of Tulsa Board of Adjustment approved a variance of the 30' street frontage to 23.8' on Tract 2. A waiver of the Subdivision Regulations is being requested because Tract 2 would have more than three side-lot lines.

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

The applicant indicated his agreement with staff's recommendation.

Interested Parties:

James Malone, 812 West Utica, Broken Arrow, Oklahoma, 74012, stated that he owns the adjacent property on the north side and opposes this proposal. He explained that he owns the duplex adjacent to the subject property and he opposes the three sides being removed in the restrictions. He expressed concerns that this would lower the value of his property.

Applicant's Rebuttal:

Tom Haynes, 9936 East 55th Place, Tulsa, Oklahoma, 74146, stated that this proposal is for single-family residences and it meets all of the other requirements. He indicated that he was granted a variance from the Board of Adjustment.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for L-19425 as recommended by staff.

Mr. Ledford announced that he would be abstaining from the following items.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- | | |
|--|------------------|
| <u>L-19362 – Roy Johnson</u> (19362) | (PD-26) (CD-8) |
| West of southwest corner Sheridan and 101 st Street South | |
| <u>L-19381 – Lutheran Church of Our Savior</u> (393) | (PD-5) (CD-4) |
| West of northwest corner Sheridan and 3 rd Street South | |
| <u>L-19416 – Sack and Associates, Inc.</u> (2683) | (PD-26) (CD-8) |
| 10911 South 69 th East Avenue | |
| <u>L-19420 – Tulsa Development Authority</u> (2502) | (PD-2) (CD-1) |
| 2227 North Owasso | |
| <u>L-19424 – Roger K. Eldredge</u> (2993) | (PD-6) (CD-9) |
| 2426 East 44 th Place | |
| <u>L-19428 – John Sanford</u> (3092) | (PD-23) (County) |
| 4334 South 69 th West Avenue | |
| <u>L-19430 – White Surveying Co.</u> (2293) | (PD-5) (CD-5) |
| 5930 East 31 st Street South | |
| <u>L-19434 – Tulsa Development Authority</u> (2502) | (PD-2) (CD-1) |
| 1815 North Norfolk | |

Staff Recommendation:

Mr. Stump stated that these are all in order and staff recommends **APPROVAL**.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-1** (Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; Ledford "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

PRELIMINARY PLAT:

8100 Center on Garnett - PUD 666 (784) (PD 18) (CD 8)

Located: Northwest corner of 81st and Garnett

Staff Recommendation:

This plat consists of 1 lot, 1 block, on 1.4 acres.

The following were discussed at the September 19, 2002 Technical Advisory Committee (TAC) meeting (continued from the September 5, 2002 TAC meeting):

1. **Zoning:** The property is zoned PUD – 666 which allows CS uses, excluding 12a uses. The PUD allows a maximum of two access points onto South Garnett Road and a maximum of two access points on to 81st Street. Each lot in the PUD shall have vehicular access to all other lots in the PUD through the use of mutual access easements. All access must be approved by Traffic Engineering and the Tulsa Fire Department.
2. **Streets/access:** Additional 17.5' utility easements are necessary. Sidewalks will be needed on both sides of streets. (It may be necessary to move the access to fit site plans.)
3. **Sewer:** There will be a \$700.00 per acre Broken Arrow system development fee for the project. Manholes will need to be moved from certain easements. It will be necessary to tie into an existing meter.
4. **Water:** The water main will need to be extended.
5. **Storm Drainage:** The floodplain needs to be identified. The site drains to Broken Arrow and it needs to be shown that there is no increase in drainage run-off, or else overland drainage easements or retention need to be provided. The standard language concerning storm drainage is required in the covenants.
6. **Utilities:** Additional easements will be needed.
7. **Other:** The County will be making roadway improvements in the area from 71st to 81st on Garnett Road. The plan is to have the design and be under construction by next spring. Therefore, the sewer should not be put in the existing statutory right-of-way. It is desired that the right-of-way be dedicated by the owner of the property to the north of the proposed plat (same owner). This request would be passed on to the client by the consulting engineer. This will be a no-median five-lane road. Depending upon the status of 81st Street, a paved ditch section may be needed.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Extension of water and sanitary sewer mains with appropriate easements satisfactory to the Department of Public Works.
2. Mutual access easements must be shown per PUD requirements.
3. Drainage systems and modeling need to be approved by the Stormwater division of Public Works.

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 topography 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 County 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 therefore 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 therefore 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.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the preliminary plat for 8100 Center on Garnett, subject to special conditions and standard conditions as recommended by staff.

Twilight One – AG (2490) (PD 23) (County)

Location: 3599 South 177th West Avenue

Staff Recommendation:

This plat consists of 1 lot, 1 block, on 2 acres.

The following issues were discussed September 19, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG and proposes a one-lot, one-block, residential subdivision on two acres. There had been a number of lot-splits in the area and this necessitated the plat. Future subdivisions of property will also require plats. Covenants need to be consistent with the zoning district requirements.
2. **Streets/access:** Access should be shown.
3. **Sewer:** Septic or aerobic systems will be used.
4. **Water:** Rural Water District # 1 will supply water.
5. **Storm Drainage:** N/A
6. **Utilities:** N/A
7. **Other:** N/A

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. N/A

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 topography 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 County 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 therefore 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 therefore 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.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the preliminary plat for Twilight One, subject to standard conditions as recommended by staff.

CHANGE OF ACCESS ON RECORDED PLAT:

Lot 5, Block 1, Wolf Point Business Center (3004)

Location: North of East Pine Street and west of North Garnett Road

Staff Recommendation:

This application is made to allow a change of access along East Pine Street for the Wolf Point Business Center Addition. The proposal is to add a 40-foot limited access on East Pine Street for Lot 5, Block 1, and to move an existing access at the easternmost property line of this lot along East Pine Street to the west a distance of 32.84 feet. The property is zoned CG.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the change of access on recorded plat for Lot 5, Block 1, Wolf Point Business Center as recommended by staff.

ZONING PUBLIC HEARING

APPLICATION NO.: PUD-643-A

MAJOR AMENDMENT

Applicant: John W. Moody

(PD-18) (CD-7)

Location: East of northeast corner East 74th Place and South Memorial Drive

Staff Recommendation:

The subject tract contains 9,308 square feet (net) and is located approximately 660 feet east of South Memorial Drive on the north side of East 74th Place. The tract is described as Lots 1 and 2, Block 9, French Creek Patio Homes Amended. The tract is zoned OL/PUD-643 and has been approved for townhouse dwellings. The subject tract is abutted on the north by office uses zoned OL/CS/PUD-179; on the east by office uses and south by property zoned OL/PUD-643 that has been approved for townhouse uses.

The applicant is proposing a 2,100 square feet, two-story residential-style office building with no east-facing windows above the first story.

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-643-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-643-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:**

Net Land Area: 9,308 SF

Permitted Uses:

Those uses included within Use Unit 11, Offices and Studios

Maximum Building Floor Area: 2,100 SF

Maximum Building Height: 2 stories

Minimum Landscaped Area: 2,375 SF

Minimum Building Setbacks:

From East 74 th Place right-of-way	25 FT
From the north boundary of the PUD	11 FT
From the east boundary of the PUD	10 FT
From the west boundary of the PUD	5 FT

Other Bulk and Area Requirements:

As provided within an OL district.

Signs:

Business shall comply with the provisions of the OL district.

Screening:

A six-foot high or higher screening wall or fence shall be erected and maintained along the east boundary of the PUD.

Building Design:

All buildings shall have a pitched roof and shall have a residential character. Windows on the second floor shall be in dormers and there shall be no windows facing east above the first story.

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.
7. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent properties abutting the PUD. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent properties or street right-of-way. No light standard nor building-mounted light shall exceed 15 feet in height.
8. The Department of 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.

TMAPC Comments:

Mr. Ledford stated that there are no restrictions on the location of the parking lot adjacent to the lot to the west and the residential lots to the east. He asked staff what they would suggest for setbacks. In response, Mr. Stump stated that on the west (adjacent to the office) he wouldn't propose a setback, and on the east

there would be a five-foot setback required to meet the landscape requirement adjacent to residential.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to recommend **APPROVAL** of PUD-643-A subject to conditions as recommended by staff.

Legal Description for PUD-643-A:

Lot 1, Block 9, French Creek Patio Homes Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located approximately 660 feet east of the northeast corner of East 74th Place South and South Memorial Drive, Tulsa, Oklahoma, **From OL/PUD-643 (Office Low Intensity District/Planned Unit Development) To OL/PUD-643-A (Office Low Intensity District/Planned Unit Development).**

Mr. Midget out at 1:50 p.m.

APPLICATION NO.: Z-5903-SP-3

DETAIL CORRIDOR SITE PLAN

Applicant: Mark B. Capron/Sack & Associates (PD-18) (CD-7)

Location: 6413 South Mingo Road

Staff Recommendation:

The applicant is proposing to construct a 17,600 square foot, two-story office building on 1.10 net acres located east of an adjacent property that fronts South Mingo Road. The tract is on the east side of South Mingo Road approximately 1800 feet south of East 61st Street. Ingress and egress would be provided from one access drive in a mutual access easement that connects to South Mingo Road.

The subject tract is abutted on the north by a hockey coliseum zoned CO; on the west by a swim school zoned CO; and on the east and south by vacant CO-zoned property.

The corridor site plan proposes office uses as included within Use Unit 11 on this 1.10 acres (47,916 SF) tract. The proposed land coverage of buildings is 8,850

square feet. The maximum building height is two stories, not to exceed 35 feet. No ground or wall signs are proposed and none would be permitted without an amendment to the corridor site plan. Medical and dental offices would not be permitted.

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 Z-5903-SP-3 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 Corridor Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-5903-SP-3 subject to the following conditions:

1. Submittal of a detail lighting plan in conformance with Section 1303.C. of the Tulsa Zoning Code. No light standard for the site shall exceed 30 feet in height.
2. Submittal of trash enclosure details, including location on the site plan and elevations, in conformance with the applicant's proposed Development Standards.
3. Submittal of detail landscape plan in conformance with the applicant's proposed Development Standards and the Corridor Chapter and Landscape Chapter of the Tulsa Zoning Code.

Applicant's Comments:

Ted Sack, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, asked staff if the conditions would need to be met prior to the issuance of a building permit, but not necessarily the lot-split.

Mr. Stump stated that the applicant would have to record the conditions as a separate instrument as part of a lot-split, but not as platting.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted 6-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Midget, Westervelt "absent") to recommend **APPROVAL** of the Detail Corridor Site Plan for Z-5903-SP-3 as recommended by staff.

APPLICATION NO.: Z-5903-SP-1c AMENDMENT CORRIDOR SITE PLAN

Applicant: Mark Capron/Sack & Associates (PD-18) (CD-8)

Location: 6401 South Mingo Road

Staff Recommendation:

The corridor site plan (Z-5903-SP-1) was approved by the City Council in April 1995. The uses approved for the subject tract were indoor and outdoor skating rinks. A minor amendment (Z-5903-SP-1b) was approved by TMAPC on November 12, 1997 which permitted the relocation of the required six-foot screening fence from the north and east boundaries of the property. On August 28, 1996, TMAPC approved a minor amendment Z-5903-1a which increased the size of the indoor rink and decreased the amount of parking provided.

The applicant is proposing to transfer 810 SF of lot area presently used for parking on the subject tract and add it to an adjoining tract to the south under corridor site plan (Z-5903-SP-3). The required parking can be provided on the proposed tract. Staff finds that substantial compliance is maintained with the approved site plan and the purposes and standards of the Corridor District Chapter of the Zoning Code. Therefore, staff recommends **APPROVAL** of the request per the submitted plan.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted 6-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Midget, Westervelt "absent") to **APPROVE** the minor amendment to corridor site plan for Z-5903-1c as recommended by staff.

APPLICATION NO.: PUD-571-A

MAJOR AMENDMENT

Applicant: Roy D. Johnsen

(PD-18) (CD-7)

Location: East of northeast corner of East 81st Street and South Memorial Drive

Staff Recommendation:

The subject tract consists of 1.3 acres (net) located east of the northeast corner of the intersection of South Memorial Avenue and East 81st Street.

The tract is presently zoned CS Commercial Shopping District and is a part of a 5.3 acre tract (gross) which was submitted and approved as PUD-571 (TMAPC 12/3/97, City Council 12/18/97). The property comprises all of Development Area A of the approved PUD-571. Development Area A was approved for retail use and limited to a maximum of 20,000 square feet. Development Area B was approved for retail use and Development Area C was approved for mini-storage use. Pursuant to application for minor amendment (PUD-571-1, TMAPC 11/17/99) Development Areas B and C were combined to permit the extension of mini-storage facilities into Development Area B. Development Area C has been developed as a mini-storage facility in accordance with the approved detail site plan (attached as Exhibit C) and Development Area B has been developed as mixed use building containing both mini-storage and retail uses in accordance with the approved detail site plan (attached as Exhibit D).

This amendment proposes the inclusion of a general merchandising establishment (Use Unit 15, Other Trades and Services) as a permitted use within Development Area A, retaining the 20,000 square feet maximum floor area limitation as originally established. The proposed use is a trade establishment which merchandises locks and the facility would include offices, a retail show room and related storage of merchandise. This would not include warehousing and wholesale distribution. It is further proposed that mini-storage be included as a permitted use in order that the climate-controlled storage area of the building may be secondarily used for overflow from the adjoining min-storage facility which is in common ownership.

The architectural style of the building would be consistent with the architectural style of the existing buildings within Area B and Area C.

The proposed uses and intensity of use are permitted by right or exception within the present underlying zoning and no change is proposed.

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-571-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-571-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 – Area A:**

Net Land Area: 1.33 acres

Permitted Uses:

Uses permitted by right within a CS district (excluding Use Unit 12 A), Use Unit 16 - Mini-Storage and General Merchandising Establishment NEC, as set forth within Use Unit 15. Other Trades and Services.

Maximum Building Floor Area: 20,000 SF

Minimum Building Setbacks:

From centerline of 81st 100 FT

From west boundary 11 FT

Form east boundary 25 FT

From other boundaries 30 FT

Maximum Building Height: 35 FT

Off-Street Parking:

As required by the applicable Use Unit.

Minimum Landscaped Area:

10% of net lot area.

Except as above modified, the development standards established pursuant to the initial approval of PUD-571 shall remain applicable.

Applicant's Comments:

Roy D. Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, stated that the property to the east and north is developed as a combination of mini-storage with retail front. He indicated that his client is the owner of the property to the east and north and recently acquired the subject property. The subject property would be integrated as a part of the adjoining development and would have the same architectural style retail front with a mini-storage behind it.

Mr. Johnsen indicated that he is in agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **LEDFORD**, TMAPC voted 6-0-0 (Coutant, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Midget, Westervelt "absent") to recommend **APPROVAL** of the major amendment for PUD-571-A subject to conditions as recommended by staff.

Legal Description for PUD-571-A:

A tract of land that is part of Lot 2, Block 1, Anderson Addition, an addition to the City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: starting at the Southeast corner of said Lot 2; thence S 89°59'59" W along the Southerly line of Lot 2 for 278.00' to the Point of Beginning of said tract of land; thence continuing S 89°59'59" W along the Southerly line of Lot 2 for 114.00'; thence N 0°01'11" E along a Southerly line of Lot 2 for 8.00' thence S 89°59'59" W along the Southerly line of Lot 2 for 74.50' to a corner of Lot 2, said corner also being the Southeast corner of Lot 1 in Block 1, of Anderson Addition; thence N 0°01'11" E along the Westerly line of Lot 2 and the Easterly line of Lot 1 for 271.91' to a corner of Lot 2, said corner also being the Northeast corner of Lot 1; thence S 89°58'49" E for 46.50'; thence N 0°01'11" E and parallel with the Easterly line of Lot 2 for 41.00'; thence N 89°57'30" E for 142.00'; thence S 0°01'11" W for 321.00' to the Point of Beginning of said tract of land, and located east of the northeast corner of East 81st Street South and South Memorial Drive, Tulsa, Oklahoma, **From RM-1/CS/PUD-571 (Residential Multifamily Low Density District/Commercial Shopping Center District/Planned Unit Development [PUD-571]) To RM-1/CS/PUD-571-A (Residential Multifamily Low Density District/Commercial Shopping Center District/Planned Unit Development [PUD-571-A]).**

Mr. Midget in at 1:58 p.m.

APPLICATION NO.: PUD-673

RE TO RE/PUD

Applicant: R. L. Reynolds

(PD-14) (County)

Location: East of northeast corner of East 81st Street and South Memorial Drive

Staff Recommendation:

The PUD proposes a maximum of 16 single-family dwellings on 15.06 acres located east of the northeast corner of East 156th Street and North Mingo Road. There would be one point of access from 156th Street. It is proposed that the streets be private and gated. It is also proposed that the streets have 60 feet of

right-of-way and 26 feet of paving. Staff sees no public purpose served by private streets and does not support the request. The applicant is requesting a minimum lot width of 114 feet. The County Board of Adjustment denied a request for a variance to reduce the required lot width in an RE-zoned district from 150 feet to 145 feet on the subject tract in March 2002 (CBOA-1942). The Planning Commission denied a request to rezone the subject tract from RS to RE (CZ-308) in July 2002.

The subject tract is abutted on all sides by vacant land and large-lot single-family residential uses, zoned AG to the east, west and south and RE to the southeast.

Staff finds that the proposed PUD is not consistent with the stated purposes of the PUD chapter. The proposal is not innovative, does not utilize unique physical features of the site and does not provide and preserve meaningful open space. Therefore, staff recommends **DENIAL** of the request.

Applicants Submitted Standards:

DEVELOPMENT STANDARDS

Gross Land Area: 15.06 acres

Permitted Uses:

Use permitted as a matter of right in Use Unit 6 in an RE zoning district, along with customary and accessory uses including, but not limited to, landscaped entrances, security gate house and other uses and incidental thereto.

Maximum Number of Dwelling Units: 16

Minimum Lot Width: 444 140 feet*

*Amended by TMAPC.

Minimum Lot Area: 22,500 SF

Maximum Building Height: 35 feet

Livability Space Per Dwelling Unit: 12,000 SF

Land Area Per Dwelling Unit: 26,250 SF

Off-Street Parking:

Two (2) enclosed off-street parking spaces per dwelling unit and at least two (2) additional off-street parking spaces per dwelling unit.

Minimum Yard Requirements:

Front side property line abutting East 156 th Street North	35 FT
From side property line not abutting East 156 th Street North	15 FT
From rear property line	25 FT

Private Streets:

Minimum Width:

60 feet of right-of-way with 26 feet of paving.

Shall be constructed to meet the standards of Tulsa County for paved minor residential public streets.

Signs:

One entry identification sign shall be permitted with a maximum surface display area of 64 square feet at the main entrance from East 156th Street North.

Other development standards as presented in the applicant's outline development plan.

TMAPC Comments:

Mr. Jackson asked what the minimum lot frontage for an RS-1 district would be. In response, Mr. Stump stated that the required frontage would be 100 feet in RS-1 (average lot width). Mr. Jackson asked if it would be difficult to zone this RS-1. In response, Mr. Stump stated that the subject property is surrounded by RE or AG zoning, which is the same size or larger lots than he is proposing. Mr. Stump further stated that staff believes that RE zoning is an appropriate zoning for the subject area and staff would not support RS-1 zoning.

Mr. Jackson asked staff if they were against the gated private streets. In response, Mr. Stump stated that there doesn't seem to be anything planned about this. It seems to be the same subdivision that was presented to the TMAPC earlier and it appears to be a misuse of the PUD process. Mr. Stump further stated that this proposal has potentially negative effects by having private streets. Mr. Stump explained that staff anticipates the County being asked to

maintain the streets and he is not sure what capacity the County has to inspect and core test private streets to make sure they meet required standards.

In response to Mr. Jackson, Mr. Stump stated that if the streets were built to certain specifications, they would still eventually need maintaining and in this area everyone assumes the County maintains the roads.

Mr. Jackson asked what happens to gated communities if they turn the roads to public streets. In response, Mr. Stump stated that if the streets are not up to County standards at the time they want to turn them over to the County, then the residents have to pay to upgrade them and repave them. Mr. Stump further stated that the gates are removed at this point.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, Tulsa, Oklahoma 74114, stated that he strongly disagrees with the staff recommendation regarding the private streets. He indicated that his client checked with the County and they indicated that they wouldn't want to maintain a dead-end street. The street would exceed the County standards and is 1 ½ inches thicker than the County standards for paving. This application originally came to this Planning Commission in May, 2002 and two Planning Commissioners were concerned at that time because it was under an RS-1 zoning application and would build more than 16 lots. The Planning Commission requested the applicant to submit a PUD and he has done so. The PUD has 16 lots and all are RE-sized lots, but do not have the width. The 112-foot lot was given to him by an engineer in his interpretation, but if Mr. Stump's interpretation is that the narrowest lot is 140 feet, then he would accept his PUD as amended to be 140 feet in lot width. There has been a lot of energy and creativity in this PUD and it is designed to maximize the use of the property and minimize the requested change to the bulk and area requirements.

Mr. Reynolds stated that the PUD was designed to maintain appropriate limitations on the character and the intensity of the use while sharing compatibility with the neighborhood. There is an RS-1 subdivision approximately 200 yards east of the subject property. This project is compatible with and supported by the neighborhood. He commented that he doesn't see the reason for denial or the objection to the private streets. He reiterated that the County prefers the streets be private and his client would be willing to perform core testing to prove that they meet or exceed the standards. Mr. Reynolds concluded that the City of Collinsville is supportive of this application.

TMAPC Comments:

Mr. Harmon asked Mr. Reynolds why his client didn't make the lots comply with RE zoning. In response, Mr. Reynolds stated that it was an attempt to originally develop this with 16 lots and when his client realized he had a problem when he learned he had to dedicate 50 feet for the Major Street and Highway Plan. At that time his client made a youthful mistake and thought he could continue with

his proposal and go to the Board of Adjustment to request a variance. He indicated that his client didn't understand that he wasn't entitled to a variance just by asking and his client was denied a variance. His client continue to build the street and install the utilities and they are all installed in accordance with the City of Collinsville standards, Verdigris Valley Electric standards, ONG standards, etc. All of these utilities are waiting for these lines to be drawn just as they are in the PUD application. He indicated that his client thought he could go before the Planning Commission and request a zoning change from RE to RS-1, but he still had a problem and the Planning Commission requested that he return with a PUD. At the same time his client was approached by the City of Collinsville to consider being annexed into the City of Collinsville. The City of Collinsville originally voted 4-0 to have this property enter their City Limits zoned RS-1, but the City of Attorney was not present and they realized they didn't follow the proper procedures for annexing the property. This wasn't his client's fault because he didn't know that they didn't follow proper procedures. The City of Collinsville's procedures are that the property has to be annexed as what was existing and should have been annexed as RE. After another hearing this has been put on hold while his applications were pending at the County. He reiterated that the City of Collinsville has reviewed the PUD and officials are happy with the project. His client would like to utilize the land that is present and maximize it. There is no question that the street dead-ends into a swamp and there is no question that there would ever be a street going through to the north and there is nothing to tie into. Mr. Reynolds stated that there is not reason for this street not to be a cul-de-sac and be private.

Mr. Ledford asked Mr. Reynolds how the Planning Commission gets over the question regarding an unwitting buyer that might purchase the lot without realizing that it has private streets. If there was a subdivision like this in Tulsa, most people would realize that they have private streets. He asked if there is a way to accomplish this through the deed of dedication and possibly post a sign on the street that is a private street and privately maintained. In response, Mr. Reynolds stated that he would be willing to do all of the suggestions of Mr. Ledford. He would be willing to post the street as being private and there is a nice entry feature where he could post that the streets are to be maintained by the residents. It could be put into the original deed that would be transferred from the developer to the homeowners. He commented that there are several lots sold and ready to go and the applicant would do whatever this Planning Commission would suggest.

Interested Parties:

Eric Enyart, INCOG Community Planner for Collinsville, P.O. Box 730, Collinsville, Oklahoma 74021, submitted a letter of support from the City Manager, City of Collinsville (Exhibit A-1).

Elizabeth Young, 9919 East 159th Street North, Collinsville, Oklahoma 74021, stated that she is concerned with the private streets and that this would cause people in the north and east to flood. The land is low and there are two creeks that travel through the subject area. The subject property has been a flood relief for the houses north and east. She expressed concerns that the subdivision would be on a septic system and the property already has drainage problems.

TMAPC Comments:

Mr. Harmon explained to Ms. Young that the Planning Commission does not deal directly with stormwater runoff and these things have to be addressed in any PUD or subdivision. Ms. Young asked how she could make sure that the runoff is handled correctly during development. In response, Mr. Stump stated that if the PUD is approved, the applicant would have to record a subdivision plat of the property showing the lots they would like to develop and also provide the County Engineer with proposed storm drainage, location, detention facilities, etc. The County Engineer is responsible for reviewing the proposal and making sure that it would not worsen flooding downstream. Ms. Young asked if she would receive a notice of this process or would it be mailed to her. In response, Mr. Stump stated that she would get a notice of the preliminary plat coming before the Planning Commission and at that time there may or may not be details on the storm drainage. Mr. Stump indicated that these plans are often submitted directly to the County Engineer and Ms. Young may want to contact the County Engineer at the time the preliminary plat is filed.

Ms. Young asked if the applicant is being allowed to have smaller lots because of the private streets. In response, Mr. Stump stated that it is safe to say that the applicant's proposal would produce one more lot than would be allowed on a standard subdivision. Mr. Stump explained that private streets or public streets do not affect the number of lots.

Interested Parties:

W.D. Roberts, 15727 North 104th East Avenue, Collinsville, Oklahoma 74021, stated that he was present when the subject property was rezoned from AG to RE. He further stated that he was present when the property was before the Planning Commission for RS-1 zoning when the PUD was suggested. He indicated his surprise to hear that the staff was recommending denial, because he thought the applicant did what was asked of him.

Mr. Roberts indicated his support for this proposal and feels that it would help the neighborhood. He indicated that he owns property on two sides of the subject property and would be affected more than anyone else in the area.

Applicant's Rebuttal:

Mr. Reynolds stated that he doesn't think there is anything he needs to rebut, but he would be glad to answer any questions of the Planning Commission.

TMAPC Comments:

Mr. Ledford stated that staff made a statement that the client might be able to have one extra lot and he doesn't know how that could be done unless the lot width is reduced to 140 feet minimum. He suggested that there be a restrictive covenant that the lots could not be split and asked Mr. Reynolds if his client would be in favor of this restriction. Mr. Ledford clarified that the Planning Commission would allow 16 units with a minimum lot width of 140 feet and language in the restrictive covenants so that they could not be split to make another lot. In response, Mr. Reynolds stated that he has no problem with the restrictive covenant.

Mr. Stump stated that he meant without a PUD, the applicant could probably have 15 lots, but with this PUD they could have 16 lots. Mr. Stump further stated that it would require 150-foot lot widths.

Mr. Ledford stated that he was one of the Commissioners who suggested that the applicant return with a PUD in order to resolve this issue. It is unfortunate the way things have occurred on the property and the developer has moved forward. Now the Planning Commission needs to determine if this is a good project.

Mr. Ledford asked staff if they considered the PUD and reviewed it in detail or if staff needs additional time to look at this proposal. In response, Mr. Stump stated that staff has reviewed the standards that the applicant proposed and if the Planning Commission feels this is an appropriate use of the PUD, then the increase of lot width to 140 feet would be the only change staff would propose, along with the standard language requiring a homeowners association be formed with sufficient power and financial wherewithal to maintain the private streets and any other commons areas.

Mr. Harmon stated that from his point of view the applicant has simply come back with the same plat and calling it a PUD. It appears that the applicant is trying to use a PUD in order to get around the zoning requirements and he is not pleased with that. If this had been a new PUD with new ideas and concepts, he would feel better. It appears that the PUD is being used to circumvent the zoning requirements and he is not comfortable with that.

Mr. Jackson asked, with 500 feet of frontage, how special the proposal could be due to the size and number of lots, and what kind of creativity there could be. In response, Mr. Harmon stated that he is not a developer and couldn't answer that question.

Mr. Jackson stated that he supports the application and has seen similar developments that seem to be what some people prefer to live in. He commented that the proposal is not that far off of what the RE district requires, and if the buyers are aware of what they are buying with the restrictive covenants

and having the homeowners' association requirements, then he would make a motion for approval.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 6-1-0 (Coutant, Hill, Horner, Jackson, Ledford, Midget "aye"; Harmon "nay"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to recommend **APPROVAL** of PUD-673, subject to there being no more than 16 lots, language prohibiting lot-splits, activation of a homeowners association, deed of dedication having language indicating private streets and the homeowners would be required to maintain the roads, posting of signs in the entrance to indicate the private streets, lots having an average of 140 feet in width, and all other standards submitted in the applicant's outlined development plan.

Legal Description for PUD-673:

A part of the SE/4 of the SW/4, Section 18, T-22-N, R-14-E, Tulsa County, Oklahoma, more particularly described as follows: beginning at the Northwest corner of said SE/4, SW/4; thence S 89°58'37" E and along the Northerly line of said SE/4, SW/4 for 497.32' to the Northwest corner of the E/2, E/2, W/2, of said SE/4, SW/4; thence S 0°05'17" E and along the Westerly line of said E/2, E/2, W/2 for 1,320.40' to the Southwest corner of said E/2, E/2, W/2; thence N 89°58'49" W and along the Southerly line of said Section 18 for 497.72' to the Southwest corner of said SE/4, SW/4; thence N 0°04'14" W and along the Westerly line of said SE/4, SW/4 for 1,320.43' to the Point of Beginning, containing 15.08 acres more or less, and located east of the northeast corner of East 156th Street North and North Mingo Road, Tulsa, Oklahoma, **From RE (Residential Single-family, Estate District) To RE/PUD (Residential Single-family, Estate District/Planned Unit Development [PUD-673]).**

* * * * *

Application No.: PUD-405-J-1

MINOR AMENDMENT

Applicant: Eldon Peaster

(PD-18) (CD-8)

Located: South of southwest corner East 93rd Street and South Memorial Drive

Staff Recommendation:

The applicant is requesting a minor amendment to permit additional signage on a tower that is part of a canopy for the Shell lube and car wash located south of the southwest corner of East 93rd Street and South Memorial Drive. The existing standard for signage is as follows:

Wall signs shall comply with Section 1103.B.2 of the Tulsa Zoning Code. One ground sign shall be permitted with a maximum display surface area of 160 square feet and a maximum height of 25 feet.

Section 1103.B.2 of the Zoning Code permits wall signs not to exceed an aggregate display surface area of two square feet per each lineal foot of the building wall to which the sign or signs are affixed.

The applicant proposes to delete the permitted ground sign and modify the allowable wall signage to permit 82 square feet of signage on the north, south and east sides of the tower which is part of the canopy. The tower has 16 lineal feet of frontage on the north, south and east elevations which would be permitting 5.125 square feet of wall signage per each lineal foot of tower wall. Total signage for the north and south elevations is 82 square feet each. The total frontage for the east elevation, including the canopy, is 140 feet and the application is proposing a total of 172 square feet of wall signage for this elevation.

Staff finds that the request does not substantially alter the size, location, number and character of signs. Therefore, staff recommends **APPROVAL** of the request to delete the permitted ground sign and allow 82 square feet of wall signage on the north, south and east sides of the tower, which is a part of the canopy. Signage text and logo may vary from that shown on the submitted plan but shall not exceed the areas shown.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **6-0-1** (Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; Ledford "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the minor amendment for PUD-405-J-1 to delete the permitted ground sign and allow 82 square feet of wall signage on the north, south and east sides of the tower which is a part of the canopy, signage text and logo may vary from that shown on the submitted plan but shall not exceed the areas shown as recommended by staff.

Application No.: PUD-625-2/Z-6734-SP-1b MINOR AMENDMENT

Applicant: Charles Norman (PD-18) (CD-8)

Location: East of the southeast corner East 81st Street and South Mingo Road.

Staff Recommendation:

The PUD and Corridor Site Plan were approved by the City Council in January 2000. The subject tract consists of 9.4 acres located east of the southeast

corner of East 81st Street and South Mingo Road. The tract is approximately 660 feet wide and 610 feet deep and is located between the Tulsa Community College Southeast Campus on the east and the Meadow Brook Village commercial development on the west. The original PUD consists of two development areas and was approved for office, commercial, hotel and mini-storage uses.

A minor amendment (PUD-625-1/Z-6735-SP-1a) was approved by TMAPC on August 21, 2002. This minor amendment created four lots and a reserve area. The reserve area was to be used as a stormwater detention area. It has been determined that onsite stormwater detention will not be required. Consequently, the applicant is proposing to amend the PUD and Corridor Site Plan as follows:

- (1) To delete Reserve Area A;
- (2) Add the Reserve Area A property to proposed Lot 3; and
- (3) Amend the development area standards for Lot 3 and establish building setbacks, landscaping, screening and lighting standards for Lot 3, which are the same as those approved by the Tulsa Metropolitan Area Planning Commission on August 21, 2002 for Lot 4.

Staff finds that the request is minor in nature and substantial compliance is maintained with the approved development plan, purposes and standards of the PUD Chapter. Therefore, staff recommends **APPROVAL** of PUD-625-2/Z-6735-SP-1b subject to the following conditions:

Permitted Uses:

Lots 1, 2, 3 and 4;

Uses permitted in Use Unit 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments Other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreation Uses; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:

Lot 1	10,000 SF
Lot 2	10,000 SF

Lot 3

Hotel	60,000 SF
Other Uses	30,000 SF

Lot 4

Hotel	90,000 SF
Other Uses	25,000 SF

Maximum Land Coverage by Buildings within a Lot: 30%

Maximum Building Height:

Hotels and Offices	75 Ft
Other permitted uses	30 FT

Architectural elements may exceed the maximum building height with detail site plan approval.

Minimum Lot Frontage on East 81st Street South (Lots 1, 2, 3): 150 FT

Off-Street Parking:

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

Minimum Building Setbacks:

Lot 1:

From the centerline of East 81 st Street South	100 FT
From the west boundary	20 FT
From the south boundary	20 FT
From the east boundary	5 FT

Lot 2:

From the centerline of East 81 st Street South	100 FT
From the west boundary	5 FT

From the south boundary	20 FT
From the east boundary	20 FT

Lot 3:

From the centerline of East 81st Street South	100 FT
From the east boundary	20 FT
From the west boundary	20 FT
From the south boundary	100 FT

Lot 4:

From the north boundary	20 FT
From the west boundary	20 FT
From the south boundary	100 FT
From the east boundary	20 FT

Internal lot yards may be modified by detail site plan.

Landscaped Area:

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

The south 80 feet of Lot 3 and Lot 4 shall be maintained as internal landscaped open space.

Signs:

- 1) One ground sign shall be permitted for each lot on the East 81st Street frontage with a maximum of 160 square feet of display surface area and 25 feet in height.
- 2) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of tenant space to which attached. The length of a tenant sign shall not exceed 75% of the frontage on the tenant space. No wall signs shall be permitted on the south-facing walls of buildings within Lot 3 or Lot 4.

- 3) One ground sign identifying hotel uses within Lots 3 and 4 shall be permitted at the principal entrance from East 81st Street South with a maximum of 180 square feet of display surface area and 35 feet in height.

Screening:

A solid masonry wall six feet in height and double row of trees per conceptual plan shall be placed along the south boundaries of Lot 3 and Lot 4 and the south 25 feet of the west boundary of Lot 4 and the south 25 feet of the east boundary of Lot 3 provided the screening fence requirement adjacent to the stormwater detention facility in Reserve A may be modified by detail landscaped plan approval.

3. Buildings within Lots 3 and 4 shall have no windows or doors in any of the south-facing building walls, except in corridors, if building wall is within 170 feet of the south boundary.
4. There shall be a maximum of three access points onto East 81st Street South. There shall be an internal mutual access system in which all lots are interconnected with each other and 81st Street. All access shall be approved by Traffic Engineering and the Tulsa Fire Department.
5. An owners associations or a common area maintenance agreement shall provide for the maintenance of the private street, detention area and common landscaped areas.
6. 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.
7. A detail landscape plan for each lot shall be approved by the TMAPC with notice given to the interested parties (not staff approval) prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan 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.
8. 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.

9. 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. Trash dumpsters within Lots 3 and 4 shall be located a minimum of 250 feet from the south boundary of the lot.
10. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. Light standards within the south 25 feet of Lots 3 and 4 are prohibited. Light standards within the north 75 feet of the south 100 feet of Lots 3 and 4 shall not exceed eight feet in height. Light standards within the remainder of Lots 1, 2, 3 and 4 shall not exceed 35 feet in height.
11. The Department of 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.
12. 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.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
14. 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.
15. There shall be no outside storage of retail display fixtures, merchandise, 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.
16. All other development standards for PUD-625 and Corridor District Site Plan Z-6735-SP-1 not herein amended shall remain in full force and effect.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Towers, Tulsa, Oklahoma 74103, stated that the detention requirement has been deleted, provided that all of the stormwater shall be carried north on East 81st Street. He indicated that he has transmitted copies of the second minor amendment to the homeowner's association to the south and to the property owners nearby. He stated that he has not heard anything from the interested parties.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Coutant, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Dick, Westervelt "absent") to **APPROVE** the minor amendment for PUD-625-2/Z-6734-SP-1b as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:25 p.m.

Date Approved: 11/6/02



Chairman

ATTEST: 

Secretary