

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2324

Wednesday, October 16, 2002, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, October 10, 2002 at 3:25 p.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 1:35 p.m.

Minutes:

Approval of the minutes of September 18, 2002, Meeting No. 2321

On **MOTION** of **HORNER** the TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the minutes of the meeting of September 18, 2002, Meeting No. 2321.

REPORTS:

Director's Report:

Mr. Stump stated that there are no items on the City Council agenda for October 17, 2002.

Mr. Stump reported that the TMAPC receipts for the Month of September 2002 are continuing to run three times what the same period last year was.

SUBDIVISIONS:

SKETCH PLAT:

Crystal Creek – PUD 221-F-1 (2994) (PD 17) (CD 6)

South of East 41st Street, East of South 129th East Avenue

Staff Recommendation:

This plat consists of 231 lots, ten blocks, on 81.43 acres.

The plat was revised after review and discussion on a similar sketch plat for the site by the Technical Advisory Committee (TAC) at their August 15, 2002 meeting. The following issues were discussed October 3, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned under PUD 221-F-1 and proposes a 231 lot, ten block, residential subdivision on 81 acres. The PUD has recently been amended to allow single-family uses with RS-3 standards. The Major Street and Highway Plan calls for a residential collector street on the east side of the development. The first proposed sketch plat did not show access onto 41st Street and did not show any collector type of street to 41st Street. The plat also created a "raceway" through the length of an east to west street with a long straight stretch through the design in the residential subdivision.

The engineer for the plat revised the plat to provide access to 41st Street, and a length of the access to be 60 feet of right-of-way as for a collector street. The roadway does then transition to a 50-foot width as a residential street. Discussion about the need for the additional right-of-way for the collector street and the need for sidewalks occurred.

A narrative should be submitted to explain why a waiver to the Subdivision Regulations is necessary for the collector street.

2. **Streets/access:** Curves need to be placed on South 131st Street to the north. Excessive lengths of streets will create speedways over time in the neighborhood. Radius need to meet design and subdivision standards. On South 135th Street, the southernmost section should be 36 feet for the whole mile. Blocks and lots must be correctly counted; right-of-way widths need to be identified.

On the revised sketch plat, the volume generated from the interior residential lots should decrease for the last 1,000 feet as a reasonable goal. The 60 feet of collector street right-of-way from 41st Street is approximately 850 feet in length, but the access is located in the most logical position because of floodplain and topography factors.

A proper transition between the 50- to 60-foot widths for the "collector type" roadway as proposed is still under review and consideration by traffic engineering.

Sidewalks along arterial streets and collector streets are required. The plat boundary to the north should be extended and clarified. A better legal description and ownership legal descriptions for the property are needed for the preliminary plat submittal.

3. **Sewer:** Easements are needed to be shown along the side lot lines. Twelve-foot easements will be needed along the north side. It is requested that there not be so many 90-degree turns (this also would save on development costs). There is a need for ten feet of separation between water and sewer lines. The engineer for the project stated that it was a difficult site with lots of rock.
4. **Water:** Water is okay.
5. **Storm Drainage:** Storm sewer needs to be shown on the conceptual plans. The floodplain needs to show "Tulsa Regulatory" floodplain. The 100-year water elevations need to be used per the new topography maps.

Easements are needed outside of the floodplain and reserves.

Compensatory storage may be necessary. Bearings and distances will be necessary for the preliminary plat. All existing easements need to be vacated before platting.

6. **Utilities:** PSO: Utility easements will be needed and overhead power will be used.
7. **Other:** Two phases of development are proposed. The streets will need to be terminated in an appropriate manner and plans submitted for this for the preliminary plat.

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

Waivers of Subdivision Regulations:

1. Waiver of the collector street required per the Major Street and Highway Plan.

Special Conditions:

1. The plat boundary needs to be clarified at the preliminary plat phase of development.
2. The transition from a 60-foot right-of-way to a 50-foot right-of-way needs to be approved at the preliminary plat phase of development per the recommendation of Traffic Engineering.
3. The sewer plan needs to be redesigned for the preliminary plat per the recommendation of the Public Works Engineering department.

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.

Applicant's Comments:

Bill Lewis, 5879 South Garnett, stated that he is the engineer for the subject project. He explained that he has had several meetings with staff, City Engineering and Traffic Engineering. He stated that normally he would put a collector street on the east side of the property. However, due to the constraints of floodplain, rock, etc., it is very difficult to build a bridge because it can't increase the water runoff onto the neighbor, and the floodplain is three feet deep, 400 feet wide and has approximately 2000 CFS of runoff coming through. By taking it to the west, it makes the design and construction easier and minimizes the impact on surrounding neighbors. The collector normally would have a sidewalk on the 60-foot of right-of-way, but Mr. Lewis questions having a sidewalk on the remainder of the streets. He questioned if the sidewalks were all-inclusive or only on some streets, because he would normally have sidewalks on the 60-foot right-of-way, in accordance with the Subdivision Regulations.

Mrs. Fernandez indicated to the applicant where the sidewalks would be required.

Mr. Lewis stated that he would need to clarify the sidewalks with the owner of the subject property. He commented that he doesn't think it would be a problem, but normally the sidewalks are not on 50-foot wide rights-of-way.

Mr. Stump clarified that the area east of the northern collector on 42nd Street until 135th East Avenue, then south on 135th East Avenue to the existing collector. There is one sidewalk connecting those two collector streets, which would have sidewalks on both sides of the street.

In response, Mr. Lewis stated that his question about the sidewalks is clear now.

Mr. Horner asked Mr. Lewis if he was in agreement with staff recommendation, now that his questions have been answered. In response, Mr. Lewis stated that he couldn't speak for his client, but he didn't think it would prevent his client from continuing with the proposal.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the sketch plat and waiver of the collector street requirement per the Major Street and Highway Plan for Crystal Creek, subject to special conditions and standard conditions, subject to the sidewalk requirements as recommended by staff.

PLAT WAIVER:

Z- 6869 - (0793) (PD 6) (CD 4)

Location: West of Rockford Avenue, North of East 15th Street

Staff Recommendation:

The platting requirement was triggered by rezoning case Z-6869, which rezoned the property from OL to CH for restaurant cooler storage.

Staff can recommend **APPROVAL** of the plat waiver requested, because of the size of the parcel that was rezoned to trigger the platting requirement on a previously platted parcel (the south 14 feet of the east 88 feet of Lot 10 in Block 6 of Bellview Addition).

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

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street RW?	X	

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

4. Is right-of-way dedication required to comply with major street and highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X

- c) Storm Sewer
 - i. Is a P.F.P.I. required? X*
 - ii. Is an Overland Drainage Easement required? X*
 - iii. Is on site detention required? X
 - iv. Are additional easements required? X
- 7. Floodplain
 - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
 - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
- 8. Change of Access
 - a) Are revisions to existing access locations necessary? X
- 9. Is the property in a P.U.D.? X
 - a) If yes, was plat recorded for the original P.U.D. NA
- 10. Is this a Major Amendment to a P.U.D.? X
 - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? NA

* At this time, no determination can be made regarding these items. Once construction plans have been submitted and reviewed, Public Works can determine if there will be a connection to the public storm sewer, resulting in the need for a PFPI and additional easements.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the plat waiver for Z-6869 as recommended by staff.

FINAL PLAT:

Fellowship Congregational Church – (1793) (PD 6) (CD 9)
Location: 2900 South Harvard Avenue

Staff Recommendation:

This plat consists of one lot in one block on four acres. The property will be used for church uses.

All release letters have been received for this final plat. 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; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the final plat for Fellowship Congregational Church, as recommended by staff.

Mr. Ledford announced that he would be abstaining from Z-6871.

ZONING PUBLIC HEARING

Application No.: Z-6871

AG TO RS-3

Applicant: Jerry W. Ledford, Jr.

(PD-8) (CD-2)

Location: Northwest corner of West 81st Street and South Elwood Avenue

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6679 March 1999: All concurred in approval of a request to rezone a 9.8-acre tract located east of the northeast corner of West 81st Street and South Elwood Avenue from AG to IL for a proposed auto sales business.

BOA-18111 July 1998: A request for a special exception to permit a private pre-school through third grade on property located east of the northeast corner of West 81st Street and South Elwood Avenue (see Z-6679) was approved per conditions. The surrounding neighbors filed an appeal to District Court. No Court outcome has been received.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property contains approximately 141 acres. The property is sloping, partially wooded, vacant and zoned AG.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. No. Lanes
West 81 st Street	Secondary arterial street	100'	2 lanes
South Elwood Avenue	Secondary arterial street	100'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north, south and east by scattered single-family homes, zoned AG and to the west by vacant land, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity-No Specific Land Use (on the five-acre node at the intersection) and Low Intensity-No Specific Land Use for the remainder. There is a Development Sensitive overlay crossing the site, corresponding to a drainage area.

According to the Zoning Matrix the requested RS-3 is in accord with the Zoning Matrix.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, the surrounding and nearby land uses and zoning, staff can support the requested RS-3 zoning and recommends **APPROVAL** for Z-6871.

The applicant indicated his agreement with staff's recommendation.

Interested Parties:

Kinney Baxter, Deputy Director of the Tulsa Airport Authority, stated that the subject property is 2,000 feet from the nearest runway at Riverside Airport. He informed the staff and developer that there are some requirements that need to be met regarding airspace. Any object that penetrates a 100 to 1 slope from the nearest point of the runway out to 20,000 feet has to be air-spaced and an application has to be sent to the FAA in order to get the air spacing.

Mr. Baxter stated that since this would be close to the airport, there would be over-flight of aircraft, which would create noise. The TAA requests that the subject area have an aviation easement so that aircraft would be allowed to overfly and create noise. If this is done, the TAA would like to request that the housing have a 25 db reduction in the units and be sound-attenuated to prevent noise to the occupants. He concluded that the TAA does not have any objection to the rezoning, but would like to have these stipulations as a part of the rezoning in order to protect the airport.

TMAPC Comments:

Mr. Horner asked if the db reading is the same as the Tulsa International Airport. In response, Mr. Baxter answered affirmatively.

Mr. Harmon asked Mr. Baxter if he was asking for his requests to be a part of the approval. In response, Mr. Baxter answered affirmatively.

Mr. Harmon asked Mr. Baxter to further explain the 100 to 1 slope. In response, Mr. Baxter stated that any penetration that is within a 100 to 1 slope from the nearest point of the runway out to 20,000 feet has to be air-spaced by the FAA. This is an overview that the FAA looks for in each development.

Mr. Harmon asked how far it is from the end of the runway to the edge of the development. In response, Mr. Baxter stated that it is approximately 2,000 feet. Mr. Baxter explained that the maximum building height would be approximately 40 feet. Mr. Baxter indicated that if the development is below the 100 to 1 slope from the nearest point of the runway, then the developer does not have to do air-spacing. Mr. Baxter stated that since the developer has requested RS-3, he thought it might penetrate the 100 to 1 slope.

Interested Parties Opposing Z-6871:

Jack Heath, 7505 South Elwood, Tulsa, Oklahoma 74132; **Kim Hatley**, 7600 South Elwood, Tulsa, Oklahoma 74132, **O.M. "Bud" Sanders**, 7919 South Yukon, Tulsa, Oklahoma 74132; **Roxanna Porter**, 652 West 81st Street, Tulsa, Oklahoma 74132; **Robyn Bohls**, 5248 South Columbia Avenue, Tulsa, Oklahoma 74105.

Interested Parties' Comments:

Concerned about the development being near the airport and the noise created by the airport; safety issues; fear that taxpayer's money would eventually have to buy out the subject housing due to noise from the airport; worried about the animals in the subject area being crowded out and into their properties; concerned for the protection to livestock; increased traffic; schools would be overcrowded; fear that children will climb fences to ride the horses nearby; roads are too narrow with bar ditches; drainage concerns; infrastructure should be in place before allowing the development; school buses have to go past the centerline of the street when turning corners and that is a planning problem, not a

driver problem; it is difficult to merge onto 81st Street due to the traffic; fear that children taking horseback riding lessons would be injured by the horses being spooked from the noise of the single-family residences.

TMAPC Comments:

Mr. Harmon informed Mr. Heath that there are ways to reduce noise and the homes couldn't intrude into the fly space. In response, Mr. Heath stated that he still would have a problem with this proposal as a taxpayer because taxpayers would have to buy them out eventually. In response, Mr. Harmon stated that if the homes are constructed properly and meet the guidelines for noise mitigation, then there would be no need for buyouts. Mr. Heath stated that the noise reduction doesn't work very well because the jets make noise and the people living near the Tulsa International Airport will state that it is not working.

Mr. Horner suggested that Mr. Heath contact owners of the homes near the Tulsa International Airport that had the sound mitigation installed in their homes. He stated that the homeowners are very pleased with the results. At one time it was thought that moving the homes would be more beneficial than the mitigation, but it is the reverse. He further stated that the homeowners are staying and are happy with the sound mitigation that is being brought to them.

Mr. Heath stated that he respectfully disagrees with Mr. Horner about the noise mitigation issues.

Mr. Harmon asked Mr. Sanders if the road surface in the subject area is 26' of paved surface. In response, Mr. Sanders answered affirmatively. Mr. Harmon informed Mr. Sanders that the drainage issues would be addressed during the platting process and the Planning Commission does not have any control over those issues. Mr. Harmon commented that infrastructure is considered by the Planning Commission and he appreciates Mr. Sanders's comments. In response, Mr. Sanders stated that he understands that the Planning Commission doesn't deal with drainage issues, but the proposal could be delayed in order to have an integrated meeting or integration between Stormwater Management and planning so that the runoff could be studied for the entire watershed, not just one project.

Mr. Horner asked Ms. Bohls if she thought the noise from the construction of single-family dwellings would be greater than the existing noise from the aircraft flying over the horses daily. In response, Ms. Bohls answered affirmatively. Ms. Bohls stated that she has visited the riding stables for many hours and she very rarely notices aircraft noise. Ms. Bohls further stated that she doesn't know if this is due to the traffic patterns or the flight patterns.

Applicant's Rebuttal:

Jerry Ledford, Jr., Tulsa Engineering and Planning (TEP), 8209 East 63rd Place South Tulsa, Oklahoma 74133, stated that some of the concerns that have been raised are obviously development issues that occur during the platting and design project. He informed the Planning Commission that the developer and Tim Terrell (TEP), did meet with the homeowners on October 7, 2002 for a couple of hours.

Mr. Ledford stated that when a sparsely developed area is developed, there are always issues. The subject area is sparsely developed, with stables and agricultural activities. However, development is moving into the subject area and the RS-3 is in conformance with the Comprehensive Plan. He commented that some of the comments from the interested parties would be asking a developer to put a moratorium on his land or create adverse possession by reserving or setting it aside, which isn't done within the City of Tulsa. To adversely condemn someone's property for its development potential or its use has not been done within the City of Tulsa.

Mr. Ledford concluded that based on the subject application fitting within the zoning matrix, he is in agreement with staff's recommendation and requests approval of this application.

TMAPC Comments:

Mr. Harmon asked Mr. Ledford if he had given any consideration to the requirements that were presented regarding the FAA comments. In response, Mr. Ledford stated that today is the first time he has heard about these issues and he obtained Mr. Baxter's name and would like to discuss these issues with him. Mr. Ledford indicated that he did talk with different residents in the subject area and he understands that the runway on the south end isn't used as much as the other runways. Mr. Ledford pointed out that Ms. Bohls indicated that the aircraft noise hasn't been an issue at the stables, which is adjacent to the subject property. Mr. Ledford commented that if the 25 db reduction is added to today's staff recommendation, then he would request that this application be continued in order to allow him to discuss it with staff.

Mr. Midget stated that these types of issues would be better addressed at the TAC meeting and it shouldn't be dealt with today. Today's request is simply a zoning issue. He commented that he believes that the TAA would be at the TAC hearing if this is in their flight pattern.

Mr. Romig stated that a lot of the conditions discussed today are not appropriate on the rezoning request, but would be appropriate at the preliminary plat stage.

Mr. Harmon asked Mr. Ledford if he has looked at the road conditions in the subject area. In response, Mr. Ledford stated that the paved surface is 26 feet wide and Yale Avenue and 97th Street is 22 to 23 feet. All of the arterials that are

driven on every day that are two-lane surfaces range from 22 to 26 feet and the streets in the subject area are no different. Mr. Ledford reiterated that the subject streets are no different from other arterial streets in the City of Tulsa.

Mr. Harmon asked Mr. Ledford if he is satisfied with the quality of the streets leading into and out of this area. In response, Mr. Ledford stated that the streets belong to the City of Tulsa and they meet the standards of the existing arterial two-way street section.

Mr. Harmon asked Mr. Ledford if he thought the existing streets would create a hindrance to marketing the subject property. In response, Mr. Ledford stated that the street situation is not going to be an issue to marketing the subject property.

Mr. Horner stated that he is in support of the staff recommendation and if the Planning Commission approves this application today, then there would be time for the applicant to meet with Mr. Baxter to decide what needs to be done.

Mr. Stump stated that both Elwood and 81st Street are planned to be secondary arterials with four- or five-lane sections. Obviously, they are still farm-to-market type of roads situation right now, as Mr. Ledford described.

Mr. Midget stated that the interested parties expressed some legitimate concerns about the quality of life in their area and how it is going to look in the future, but basically what the Planning Commission is charged with is a zoning request and whether it is appropriate. From the information before the Planning Commission, it appears to meet the standards that are set out in the Comprehensive Plan. The other issues that were raised in references to the watershed, utilities and infrastructure, would be addressed later in the preliminary plat stage at the TAC meeting. To deny this request would be the equivalent of inverse condemnation and that is wrong for the Planning Commission to do so.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 7-0-1 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Midget "aye"; no "nays"; Ledford "abstaining"; Dick, Jackson, Westervelt "absent") to recommend **APPROVAL** of RS-3 zoning for Z-6871 as recommended by staff.

Legal Description for Z-6871:

The SE/4 of Section 11, T-18-N, R-12-E of the IBM, Tulsa County, State of Oklahoma, less and except the northerly 310.00', containing approximately 141 acres, more or less, and located on the northwest corner of West 81st Street South and South Elwood Avenue, Tulsa, Oklahoma, **From AG (Agriculture District) To RS-3 (Residential Single-family High Density District).**

Application No.: PUD-570-4

MINOR AMENDMENT

Applicant: Ralph A. Sigler, Jr.

(PD-26) (CD-8)

Location: 10912 South Memorial

Staff Recommendation:

The applicant is requesting a minor amendment to allow wall signs on the north- and west-facing walls of buildings.

PUD-570 was approved by the City Council in October 1997. All those uses permitted by right in the CS district, except those in Use Unit 12a, were approved as permitted uses.

The Comprehensive Plan list several design considerations for this area; which includes the following:

Sign controls shall be established to assure a uniform character throughout this area to guard against visual clutter and provide increased safety to the traveling public and private thoroughfares.

The following sign standards were approved for PUD-570:

One ground sign per lot is permitted, with a maximum height of 25 feet and a maximum display surface area of 125 SF. Wall signs are only permitted on the east-facing walls of buildings and shall not exceed 1.5 SF of display surface area per lineal foot of building wall to which it is attached.

Minor Amendment (PUD-570-1) was approved on Lot 2, Block 1 by the Planning Commission in April 2001, which, among other amendments, permitted wall signs on any wall not to exceed 1.5 square feet per display surface area per lineal foot of building wall to which it is attached.

The applicant's request to permit wall signs on the east-, west- and north-facing walls is minor in nature and consistent with previous approvals. Therefore, staff recommends **APPROVAL** of the applicant's request subject to the following conditions:

Signs:

One ground sign per lot is permitted, with a maximum height of 25 feet and a maximum display surface area of 125 SF. Wall signs are only permitted on the east-, west- and north-facing walls of buildings and shall not exceed 1.5 SF of display surface area per lineal foot of building wall to which it is attached.

All other PUD standards remain as previously approved.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the minor amendment for PUD-570-4, subject to one ground sign per lot is permitted, with a maximum height of 25 feet and a maximum display surface area of 125 SF; wall signs are only permitted on the east-, west- and north-facing walls of buildings and shall not exceed 1.5 SF of display surface area per lineal foot of building wall to which it is attached; all other PUD standards remain as previously approved, as recommended by staff.

OTHER BUSINESS:

Application No.: PUD-625/Z-6735-SP-1b

DETAIL SITE PLAN

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

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

Staff Recommendation:

The applicant is requesting approval of a detail site plan for a hotel. The proposed use is in conformance with PUD-625/ Z-6735-SP-1b Development Standards.

The proposed building meets all setback requirements and height restrictions. Access to the site is per a mutual access easement to 81st Street South. The proposed site meets all setback limitations and height requirements. Landscaped area proposed meets or exceeds net lot area required. Street yard requirements do not apply. A six-foot-high solid masonry screening fence is proposed per PUD requirements. The detail lighting plan meets development standards and Zoning Code requirements. Proposed bulk trash containers are screened per PUD standards.

Staff recommends **APPROVAL** of PUD-625/ Z-6735-SP-1b Detail Site Plan as submitted.

(Note: Detail site plan approval does not constitute sign or landscape plan approval.)

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the detail site plan as submitted for PUD-625/Z-6735-SP-1b as recommended by staff.

Application No.: PUD-617

DETAIL SITE PLAN

Applicant: John Woolman

(PD-4) (CD-9)

Location: South side of East 21st Street and South Atlanta Place

Staff Recommendation:

The applicant is requesting approval of a detail site plan for an office building. The proposed use is in conformance with PUD-617 Development Standards.

The proposed building meets all setback requirements and height restrictions. Access to the site is from South Atlanta Place; no access from 21st Street is proposed. The site plan provides twelve parking spaces - ten are required if the use is general office space and twelve are required if the use is for a medical office. The plan is in compliance with landscape requirements for net lot area, but currently does not meet street yard requirements nor requirements for a five-foot landscaped area along the 21st Street frontage. Site lighting is provided by nine-foot mounted exterior soffit lights and 7'6" mounted exterior wall lanterns, both of which are in compliance with PUD standards and the zoning code.

Staff recommends **APPROVAL** of PUD-617 Detail Site Plan subject to the following conditions: 1) compliance with Section 1002.A.1, that 15% of the street yard along 21st Street frontage be landscaped, and (2) compliance with Section 1002.A.2, that a landscaped area be established and maintained within the lot, which is not less than five feet in width and which extends along the entirety of the 21st Street right-of-way.

(Note: Detail site plan approval does not constitute sign or landscape plan approval.)

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the detail site plan for PUD-617 subject to the following conditions: 1) compliance with Section 1002.A.1, that 15% of the street yard along 21st Street frontage be landscaped, and (2) compliance with Section 1002.A.2, that a landscaped area be established and maintained within the lot which is not less than five feet in width and which extends along the entirety of the 21st Street right-of-way as recommended by staff.

Application No.: PUD-586-A/Z-5888-SP-2

DETAIL SITE PLAN

Applicant: Darin Akerman

(PD-18) (CD-8)

Location: Northeast corner of East 91st Street and South Mingo Valley Expressway

Staff Recommendation:

The applicant is requesting approval of a detail site plan for a new Heart Hospital and medical office building. The proposed uses are in conformance with PUD-586-A-1/Z-5888-SP-2 Development Standards.

The proposed buildings meet all setback requirements and height restrictions. Access to the site is from 91st Street South and South 109th East Avenue. Landscaped area proposed meets or exceeds street yard and net lot area requirements. Parking provided for each use meets or exceeds parking requirements.

Per the site plan and accompanying elevations, an area for cooling towers is to be located north of the proposed central plant and within 17.5 feet of the boundary between Development Areas A-1 and A-2. Proposed screening for the cooling towers is six-foot chain-link fencing with opaque mesh fabric. Development Standard #7 states that such areas "shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level". Per Section 212.A.8 of the Zoning Code, screening "shall not be a chain link fence which utilizes inserts of metal or other materials". No screening is proposed for the bulk trash container located on the north side of the building.

Detail Lighting Plans have not yet been submitted.

Staff recommends **APPROVAL** of PUD-586-A-1/Z5888-SP-2 Detail Site Plan subject to the following conditions: 1) an approved Lighting Plan in compliance with Development Standards and the Zoning Code; 2) screening of all trash, mechanical and equipment areas (including the cooling towers and bulk trash container) per Development Standards and the Zoning Code.

(Note: Detail site plan approval does not constitute sign or landscape plan approval.)

Applicant's Comments:

Darin Akerman, 6111 East 32nd Place, Tulsa, Oklahoma 74135, stated that he is generally in agreement with the staff recommendation except the second condition regarding screening of the dumpster. He explained that the dumpster location would be in the rear portion of the hospital, which would be three stories. Viewing south to the dumpsters, it would be enclosed in essence from the hospital building. He stated that the dumpster would be at an angle and would not be visible to the public. The northern extreme portion of the trash enclosure may be visible approximately three to four feet at the top level of the dumpster to the central plant and a non-public area. He commented that the dumpster would be 30 to 35 feet in length and of ten feet wide, which would not be lifted by a garbage truck to be emptied. The screening of this dumpster becomes an issue because of the angle of the dumpster and the need to service the dumpster.

Staff Comments:

Mr. Dunlap stated that the PUD has a standard requirement for the screening, and if this PUD doesn't meet that requirement, then the applicant would have to file a minor amendment in order to waive this requirement. Either the applicant goes by those conditions, which staff has determined that this have not been met, or continues this application and the applicant can submit information to prove that the screening has been done. However, if the applicant does not want to screen the dumpster, then he would need to apply for a minor amendment.

TMAPC Comments:

Mr. Harmon asked if the dumpster would be a roll-off unit. In response, Mr. Akerman answered affirmatively. Mr. Harmon stated that a good driver could deal with a double gate in order to service the dumpster.

Mr. Horner's comments are inaudible.

In response to Mr. Horner, Mr. Akerman indicated where the landscaping would be located in regard to the dumpster.

Mr. Stump recommended that the Planning Commission could approve this application if they are inclined to and then the applicant could either screen the dumpster as required or file a minor amendment.

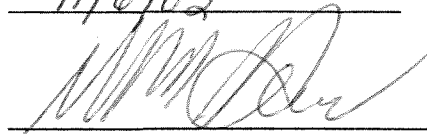
TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Dick, Jackson, Westervelt "absent") to **APPROVE** the detail site plan for PUD-586-A/Z-5888-SP-2, subject to the following conditions: 1) an approved lighting plan in compliance with development standards and the Zoning Code; 2) screening of all trash, mechanical and equipment areas (including the cooling towers and bulk trash container) per development standards and the Zoning Code as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:42 p.m.

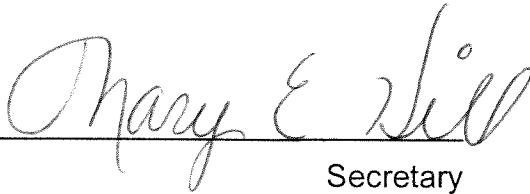
Date Approved:

11/6/02



Chairman

ATTEST:



Secretary