

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2434

Wednesday, January 18, 2006, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

| Members Present | Members Absent | Staff Present | Others Present |
|------------------------|-----------------------|----------------------|-----------------------|
| Ard | | Alberty | Boulden, Legal |
| Bayles | | Chronister | |
| Bernard | | Fernandez | |
| Cantees | | Huntsinger | |
| Carnes | | Matthews | |
| Collins | | Brierre | |
| Harmon | | Lasker | |
| Hill | | Pinc | |
| Horner | | Tomlinson | |
| Jackson | | | |
| Midget | | | |

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, January 12, 2006 at 4:00 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 Bernard called the meeting to order at 1:30 p.m.

Chairman Bernard read the opening statement.

REPORTS:

Chairman's Report:

Mr. Bernard reported that he didn't have anything to report; however, if staff knows of any committee openings that need to be filled, he asked that they please advise him.

Director's Report:

Mr. Alberty reported on the BOCC agenda and the City Council agenda.

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

SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19824 – Doug Embrey (9303) (PD 5) (CD 4)

912 South Canton

STAFF RECOMMENDATION:

The proposal is to split a 50' parcel and tie the resulting 40' and 10' tracts to the adjacent properties. At their January 10, 2006, hearing, the City of Tulsa Board of Adjustment approved a variance of the required side yard from five feet to one foot. All other RS-2 bulk and area requirements were met; however, both tracts would have more than three side lot lines. The applicant is requesting a waiver of the Subdivision Regulations that no tract 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, with the condition that the resulting 40' and 10' parcels be tied to the adjacent properties.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC 9-0-1 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Midget, Jackson "aye"; no "nays"; Horner "abstaining"; Collins "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split, with the condition that the resulting 40' and 10' parcels be tied to the adjacent properties per staff recommendation.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-19907 – Jack Ramsey (0332) (PD 3) (CD 3)

2811 East Haskell

L-19908 – Jack Ramsey (0332) (PD 3) (CD 3)

2746 East Independence

L-19909 – Jack Ramsey (0332) (PD 3) (CD 3)

2801 East Haskell

L-19911 – Sartin Boat Storage LLC (9310) (PD 5) (CD 4)

5755 East 15th Street

L-19917 – Bob Swets (9402) (PD 17) (CD 6)

17560 East Admiral Place

L-19921 – Karen Jencks (0405) (County)

12424 East 66th Street North

L-19922 – Roy Johnsen (9318) (PD 6) (CD 9)

1623 East 29th Street

L-19923 – Bart James (0784) (PD 18) (CD 8)

10206 East 79th Street

STAFF RECOMMENDATION:

All of these lot-splits are in order and staff recommends **APPROVAL**.

TMAPC Action; 10 members present:

On **MOTION** of **HARMON** the TMAPC voted **10-0-0** (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Collins "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

INTERESTED PARTIES:

Brad Heckenkemper, 610 South Main, 74119, representing a group of property owners in the Rock Bridge Park Subdivision. (Due to construction noise the interested party didn't hear the Chair ask for anyone wishing to speak.) He indicated that he is in opposition to L-19922, located at 1623 East 29th Street. There are property owners in the subdivision who believe that the proposed construction on the lot is in violation of the restrictive covenants. He indicated that he has appealed a building permit to the Board of Adjustment and it is set for hearing on February 14, 2006. The proposal doesn't conform to the RE designation that is zoning for the plat.

TMAPC COMMENTS:

Mr. Bernard asked Legal what the next step would be since he called for interested parties and no one indicated that they wish to speak and the Planning Commission passed a motion.

Mr. Boulden stated that the Planning Commission could reconsider their previous vote if they would like. He further stated that the litigation appears to involve private covenants, which is being disputed by the neighbors in the area.

Mr. Harmon stated that this is a ratification of prior approval and that shouldn't have any effect on the litigation.

Mr. Boulden stated that he can't speak to how the approval of the lot-split would affect the litigation. He can't imagine how it would of any legal consequence to the litigation.

Mr. Alberty explained that the lot-splits that are on the agenda for prior approval have met all of the requirements of the Planning Commission and it is a perfunctory act. There is no basis for not approving the lot-splits and they are brought to the Planning Commission for information purposes. The lot-split has met all of the Planning Commission requirements and all of the Subdivision Regulation requirements.

Mr. Heckenkemper respectfully disagreed since he hasn't had the opportunity to review the lot-split application.

Commissioner Collins in at 1:43 p.m.

Commissioner Carnes stated that this is a private matter and he doesn't care to reconsider the vote and let the vote stay.

Mr. Harmon stated that he is in agreement with Mr. Carnes and does not wish to withdraw his motion.

PLAT WAIVERS:

Z-6581 - (9330)

(PD-6) (CD-9)

4505 South Peoria

STAFF RECOMMENDATION:

The platting requirement was triggered by a rezoning in 1997 to allow a hair salon.

Staff provides the following information from TAC at their January 5, 2006 meeting:

ZONING:

TMAPC staff: The plat waiver is for property zoned CS.

STREETS:

No objection to the waiver subject to the removal of an existing encroachment from the Peoria right-of-way or an approved license agreement. Note that a 24-foot minimum driveway and a paved parking lot may be required during the permitting process.

SEWER:

No comment.

WATER:

No comment.

STORM DRAIN:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff can recommend **APPROVAL** of the plat waiver requested because of the existing plat for the site. The applicant is combining lots through the proper process at this time. The pre-existing infringement into right-of-way needs to be taken care of per Traffic (under Streets section) comments (above).

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 right-of-way? | X | |

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

- | | YES | NO |
|--|-----|----|
| 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.
- 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.?
- 11. Are mutual access easements needed to assure adequate access to the site? X
- 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the plat waiver for Z-6581 per staff recommendation.

FINAL PLAT:

Harvard Heights – (6309)

(County)

Southeast corner of East 191st Street and Harvard Avenue

STAFF RECOMMENDATION:

This plat consists of eight lots in one block on ten acres.

All release letters have been received and staff recommends **APPROVAL**.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **HARMON**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the final plat for Harvard Heights per staff recommendation.

PRELIMINARY PLAT:

The Greens Professional Park – (8324)

(PD-18) (CD-8)

South side of East 91st Street, west of Mingo Road

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 2.35 acres.

The following issues were discussed January 5, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 268 C. All PUD conditions must be met. Check setback requirements in PUD as they do not appear to match the setbacks on the plat. Mutual access easements may be necessary especially if lots are split in the future. Put PUD number on face of plat.
2. **Streets:** Verify existing right-of-way on 91st Street South and document for full length of frontage; show/document right-of-way on East 92nd Street South with dimensions from property line of this plat. Document the existing 91st Street right-of-way (dimension arrows pointing to the south 25 feet of right-of-way may be incorrectly located). Label the south 25 feet of right-of-way as "right-of-way dedicated by this plat". Change "60-foot access" to "40 to 44-foot access with median" as approved by Traffic Engineering.

Redesign the island and/or the driveway (per an approval of both traffic and fire) to provide a minimum of 16 feet inbound and 12 feet minimum outbound (perpendicular to the arterial). Note that the design should consider a future five lane cross-section 33.5 feet off the section line.

3. **Sewer:** Due to the size of the pipe, and the depth of the existing 24-inch sanitary sewer line, applicant will be required to provide a minimum of 35-foot wide easement for the relocated sanitary sewer main. Add language defining the sanitary sewer easement. Coordinate with Engineering Services concerning the abandonment of the existing sanitary sewer pipe and 40-foot easement. The existing pipe must be either removed or filled.
4. **Water:** Title 11-C 207.F requires each building to be metered separately. Fire hydrant installation may be required.
5. **Storm Drainage:** Provide book/page or document numbers for the offsite easements. Add name of floodplain to the east of the site.
6. **Utilities: PSO, ONG, Cable:** Okay.
7. **Other: Fire:** IFC 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches. IFC 508.5 fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6. 508.5.1 where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. Include a missing dimension for a lot line and check the length of the south right-of-way line.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **HARMON**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the preliminary plat for The Greens Professional Park, subject to special conditions and standard conditions per staff recommendation.

Cypress Creek – (9425)

(PD-17) (CD-6)

West of the southwest corner of East 41st Street and
193rd East Avenue

STAFF RECOMMENDATION:

This plat consists of 185 lots, ten blocks, on 68.88 acres.

The following issues were discussed January 5, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-4. Show square footages of each lot. Make sure Reserve Areas have proper maintenance.
2. **Streets:** Traffic Engineering concurs with the collector street system as per the previous preliminary plat. Lengthen the transition on 185th East Avenue as determined through the PFPI design process. Correct various typos in the deed of dedication and the covenants per the previous submittal. Additional right-of-way may be required on 41st Street South to allow for embankment fill to construct ultimate road surface a minimum of one-foot above the 100-year flood elevation. Confer with Design Services for anticipated requirements. The lot dimension of 72.48 feet at south end, west side, of South 187th East Place appears on the previous plat and through the new Reserve G. Language may be included to provide for the ultimate 41st Street roadway condition noted above. Recommend language providing for sidewalks. Sidewalks are required.
3. **Sewer:** Reserve F must be designated as "Lift Station" as it was shown on the Preliminary Plat from 6/16/05 TAC meeting. The easement between Lots 9 and 10 Block 3 must be 11 feet on each side of the lot line, as shown on the previous submittal. Add a seven-foot easement along the north property line of Lot 15 Block 6 to provide a total of a 22-foot easement for the proposed 12-inch sanitary sewer pipe.

4. **Water:** A minimum 15-foot utility easement across Reserve G is needed. Language is needed for review. The proposed project development shows only one water-feed source from the 12-inch main on East 41st Street South; a looped water main extension will be needed.
5. **Storm Drainage:** Please include the name of the streams when labeling the regulatory floodplains in Reserves B, C, and D. Add an easement between Lots 17 and 18, Block 6, for the stormwater pipe that is shown on the conceptual plan. It appears that offsite stormwater is being collected along the west side of the property just beyond the property line. Easements will be required for these structures if they are off the platted property.
6. **Utilities: PSO, ONG, Cable:** Additional easements may be necessary.
7. **Other: Fire:** IFC 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches. Previous comments on plat apply. Covenants must be approved by Public Works and Development and City Legal.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **MIDGET**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the preliminary plat for Cypress Creek, subject to standard conditions and special conditions per staff recommendation.

MINOR SUBDIVISION PLATS:

Stargate Challenge Course Complex – (0331)

(PD-2) (CD-1)

Northeast corner of Jasper Street and Peoria Avenue
(Continuance requested to 2/1/06 for further TAC review)

STAFF RECOMMENDATION:

This minor subdivision plat needs further TAC review and staff requests a continuance to February 1, 2006.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the minor subdivision plat for Stargate Challenge Course Complex to February 1, 2006.

Mr. Alberty suggested that the Planning Commission consider all of the items that have requested a continuance.

Mr. Alberty stated that there is one correction for Item 11, PUD-723. The attorney representing the applicant previously requested an indefinite continuance; however, he has contacted staff and has requested a continuance to April 19, 2006.

INTERESTED PARTIES:

Patti McGill, President of the Neighbors Association, 1517 North Wheeling Avenue, 74110, stated that she is opposition to the continuance. She commented that this business was denied by the Board of Adjustment in 2002. This PUD is simply a way around the BOA denial. Ms. McGill concluded stating that the business shouldn't be there and it doesn't need a PUD.

TMAPC COMMENTS:

Mr. Carnes stated that the Planning Commission has always given a continuance to either the applicant or the opposition at least one time.

TMAPC Action; 11 members present:

On **MOTION** of **HILL**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** PUD-723 to April 19, 2006.

Mr. Bernard suggested that the interested parties get with the staff and confirm the date of the next public hearing in order to stay well informed.

Z-6916-SP-2 – John Moody

(PD-8) (CD-2)

North of the northeast corner of West 91st Street South and South Union Avenue (Corridor Site Plan for mini-storage.) **(Continued to January 25, 2006 for review.)**

There were no interested parties wishing to speak.

Mr. Carnes made a motion to continue this application to January 25, 2006.

TMAPC COMMENTS:

Mr. Harmon asked who requested this continuance. In response, Mr. Alberty stated that staff is requesting the continuance due to the information not being submitted in a timely manner. Mr. Alberty further stated that he was just informed that this may have to be continued to February 1, 2006. To avoid multiple continuations, Mr. Alberty suggested that this be continued to February 1, 2006.

TMAPC Action; 11 members present:

On **Amended MOTION** of **CARNES**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the corridor detail site plan for Z-6916-SP-2 to February 1, 2006.

PUD-388-C – Tanner Consulting, LLC

(PD-18) (CD-2)

1545 East 71st Street South (Major Amendment) **(Continued to January 25, 2006 for new notice.)**

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **HILL**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the major amendment for PUD-388-C to January 25, 2006.

PUD-713-3 – Sack & Associates

(PD-26) (CD-8)

11616 South Kingston Avenue (Minor Amendment)
(Continued to January 25, 2006 for new notice.)

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the minor amendment for PUD-713-3 to January 25, 2006.

PUD-411-11 – R.L. Reynolds

(PD-26) (CD-8)

9809 South Memorial Drive (Minor Amendment) (Continued
to January 25, 2006 for new notice.)

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **HILL**, TMAPC voted 11-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the minor amendment for PUD-411-11 to January 25, 2006.

COMPREHENSIVE PLAN PUBLIC HEARING

Consider Adopting The Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study as an Element of the Comprehensive Plan for the Tulsa Metropolitan Area and Supporting the Results and Recommendations of the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study as Guidelines for Development along the Arkansas River and Environs in the Tulsa Metropolitan Area. **Resolution: 2434:875.**

STAFF RECOMMENDATION:

Rich Brierre, Deputy Director of INCOG, stated that this is a public hearing that was duly advertised for consideration of a resolution dealing with the adoption of the Arkansas River Corridor Master Plan Phase II portion. Mr. Brierre presented the following PowerPoint presentation:

The Arkansas River is a resource of paramount importance to the Greater Tulsa community. This Master Plan is designed to maximize the beneficial use of this resource in Tulsa County. The Arkansas River Corridor stretches 42 miles from just below the Keystone Dam then east and south through Tulsa County to the Wagoner County line. The objective of this master planning process is to: Develop a multi-purpose, conceptual, comprehensive Arkansas River Corridor Plan that addresses flood damage reduction, ecosystem restoration and economic development opportunities consistent with the communities overall vision for growth and development. The Plan identifies projects and design concepts that have potential to stimulate public and private investment in the corridor. The Plan also serves as a guiding framework for the U.S. Army Corps of Engineers working with local public sponsors and other interests to implement projects. This Master Plan offers a guide to community enrichment through identifying the "highest and best" use of the River Corridor and creating a meaningful connection between the Riverfront and the surrounding communities. Relying heavily on input from the public, the Master Plan establishes a comprehensive system of concepts, features, and goals that allow the River to weave a unique and valuable tapestry for its surrounding communities. A number of economic, physical, environmental, ecological, and legal constraints and opportunities are addressed in the Master Plan. Some of the opportunities identified include low water dams, new and expanded trails, ecosystem restoration, and proposed bridges. Potential constraints in the project area include floodplains, wastewater treatment facilities, and areas with historical environmental activities. Opportunities and constraints throughout the whole corridor were examined, with more focused attention provided to selected development opportunity areas. A number of consistent unifying themes have been customized for each individual planning area based on the history, culture, and goals of each community in the project area. Several public use areas are included in the Master Plan including recreational and educational amenities. Numerous mixed-use developments are proposed incorporating entertainment, shopping, dining, and tasteful living. These types of developments are envisioned to anchor key nodes of the riverfront and establish a trend for riverfront developments in Tulsa County. Elements including parks, multi-use trails, wildlife habitat, gateways, ball fields, boat ramps, fishing piers and marinas are prominently weaved throughout the conceptual plans.

Low water dams represent a key element of the Master Plan addressing the strong public desire for water in the River. The dams and the river lakes they create provide important wildlife habitat, flow management opportunities, aesthetic qualities, economic development opportunities, and water quality improvement opportunities. The Master Plan includes results from engineering analyses and water quality modeling for several potential dam locations. Based on these analyses two low water dams are initially proposed for development as part of a comprehensive ecosystem restoration project. The identified locations of these top priority low water dams are near the Creek Turnpike Bridge in the

south Tulsa/Jenks area and near the State Highway 97 Bridge in the Sand Springs area. Locations are also identified for other low water dams that may be feasible for future implementation. Public safety, sedimentation, fish passage and habitat restoration are important considerations as plans advance for the low water dams. Natural habitat and ecosystem restoration are vital to sustaining and enhancing biodiversity and aesthetic beauty throughout the River Corridor. A number of protected species utilize habitats associated with the River Corridor, including the bald eagle, and the interior least tern,. Consideration for minimizing impacts to these species is an element of the Master Plan.

The Master Plan contemplates several ecosystem restoration concepts including native plantings, constructed wetlands, wildlife habitats, river lakes with fish passage, and stream corridor stabilization measures.

A variety of possible development tools and funding sources have been identified including cost-share scenarios with federal, state, and local entities, funding from non-governmental organizations, and the establishment of tax increment financing districts. River oriented development could also generate its own revenue stream through enhanced property values and induced sales tax thus adding value to the Greater Tulsa area, and attracting visitors from near and far. The localities along the river, numerous local, State and Federal agencies and businesses and industry in the corridor are key stakeholders that all have important roles in implementing the Master Plan. Enhancing the mission and powers of the River Parks Authority has been suggested as one step in establishing, operating, and maintaining the Arkansas River Corridor as a hallmark of riverfront planning and development, while managing the many sensitive interconnections among its users. The coordinated implementation of the Arkansas River Corridor Master Plan holds promise to enhance the quality of life in the Greater Tulsa community for current and future residents by capitalizing on our most prominent physical asset --- the Arkansas River.

Mr. Brierre explained that the process has had extensive public involvement with five open houses in the first phase and a three-day design workshop. The initial phase of this study was approved by the Planning Commission by resolution in October 2004 and approved unanimously by the City Council and County Commission. It is recognized in the Comprehensive Plan.

Mr. Brierre explained that this is an ambitious plan and is a long-term plan. Many of these elements will not happen quickly, but they are design concepts that offer great promise for the development of the river. There has been great effort made to ensure that the plan is compatible with the community vision for the river. The community historically turned its back on the river and they did it for reasons of flooding and water pollution. The river has quietly been cleaned up and flooding has been largely tamed by Keystone Dam; however, it is still an issue and has to be planned for. The plan recommends that local floodplain management policies be modified to require that development be one foot above the 1986 flood and

that all development should result in a zero-rise in the 100-year floodplain, and that appropriate hydraulic analysis be performed.

Mr. Brierre stated that there was a 50-member advisory committee that included all of the key stakeholders. The plan was approved by the committee in October of 2005, approved by the INCOG Board in November 2005 and is before the Planning Commission today with a resolution to be recognized as a part of the Comprehensive Plan. Similar action is anticipated by the other municipal planning commissions in the corridor. There are also future issues that will be coming before the Planning Commission that he anticipates in the months and years ahead. One of those changes will be to the Major Street and Highway Plan. One of the changes recommended for the MSHP is an arterial road river crossing at 41st Street. The Comprehensive Plans and the district plans have some language for special districts relating to the river and that language is dated and very limited in scope. It will be important to create special districts at key locations along the corridor and we will be revisiting that issue with policies in that regard. He concluded that development guidelines for development within these selected opportunity areas should also be prepared and adopted.

TMAPC COMMENTS:

Mr. Carnes stated that the west bank is most desirable location for entertainment due to the sun setting in the west and this is a great idea.

Mr. Ard asked Mr. Brierre if there were any conceptual ideas or plans evolved around the potential bridge at 121st Street. In response, Mr. Brierre stated that in this process there were funding limitations and only eight opportunity development sites were studied. These are not the only potential development sites, but the only ones the committee was able to study in this level of detail as a part of this study. The conceptual plans are designed to stimulate thought and investment in the corridor and they are not to be viewed as rigid restraints. There are other development sites in the area that have not been looked at and 121st Street would be one of them. He pointed out that subsequent to the subject study a consultant has been selected and is about to embark on a conceptual plan for extending the trail system from 101st at Riverside down to the future park site at 121st and Yale, and also on the west bank of the river from the Oklahoma Aquarium area to the Memorial bridge.

Ms. Hill stated that she feels better knowing that development will be one-foot above the 1986 flood level. However, she would like to see some sort of disaster plan. She questioned what type of safety measures are in place if the same scenario of 1986 occurred again. In response, Mr. Brierre stated that as a part of this study the committee was able to initiate; with Tulsa County's active, strong support and financial participation; redoing the hydraulic and hydrology study of the river to update the definitions of those floodplains. The floodplain maps were based upon data that was from the 1970's when much of the information was interpolated from ten-foot contour maps. As a result of the study there is more

detail in the floodplains now which will be available for all future use by jurisdictions throughout the corridor.

Ms. Hill asked if the floodplain information will be used on a regular basis by emergency officials. Mr. Brierre stated that he believes that the emergency management training will be continual.

Mr. Bernard thanked Mr. Brierre and everyone who worked on this study.

Mr. Brierre stated that this has resonated with the public and there has been tremendous involvement, interest and support throughout this process. He further stated that we have worked with great consultant teams in both phases of the river study. Mr. Brierre recognized Mr. Gaylon Pinc, Project Manager, INCOG.

There were no interested parties wishing to speak.

Mr. Bernard read Resolution 2434:875.

RESOLUTION NO.: 2434:875

A RESOLUTION ADOPTING THE ARKANSAS RIVER CORRIDOR MASTER PLAN PHASE II MASTER PLAN AND PRE-RECONNAISSANCE STUDY AS AN ELEMENT OF THE COMPREHENSIVE PLAN AND SUPPORTING THE RESULTS AND RECOMMENDATIONS OF THE ARKANSAS RIVER CORRIDOR MASTER PLAN PHASE II MASTER PLAN AND PRE-RECONNAISSANCE STUDY AS GUIDELINES FOR DEVELOPMENT ALONG THE ARKANSAS RIVER AND ENVIRONS IN THE TULSA METROPOLITAN AREA

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, The TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, On the 25th day of September, 1974, this Commission, by Resolution No. 1035:388, did adopt the Metropolitan Development Guidelines and Zoning Matrix as a part of the Comprehensive Plan for the Tulsa Metropolitan Area; and

WHEREAS, An Arkansas River Vision Plan (Arkansas River Corridor Master Plan Phase I Vision Plan) was adopted by the TMAPC on October 6, 2004 by Resolution No. 2392.868; and

WHEREAS, An Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study has been developed with extensive public input and subsequently adopted by the INCOG Board of Directors; and

WHEREAS, A public hearing was held on the 18th day of January, 2006, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to express support for the results and recommendations of the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study; and

WHEREAS, Implementation of the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study is in keeping with the spirit and intent of the Comprehensive Plan and Development Guidelines and will further the orderly development of the Tulsa Metropolitan Area.

NOW, THEREFORE, BE IT RESOLVED By the Tulsa Metropolitan Area Planning Commission that the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study is adopted as the conceptual development plan for the Arkansas River Corridor and shall be considered an element of the Comprehensive Plan and Development Guidelines for the Tulsa Metropolitan Area; and

FURTHER BE IT RESOLVED By the TMAPC that the Arkansas River Vision Plan Land Use Sections A, B and C, as updated by the Arkansas River Corridor Master Plan Phase II Master Plan is adopted as the preferred Land Use Plan for the Arkansas River Corridor; and

FURTHER, BE IT RESOLVED By the TMAPC, that the results and recommendations of the Arkansas River Corridor Master Plan Phase I Vision Plan and Phase II Master Plan and Pre-Reconnaissance Study, as attached and made a part hereof, be and are hereby supported for future development in the Arkansas River Corridor Study area, a part of the Tulsa Metropolitan Area and shall be implemented to the maximum extent possible.

TMAPC COMMENTS:

Ms. Bayles stated that she has read the resolution and would be happy to make a motion to approve Resolution 2434:875. She further stated that she has some concerns about a possible disconnect between the physical development concept plan that has been presented and the current land use zoning classifications that exist along the river. She asked her fellow Commissioners if

they feel, with the suggestion of Planning Commissioner Brandon Jackson that there be special district, if this might be a future amendment to the River Corridor Plan as looking forward to this future development.

Mr. Brierre stated that he believes that the issue Ms. Bayles is referring to is the desirability of creating a special district or districts along the river. He believes that there is real value to this suggestion. Some of the district plans currently have special districts and it may require amending those. Mr. Brierre agreed that Mr. Jackson's suggestion is a good one we are looking at this suggestion as a logical next step.

In response to Mr. Bernard, Mr. Brierre cited the district plans that currently have language regarding development along the river. If there is a special district developed then it may be a way of encouraging or requiring that development should be subject to the PUD development process. This would give the Planning Commission site plan review and it also may be a way of implementing the policy of requiring building elevations above the 1986 flood elevations. There are policies that could be added as those districts are created. This will require some study before returning to the Planning Commission with a detailed recommendation.

Mr. Ard stated that if the City of Tulsa and Tulsa County are going to be in the process of updating their Comprehensive Plan, then this should be an issue that is looked at as a part of that process.

Mr. Harmon stated that he agrees with the comments of the other Commissioners and this should expedite development if it is in place. Developers would know what could and couldn't be done initially without having to find out by trail and error.

TMAPC Action; 10 members present:

On **MOTION** of **BAYLES**, TMAPC voted 10-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes "absent") to recommend **APPROVAL** of the adoption of the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study as an element of the Comprehensive Plan for the Tulsa Metropolitan Area and Supporting the results and recommendations of the Arkansas River Corridor Master Plan Phase II Master Plan and Pre-Reconnaissance Study as guidelines for development long the Arkansas River and environs in the Tulsa Metropolitan Area, Resolution 2434:875 per staff recommendation.

Ms. Hill out at 2:43 p.m.

CONTINUED ZONING PUBLIC HEARING:

Z-7008 – Charles E. Norman

AG/RS-3 to CO

East side of U.S. Highway 75 South between West 71st Street South and West 81st Street South

(PD-8) (CD-2)

RELATED ITEM:

Z-7008-SP-1 – Charles E. Norman

East side of U.S. Highway 75 South between West 71st Street South and West 81st Street South (Corridor Site Plan for Tulsa Hills Shopping Center.)

(PD-8) (CD-2)

Ms. Matthews and Ms. Tomlinson presented the staff recommendations for Z-7008 and Z-7008-SP-1.

STAFF RECOMMENDATION FOR Z-7008:

Z-6966 February 2005: Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71st Street South and U. S. Highway 75 South from AG to CO. This property abuts the subject property on the west. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

Z-6967 February 2005: Approval was granted on a request to rezone the sixty-two acre tract located on the northeast corner of West 81st Street South and U. S. Highway 75 South and abutting the subject property on the southwest corner, from AG to CO.

Z-6871 November 2002: All concurred in approval of a request to rezone a 141-acre tract abutting the subject property on the south and lying in the northwest corner of West 81st Street and South Elwood Avenue, from AG to RS-3 for residential development.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan was approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71st Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

PUD-636/Z-5457-SP/Z-4825-SP October 2000: Approval was granted, subject to conditions of the PUD, for a Planned Unit Development on a 108-acre tract located on the northwest corner of West 81st Street South and South Highway 75 and west of the subject tract. The proposed uses include single-family and townhouse dwellings and commercial uses.

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.

Z-6251 August 1989: All concurred in approval of a request to rezone three parcels containing one acre each and located south of the southwest corner of West 71st Street South and South Jackson Avenue and being a portion of the subject property, from RS-3 to AG.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 43.6 acres in size and is located on the east side of U. S. Highway 75 South between West 71st Street South and West 81st Street South, Tulsa, Oklahoma. The property is sloping, wooded, vacant and zoned AG.

STREETS:

| Exist. Access | MSHP Design. | MSHP R/W | Exist. # Lanes |
|------------------------------------|---------------------|-----------------|-----------------------|
| West 71 st Street South | Secondary arterial | 100' | 4 lanes |
| West 81 st Street South | Secondary arterial | 100' | 4 lanes |
| U. S. Highway 75 South | Freeway | varies | 4 lanes |

UTILITIES: Municipal water and sewer are available.

SURROUNDING AREA:

The property is abutted on the south and west by vacant land, zoned CO; to the north by vacant property, zoned AG and to the east by scattered single-family homes, zoned AG and RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Low Intensity – No Specific Land Use. However, as noted above, the annual plan updates will include an amendment to the District 8 Plan to reflect the recent rezoning to CO adjacent to this property.

STAFF RECOMMENDATION:

In view of the TMAPC's and City's approval of CO zoning on the property adjacent to this property, and their recommendation to amend the District Plan, staff can recommend **APPROVAL** of CO zoning for Z-6008. The expansion of the corridor east to Jackson is reasonable, but should not be allowed any farther east. The Metropolitan Development Guidelines should govern any future development east of Jackson.

If the TMAPC deems it appropriate to recommend approval of CO zoning here, they should direct staff to prepare a similar amendment to the District 8 Plan.

STAFF RECOMMENDATION FOR Z-7008-SP-1:

Z-6966 February 2005: Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71st Street South and U. S. Highway 75 South from AG to CO. This property abuts the subject property on the west. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

Z-6967 February 2005: Approval was granted on a request to rezone the sixty-two acre tract located on the northeast corner of West 81st Street South and U. S. Highway 75 South and abutting the subject property on the southwest corner, from AG to CO.

Z-6871 November 2002: All concurred in approval of a request to rezone a 141-acre tract abutting the subject property on the south and lying in the northwest corner of West 81st Street and South Elwood Avenue, from AG to RS-3 for residential development.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan was approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71st Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

PUD-636/Z-5457-SP/Z-4825-SP October 2000: Approval was granted, subject to conditions of the PUD, for a Planned Unit Development on a 108-acre tract located on the northwest corner of West 81st Street South and South Highway 75 and west of the subject tract. The proposed uses include single-family and townhouse dwellings and commercial uses.

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.

Z-6251 August 1989: All concurred in approval of a request to rezone three parcels containing one acre each and located south of the southwest corner of West 71st Street South and South Jackson Avenue and being a portion of the subject property, from RS-3 to AG.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 176 acres in size and is located on the east side of U. S. Highway 75 South between West 71st Street South and West 81st Street South; and a portion of the north half is bounded on

the east by South Jackson Avenue, all in Tulsa, Oklahoma. The property is sloping, wooded, vacant and zoned AG, RS-3 and CO.

STREETS:

| Exist. Access | MSHP Design. | MSHP R/W | Exist. # Lanes |
|------------------------------------|---------------------|-----------------|-----------------------|
| West 71 st Street South | Secondary arterial | 100' | 4 lanes |
| West 81 st Street South | Secondary arterial | 100' | 4 lanes |
| U. S. Highway 75 South | Freeway | varies | 4 lanes |

UTILITIES: Municipal water and sewer are available.

SURROUNDING AREA:

The property is abutted on the west by U.S. Highway 75, to the west of which is vacant property zoned CO, CS and AG; on the north by West 71st Street South and a medical office park zoned CO and vacant property zoned AG; on the east by scattered single-family homes, zoned AG and RS-3, and a developing residential subdivision zoned RS-3; and on the south by West 81st Street South and vacant property zoned CS, OL and AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Medium Intensity at the U.S. Highway 75 ramps on West 81st Street South and West 71st Street South; and Low Intensity – No Specific Land Use for the remainder of the property. As noted above, the annual plan updates will include an amendment to the District 8 Plan to reflect the recent rezoning to CO of a large portion of this property.

STAFF RECOMMENDATION:

The 176 acre Tulsa Hills site has one mile of frontage along U.S. Highway 75 and extends from West 71st Street, a primary arterial, on the north to West 81st Street.

The recent availability of sanitary sewer capacity to serve the U.S. Highway 75 corridor, the revision of the West 81st Street intersection to provide for four-way access to and from West 81st Street, and the major reconstruction of the West 71st Street intersection with the Okmulgee “Beeline” establishes the Tulsa Hills property as an ideal location for a regional shopping center.

The primary trade area for most large retailers usually extends to a three to five mile radius around a store. Large retailers generally operate “sister” stores within a metropolitan area that cater to distinctive and separate trade areas. Tulsa Hills

will fill the major retail void presently existing in the west and southwest segments of the metropolitan trade area.

Woodland Hills Mall and the Tulsa Promenade are the closest major retail centers, but both are located well outside the Tulsa Hills primary trade area, which creates the opportunity for major retailers to locate sister stores at Tulsa Hills with the ability to serve the retail needs of the growing population south and west of Tulsa.

The location of Tulsa Hills at the edge of the City of Tulsa on a major commuter highway will enable the regional shopping center to attract customers from outlying suburban communities. Non-residents of the City of Tulsa are forecast to account for between forty to fifty percent of the projected retail sales.

The Tulsa Hills location has the necessary parcel size and orientation, visibility and exposure and accessibility to support a regional shopping center and will attract additional urban development within the immediate area.

The overall Tulsa Hills development concept is shown on Exhibit A-1, Concept Illustration, with the north and south halves of the center shown on Exhibits A-2 and A-3 for increased legibility.

Exhibit B is an aerial photo which indicates the location of Tulsa Hills as well as some of the development challenges, including existing power lines and pipelines which cross the site and must be relocated and severe topographical changes which must be modified for development to occur.

The location, size and dimensions of the seven development areas within Tulsa Hills are shown on Exhibit C - Development Area Map.

Development within the twenty-one acre Area C along South Jackson Street adjacent to Tulsa Hills on the east is limited to stormwater facilities, open spaces, stabilized slopes and retaining walls for Area B.

The interior corridor collector street connecting West 71st Street and West 81st Street will be a boulevard between Areas A and B with tree-lined sidewalks on both sides for convenient pedestrian shopping. The collector street between Areas D and E and between Areas F and G will have five lanes with the center lane for turning movements and will also have tree-lined sidewalks.

Store setbacks from the collector street are minimized to encourage smaller shops to be located along the collector street frontage with interior parking shared with center anchor stores.

Because of its size, complexity, potential impact on transportation and adjacent existing and proposed residential uses, careful consideration must be given to

traffic and pedestrian circulation, transit, connection to trails, landscaping and screening, and lighting. Design of this highly visible project will set precedent for future development along U.S. Highway 75 as well as for the entire region. It is recommended that the developer provide to TMAPC a phasing plan of the entire project.

Contingent upon TMAPC's recommendation for approval of Z-7008 for CO zoning and in view of the TMAPC's and City's approval of CO zoning for the remainder of this property, and their recommendation to amend the District Plan; and based upon the proposed Development Concept and Standards as modified by staff, staff finds Z-7008-SP-1 to be: (1) in harmony with the existing and expected development of surrounding areas; (2) a unified treatment of the development possibilities of the site; and (3) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-7008-SP-1 subject to the following conditions:

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

Development Area A

| | | |
|-----------|-------------|--------------|
| Net Area: | 33.27 Acres | 1,449,259 SF |
|-----------|-------------|--------------|

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

| | |
|--|------------|
| Maximum Building Floor Area (.25 FAR): | 362,315 SF |
|--|------------|

| | |
|------------------------------------|-----|
| Maximum Land Coverage of Buildings | 30% |
|------------------------------------|-----|

| | |
|--------------------------|-------|
| Maximum Building Height: | 35 FT |
|--------------------------|-------|

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

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

Minimum Building Setbacks:

| | |
|--|-------|
| From the southerly right-of-way line of West 71st Street | 25 FT |
| From the west boundary of Area A | 50 FT |
| From the westerly right-of-way line of the corridor collector street | 20 FT |
| From the south boundary of Area A | 10 FT |

Internal lot side yards to be established by plat or detail site plan.

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area A as follows.
 - (a) One center identification signs along the U.S. Highway 75 frontage. The center identification sign shall not exceed 35 feet in height and 500 square feet of display surface area.
 - (b) Three center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

Lighting:

Light standards within Area A, whether pole or building mounted, shall not exceed 25 feet in height and shall be hooded and directed downward and away from the west boundary of Area A. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area B

Net Land Area: 56.62 Acres 2,466,290 SF

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.25 FAR): 616,573 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height: 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

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

Minimum Building Setbacks:

| | |
|--|--------|
| From the southerly right-of-way line of West 71st Street | 25 FT |
| From the east boundary of Area B | 25 FT |
| From the easterly right-of-way line of the corridor collector street | 20 FT |
| From the south boundary of Area B | 125 FT |

Internal lot side yards to be established by plat of detail site plan.

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area B as follows.
 - (a) Two center identification signs at the major entrances from West 71st Street. Each sign shall not exceed 25 feet in height and 250 square feet of display surface area.

- (b) In lieu of wall signage, one ground sign for each lot fronting on West 71st Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.
 - (c) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
 - (d) Four center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
 - 3) No wall sign shall be permitted on east-facing walls of a building.

Lighting:

Light standards within Area B, whether pole or building mounted, shall not exceed 25 feet in height and shall be hooded and directed downward and away from the east boundary of Area B. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area C

Net Land Area: 20.89 Acres 909,804 SF

Permitted Uses:

Stormwater drainage and detention facilities; recreation facilities, open space, utility easements, retaining walls and structures and uses customarily accessory to permitted uses.

Maximum Building Floor Area:

No buildings shall be permitted except as required for utilities and drainage.

Lighting:

Light standards, if any, within Area C shall not exceed ten feet in height and 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 persons within surrounding residential areas.

Landscaping:

All graded areas must be re-vegetated and required landscaping shall be installed and irrigated in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Development Area D

Net Land Area: 9.62 Acres 419,114 SF

Permitted Uses:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; stormwater drainage and detention facilities; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.25 FAR): 104,779 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height: 35 FT

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

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

Minimum Building Setbacks:

| | |
|--|-------|
| From the westerly right-of-way line of the corridor collector street | 20 FT |
| From the U.S. Highway 75 right-of-way | 25 FT |
| From the north boundary of Area D | 10 FT |
| From the south boundary of Area D | 10 FT |

Internal side yards to be established by plat or detail site plan.

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area D as follows:
 - (a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
 - (b) Two center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
 - (c) One center identification signs along the U.S. Highway 75 frontage. The center identification sign shall not exceed 35 feet in height and 500 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

Lighting:

Light standards within Area D shall not exceed 25 feet in height and shall be hooded and directed downward and away from the west boundary of Area D. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area E

Net Land Area: 22.03 Acres 959,577 SF

Permitted Uses:

- (1) Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios, including drive-thru banking facilities; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, Hotel, Motel and Recreation Facilities - motion picture theaters - enclosed only; stormwater drainage and detention facilities; and uses customarily accessory to permitted principal uses.

- (2) Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers, data processing and air conditioning equipment, elevator parts and service, solar heating and auto parts, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, print shops and equipment, mail services, plumbing and lighting supplies and equipment, food preparation supplies and equipment, telephone and communications systems, supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, wholesale landscape plants, air freight and armored car services, gourmet food preparation supplies, electrical supplies, equipment and pumps, miscellaneous electrical equipment, home remodeling supplies such as windows, sliding doors, and kitchen equipment, and other similar service and supply businesses, and

- (3) Warehouse and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within Tulsa Hills, provided no exterior display or storage shall be permitted.

Maximum Building Floor Area (.25 FAR): 239,894 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height:

| | |
|-----------------------------------|-------|
| Motion picture theater – enclosed | 45 FT |
| Other uses | 35 FT |

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Off-Street Parking:

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

Minimum Building Setbacks:

| | |
|--|--------|
| From the easterly right-of-way line of the corridor collector street | 20 FT |
| From the east boundary of Area E | 100 FT |
| From the south boundary of Area E | 10 FT |
| From the north boundary of Area E | 10 FT |
| Internal side yards to be established by plat or detail site plan. | |

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area E as follows:
 - (a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
 - (b) Two center tenant directional signs along the frontage of the corridor collector street. Each tenant directional sign shall not exceed eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 3) Motion picture marquee wall signs shall be permitted not to exceed three square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 4) No marquee or wall signs shall be permitted on the east facing walls of a building.

Lighting:

Light standards within the east 120 feet of Area E, whether pole or building mounted, shall not exceed 15 feet in height. Light standards within the remainder of Area E shall not exceed 25 feet in height. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and

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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area F

Net Land Area: 11.31 Acres 492,473 SF

Permitted Uses:

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices and Studios, including drive-thru banking facilities; Use Unit 12, Entertainment and Eating Establishments other than Drive-ins; Use Unit 13, Convenience Goods and Services; Use Unit 14, Shopping Goods and Services; Use Unit 17, Hotel/Motel and Recreational Facilities - hotel and motel only; stormwater drainage and detention facilities; and uses customarily accessory to permitted uses.

Maximum Building Floor Area (.25 FAR): 123,118 SF

Maximum Land Coverage of Buildings 30%

Maximum Building Height:

| | |
|----------------------|-------|
| Hotel/Motel | 60 FT |
| Other Permitted Uses | 35 FT |

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

Minimum Building Setbacks:

| | |
|--|-------|
| From the north right-of-way line of West 81st Street | 25 FT |
| From the westerly right-of-way line of the corridor collector street | 20 FT |
| From the U.S. Highway 75 right-of-way | 25 FT |
| From the north boundary of Area F | 10 FT |

Internal side yards to be established by plat or detail site plan.

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area F as follows:
 - (a) One center identification sign at the major entrance from West 81st Street. The center identification sign shall not exceed 25 feet in height and 250 square feet of display surface area.
 - (b) In lieu of wall signage, one ground sign for each lot fronting on West 81st Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.
 - (c) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
 - (d) Two center tenant directional signs along the frontage of the corridor collector street. Each such tenant identification sign shall not exceed eight feet in height and 80 square feet of display surface area.

- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

Lighting:

Light standards within Area F, whether building or pole mounted, shall not exceed 25 feet in height and shall be hooded and directed downward and away from the west boundary of Area F. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Development Area G

Net Land Area: 9.87 Acres 430,058 SF

Permitted Uses:

- (1) Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices and Studios, including drive-thru banking facilities; Use Unit 12, Entertainment and Eating Establishments other than Drive-ins; Use Unit 13, Convenience

Goods and Services; Use Unit 14, Shopping Goods and Services; Use Unit 17, Hotel/Motel and Recreational Facilities - hotel and motel only; stormwater drainage and detention facilities; and uses customarily accessory to permitted uses.

- (2) Display, sale and servicing of scientific, business and office machines, equipment, furnishings and supplies, including occupancies such as cameras and photographic supplies, computers, data processing and air conditioning equipment, elevator parts and service, solar heating and auto parts, office furniture and equipment and dealer showrooms, office supplies and storage systems, computer software and servicing companies, medical and clinical equipment and supplies, print shops and equipment, mail services, plumbing and lighting supplies and equipment, food preparation supplies and equipment, telephone and communications systems, supplies and services, banking support services such as clearing houses, business forms, dental supplies, decorating fabrics, wall coverings and accessories, wholesale landscape plants, air freight and armored car services, gourmet food preparation supplies, electrical supplies, equipment and pumps, miscellaneous electrical equipment, home remodeling supplies such as windows, sliding doors, and kitchen equipment, and other similar service and supply businesses, and
- (3) Warehouse and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within Tulsa Hills, provided no exterior display or storage shall be permitted.

| | |
|--|------------|
| Maximum Building Floor Area (.25 FAR): | 107,515 SF |
| Maximum Land Coverage of Buildings | 30% |
| Maximum Building Height: | |
| Hotel/Motel | 35 FT |
| Other Permitted Uses | 35 FT |

Architectural elements and business logos may exceed the maximum building height with detail site plan approval; however, roof signs shall be prohibited per Section 1221.C.10 of the Tulsa Zoning Code.

| | |
|--|--------|
| Minimum Building Setbacks: | |
| From the north right-of-way line of West 81st Street | 25 FT |
| From the easterly right-of-way line of the corridor collector street | 20 FT |
| From the east boundary of Area G | 100 FT |

From the north boundary of Area G 10 FT
Internal side yards to be established by plat or detail site plan.

Landscaped Area:

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

Signs:

- 1) Ground signs shall be permitted within Area G as follows:
 - (a) One ground sign for each lot fronting on the corridor collector street. Each such sign shall not exceed six feet in height and 64 square feet of display surface area.
 - (b) Two center tenant directional signs along the frontage of the corridor collector street. Each such tenant identification sign shall not exceed eight feet in height and 80 square feet of display surface area.
 - (c) In lieu of wall signage, one ground sign for each lot fronting on West 81st Street, each sign not exceeding eight feet in height and 80 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.
- 3) No wall signs shall be permitted on the east facing walls of a building.

Lighting:

Light standards within the east 120 feet of Area G, whether pole or building mounted, shall not exceed 15 feet in height. Light standards within the remainder of Area G, whether pole or building mounted, shall not exceed 25 feet in height. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

Access

In order that the traffic-carrying capacity of the transportation system may be maintained, the development's access shall be principally from the internal collector service street(s). In keeping, access shall be restricted to the collector with exception of one signalized access onto West 71st Street South east of the intersection of West 71st Street South and the collector. No direct access onto West 81st Street South shall be permitted. Provision of mutual access easements between lots with frontage on West 71st Street South and between lots with frontage on West 81st Street South is encouraged.

Traffic Calming

Traffic calming shall be included in the design of the service drive and loading area running generally parallel and to the east of the collector and directly adjacent to the buildings. Such design shall not be limited to stop signs and traffic humps. Additional design elements such as small traffic circles, curb extensions, planters, perceptual design features and curves and/or shifts in alignment of the service drive should also be incorporated.

Transit

One cut-out for a bus-bay and shelter per northbound and southbound lanes of the collector, located near the planned traffic light at the midpoint of the collector, is recommended. Additional bus stops identified through signage and shelters should also be provided near crosswalks along the collector.

Pedestrian Circulation

A pedestrian circulation plan shall be required that includes the following:

- (a) Sidewalks along both sides of the collector street;
- (b) A minimum of three crosswalks on the collector street. Use of pedestrian islands is encouraged.
- (c) Pedestrian walkways through parking lots; a minimum of three (3) feet in width, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-street front building entrances and/or sidewalks and trails. The three (3) foot width shall not include any vehicle

overhangs. Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways.

- (d) Pedestrian walkways connecting transit stops to non-street front building entrances.
- (e) Pedestrian walkways clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect.
- (f) Sidewalks or walkways which cross vehicular aisles or driveways distinguished as follows: by a continuous raised crossing, by using contrasting paving material and/ or by using high contrast striping.

Trail Access

Access to the trail system is recommended through utilization of the 100' PSO easement and detention areas.

Landscape Buffer

Landscaping and buffering of the west boundary within the 100' utility easement shall be in substantial conformance with Exhibit 'A-1', Tulsa Hills Concept Illustration Overall, and must be approved by the utility company or be provided outside the easement to the same effect. All required landscaping shall be installed and irrigated in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Building Materials

Although the style, color and materials of buildings may vary, an individual building adjacent to U.S. Highway 75, West 71st Street South and West 81st Street South shall have elevations which are consistent in style, color and material on all sides.

Screening Walls and Retaining Walls

The design of screening walls and retaining walls shall be approved by TMAPC at detail site plan review. Screening walls must achieve effective screening of loading areas, truck docks and car lights; must be of masonry, concrete, Woodcrete or similar material; provide effective noise

attenuation; and may include landscaping. Screening walls, a minimum of eight feet in height, shall be required on along the south boundaries of Development Area B, Development Area C, and along the east boundary of Development Area E and Development Area G.

3. No zoning clearance permit shall be issued for a lot within the Corridor Site Plan until a detail site plan for the lot, which includes all buildings, parking, screening fences and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan 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 occupancy or at the soonest appropriate planting time. 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 Corridor Site Plan until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), 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.
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 Corridor Site plan conditions of

approval and making the City beneficiary to said covenants that relate to the Corridor Site Plan 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 Corridor Site Plan 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 and shipping containers shall not be used for storage in the PUD.

TAC Comments from 11/17/05:

General – No comments

Water – A water main extension will be required to serve the parcel.

Fire – Note: The following comments only address Fire Department access and fire hydrants. All buildings on this site shall comply with the applicable City of Tulsa Fire and Building Codes.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) in length shall be provided with an approved area for turning around fire apparatus. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO *Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated

surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

Exterior doors and openings required by this code or the *International Building Code* shall be maintained readily accessible for emergency access by the Fire Department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

Fire hydrant systems shall comply with the following:

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

For buildings equipped throughout with an approved automatic sprinkler system, the distance requirement shall be 600 feet (183 m).

Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25.

Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. A three foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall be installed.

Stormwater – Comments to be developed following review.

Wastewater – A Sanitary Sewer system must be constructed to provide sewer service to all proposed lots.

Transportation – Subsequent transportation review will require submittals to include complete right-of-way documentation for existing and proposed dedications along 71st and 81st streets, both sides of section lines. Sidewalks will be required on both sides of Olympia, as well as on the adjoining arterial rights-of-way, to be incorporated with the required pedestrian circulation plan. Minimum right-of-way behind the curb on arterials is 14 ft, and on Olympia 12 ft. Other comments may be forthcoming pending further review.

Traffic – Verbal comments may be forthcoming at the TAC meeting due to the short two-day notice.

GIS – Plans not received for review.

County Engineer – No comments.

APPLICANT'S COMMENTS:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, submitted two packets of modifications (attached as Exhibits A-1 and A-2) and photographs of existing signs in Tulsa for commercial shopping centers (Exhibit A-3). Mr. Norman proceeded with his presentation. Mr. Norman stated that the modifications he submitted today were completed by 11:00 a.m. today.

TMAPC COMMENTS:

Mr. Carnes stated that he is overwhelmed with all of this new information and in order to advance on this it would require taking the information one at a time. He

commented that he doesn't understand how the Planning Commission can act on this without the staff reviewing it.

Mr. Bernard stated that he was waiting to get staff's comments on this because he is being overwhelmed with data at the moment.

Mr. Norman acknowledged that it is a large development and however it can proceed that is best for the Planning Commission and staff is fine with him. He indicated that he has met with staff twice and they made their final recommendation. He commented that when he offered to meet a third time, he was informed to present his amendments at the meeting.

Mr. Ard requested that Mr. Norman be allowed to finish his presentation and then hear what the staff has to say.

Ms. Bayles stated that this is a significant project and she spent hours going through the proposal included in the packet mailed to her. She supports hearing Mr. Norman continuing his presentation today, but she would like to be able to line up each and every one of these items before making a decision. Ms. Bayles stated that she is not comfortable making a decision at this time, given the consequence of the project.

Mr. Bernard agreed with Ms. Bayles's comments. This is a significant development and he hasn't seen anything like this since Woodland Hills Mall. He commented that over Christmas, he drove to Florida and back and saw a lot of developments. This proposal could potentially have a huge economic impact on the City of Tulsa and it should be done right so that it is a quality development for the City of Tulsa and for the developer. What happens on the subject property will impact land for miles north and south of the corridor.

Mr. Alberty stated that he would like to comment on Mr. Norman's comment about the staff not being willing to meet again. Staff has met a number of times and staff has compromised on the initial staff recommendation on at least two different occasions. The recent request to meet was last week to compromise and staff's statement was "our staff recommendation is final and it is the way it is going to read". If the applicant still has problems with the staff recommendation he was encouraged to bring it to the Planning Commission. Mr. Alberty stated that he can understand the overwhelming amount of information being heard verbally and in written form. The only way that he could suggest that the staff could assist the Planning Commission is to prepare a chart that would indicate what was originally proposed, where the staff recommendation is on each item and what Mr. Norman's further modification is. A corridor site plan is an instrument that requires an exceptional amount of detail and study. A developer who is not agreeing with the staff recommendation and he doesn't believe that the Planning Commission is in a position to be able to evaluate those things unless the Planning Commission is wholeheartedly going with the applicant's

suggestions or the staff's recommendation. He suggested that this be continued to February 1, 2006 to allow staff to prepare a comparison chart on each item. Mr. Alberty explained that there are a lot of prior commitments for staff time and staff is at a minimum at the present time, with too many commitments to comply with a one-week continuance.

Mr. Alberty stated that with regards to the comment on the pedestrian access, it is a part of the Zoning Code and has been for years. It probably hasn't been enforced and not required previously, but this staff will require it.

Mr. Ard stated that for his benefit he would appreciate a chart or graph to indicate the proposals, staff's recommendation and the applicant's further modifications.

Mr. Bernard agreed with Mr. Ard's comments.

Mr. Norman stated that he appreciates their comments, but he believes that a week is plenty of time to accomplish the chart.

Mr. Alberty reiterated the need for two weeks to prepare the chart.

Mr. Collins out at 3:31 p.m.

Mr. Carnes out at 3:37 p.m.

Ms. Bayles suggested that the interested parties have a chance to speak.

INTERESTED PARTIES:

Steven Gray, 4530 South Sheridan, Suite 205, 74145, expressed concerns regarding three properties adjacent to the subject property, which his client owns (704, 712 and 726 West 71st Street, 71st and Jackson). He stated that the proposed 20-foot retaining wall is the biggest issue that his clients have, which would be located between the proposed development and his client's property. He expressed concerns about safety and damage to his client's homes. His client's property is zoned residential and is being used as residential. Their son's home would be literally five feet from the property line and he isn't sure how the developer would build a 20-foot retaining wall next to a house so close to the property line without damaging the house.

Mr. Gray stated that he does support the Tulsa Hills development, but he does have concerns with the retaining wall height near his client's home. He suggested that the wall be stair-stepped or tiered and he would be supportive of that.

TMAPC COMMENTS:

Ms. Bayles asked Mr. Gray if he was supportive of the 25-foot lighting. In response, Mr. Gray stated that if the Kennebunkport formula is used and there is not light bleeding into his client's property, then he has no problems with it.

Mr. Gray indicated that the proposed Lowe's will be abutting his client's property and he is concerned about their hours of operation.

Mr. Jackson asked Mr. Gray if his client's properties are for sale. In response, Mr. Gray stated that they are listed on the market for sale. At this time, his clients have not had any offers that were acceptable to them.

Mr. Jackson asked Mr. Gray if the applicant tried to create this as an out-parcel. In response, Mr. Gray stated that the applicant did attempt to purchase his client's property, but his client's felt that the purchase price was not fair. There were some communications that left a very bad taste in his client's mouth.

INTERESTED PARTIES:

Lou Reynolds, 2727 East 21st Street, Suite 200, 74114, representing Stone Brooke Development Group, stated that he has met with the developer and they have agreed on a plan that is acceptable to both parties. He indicated that his clients have the most exposure on this development and are the most affected by all of the elevation issues. All the differences have been worked out and he requested that Mr. Norman's modified proposal be approved.

TMAPC COMMENTS:

After a lengthy presentation from staff and Mr. Norman, along with discussion involving all parties, it was determined that staff had not seen the modifications presented by Mr. Norman (Exhibits A-1 and A-2) and the Planning Commission didn't feel comfortable with the large amount of information that had not been reviewed by staff. Therefore, the Planning Commission continued Z-7008 and Z-7008-SP-1 to February 1, 2006 and requested that staff or Mr. Norman create a matrix showing the original proposal, staff's recommendation and the newest modifications that were presented today.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to **CONTINUE** Z-7008 and Z-7008-SP-1 to February 1, 2006.

NORMAN WOHLGEMUTH CHANDLER & DOWDELL

ATTORNEYS AT LAW

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FAX (918) 584-7846

January 18, 2006

Tulsa Metropolitan Area Planning Commission
201 West Fifth Street, Sixth Floor
Tulsa, Oklahoma 74103

re: Tulsa Hills
Corridor Site Plan Z-7008-SP-1

Dear Members of the Commission:

The Tulsa Metropolitan Area Planning Commission has continued the Tulsa Hills public hearing on two occasions to permit discussions between Tulsa Hills and the developers of StoneBrooke residential additions to the south and east of Tulsa Hills.

After several meetings between the principals, their engineers and attorneys, a number of agreements have been reached to provide an acceptable transition between Development Areas B, C, E and G of Tulsa Hills and the abutting StoneBrooke additions which are jointly submitted as amendments to the Tulsa Hills Corridor Site Plan as additional development standards.

The additional development standards are as follows:

Development Area B

A. Delete from Minimum Building Setbacks the following:

From the south boundary of Area B

125 FT

and insert the following:

EXHIBIT A-2

| | |
|--|--------|
| From the south boundary of Area B: | |
| From the southeasterly corner of the southernmost building in Area B | 145 FT |
| From the southwesterly corner of the southernmost building in Area B | 225 FT |

B. Add the following standard:

The finished floor elevation of the southernmost building in Area B shall not exceed 720 feet above mean sea level.

C. Add to the Corridor Site Plan the following:

Landscape and Buffer Conditions

The Developer of Tulsa Hills, Corridor District Site Plan Z-7008-SP-1, shall:

1. Provide within Tulsa Hills a 7' high full brick with stone columns masonry screening fence (the same design and materials as StoneBrooke's wall along Elwood) along the south property lines of Development Areas B and C and along the north 750' of Development Area E adjacent to the StoneBrooke Glenn property with stone columns to be on a minimum of 75' centers or at each lot's property corner, and to extend above the 7' high masonry screening fence; the StoneBrooke Glenn screening fence shall be constructed within 60 days after the filing of the final plat of StoneBrooke Glenn; a screening fence of the same quality and design shall be constructed along the western boundary of the StoneBrooke additions along the remainder of Development Area E and along Development Area G; such screening fence shall be constructed within 60 days after the filing of the final plat of StoneBrooke Estates or when Tulsa Hills starts any building construction in the remainder of Area E or within Area G, whichever occurs first; see Exhibits L-1, L-2 and L-3;
2. Provide at its sole cost and expense landscaping within a 20' wide landscaping area along the south and east property lines (Development Areas B, C, E & G) adjacent to the StoneBrooke Glenn and StoneBrooke Estates additions, which includes 15' tall loblolly pines or 15' tall red cedar evergreens (or other mutually agreed upon tree species) planted on 20' centers subject to the approval by AEP/PSO of tall trees within the 100' wide AEP/PSO easement; this area shall be free of any AEP/PSO plant material height restrictions and trees shall be maintained properly to promote growth to provide visual screening to the north and west; if the tall trees are not approved by AEP/PSO in the 100' wide AEP/PSO easement, Tulsa Hills shall

relocate the proposed utility easement along StoneBrooke Glenn's northern boundary, 20' north of the property line, so as to establish a 20' wide landscaping area between StoneBrooke Glenn and the AEP/PSO easement which would allow tall trees and unrestricted landscaping in such 20' wide area; such plant material and trees shall be maintained by the owner of the adjacent property within Tulsa Hills; see Exhibits L-1, L-2, L-3 and L-4;

3. Construct a 3' high berm (with 3:1 slopes) along south and east property lines (Development Areas B, C, E & G) adjacent to StoneBrooke Glenn and StoneBrooke Estates to direct overland water drainage away from the residential lots; the trees required under paragraph 2 shall be planted on top of the berm; see Exhibit L-4;
4. Plant trees in clusters along the foot of the retaining walls in Area B and to the northeasterly corner of the southernmost building in Area B to "soften" the retaining walls that are visible from the residential lots in StoneBrooke Glenn; a minimum of 1 tree shall be planted for each 15 lineal feet of retaining wall; see Exhibits L-1, L-2 and L-4;
5. Construct a continuous 6' high screening wall at the top of the retaining wall to screen the service driveway on the southwesterly side and the southeasterly side of the southernmost building in Area B (see Exhibit L-5); the retaining walls and screening walls shall be constructed of earth-toned decorative block (similar to Pavestone "Anchor Highland Stone", see Exhibit L-5); plant 15' tall loblolly pines or 15' tall red cedar evergreens (or other mutually agreed upon tree species) in clusters on the south and east sides of the 6' high screening wall with a minimum quantity of 1 tree per 15 lineal feet of the screening wall;
6. Construct the side and rear of the southernmost building in Area B with the same quality and materials as the front of building; the color shall be earth toned; all roof top mounted mechanical equipment on the southernmost building in Area B shall be screened from view from the residential lots in StoneBrooke Glenn; see Exhibit L-5;
7. In addition to the 100' building setback on the east boundary (Areas E and G) adjacent to StoneBrooke Glenn or StoneBrooke Estates, a minimum 25' wide paving, parking and drive isle setback shall be imposed on the east boundary of Areas E and G adjacent to StoneBrooke Glenn and StoneBrooke Estates; establish and maintain a 25' landscaped area along this same east boundary; construct a 6' high screening wall (at least the length of the structure) at the east edge of any pavement if any structure is within 200' of east property line (only required if any paving or structure pad elevation is 10' higher than an adjacent residential lot elevation at the common property line); provide 15' tall loblolly pine trees (or other

mutually agreed upon tree species) on the east side of such screening wall at a minimum of 1 per 20 lineal feet of wall;

8. Any building in Development Areas E and G within 200 lineal feet of the residential lots shall be constructed with the rear elevation of the same quality of materials as the front of the structure, with earth tone colors.
 - A. The developer of Tulsa Hills shall provide prior legal notice to StoneBrooke Development Group, LLC or its designee at 802 West Main Street, Jenks, Oklahoma, 74037, of any detailed site plan hearings, zoning issues, variances, etc. to be heard/approved by the Tulsa Metropolitan Area Planning Commission or the Board of Adjustment.
 - B. Lighting adjacent to or visible from residential lots shall be shielded per staff's recommendations, the City of Tulsa Zoning Code, with the application of the Kennebunkport formula; light producing element/reflector shall not be visible from adjacent residential lots. Any calculations must include consideration of topography.
 - C. No idling of vehicles, and no trash dumpster service shall be allowed between the hours of 10 p.m. and 7 a.m.
 - D. No exterior storage or warehousing shall be permitted.
 - E. All areas not paved shall be landscaped, irrigated and maintained equally.

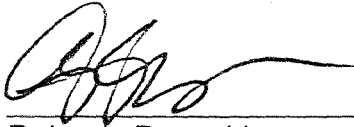
* The staff under "Screening Walls and Retaining Walls" has recommended that the screening fence along the southerly and east boundaries of the Tulsa Hills be 8 feet in height. The applicant and the developers of the StoneBrooke additions request that recommendation be modified to require the screening wall to be a minimum of 7 feet in height.

The Tulsa Hills and StoneBrooke developers believe these proposed additional development standards will achieve an acceptable relationship between Tulsa Hills and the StoneBrooke additions and jointly request approval of the additional standards to the staff recommendation.

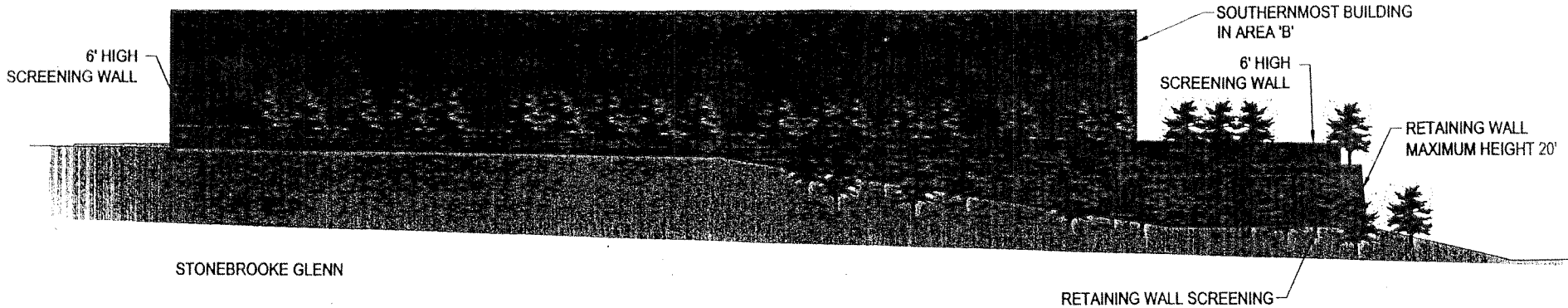
Respectfully submitted,



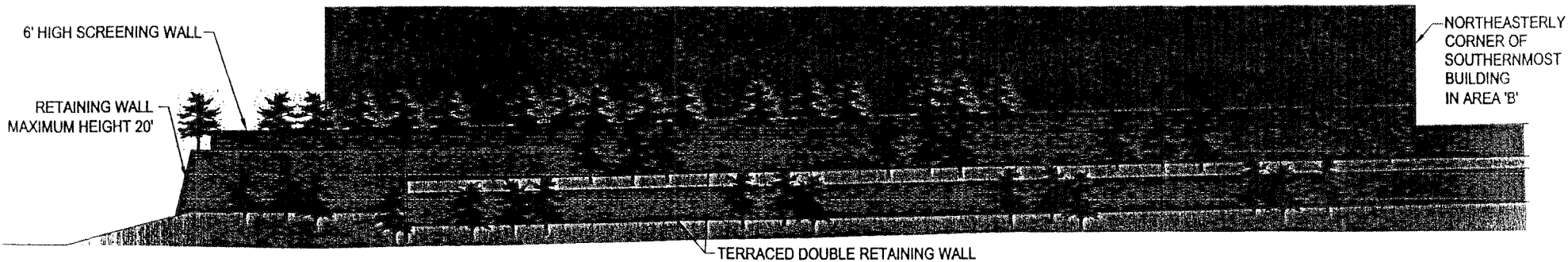
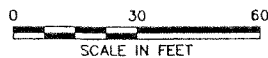
Charles E. Norman
Attorney for Sooner Investment and
Collett & Associates



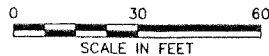
R. Louis Reynolds
Attorney for StoneBrooke Development
Group, LLC



Southwesterly Elevation of Southernmost Building in Area 'B'



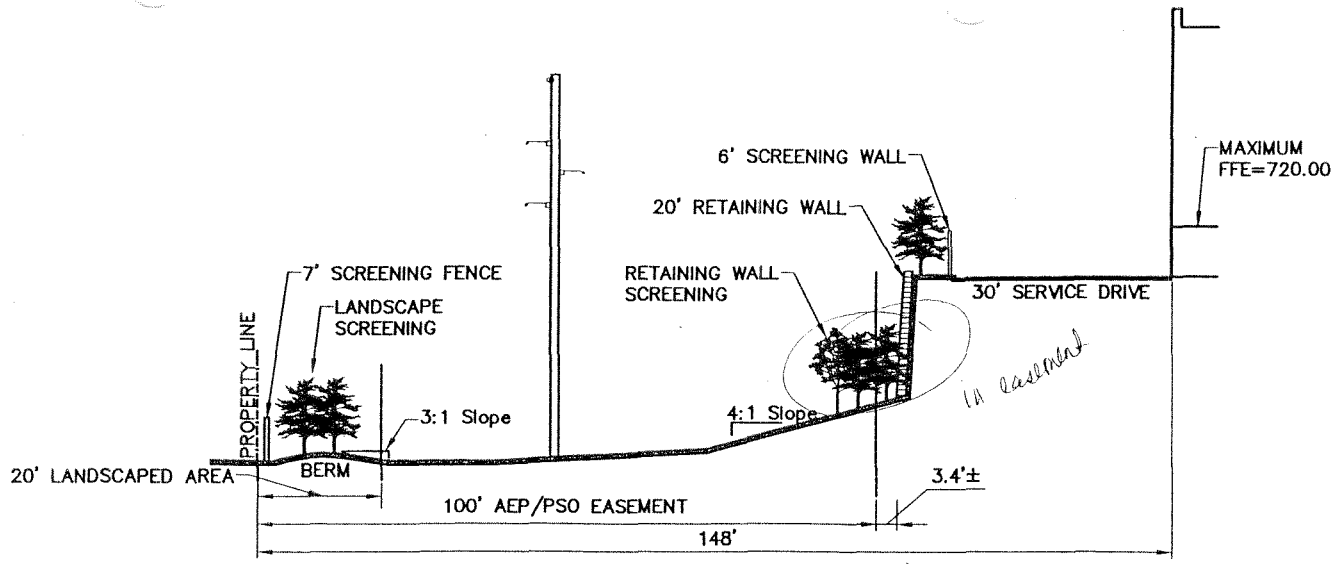
Southeasterly Elevation of Southernmost Building in Area 'B'



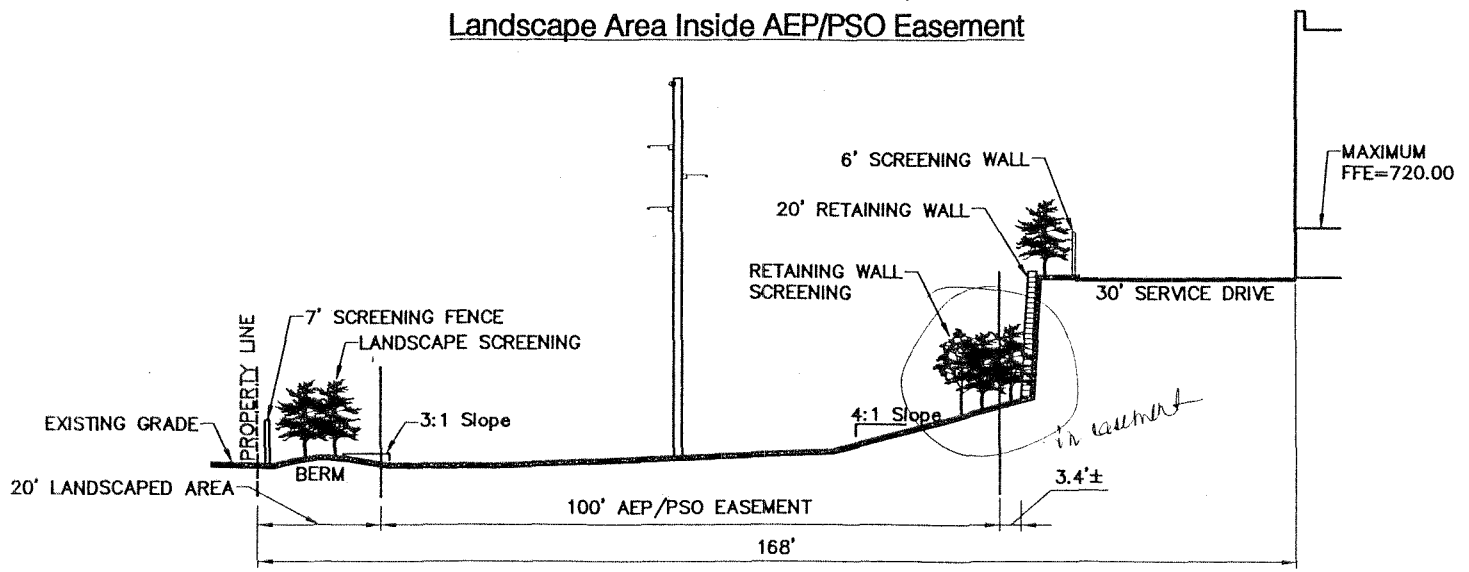
SAI SACK AND ASSOCIATES, INC.
 Suite Fc Depot, 111 North Eighth Avenue, Tulsa, Oklahoma 74120-1816
 Ph: 918.582-4111 Fax: 918.582-4228 E-mail: sailandassociates.com
 CA Number 1783 (S.E.S.) and 1462 (S.A.) Exp. June 30, 2007

Project: TULSA HILLS-A Drawing: EXHIBIT05B AREA: CORP/ITE B-1172 T-843
 Drawn: MGC/GJD Date: 10/7/06 1812.11 Drawn: P12/06 18 JAN 2008

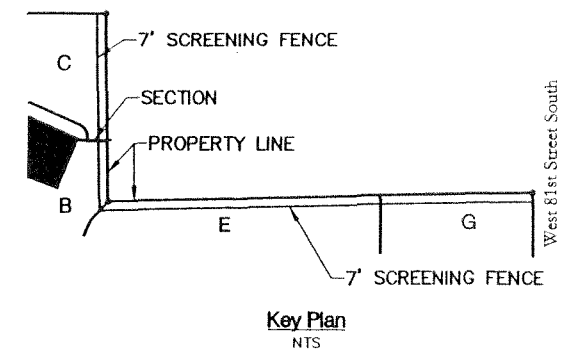
Tulsa Hills
 EXHIBIT 'L-5'
 Corridor District Site Plan Z-7008-SP-1
 January 18, 2008



Landscape Area Inside AEP/PSO Easement

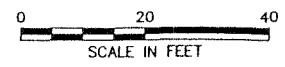


Landscape Area Outside AEP/PSO Easement

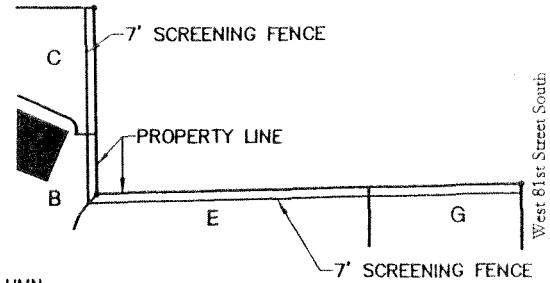
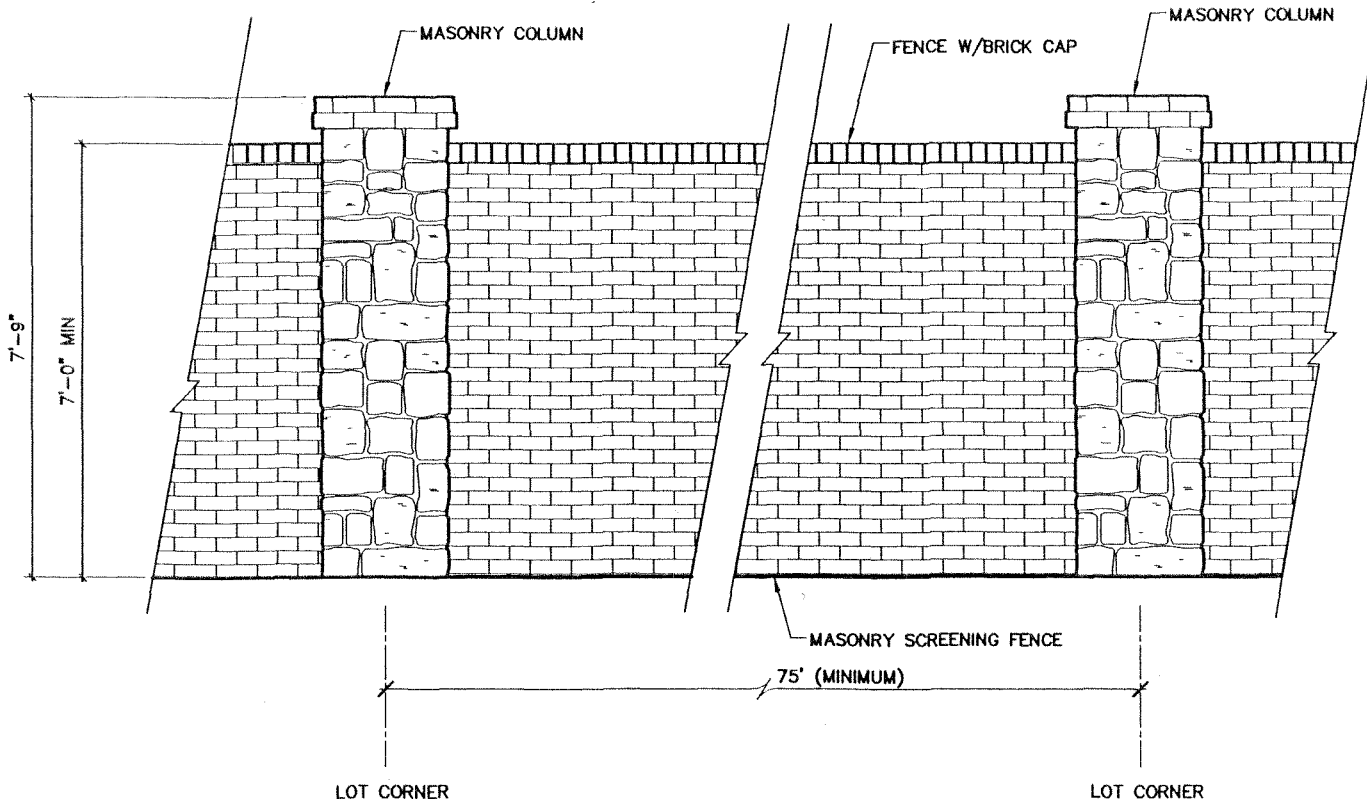


SACK AND ASSOCIATES, INC.
 Santa Fe Depot, 111 South Eighth Avenue, Tulsa, Oklahoma 74120-1816
 Ph: 918.592-4111 Fax: 918.592-4229 E-mail: gsack@sackandassociates.com
 CA Number 1783 (PE/LS) and 1462 (LA), Exp. June 30, 2007

Project: TULSA HILLS-A Drawing: EXHIBIT056 3823x COPYRIGHT S-1117x T-SAJ
 Drawn: J.W. Order: F0748 File: 1812.11 Drawn: Plotted: 17 JAN 2006



Tulsa Hills
 EXHIBIT 'L-4'
 Corridor District Site Plan Z-7008-SP-1
 January 18, 2006



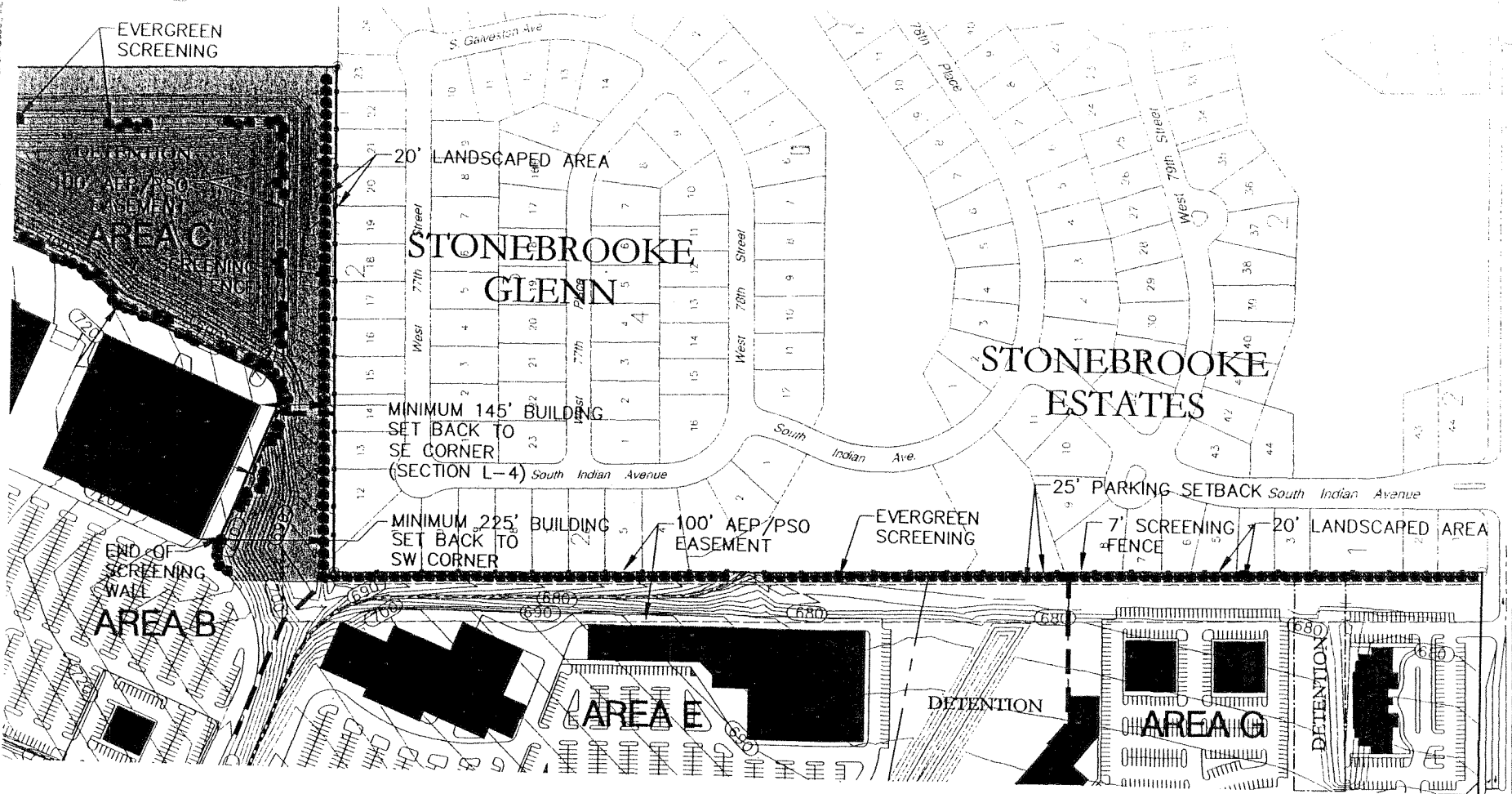
Key Plan
NTS

Screening Fence Detail
1/2"=1'-0"

SACK AND ASSOCIATES, INC.
 Santa Fe Depot, 111 South Fifth Avenue, Tulsa, Oklahoma 74109-1216
 Ph: 918.592.4111 Fax: 918.592.4229 E-mail: eas@sackandassociates.com
 CA Number 1763 (P/E/S) and 1462 (L/A), Exp. June 30, 2007

Project: TULSA HILLS-A Drawing: E2061050 2063a COPY/RITE 5-1117X 1-5A3
 Drawn: J.W. Order: F0748 File: 1812.11 Drawn: Matted: 17 JAN 2006

Tulsa Hills
 EXHIBIT 'L-3'
 Corridor District Site Plan Z-7008-SP-1
 January 18, 2006



West 81st Street South

Legend

- RETAINING WALL
- ==== 6' SCREENING WALL
- 7' SCREENING FENCE
- EVERGREEN TREE

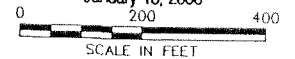
SACK AND ASSOCIATES, INC.
 Santa Fe Depot, 111 South Eighth Avenue, Tulsa, Oklahoma 74120-1816
 PH: 918.592.4111 Fax: 918.592.4229 E-mail: info@sackandassociates.com
 CA Number: 1763 (P/L/S) and 1462 (A). Exp. June 30, 2007

Project: TULSA HILLS-A Drawing: EXHIBIT04B SHEET: COP'HERE S-1117X 1-5a3
 Drawn: J.W.G. Date: 10/7/06 File: 181211 Drawn: PHEIX COP'HERE S-1117X 1-5a3
 Plotted: 18 JAN 2006

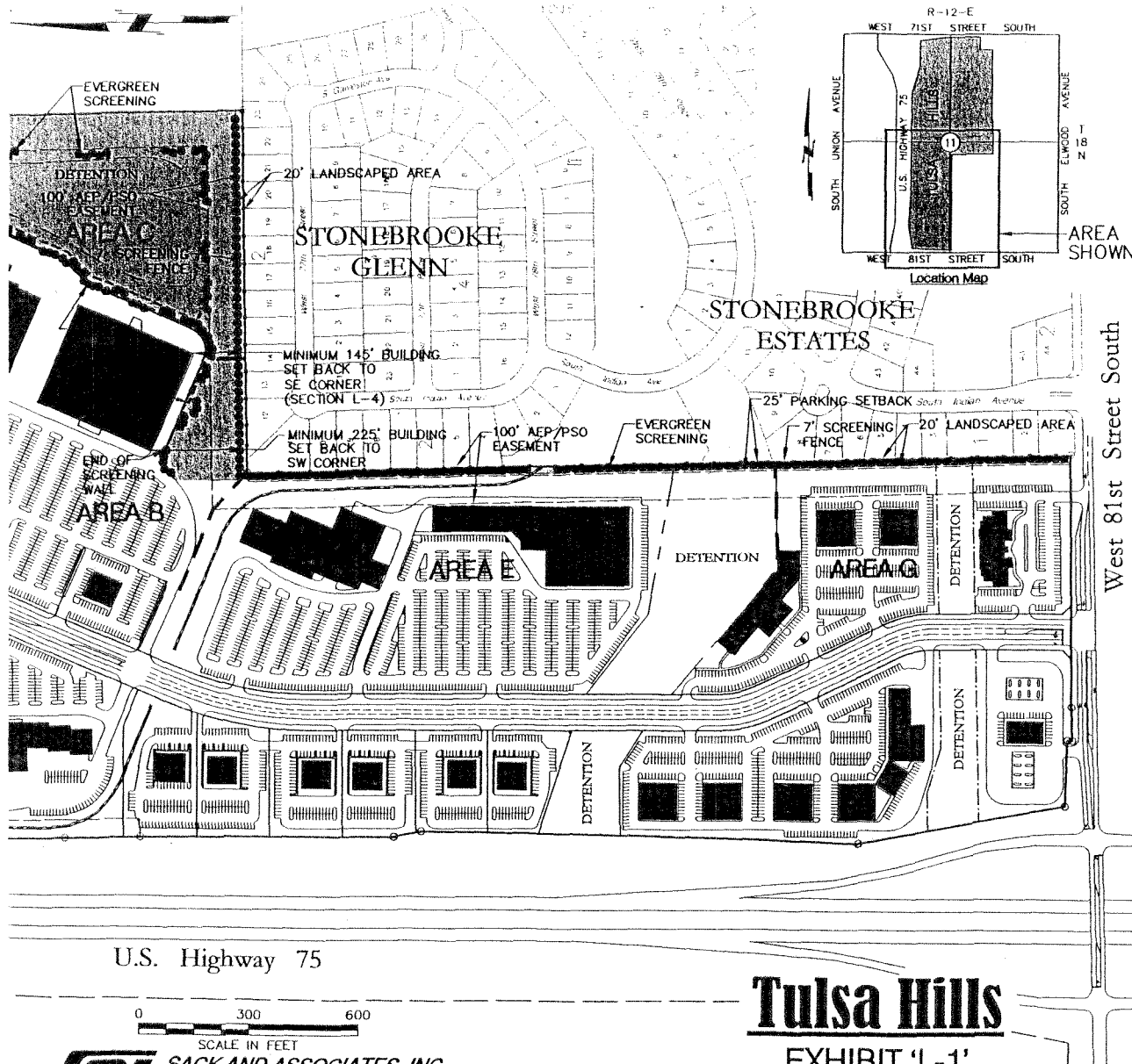
Tulsa Hills

EXHIBIT 'L-2'
 Corridor District Site Plan Z-7008-SP-1

January 18, 2006



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Landscape and Buffer Conditions

The Developer of Tulsa Hills, Corridor District Site Plan Z-7008-SP-1, shall:

1. Provide within Tulsa Hills a 7' high full brick with stone columns masonry screening fence (the same design and materials as StoneBrooke's wall along Elwood) along the south property lines of Development Areas B and C and along the north 750' of Development Area E adjacent to the StoneBrooke Glenn property with stone columns to be on a minimum of 75' centers or at each lot's property corner, and to extend above the 7' high masonry screening fence; the StoneBrooke Glenn screening fence shall be constructed within 60 days after the filing of the final plat of StoneBrooke Glenn; a screening fence of the same quality and design shall be constructed along the western boundary of the StoneBrooke additions along the remainder of Development Area E and along Development Area G; such screening fence shall be constructed within 60 days after the filing of the final plat of StoneBrooke Estates or when Tulsa Hills starts any building construction in the remainder of Area E or within Area G, whichever occurs first; see Exhibits L-1, L-2 and L-3;
2. Provide at its sole cost and expense landscaping within a 20' wide landscaping area along the south and east property lines (Development Areas B, C, E & G) adjacent to the StoneBrooke Glenn and StoneBrooke Estates additions, which includes 15' tall loblolly pines or 15' tall red cedar evergreens (or other mutually agreed upon tree species) planted on 20' centers subject to the approval by AEP/PSO of tall trees within the 100' wide AEP/PSO easement; this area shall be free of any AEP/PSO plant material height restrictions and trees shall be maintained properly to promote growth to provide visual screening to the north and west; if the tall trees are not approved by AEP/PSO in the 100' wide AEP/PSO easement, Tulsa Hills shall relocate the proposed utility easement along StoneBrooke Glenn's northern boundary, 20' north of the property line, so as to establish a 20' wide landscaping area between StoneBrooke Glenn and the AEP/PSO easement which would allow tall trees and unrestricted landscaping in such 20' wide area; such plant material and trees shall be maintained by the owner of the adjacent property within Tulsa Hills; see Exhibits L-1, L-2, L-3 and L-4;
3. Construct a 3' high berm (with 3:1 slopes) along south and east property lines (Development Areas B, C, E & G) adjacent to StoneBrooke Glenn and StoneBrooke Estates to direct overland water drainage away from the residential lots; the trees required under paragraph 2 shall be planted on top of the berm; see Exhibit L-4;
4. Plant trees in clusters along the foot of the retaining walls in Area B and to the northeasterly corner of the southernmost building in Area B to "soften" the retaining walls that are visible from the residential lots in StoneBrooke Glenn; a minimum of 1 tree shall be planted for each 15 lineal feet of retaining wall; see Exhibits L-1, L-2 and L-4;
5. Construct a continuous 6' high screening wall at the top of the retaining wall to screen the service driveway on the southwesterly side and the southeasterly side of the southernmost building in Area B (see Exhibit L-5); the retaining walls and screening walls shall be constructed of earth-toned decorative block (similar to Pavestone "Anchor Highland Stone", see Exhibit L-5); plant 15' tall loblolly pines or 15' tall red cedar evergreens (or other mutually agreed upon tree species) in clusters on the south and east sides of the 6' high screening wall with a minimum quantity of 1 tree per 15 lineal feet of the screening wall;
6. Construct the side and rear of the southernmost building in Area B with the same quality and materials as the front of building; the color shall be earth toned; all roof top mounted mechanical equipment on the southernmost building in Area B shall be screened from view from the residential lots in StoneBrooke Glenn; see Exhibit L-5;
7. In addition to the 100' building setback on the east boundary (Areas E and G) adjacent to StoneBrooke Glenn or StoneBrooke Estates, a minimum 25' wide paving, parking and/or drive aisle setback shall be imposed on the east boundary of Areas E and G adjacent to StoneBrooke Glenn and StoneBrooke Estates; establish and maintain a 25' landscaped area along this same east boundary; construct a 6' high screening wall (at least the length of the structure) at the east edge of any pavement if any structure is within 200' of east property line (only required if any paving or structure pad elevation is 10' higher than an adjacent residential lot elevation at the common property line); provide 15' tall loblolly pine trees (or other mutually agreed upon tree species) on the east side of such screening wall at a minimum of 1 per 20 lineal feet of wall;
8. Any building in Development Areas E and G within 200 lineal feet of the residential lots shall be constructed with the rear elevation of the same quality of materials as the front of the structure, with earth tone colors.

U.S. Highway 75

0 300 600

SCALE IN FEET



SACK AND ASSOCIATES, INC.

Santa Fe Depot, 111 South Edge Avenue, 1086, Oklahoma 74120-1816
Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sack@sackandassociates.com
CA Number: 1783 (07/75) and 1462 (1A) Exp. June 30, 2007

PROJECT: TULSA HILLS - A DRAWING: LANDSCAPE DATE: 10/24/06 FILE: 181211 DRAWN: AREFS: COPYRIGHT © 1981, 2006 SACK AND ASSOCIATES, INC. PLOTTED: 18 JAN 2006

Tulsa Hills

EXHIBIT 'L-1'

Corridor District Site Plan Z-7008-SP-1

January 18, 2006

NORMAN WOHLGEMUTH CHANDLER & DOWDELL

ATTORNEYS AT LAW

2900 MID-CONTINENT TOWER

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January 18, 2006

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CHRISTINE D. LITTLE
ANGELA FREEMAN PORTER

Tulsa Metropolitan Area Planning Commission
201 West Fifth Street, Sixth Floor
Tulsa, Oklahoma 74103

re: Tulsa Hills
Corridor District Plan Z-7008-SP-1

Dear Members of the Commission:

The staff recommendation for approval of the Tulsa Hills Corridor Site Plan is generally supportive of the 176 acre regional shopping center. The staff states that the Tulsa Hills property is "an ideal location for a regional shopping center" and recognizes the numerous advantages of the location to serve shoppers within the west and southwest segments of the metropolitan Tulsa trade area as well as outlying communities.

The staff recommends approval of the uses, floor area ratios, building heights and minimum building setbacks as proposed by the developer; however, the staff recommendation states that the design of Tulsa Hills "will set precedent for future development along U.S. Highway 75 as well as for the entire region". Based on this statement, the staff is recommending limitations on signage and lighting and proposes design requirements not heretofore required for any comparable shopping area within the City of Tulsa.

The developer has carefully reviewed the staff recommendations and comments and requests the Tulsa Metropolitan Area Planning Commission to consider modifications, particularly with reference to signage and center lighting. Additional comments will be made concerning the Access, Traffic Calming, Transit, Pedestrian Circulation, Landscape Buffer, Building Materials and Screening Walls and Retaining Walls sections of the staff recommendations.

EXHIBIT A-1

Attached is a copy of Exhibit C, Development Area Map, to the Tulsa Hills Corridor Site Plan to assist the review of the applicant's requests for modifications of the staff recommendations.

SIGNAGE

Tulsa Hills has one mile of frontage along U.S. Highway 75 (the Okmulgee Beeline), approximately 1,450 feet of frontage on West 71st Street and approximately 1,000 feet of frontage along West 81st Street. Signage within the CO-Corridor District is governed by Sections 1221 C and D of the Zoning Code. Under Section 1221.D, ground signs adjacent to a freeway are permitted at a maximum height of 50 feet. Where more than one sign is erected along a street frontage, ground signs may not exceed a total of one square foot of display surface area for each lineal foot of major street frontage. Consequently, total signage along Highway 75 may not exceed 5,280 square feet of display surface area, along West 71st Street may not exceed 1,450 feet and along West 81st Street the total signage may not exceed 1,000 square feet.

Three billboards are presently located along the Highway 75 frontage of Tulsa Hills. A billboard is located at the northwest corner of the West 71st Street and Highway 75 intersection. An additional billboard is on the north side of West 71st Street directly across from the eastern frontage of Tulsa Hills.

The developer of Tulsa Hills proposed significantly smaller and lower signage than previously permitted throughout the Tulsa metropolitan area. For example, ground signs for each lot fronting on West 71st Street and West 81st Street (Areas A, B, F and G) were requested at a maximum height of 12 feet and 80 square feet of display surface area, approximately one-half of the 25 feet high and 160 square feet of display surface area ground signs typically permitted within corridor district site plans and planned unit developments along East 71st Street at its intersection with the Mingo Valley Expressway.

Tulsa Hills proposed internal ground signs for each lot along the corridor collector street, South Olympia Avenue, with a maximum height of 6 feet and 64 square feet of display surface area.

The developer also requested approval of three center identification signs along the Highway 75 frontage with a maximum height of 50 feet and 500 square feet of display surface area, and one ground sign for each lot adjacent to Highway 75 with a maximum height of 30 feet and 160 square feet of display surface area.

The staff recommends:

1. Approval of two center identification signs along the one mile of Highway 75 not exceeding 35 feet in height and 500 square feet;
2. Denial of any ground signs for individual lots along Highway 75; and
3. In lieu of wall signage, one ground sign for each lot on West 71st and West 81st Street not exceeding 8 feet in height and 80 square feet.

The Tulsa Hills developer requests approval of modifications to the staff recommendations with respect to signage as follows:

Area A:

(1) Approval of outdoor advertising, Use Unit 21, as the center identification signs will contain the names of major and junior anchor tenants not located on the lot where the center identification signs are situated.

(2) Approval of two center identification signs on the Highway 75 frontage at a maximum height of 35 feet and 500 square feet of display surface area (rather than the one center identification sign recommended by the staff) with the requirement that the two center identification signs in Area A and the one additional center identification sign recommended by the staff in Area D be identical in design and materials.

The denial of the ground signs requested by the developer for each lot fronting on Highway 75 is acceptable to the developer. The request for three center identification signs along the one mile frontage on Highway 75 would result in 1,500 square feet of signage rather than the maximum of 5,280 square feet allowed under Section 1221.D of the Zoning Code. The reduction in height from 50 to 35 feet is also acceptable to the developer with the comment that final grading plans for Tulsa Hills may result in parts of the center being lower than Highway 75 which might require approval of a minor amendment to permit an appropriate sign height to match the other two center identification signs.

(3) Approval of one ground sign for the north lot in Area A fronting on West 71st street with a maximum height of 12 feet and 80 square feet of display surface area.

(4) Approval of one ground sign for each lot fronting on the corridor collect street, South Olympia Avenue, 6 feet in height and 64 square feet of display surface area (may have been deleted unintentionally).

(5) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less (this request will be made for each development area); small width tenant spaces often require slightly greater length of wall signs.

Area B:

(1) Delete "in lieu of wall signage" (1.b) and increase ground sign height from a maximum of 8 feet to 12 feet; wall signage and higher ground signs have always been permitted in corridor site plans and planned unit developments for each lot fronting an arterial street.

(2) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less.

Area C:

No signage is permitted in Area C which extends along the entire frontage of South Jackson Avenue.

Area D:

(1) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less.

Area E:

(1) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less.

Area F:

(1) Delete "in lieu of wall signage" (1.b) and increase ground sign height from a maximum of 8 feet to 12 feet.

(2) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less.

Area G:

(1) Delete "in lieu of wall signage" (1.b) and increase ground sign height from a maximum of 8 feet to 12 feet.

(2) Approval of wall signs not exceeding 75 percent of the length of the tenant wall to which attached; provided, wall signs shall not exceed 80 percent of the frontage of tenant spaces 30 feet in width or less.

LIGHTING

The Tulsa Hills developer proposed light standards not to exceed 35 feet in height, except within Areas E and G, adjacent to a proposed single family residential neighborhood where lights within the east 120 feet of Areas E and G were restricted to 15 feet in height by the developer.

The staff has recommended in each development area the light standards shall not exceed 25 feet in height and has added the following requirement in each development area:

"The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and 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 persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography."

The reduction of light standard heights from 35 feet to 25 feet increases the number of light standards and pedestals within a parking area by approximately 40 percent. With the application of the Kennebunkport Formula, the height of the light standards within Tulsa Hills should not be a concern to the surrounding residential areas. The width of Area C and the required building setbacks separates the commercial use area B from South Jackson Avenue by 300 feet to as much as 500 feet. The limitation of light standard height to 15 feet within the east 120 feet of Areas E and G, along with the Kennebunkport Formula, provides adequate lighting protection for the proposed single family lots to the east.

The landscaping requirements along the south boundaries of Areas B and C and the east boundaries of Areas E and G will enhance the light protection provided by the Kennebunkport Formula.

The developer requests approval in each development area of a light standard height of 35 feet with the proviso that within 120 feet of the south boundary of Area B light standards shall not exceed 15 feet in height.

ACCESS

The staff recommends that access to Tulsa Hills be restricted to the corridor collector street and states that no direct access onto West 81st Street shall be permitted.

The easternmost two lots along West 71st Street are substantially lower than the signalized intersection to the west.

The developer requests that right-turn in – right-turn out access be permitted to those two lots as shown on Exhibit D-1 and that the recommended prohibition of access to West 81st Street be deleted.

West 71st Street is designated as a linear development area on the District 8 Comprehensive Plan; therefore, direct access to West 71st Street will be permitted in the future in addition to existing access drives to the arterial street.

The frontage on West 81st Street of Areas F and G will be between 400 and 500 feet. Appropriate access points should be allowed as determined in the platting process.

TRAFFIC CALMING

The staff recommendation requires traffic calming design elements "such as small traffic circles, curb extensions, planters, perceptual design features and curves". Small traffic circles create confusion and congestion. Planters are consistently damaged; curb extensions simply restrict the width available for safe maneuvering.

Tulsa Hills requests that the requirement for these design elements be deleted.

TRANSIT

The staff recommends cut-out bus bays and shelters on South Olympia Avenue which have not been required or provided along arterial street developments and are not necessary considering the one to two hour intervals between buses.

The recommended cut-outs would require additional right-of-way, and interrupt sidewalks and landscaping and should be considered on an area wide basis.

Tulsa Hills requests that the cut-out bus bay requirement be deleted.

PEDESTRIAN CIRCULATION

The staff recommendation states that a "pedestrian circulation plan shall be required" that includes a number of specific design elements in addition to the sidewalks along both sides of South Olympia Avenue as proposed by the developer.

The staff requirement that there be pedestrian walkways through parking lots assumes that shoppers will walk to a pedestrian walkway rather than take the shortest route through the parking area to their destination. Land planners have always recognized that pedestrians take the shortest route rather than follow pre-designed sidewalks. In addition, there is no evidence, anecdotally, or otherwise, which establishes a safety risk for pedestrians within shopping center parking areas.

Attached are copies of a draft chapter, Design Standards for Pedestrian Circulation in Commercial and Industrial Areas for the City of Lincoln, Nebraska and a copy of Pedestrian Circulation through Surface Parking Lots from the City of Seatac, Washington Code which were provided to the applicant by the staff. The staff has adopted and recommended for Tulsa Hills a number of the provisions from the Lincoln draft and the Seatac Code for Tulsa Hills.

Standards for landscaping within off-street parking areas and for the design of parking areas are part of Chapters 10 and 13 of the Tulsa Zoning Code. New and additional requirements for sidewalks in parking areas, if considered appropriate after public review, should be made a part of the Tulsa Zoning Code and be applicable to all parking areas, whether in zoning districts, planned unit developments or corridor site plans.

The Tulsa Hills developer requests that Sections C, D, E and F be deleted from the Pedestrian Circulation staff recommendation.

TRAIL ACCESS

Access to trails which may be planned in the future through the 100 feet wide electric power easement and detention areas is acceptable.

LANDSCAPE BUFFER

The staff recommendation requires, for the first time, that landscaping within the 100 feet wide PSO easement "must be approved by the utility company". Approval of the detail landscape plan is the responsibility of the staff and the Tulsa Metropolitan Area Planning Commission. The Landscape Chapter of the Tulsa Zoning Code, Chapter 10, provides that only small trees may be planted under or within 20 feet of an overhead utility. The approval by AEP/PSO would amount to extending veto rights to the utility company and would allow the company to override the judgment of the staff and the Planning Commission. In addition, recent experience has shown that AEP/PSO, now headquartered in Ohio, often requires 60 days or more for a response to a proposal.

Tulsa Hills requests that approval by the utility company be deleted from the staff recommendation.

BUILDING MATERIALS

The staff recommendation requires that buildings must be "consistent in style, color and materials on all sides".

The developer requests that the words "style" and "material" be deleted in order that the colors of buildings will be the same on all sides, but not requiring the same material and design for the back and sides of buildings as is provided for the building fronts.

SCREENING WALLS AND MATERIALS

The staff states: "Screening walls must achieve effective screening of loading areas, truck docks and car lights; must be of masonry, concrete, woodcrete or similar material; provide effective noise attenuation, and may include landscaping" and requires screening walls to be a minimum of 8 feet in height along the south boundaries of Areas B, C and the east boundaries of Areas E and G.

The recommendation is ambiguous, unclear and contrary to the dozens if not hundreds of screening standards for corridor site plans and planned unit developments. The recommendation excludes wood as an element of screening walls although wood is the basic requirement of the Tulsa Zoning Code. A screening height of 8 feet is, in most instances, excessive and should not be required in advance of the submission of a detail landscape and screening plan.

Effective noise attenuation is a new concept to the review of a commercial development as some noises will escape any screening plan. Noises are attenuated by a combination of distance, landscaping and screening and are often masked entirely by background noise levels generated by adjacent expressways and arterial streets such as Highway 75 and West 71st Street.

The developer requests that the second and third sentences of the screening wall section be deleted leaving the design of screening walls and retaining walls to be approved at the detail site and landscape plans review, except as amended with respect to the south and east boundaries of Development Areas B, C, E and G.

West 71st Street east of Tulsa Hills has been approved in the District 8 Comprehensive Plan for linear development. A number of properties on the south side of West 71st Street, both east and west, have already been rezoned to the CS-Commercial district which permits as a matter of right larger and taller signs than are requested for Tulsa Hills.

Tulsa Hills will become a major regional center for the western metropolitan area. The development should not be penalized by the adoption of unprecedented development standards or untested design requirements not carefully considered for all Tulsa projects.

Tulsa Metropolitan Area Planning Commission
January 18, 2006
Page 10

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles E. Norman". The signature is fluid and cursive, with the first name being the most prominent.

Charles E. Norman

CEN/nh
Attachments

Chapter 3.105

**DESIGN STANDARDS FOR PEDESTRIAN CIRCULATION IN
COMMERCIAL AND INDUSTRIAL AREAS**

*The Department of Public Works and Utilities is assigned
responsibility for administration of these design standards.*

Section 1. GENERAL REQUIREMENTS

The design and installation of sidewalks within existing and new areas in the City of Lincoln affect such matters as pedestrian and vehicular safety, pedestrian convenience, healthy living factors, and the general appearance and livability of the city. The design and installation of sidewalks within all commercial and industrial use areas to provide for a minimum amount of safety and connection is a matter of city-wide concern and shall be provided as set forth in the following standards.

Section 2. REQUIRED DESIGN STANDARDS

1. An on-site sidewalk system shall be constructed along streets and drives (both public and private) and shall connect to the sidewalk system on abutting streets. For these purposes, parking lot drive aisles are not to be considered drives or streets. Sidewalks shall also be constructed to lead to pedestrian crossings at off-site full access median openings, trail crossings, and pedestrian signal crossings on abutting streets. Sidewalks may be constructed along one side of private drives if the sidewalk system is continuous and the number of driveway crossings is greatly minimized.
2. Each building and pad-site shall connect to the on-site sidewalk system by way of a sidewalk that serves the main entrance of each building and pad-site.
3. The sidewalk along the front of each building that includes the main entrance(s) to the building shall be required, with a minimum five (5) foot clear walking space. Where angle or 90 degree parking abuts the sidewalk, a minimum of 2.5 feet of a parked car overhang obstructing the sidewalk shall be taken into account when providing this five foot clear walking space, thus necessitating a minimum of a 7.5 foot wide sidewalk.

An eight (8) foot clear walking space is required along the front of a building when the building size is 50,000 square feet in gross floor area or greater and is in retail use. This

DRAFT

wider pedestrian space is needed due to greater pedestrian activity in front of larger retail sites as well as due to the propensity for such uses to use portions of the fronts of such buildings for storage and display of various items such as shopping carts and display items. When providing for this 8 foot clear walking space, 2.5 feet of parking overhang shall be provided for in addition to the 8 feet of clear space when angle or 90 degree parking abuts the sidewalk. This requirement is not applicable to office or industrial uses where there may be building sizes of 50,000 square feet or greater.

4. Sidewalks shall be constructed to serve pedestrian movement on site in as direct a manner as possible with a maximum 300 foot diversion for pedestrians to be used as a standard for identifying directness. Also, sidewalk/driveway crossings shall be minimized as much as possible in the design of the on-site sidewalk system.
5. With the exception of where sidewalks cross driveways, sidewalks shall be separated from vehicle parking and vehicle maneuvering areas by grade differences, paving material, and/or landscaping.
6. The on-site sidewalk system shall connect with existing or planned bicycle trails which abut the site but are not necessarily adjacent to the streets abutting the site.
7. Installation of on-site sidewalks shall coincide with and complement required street trees and on-site landscaping requirements.
8. All on-site sidewalks (except for those that abut the fronts of buildings as discussed above in Standard #3) shall provide a minimum of four (4) feet of clear walking space in width and shall be constructed in accordance with sidewalk standards adopted by the City Engineer including all applicable ADA standards.

Section 3. FLOOR AREA INCENTIVE PEDESTRIAN STANDARDS

In order to determine which developments are deserving of the Floor Area Incentive bonus offered in the Lincoln-Lancaster Comprehensive Plan, the following design features are needed in site designs to determine which developments are truly pedestrian oriented.

1. Sidewalks installed on both sides of private drives to best serve the needs of the pedestrian within commercial and industrial developments.
2. Additional clear walking space, in addition to the required 8 feet, provided along the front of large retail buildings containing 50,000 square feet or more in gross floor area if outside storage and display is likely along the front of such buildings.

DRAFT

3. Internal parking lot design that provides for the comfort and safety of the pedestrian through the provision of sidewalk facilities within the parking area. This type of pedestrian facility offers the pedestrian a safe, convenient, and comfortable walking environment from the furthest parking stall up to the front of a building.
4. Provide for even greater pedestrian orientation through landscaping that is oriented to the pedestrian through provisions for plazas, sitting areas, fountains, and other amenities, and through the physical arrangement of buildings and parking with an orientation to the pedestrian. Also, provide pedestrian pavement markings at access drives and crosswalks.
5. Bicycle racks provided in convenient and secure areas within a development to serve the needs of those who wish to bike to commercial and industrial areas.
6. Provisions made for transit opportunities in the design of a development.

Section 4. REVIEW PROCEDURES

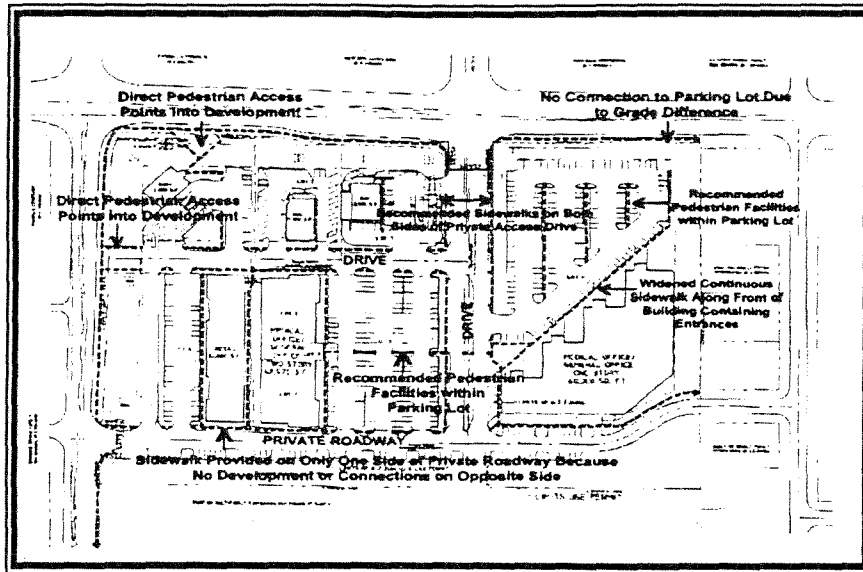
A pedestrian circulation plan shall be required to include a detailed scaled drawing of the site under review, showing the location, orientation, and dimensions of existing and proposed sidewalks and pedestrian facilities in compliance with these Design Standards for Pedestrian Circulation. This pedestrian circulation plan may be on the same sheet as a site or landscape plan if the pedestrian system is clearly readable.

The City-County Planning Department shall serve as the coordinating agency for the review and approval process required for developments involving plats, use and special-use permits, and Planned Unit Development procedures. The City of Lincoln Public Works and Utilities Department shall serve as the coordinating agency for the reviews and approvals required through the building permit process or other such process as approved by the Director of Public Works and Utilities. The Planning Department will assist in the review of the pedestrian circulation plan when submitted during the building permit process.

Section 5. EXHIBITS

The following exhibits are visual examples intended to explain the general intent of these pedestrian standards.

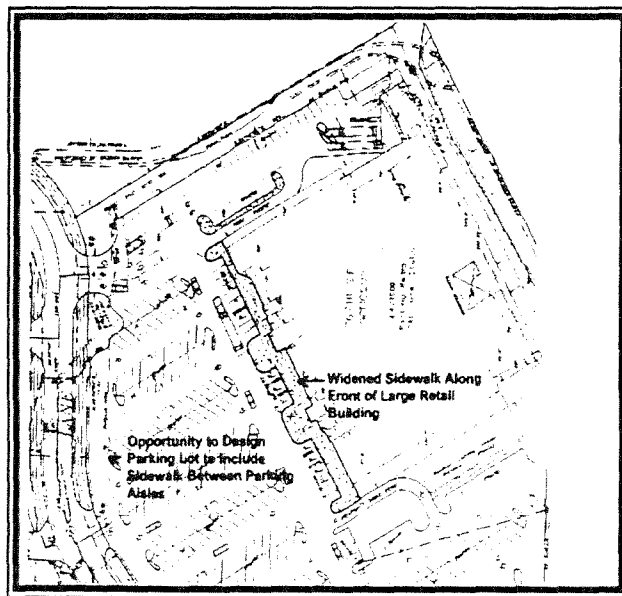
Exhibit A: Example of Office and Retail Development Pedestrian Circulation Plan

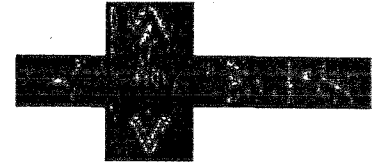
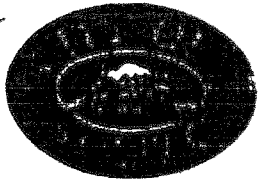


The site plan above provides a pedestrian circulation plan that generally meets the intent of these Design Standards for Pedestrian Circulation. This site plan includes both office and retail land uses. The pedestrian system shown provides very good pedestrian access to and from each pad site and to and from the surrounding neighborhood. Connections to the larger pedestrian system are provided as are pedestrian facilities within parking areas, continuous sidewalks along drive aisles, sidewalks on both sides of main access points, direct pedestrian connections into the site, and widened sidewalks along the fronts of pad sites containing main entrances.

Exhibit B: Expanded Clear Walking Space Along Front of a Large Retail Pad Site

This site plan highlights the design standard to provide widened clear walking space (minimum of 8' clear) along the front of a large retail building (50,000 square feet or larger) where the main entrances are located. Such a widened clear walking space provides a safe and comfortable space where there is high pedestrian activity. Additional area outside of the 8 feet of required clear space is recommended if outside displays for merchandise or cart storage are desired.

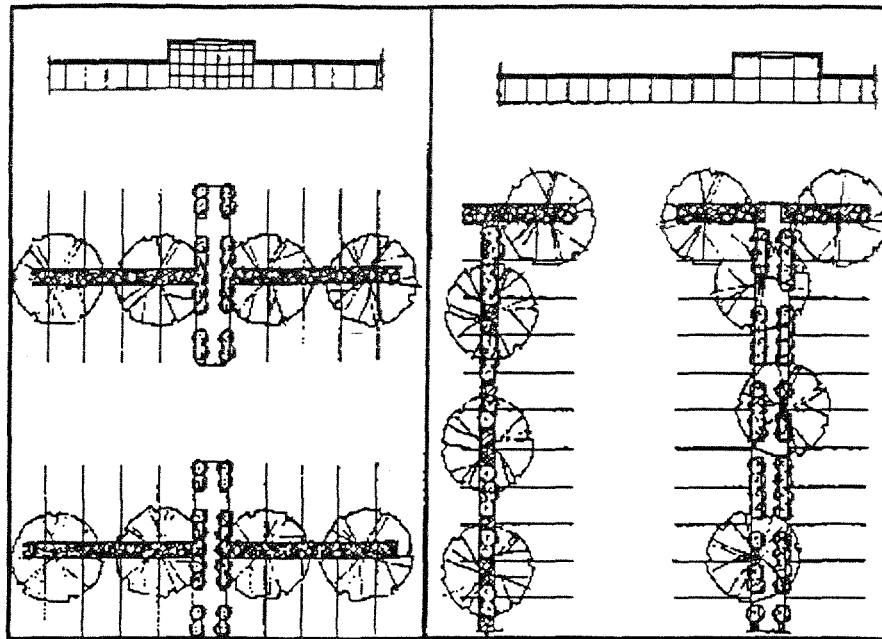




15.15.140 Pedestrian Circulation Through Surface Parking Lots

- A. Surface parking lots containing one hundred (100) parking spaces or more, or with more than three (3) vehicular circulation lanes, shall provide pedestrian walkways through the parking lot. Pedestrian walkways shall be raised, may be covered, and shall be a minimum of three (3) feet in width, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-street front building entrances or existing pedestrian ways. The three (3) foot width shall not include any vehicle overhangs. Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways.
1. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet. The pedestrian walkway(s) shall be located to provide access from the maximum number of spaces to the entrances of the building.
 2. For parking rows parallel to the principal building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces. The pedestrian walkway shall be located to provide access from the maximum number of spaces to the entrances of the building.
- B. The pedestrian walkways shall be clearly distinguished from traffic circulation, and particularly where vehicular and pedestrian routes intersect.
- C. Sidewalks or walkways which cross vehicular aisles or driveways shall be distinguished as follows (see example, Figure 15.14.140a):
1. By a continuous raised crossing; or
 2. By using contrasting paving material.

Figure 15.15.140a. PEDESTRIAN CIRCULATION



**Parking Rows Parallel
to the Principal
Building Facade**

**Parking Rows
Perpendicular to the
Principal Building Facade**

- D. Pedestrian circulation through parking lots within the City Center shall conform with SMC 15.35.850. Pedestrian circulation standards through parking lots for high capacity transit facilities shall conform with SMC 15.36.330.
- E. The area used for raised pedestrian circulation may be counted towards the ten percent (10%) interior parking lot landscaping as required under SMC 15.14.090.
- F. The preceding standards may be modified by the Director of Planning and Community Development if the proponent can demonstrate that some other form of pedestrian circulation would be suitable for the site and would provide equivalent pedestrian safety. (Ord. 01-1017 § 7)

Updated July 7, 2005
Current Through Ord. 05-1008

City of SeaTac

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ZONING PUBLIC HEARING

PUD-724 – Charles E. Norman

OL/AG to OL/AG/PUD

South side of East 91st Street, west of South 73rd East Avenue (PUD for an office park with two-story buildings and private streets.)

(PD-18) (CD-8)

STAFF RECOMMENDATION:

Z-6976 February 2005: A request to rezone the subject property from RS to OL with a 25' buffer of AG on the south, west and east property lines. All concurred in approval of rezoning the subject property.

PUD-360-C January 2005: Approval was granted for a major amendment to PUD-360 from TMAPC and City Council to allow a woman's health facility on property located north of the northwest corner of East 91st Street and South Sheridan Road.

PUD-405-K May 2002: Approval was granted for a major amendment to PUD-405 to allow a single-family development for approximately 150 dwellings replacing the original approval for multifamily use within the development area. The property is located south and east of the subject tract at East 92nd Street and South 78th East Avenue.

PUD-166-K October 1997: A major amendment was approved to allow a retail dry cleaning and laundry plant on the southeast corner of East 91st Street and South Sheridan Road and west of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 9.04 acres in size; partially wooded and bisected by a natural drainage channel; and is vacant and zoned OL/AG.

STREETS:

| Exist. Access | MSHP Design | MSHP R/W | Exist. # Lanes |
|------------------------------------|--------------------|----------|----------------|
| East 91 st Street South | Secondary arterial | 100' | 2 lanes |

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject property is abutted on the north across East 91st Street by single-family development, zoned RS-3/PUD-215; to the east by single-family dwellings, zoned AG/PUD-405; to the south by single-family homes, zoned RS-3/PUD-166; and to the west by duplex development, zoned RS-3/PUD-166.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity – No Specific Land Use.

STAFF RECOMMENDATION:

The applicant proposes PUD 724 for the development of an office park which consists of nine net acres and is crossed by a regulatory floodplain. The property was recently rezoned OL with a 25 foot buffer along the west, south and east boundaries remaining AG (Z-6976, Ordinance #21034). Per minutes of the February 2, 2005 TMAPC hearing, a 25% landscaped area on the perimeter of the east, south and west boundaries would be established and maintained as open landscaped area, no parking or building would be built on the AG portion, and buildings would be limited to one story as permitted in OL zoning.

PUD 724 is proposed so as to permit two-story buildings and to allow for private streets. Buffering of the two-story buildings from adjacent residential is to be achieved by the 25-foot perimeter landscaped area and a 75-foot building setback. Because underlying OL zoning does not permit two-story buildings, staff finds the proposed setback to be insufficient and recommends a minimum setback for two-story buildings be 200 feet from the west, south and east boundaries of the PUD.

Three points of access from East 91st Street South are proposed: one principal entrance near the center of the property and two minor entrances at the northwest and northeast corners of the property as shown on Exhibit A, Concept Illustration. East 91st Place, a public street which abuts the northeast corner of the subject property, will not be opened. Staff supports the proposal to terminate East 91st Place; however, because East 91st Place is a public street and is designed to continue and connect with the subject property, staff recommends a turnaround designed in accordance with the requirements of Traffic Engineering be provided on the subject property at the terminus of East 91st Place.

This PUD does not address pedestrian circulation. Staff recommends a pedestrian circulation plan, including sidewalks along East 91st Street, be approved by TMAPC prior to plat and site plan approval.

Proposed ground signage on East 91st Street South is in excess of what is permitted by underlying zoning. Staff recommends signage be allowed in keeping with that which was approved for a similar office development, South Springs, PUD 405, located less than ¼ mile east of the subject property on the south side of East 91st Street South.

Based upon the proposed Development Standards as modified by staff, staff finds PUD 724 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 724 subject to the following conditions:

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

2. Development Standards:

LAND AREA

| | | |
|--------|----------|------------|
| Gross: | 10.00 AC | 435,603 SF |
| Net: | 9.04 AC | 393,861 SF |

PERMITTED USES

Principal and accessory uses permitted as a matter of right in the OL, Office Light Zoning District.

MAXIMUM BUILDING FLOOR AREA

(F.A.R. .25 gross - .28 net) 110,000 SF

MINIMUM BUILDING SETBACKS

| | |
|---|---|
| From the centerline of East 91 st Street | 100 FT |
| From the east, south and west property lines | |
| One-Story | 75 FT |
| Two-Story | 200 <u>75</u> FT |
| From interior lot lines | To be established at detail site plan review. |

MAXIMUM BUILDING HEIGHT

| | |
|-----------|-------|
| One-Story | 35 FT |
| Two-Story | 40 FT |

OFF-STREET PARKING

As required by the applicable use units of the Tulsa Zoning Code.

MINIMUM INTERNAL LANDSCAPED OPEN SPACE AND STREETYARDS

A minimum of 15 percent of the net land area shall be improved as internal landscaped open space and may include required street yards and landscape buffers. All landscaping shall be in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code and PUD Development Standards.

LANDSCAPED BUFFER AND SCREENING

A 25-foot wide landscaped buffer shall be established and maintained along the east, south and west boundaries of the PUD, and shall be landscaped with a combination of large trees 10 to 12 feet high at planting and smaller trees six to eight feet tall at planting as shown on Exhibit B, Landscape and Screening.

A minimum six foot high double-sided wood screening wall with masonry pillars shall be constructed and maintained along the east, south and west boundaries of the PUD as shown on Exhibit B, Landscape and Screening.

ACCESS AND CIRCULATION

Access to PUD 724 will be limited to a principal entrance from East 91st Street South near the center of the property and two minor entrances at the northwest and northeast corners of the property as shown on Exhibit A, Concept Illustration. Mutual access easements shall be provided between individual lots.

A turnaround shall be provided on the subject property at the terminus of East 91st Place and shall be designed in accordance with the requirements of Traffic Engineering.

A pedestrian circulation plan shall be approved by TMAPC prior to plat and site plan approval.

SIGNAGE

Three ~~four~~ four ground signs not exceeding ~~four~~ six feet in height and 32 square feet of display surface area may be erected at the entrances from East 91st Street South. Building directories and occupant identifications signs may be attached to building walls as permitted by the City of Tulsa Zoning Code. Individual building ground signs not exceeding five feet in height and not visible from the adjacent Residential Districts or from East 91st Street South are permitted on each lot.

LIGHTING

Light standards within 100 feet of the east, south and west boundaries of the PUD shall not exceed eight feet in height; and light standards within the remainder of the PUD shall not exceed 16 feet in height. All light standards, whether pole or building-mounted, shall be hooded and directed downward and away from adjacent residential uses and 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 persons within residential districts. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the

Kennebunkport Formula. Calculations must include consideration of topography.

OUTDOOR TRASH RECEPTACLES

Outdoor trash receptacles shall be screened from view of persons standing at ground level and shall not be permitted within ~~400~~ 75 feet of the east, south and west boundaries of the PUD.

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, screening fences 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 occupancy or at the soonest appropriate planting time. 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 (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), 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. 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.
8. 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.

9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

TAC Comments from January 5, 2006

General -

Water – looped water main extension will be required in the street right-of-way or a 20' Restricted Water Line Easement.

Fire – IFC 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

IFC 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6.

508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet (183 m).

Would recommend that a turnaround or cul-de-sac be provided for East 91st Place, that complies with the following:

Cul-de-sac: Cul-de-sacs shall not exceed seven hundred and fifty (750') feet in length, measured from the centerline of the intersecting streets to the center of the turnaround. Cul-de-sacs shall have a turnaround radius of not less than thirty-eight (38) feet of paving, utilizing a rolled curb section wherever possible, and a

radius of fifty (50') of right-of-way at the property line. Cul-de-sacs greater than two hundred and fifty (250) feet in length shall have a turnaround radius of not less than forty (40') feet of paving and a radius of fifty-two (52') feet of right-of-way at the property line. Cul-de-sacs greater than five hundred (500') feet in length and with abutting front yards for more than twenty (20) lots shall have a turnaround radius of not less than forty-eight (48') feet of paving and a radius of sixty (60') feet of right-of-way at the property line. For a cul-de-sac with a rolled curb section the turnaround radius may be measured to the back of the curb. Alternative turnarounds may be a one hundred and twenty (120') feet hammerhead or a sixty feet (60') "Y".

Alternative turnarounds may be utilized with the approval of the Fire Marshall or his designee. Examples of these include utilization of acceptable hammerheads or "Y"'s or utilizations of approved residential sprinkler systems (National Fire Prevention Association - NFPA). To meet the needs of specific situations, this requirement may be changed by the Planning Commission, upon comment by the Technical Advisory Committee, when topography or other limiting factors make such changes necessary for securing the best overall design. A modification of these regulations is not required.

Stormwater – Compensatory storage will be required. Other comments may follow during further discussion.

Wastewater – No comments.

Transportation – Standard right-of-way and adjacent easement dedications will be required. In the right-of-way dedication area along the 91st Street South two-lane arterial, remove all trees and vegetation and replace with sod to facilitate ultimate arterial improvements. Recommend language supporting sidewalk requirement on the arterial. Recommend a turnaround extension of the 91st Place stub as noted in Fire and Traffic comments.

Traffic – Include construction standards for the Private Streets in the PUD Development Standards. The 91st Place stub may need a turnaround or cul-de-sac. Modify the entry such that the inbound lane is a minimum of 16 ft for safe and efficient operation. The "Y" intersection may be modified during the platting process.

GIS – No comments.

County Engineer – No comments

Applicant's Comments:

Charles Norman, 401 South Boston, Suite 2900, Tulsa, OK 74103-4065, stated that this was zoned OL in early 2005 with a 25-foot wide buffer area of AG to ensure that there would be a landscaped area within any kind of office project.

He has applied for a PUD in order to have two-story buildings and to plat the property where there could be interior lots (no frontage on a public street). Mr. Norman cited the topography of the subject property. Mr. Norman cited what is permitted as a matter of right in the OL district regarding the building floor area ratio. He has proposed a floor area of 28 percent, which is less than the OL district allows. From the print standpoint, he could do everything that is shown on the concept plan except have two-story buildings as a matter of right.

Mr. Norman indicated that he has met on two occasions with the neighborhood and the neighborhood associations that represent property to the east and to the south. The concept would involve two-story buildings that would exceed the setback standards that would be applicable if the underlying zoning permitted two-story buildings. If he took the current Zoning Code requirement, he could build a one-story building 35 feet from the property line because the setback for OL is only ten feet from an adjacent R or AG districts. He is proposing a 40-foot building with a 75-foot minimum building setback from all three residential yards. Staff is recommending a 200-foot building setback from all three sides. The subject tract is nine acres and there would be 2.7 acres for two-story buildings, which would leave 6.3 acres that would be limited to one story. This would cause the floor area ratio to be reduced to .2 FAR or 20% instead of the 30% that is permitted and the 28% that he has requested. The neighborhood associations are supporting this proposal. He indicated that one person did appear in February 2, 2005 as an interested party to the OL zoning, Mr. Russell Slack, who was concerned with the change to offices. During that meeting Mr. Jackson asked Mr. Alberty to read the restrictions of the OL district and Mr. Alberty read the restrictions, including the height being restricted one story and restricted to 30% FAR. There were assurances given during the February 2005 meeting and Mr. Slack has written a letter of support of the subject proposal (Exhibit B-2). Mr. Norman stated that the project can't go forward without these changes.

Mr. Norman stated that there is an issue about the extension of 91st Place through the property. The neighbors to the east are supportive of no access or a cul-de-sac. This should be decided at the platting process and not become a mandatory requirement of the PUD. This is an example of adopting a comment made the TAC meeting as a requirement of the PUD rather than following the traditional method of working those matters out in the course of the platting process and the detail site plan. Mr. Norman requested that the requirement for a turnaround be deleted and that they deal with this issue at the platting process, as it would customarily occur. A hammerhead would cut into the proposed landscaping and that is an issue for another day.

Mr. Norman stated that he had requested four signs with 48 SF display surface area and eight feet in height. Staff has reduced this to three and he is amending his request to four signs at six feet height and 32 SF display surface area. He explained that the reason for the request is to have a decorative brick on top of

the fence. There will be two signs flanking the entrance and one sign each at the other.

Mr. Norman requested that the outdoor trash receptacle requirement be reduced to 75 feet and it will be screened and will not be visible by anyone in the adjacent area. He explained that this is a minor design issue.

TMAPC COMMENTS:

Mr. Ard asked Mr. Norman if any problems would be resolved if the one-story buildings were allowed to have a 35-foot setback and keep the 200-foot setback for the two-story buildings. In response, Mr. Norman stated that it wouldn't solve any problems. He indicated that he has committed to the neighborhood that he would maintain a 75-foot setback and have the landscaping. Mr. Ard asked Mr. Norman whether, if the one-story buildings were allowed at the 35-foot setback and were allowed to be larger, that would get the FAR back to where he would like it to be, economically. Mr. Norman stated that it is the 200-foot setback that limits the yield because there are only 2.7 acres to build two-story buildings. Mr. Norman further stated that when the landscape requirement of 15% is figured in along with the land lost to the drainage conveyance, plus the development concept, the potential is not there to move closer to the boundary line.

Mr. Jackson asked if the offices will be constructed in a residential fashion with a pitched roof. In response, Mr. Norman answered affirmatively. Mr. Norman stated that a ten-foot ceiling is standard and it takes three to four feet between the floors to accommodate medical offices, electronics, etc.

Mr. Jackson asked Mr. Norman what type of elevation he is looking at. In response, Mr. Norman stated that some of them could be 40 feet.

Mr. Jackson asked staff what their opinion is after hearing Mr. Norman's two-story analogy without any adverse uproar from the neighborhoods regarding the 75-foot setback versus the 200-foot setback. In response, Mr. Alberty stated that staff's condition was one of credibility, trying to maintain what had been presented at the zoning hearing, and there has been no contact with Mr. Slack or the other neighbors by staff. The requirement was to maintain the first row of structures one-story, regardless of how far they were set back, but if the homeowners' association is fine with this plan, then that removes that requirement from staff's standpoint.

INTERESTED PARTIES:

Rod Davidson, 7117 East 91st Place, stated that his property is on the northeast corner of the proposed site. He indicated that he has met with the developers on several occasions and he is for the proposal. His only concern is that 91st Place, which is currently a dead-end street remain as is (no cul-de-sacs or hammerhead). It is a short dead-end street and there is rarely traffic coming down the street.

TMAPC COMMENTS:

Mr. Horner asked Mr. Norman to point out what buildings would be affected. Mr. Norman indicated on the concept plan, which buildings would be affected.

Mr. Alberty stated staff can agree with the modification on the two-story setback to 75 feet. The other issue that Mr. Davidson mentioned is the cul-de-sac or hammerhead issue. Staff made the comments about what will be a requirement because this is a dead-end street and typically Traffic Engineering wants them brought out or a turnaround installed. He doesn't believe that they will require a full cul-de-sac, but they may want some form of turnaround, and staff can't compromise that, so the condition should remain in the recommendation.

Mr. Jackson asked staff what their position is on the signage. Mr. Alberty stated that staff's recommendation stands, and it isn't a necessarily big issue if the Planning Commission would agree with Mr. Norman's modification.

Mr. Bernard asked if the statement that Mr. Norman made regarding the street situation being handled during the platting process is true, or should Mr. French be involved at this point. Mr. Alberty stated that it is something that could be handled later, but staff's position is that all of the conditions of the PUD need to be established as conditions. The subdivision plat, the way it is structured under a PUD or corridor zoning, is that the subdivision plat merely accomplishes the requirements and the conditions established in either the corridor site plan or the PUD site plan. If it was conventional development, he wouldn't have a problem with it, but under a PUD he believes that the subdivider needs to understand what the conditions are. The conditions can't be pushed off at this point and they need to be established. What could be stated is that it would be subject to the approval of the Traffic Engineer and that is why staff is establishing that requirement.

Mr. Norman stated that Subdivision Regulations would typically require a turnaround at 91st Place. He indicated that typically he would request a waiver of the Subdivision Regulation and Traffic Engineering would comment on it, and then the Planning Commission would decide. He is suggesting that this is the way it should be handled, but now it is being built in as an absolute requirement of the PUD. He believes it is better handled at the platting process rather than on a subdivision waiver request, if it comes to the Planning Commission, in that process.

Mr. Jackson stated that when the subject property is platted, the street will have to be shown on the plat with a turnaround or the developer will have to ask for a waiver. Mr. Jackson further stated that it is not going to be in-lieu-of.

Mr. Alberty clarified that staff is willing to state that this requirement will be subject to the Traffic Engineer's recommendation at the platting point.

Mr. Norman stated that it is subject to the decision of the Planning Commission at that point because the Traffic Engineer just comments. Mr. Norman further stated that he is trying to avoid giving the Traffic Engineer the veto power on what the Planning Commission does with respect to a waiver.

Mr. Alberty stated that the Traffic Engineer still has the veto power, regardless.

Mr. Norman stated that he would prefer it be stated "subject to the comments of Traffic Engineering".

Staff indicated that they have no problem with the amendment for the outdoor trash containers being set back 75 feet.

INTERESTED PARTIES:

Cheryl McCorkel, no address given, stated that her property is on the northeast corner of 91st Place. She indicated that she is in favor of Mr. Norman's proposal, but not in favor of a turnaround or hammerhead. There isn't a lot of traffic down the street and she would like to keep the integrity of the street the way it is today. With the wall that Mr. Norman is proposing, it would be esthetically better for her neighborhood and street.

TMAPC COMMENTS:

Mr. Harmon stated that it seems that a turnaround would be beneficial because some people go down the road not realizing it is a dead-end and they have to turnaround somewhere or back up the street, which is very dangerous for the residents.

Ms. McCorkel stated that it is not usually an issue because the cars never get that far or they never get all the way down to the end. Usually cars realize it is a dead-end by the time they get to the first or second house.

Mr. Harmon asked Ms. McCorkel if the cars turnaround in someone's driveway. In response, Ms. McCorkel stated that it is not her driveway, but probably someone's driveway.

Mr. Harmon made a motion to recommend **APPROVAL** of PUD-724 per staff recommendation, subject to the following modifications: 1) minimum building setbacks for two-story building be 75 feet; 2) outdoor trash receptacles shall not be permitted within the 75 feet of the east, south and west boundaries of the PUD; 3) four signs shall be allowed with six-feet in height and each sign limited to 32 SF of display surface area; and to leave the language regarding the turnaround the same as recommended by staff.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Cantees, Carnes, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to recommend **APPROVAL** of PUD-724 per staff recommendation, subject to the following modifications: 1) minimum building setbacks for two-story building be 75 feet; 2) outdoor trash receptacles shall not be permitted within the 75 feet of the east, south and west boundaries of the PUD; 3) four signs shall be allowed with six-feet in height and each sign limited to 32 SF of display surface area; 4) the language regarding the turnaround for East 91st Place remain as staff recommended, as modified by the Planning Commission. (Language with a strikethrough is deleted, and language with underlining is added.)

Legal Description for PUD-724:

A tract of land beginning 471.6 feet West of the North East corner of the NW/4 of Section 23, T-18-N, R-13-E of the Indian Base and Meridian, Tulsa County, Oklahoma, thence South 521.78'; thence West 834.85'; thence North 521.78'; thence East 834.84' to the point of beginning according to the United States Government Survey thereof, the City of Tulsa, Tulsa County, State of Oklahoma. **FROM: OL/AG (Office Low Intensity District / Agriculture District) TO OL/AG/PUD (Office Low Intensity District/Agriculture District/ Planned Unit Development [PUD-724]).**

Z-7012 – Roy D. Johnsen

RS-3 to CS

South of southwest corner of East Admiral Place and South 68th East Avenue (PD-16) (CD-3)

STAFF RECOMMENDATION:

Z-6569 December 1996: All concurred in the approval of rezone a property approximately 250' x 300' located west of the southwest corner of East Archer St. and North Sheridan Rd. and northwest from the subject property from RM-2/IL to CG.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is 100' x 140' in size; the property is flat, partially wooded, vacant and zoned RS-3.

STREETS:

| Exist. Access | MSHP Design | MSHP R/W | Exist. # Lanes |
|------------------------------------|--------------------|-----------------|-----------------------|
| South 66 th East Avenue | Residential | 50' | 2 lanes |

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by strip commercial and related uses, zoned CH; on the west by strip commercial and related uses, also zoned CH; on the east by a parking lot, zoned RS-3; and on the south to the end of the block by parking, apparently related to the uses to the west and fronting Sheridan, zoned RS-3. To the southeast of the site, across South 66th East Avenue and south of the parking lot, are single-family residential uses to the end of the block, zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 16 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as a Low Intensity - Residential Area. The adjacent properties to the north, northeast and west are designated Medium Intensity, due to the existing CH zoning and land uses. The Plan designation and zoning lines have been held for many years at the rear lot lines of the properties fronting East Admiral Place and South Sheridan Road. The requested rezoning to CS is **not** in accord with the Comprehensive Plan.

STAFF RECOMMENDATION:

As noted, Medium Intensity uses and zoning have been successfully restricted to the frontage lots along East Admiral Place and South Sheridan Road. Approval of this rezoning would be the first incursion into the interior single-family residential neighborhood. Even though the site faces a parking lot to the east and parking lots (permitted through BOA actions) on the south, apparently stable single-family residential properties lie south of that and traffic from the proposed CS use would likely use the neighborhood streets to access and/or egress. Therefore, staff cannot support this request and recommends **DENIAL** of CS zoning for Z-7012.

APPLICANT'S COMMENTS:

Roy Johnsen, 201 West 5th Street, Suite 501, Tulsa, Oklahoma 74103, representing Advanced Auto Parts, stated that his client has a contract to purchase the subject property and the property immediately north. The property to the immediate north contains a vacant restaurant and their proposal is to acquire that and the two lots under application to develop an auto parts store.

Mr. Johnsen submitted photographs of the subject area (Exhibit C-1) and a case map (Exhibit C-2). He indicated that staff has properly advised the Planning Commission that this application doesn't meet the Comprehensive Plan and

recommends denial. However, after looking at the case map and photographs, he believes that the Planning Commission will see that the zoning and Comprehensive Plan don't really represent the existing uses. Mr. Johnsen pointed out the various uses in the subject area.

There were no interested parties wishing to speak.

After a lengthy presentation, and modification of the proposal to request CS zoning on the north lot and PK zoning on the second lot (south lot) the Planning Commission made the following motion:

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Ard, Bayles, Cantees, Carnes, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to recommend **APPROVAL** of CS zoning with the southernmost lot zoned PK for Z-7012 as modified by the applicant.

Legal Description for Z-7012:

Lots 6 and 7, Block A, Crest View Estates an addition to the City of Tulsa, Tulsa County, State of Oklahoma, **From RS-3 (Residential Single Family District) To CS (Commercial Shopping Center District).**

Z-7013 – Ray F. Biery

AG to RS-1

The northwest corner of East 118th Place and South Yale Avenue

(PD-26) (CD-8)

STAFF RECOMMENDATION:

PUD-686/Z-6800 July 2003: All concurred in recommending approval of a request to rezone a tract from AG to RS-2 and PUD-686 for residential development, located west of the subject property.

PUD-527-B August 2001: All concurred in recommending approval of a request to abandon PUD-527-A and revert back to the standards of the original PUD-527 that was approved in February 1995.

Z-6534 April 24, 1996: All concurred in recommending denial of a request to rezone subject property from AG to RS-2 and in recommending RS-1 in the alternative. The City Council unanimously approved RS-1.

PUD-527/Z-6453 December 1994: All concurred in recommending approval of a request to rezone a 20.7-acre tract located on the northeast corner of East

121st Street South and South Yale Avenue and east of the subject property from RS-1 to CS/PUD zoning on the 467' node for commercial development with the balance of the property to remain RS-1 for single-family development.

PUD-526/Z-6452 December 1994: All concurred in recommending approval of a request to rezone a 13-acre tract located on the northwest corner of East 121st Street South and South Yale Avenue and south of the subject tract from RS-1 to CS/PUD zoning on the 467' node with the balance to remain RS-1 also within the PUD.

Z-6369 October 1992: A request to rezone a 30-acre tract south of the southwest corner of East 111th Street South and South Yale Avenue from AG to RS-2 was unanimously recommended for approval and subsequently approved by the City Council.

PUD-399/Z-6055 July 1985: All concurred in recommending approval of a request to rezone a 20-acre tract abutting the subject tract on the north from AG to RS-1/PUD.

PUD-358/Z-5937 May 1984: All concurred in recommending approval of a PUD with underlying RS-1 zoning on a 54-acre tract located north and east of the northeast corner of East 121st Street South and South Yale Avenue, across South Yale from the subject tract. The applicant had originally applied for rezoning from AG to RS-3/PUD.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.010 acres in size and is located on the northwest corner of East 118th Place and South Yale Avenue. The property is partially wooded, vacant and is zoned AG.

STREETS:

| Exist. Access | MSHP Design | MSHP R/W | Exist. # Lanes |
|------------------------------|--------------------|-----------------|-----------------------|
| South Yale Avenue | Secondary | 100' | 2 lanes |
| East 118 th Place | Residential | 50' | 2 lanes |

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by large-lot single-family residential and vacant land, zoned AG; on the south by large-lot single-family residential uses, zoned RS-1; on the east by large-lot single-family residential uses, zoned PUD-358; and on the west by single-family uses, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as part of Special District 1 – an area of steep slopes and erodible soils, with a small portion of the site in a Low Intensity – No Specific Land Use area. Plan policies for the area of steep slopes and erodible soils call for stabilizing the soil during development and mandate use of the PUD for any zoning more intense than RS-1. According to the Zoning Matrix, the requested RS-1 zoning **may be found** in accord with the Comprehensive Plan for the area within Special District 1 and **is** in accord with the portion within the Low Intensity-No Specific Land Use designation.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, existing development and trends in the area, staff can support the requested RS-1 zoning and recommends **APPROVAL** of RS-1 for Z-7013.

There were no interested parties wishing to speak.

Applicant was not present.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Cantees, Carnes, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to recommend **APPROVAL** of RS-1 for Z-7013 per staff recommendation.

Legal Description for Z-7013:

A tract of land that is part of the S/2 of the NE/4 of the SE/4 of Section 33, T-18-N, R-13-E, of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the United States Government survey thereof, being more particularly described as follows, to-wit: Beginning at a point that is the Southeast corner of said S/2-NE/4-SE/4; thence S 89 59' 30" W along the southerly line of the S/2-NE/4-SE/4 for 740.00' to a point that is 586.32' easterly of the southwest corner of the S/2-NE/4-SE/4; thence N 00 01'46" W and parallel with the westerly line of the S/2-NE/4-SE/4 for 294.98'; thence N 89 59'15" E and parallel with the northerly line of the S/2-NE/4-SE/4 for 739.65' to a point on the easterly line of the S/2-NE/4-SE/4, said point being 365.00' southerly of the northeast corner of the S/2-NE/4-SE/4; thence S 00 05'52" E along said easterly line of the S/2-NE/4-SE/4 for 295.04' to the Point of beginning of said tract of land, **From AG (Agriculture District) To RS-1 (Residential Single Family District).**

OTHER BUSINESS:

PUD-715 – Khoury Engineering, Inc.

(County)

4248 East 98th Street North (Detail Site Plan for a new mechanical/plumbing business.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new mechanical/plumbing business. The proposed use, Use Unit 15, Other Trades and Services, is in conformance with development standards of PUD-715.

The site plan is in compliance with permitted floor area, building setbacks and screening requirements. Proposed access to East 96th Street North is in conformance with the approved Minor Subdivision Plat. However, the north and east parking bays are not in compliance with design standards per Section 1340.A of the Tulsa County Zoning Code.

Staff recommends **APPROVAL** of PUD-715 detail site plan contingent upon redesign of off-street parking in compliance with the provisions of the Off-Street Parking and Loading Chapter of the Tulsa County Zoning Code.

(Note: Detail site plan approval does not constitute landscape and sign 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 **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to **APPROVE** the detail site plan for PUD-715 subject to redesign of off-street parking in compliance with the provisions of the Off-Street Parking and Loading Chapter of the Tulsa County Zoning Code per staff recommendation.

Tim Lawson, President of BD&J, Inc.

312 South Lansing (Review/direction from TMAPC regarding Lots 3 through 6, Block 12, Hodge Addition regarding IM and CBD zoning.) (Lot 3 is zoned IM, in 1984 Lots 4 through 6 were zoned CBD.)

STAFF RECOMMENDATION:

As a result of the recent TMAPC-initiated rezoning to CBD of a number of properties in the downtown, a situation has come to light that the owner would

like to have changed. The owner, Tim Lawson, has four properties in the eastern portion of the downtown. At the time of the recent rezoning, he believed all four properties to be zoned IM, and he wished them to remain so. However, upon recent investigation and at Mr. Lawson's request, staff has determined that three of the properties were rezoned CBD in the mid-1980s, when the CBD designation was first developed and applied. The fourth property remained IM. Because of the way the County Assessor's files are accessed, Mr. Lawson was notified and surveyed about the potential rezoning due to his ownership of the one IM-zoned property.

Mr. Lawson contacted our offices with the request to restore the IM zoning to the three CBD-zoned properties, believing that they had been inadvertently included in the recent rezoning. As explained above, that was not the case. However, should the TMAPC decide to do so, staff is prepared to process an application to rezone Mr. Lawson's three CBD-zoned properties to IM.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BAYLES**, TMAPC voted 8-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Collins, Hill "absent") to **APPROVE** the TMAPC sponsoring rezoning and direct staff to prepare an application to rezone Mr. Lawson's property to IM per applicant's request.

Commissioners' Comments

Ms. Bayles asked if the BOCC identify the reasons why they chose to reject the Planning Commission's recommendation for the properties in Owasso requesting OM zoning.

Ms. Matthews stated that they indicated that the area is in transition and 96th Street will be improved and will be a major artery through area.

There being no further business, the Chair declared the meeting adjourned at 5:05 p.m.

Date Approved:

