

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1342
Wednesday, January 21, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Avey	Inhofe	Alberty	Jackere, Legal
Eller	Keleher	Gardner	Department
Gardner	Kempe	Howell	
Holliday	Petty	Lasker	
Parmeale, Chairman		Wilmoth	
C. Young, 1st Vice			
Chairman			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, January 20, 1981, at 12:00 noon, as well as in the Reception Area of the TMAPC Offices.

Chairman Parmeale called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Avey, Eller, Gardner, Holliday, Parmeale, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Petty "absent") to approve the Minutes of January 7, 1981 (No. 1340) including the following comment: "Mr. Jernigan, responding to Commissioner Keleher's question, advised that he did not wish to provide any input in the recommendations for PUD #245," as an addition to the Protestant's Comments on PUD #245.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Avey, Eller, Gardner, Holliday, Parmeale, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Petty "absent") to approve the Minutes of January 14, 1981 (No. 1341).

REPORTS:

CHAIRMAN'S REPORT:

Chairman Parmeale announced that election of officers for the 1981 Commission will be held January 28, 1981.

DIRECTOR'S REPORT:

Jerry Lasker advised that the final draft of the TMAPC/INCOG merger agreement has been prepared and will be mailed to the Commissioners for their perusal. The agreement will be set on the February 4, 1981 TMAPC agenda for discussion and approval.

CONTINUED ZONING PUBLIC HEARING:

Application No. PUD 250

Present Zoning: (RS-3)

Applicant: John Moody (D & B Venture '77)

Location: NE and NW of East 81st Street and 75th East Avenue

Date of Application: November 14, 1980

Date of Hearing: January 21, 1981

Size of Tract: 20.42 acres

Presentation to TMAPC by: John Moody

Address: 4100 Bank of Oklahoma Tower

Phone: 588-2651

Applicant's Comments:

John Moody, representing D & B Venture '77, presented a development booklet (Exhibit "A-1") and advised that the subject property is located at the intersections of East 81st Street South and South 75th East Avenue and South 77th East Avenue, approximately one-quarter mile west of South Memorial Drive. The surrounding properties are of mixed use and include the Church of the Nazarene to the west of the subject tract, an undeveloped tract (approved for multifamily use) to the southeast, residential subdivisions on the north and south. An unplatted, undeveloped tract containing the confluence of Little Haikey Creek and an unnamed tributary of Little Haikey abuts the property on the east. The tract to the east of the subject property consists mostly of undevelopable property because of the confluence of the Creeks.

Reviewing the history of the subject tract, Mr. Moody advised that the applicant contracted to purchase the property in April 1978, and submitted the plat of Rustic Meadows which was approved and filed of record in November 1979. The developers originally intended to sell the lots to builders of single-family homes to contain no less than 1,750 sq. ft. The lot size and minimum house size of Rustic Meadows was in demand in 1978 and 1979. Extensive Creek channel improvements were undertaken and are now in place and are fully constructed. All utilities have been constructed and are in place. Grading and street improvements are presently being constructed. The development costs, to date, including the price of the land, exceeds \$1,200,000, which has been spent or are fixed costs of the development. The costs per lot as it exists today is \$19,047.62, which does not include any profit for the developer for his efforts over the past 2 1/2 years.

Mr. Moody advised that since April 1978, several major factors developed which have had significant impact upon the market for single-family residential lots as presently exist under the original subdivision. Two of the major factors are "supply and demand" and "impact of interest rates." The decision to develop the subject property into single-family residential lots was, under the existing circumstances in 1977 and 1978, a reasonable decision; however, the start-up time and development period proved to be an important factor for the applicant. He noted that from the time that a project is started until it is developed, and lots can be actually sold to builders, can be as much as 18 to 42 months.

Based on a lot survey, to estimate both supply and demand of residential sites within Tulsa County, undertaken by the First National Bank and Trust Company of Tulsa, the applicant determined that with the available supply of lots on the market and considering the rate at which they are absorbed, it could be expected that it would take 3 to 5 years for single-family lots of the Rustic Meadow type to be sold and developed, which is an uneconomic or unfeasible time period for holding single-family lots for sale.

Noting that interest rates have skyrocketed in the last two years, Mr. Moody pointed out that this would be very detrimental to the public's ability to purchase new single-family residential homes. Mr. Moody presented comparisons of housing costs, interest rates, taxes, insurance and monthly payments during the past two years noting the increased annual household income required to qualify for a housing loan in today's market.

In order to determine how to supply housing which would meet the market demand and be at a price that a larger portion of the population could afford, D & B Venture '77 conducted a survey of subdivisions in Tulsa County to determine the median lot sizes, types of masonry restrictions, minimum square-footage requirements and other things which would impact the cost of houses and the size of lots. As a result of this survey it was apparent that the type of restrictions and lot sizes contained in the typical single-family residential lot were pricing the homes out of reach of the middle range of incomes. Accordingly, it was determined that steps must be taken to reduce land and housing costs and to create greater construction efficiencies in the construction of the homes. The applicant decided to resubdivide Rustic Meadows into 106 residential lots utilizing a zero lot line development concept, maximize landscaped areas and protect the adjacent single-family residences by not developing more buildings adjacent to single-family residences than would exist if developed under residential standards. These steps will substantially reduce the housing costs and will still offer the same features; i.e., 3 bedrooms and 2 baths, two-car enclosed garage, that the people of Tulsa desire in their homes.

Mr. Moody advised that the original application would be modified to provide that all development will commence on the southern boundary and proceed north. It is also agreed that the final plat on the portion of the property lying north of the Creek would not be filed of record until such time as the sales of units on the property south of the Creek have demonstrated the success of the project.

In addition to the landscaping set forth in the original text, the developer will plant one 12' high tree per 20 feet along the north property line of the addition. This would be in addition to the erection of a 6' high solid screening fence or wall. The trees shall be planted prior to the occupancy of the units on the north block and will provide an additional landscape buffer to the single-family homes on the north.

Mr. Moody presented the elevations of the duplexes, adjacent to Sweetbriar East Extended, and advised that there would be no driveways or garages and would be virtually undistinguishable from a single-family residential house. Each unit will include three bedrooms, living room with dining area, enclosed kitchen and breakfast area, two baths and an enclosed two-car garage approximately 1,200 - 1,500 square feet.

A comparison study, completed by Detrick Realtors, was presented by Mr. Moody. The study involved the sale of homes in the Walnut Creek V subdivision - single-family homes which about the Timbers townhouse development. The survey indicated that 7 of the 13 Walnut Creek V homes which about the townhouses sold, in the past 2 1/2 years, for between \$45 and \$58 per square foot. It was determined from the survey that these homes

PUD #250 (continued)

sell for the same price and appreciate as much as the homes located in the interior of the subdivision. Mr. Moody pointed out that if a project is done properly there will be no adverse impact upon the marketability of the property values of those homes.

In summary, Mr. Moody noted that times are changing and his client is trying to act in a responsible manner to face the reality of today. One factor in today's economy is energy costs and Mr. Moody pointed out that the energy savings which can be built into the type of proposed construction, principally because of the common party walls and other energy saving techniques, will be significant.

Henry Daubert, Mansur, Daubert, Williams Engineering, advised that the subject tract has a sizeable tributary of Little Haikey Creek which traverses across the project. The engineering plans were designed so as to protect the existing properties, both upstream and downstream. In answer to Commissioner C. Young, Mr. Daubert advised that he did not feel the adjacent property to the east of the subject tract would ever develop as single-family residential due to the drainage problems on the tract.

<u>Protestants:</u>	Mike Bartlett	Address:	8318 S. 75th E. Ave.
	Howard Hamilton		7318 E. 78th St.
	Lyle Bruce		7733 S. 76th E. Ave.
	Mark Rieman		7510 E. 78th St.
	Mike Farley		7530 E. 78th St.

Protestant's Comments:

Mike Bartlett, member of the Board of the Southeast Tulsa Homeowner's Association, presented a protest petition (Exhibit "A-2") bearing signatures of over 250 residents of the area. The residents were opposed to the subject application because they believed the proposed changes would detract from the aesthetic quality and overall consistency of the neighborhood, thereby reducing the current value of their property. Zero lot line, reduced lot area, reduced minimum square-footage of units, common wall construction, reduced front setback requirements and lack of masonry percentage requirements were factors listed by the protestants that would contribute to the above-mentioned concerns.

Mr. Bartlett advised that one of the main objections to the development is that the PUD does not conform to the established character and does not show compatibility with the adjoining properties. He noted that the surrounding neighborhoods, although zoned RS-3, are developed more to the RS-2 standards. In comparison between the existing neighborhood standards and the proposed addition, the protestant advised that the existing lot widths are 75' while the proposed widths are 35'; existing lot areas are 9,000 sq. ft., compared to 4,600 sq. ft. per unit proposed; side yards of the existing homes 10' and 5', proposed 0; setbacks from major arterials are 35' vs the 25' proposed; minimum sq. ft. per dwelling unit existing 1,600 compared to 1,200 sq. ft., or less proposed. Mr. Bartlett also expressed concern about the maintenance of the streets and drainage areas.

PUD #250 (continued)

Relating to Mr. Moody's presentation concerning the economic issue, Mr. Bartlett pointed out that there is nothing in economics that has to do with zoning. Zoning is based upon what is best for the piece of property.

Howard Hamilton, a resident of Sweetbriar East Extended, advised that he had checked on the zoning of the subject tract prior to the purchase of his home. Finding that the adjacent property was zoned RS-3, he proceeded with the purchase of his property in good faith, thinking that the subject tract would develop in the traditional single-family manner with a consistency in construction and property values. Mr. Hamilton urged denial of PUD #250, noting that the addition would increase the traffic, impact on an already overburdened school system and increase the demand on the water pressure and availability.

Lyle Bruce stated that he was a homeowner that had gone to the TMAPC Offices to check on the deed restrictions and the surrounding zoning of the area before purchasing his home in December 1978. Mr. Bruce stated that he was assured that there were certain greenways and RS-3 zoning either approved or pending, at that time, immediately to the south of the tract which he planned to purchase. He stated that he asked what RS-3 means and was shown the Tulsa Zoning Code, after which, he checked the lot sizes and other conditions of the RS-3 zoning district.

Mr. Bruce did not feel that the proposed construction would be compatible with the neighborhood. He stated that he plans to raise his children in the neighborhood and did not feel that the addition would aid the quality of life for his family. The protestant also expressed concern that this type of unit would convert to rental property very quickly.

In regard to the economic question, Mr. Bruce pointed out that everyone is in some type of business in which a contract is made, either with an individual, agency or consortium. If the business decision does not work out in our favor he stated, we cannot arbitrate a change in that contract without the consent of all parties involved. He noted that you cannot arbitrarily change a contract once people have already bought, established or entered into that agreement, at the detriment of all of the other people.

Mark Rieman, quoted a Tulsa World article of January 15, 1981, "Buildings decreased in Tulsa during 1980, but project construction value jumped by more than 53%." Dean Scott, of the Tulsa Protective Inspections Department, stated, "this is the biggest year we've had, in part, because of inflation." "If the whole county was growing like Tulsa we would really be in a boom." Mr. Rieman noted other economic factors and refuted Mr. Moody's comment concerning the inability of Tulsa residents to purchase new homes. The protestant referred to an article published by the Tulsa Metropolitan Chamber of Commerce in which they listed all of the new opportunities that are going to be in Tulsa, and pointed out that there will be a tremendous influx of individuals in the City from the east and west coasts. These new residents of Tulsa will be in the higher income brackets looking for houses in the \$80,000 up price range.

PUD #250 (continued)

Michael Farley advised that he felt the construction concept presented by the applicant would be an excellent one in specific areas of Tulsa. Mr. Farley's primary concern was that in a single family residential area, there will be an island of multifamily housing which destroys the continuity of the neighborhood as it has been developed.

In regard to Mr. Moody's presentation concerning economics in the housing market today, Mr. Farley felt it would be wrong to assume that everyone in the entry level market will not have any equity and that they will only be able to obtain a 10% loan in purchasing a \$70,000 home.

Mr. Farley advised that the mini-parks included in the PUD make up only 5% of the total area - if you assume that everyone living there will use the park area for their recreational needs in the same way that those living in single family homes use their yards, there will be a "mob scene" in the parks all the time. The protestant's concern was if this would be a compatible area consistent with the rest of the houses in the area.

In summary of the protests, Mike Bartlett requested that the PUD be denied because: 1) It does not meet the requirement of a PUD to assure compatibility with the adjoining and approximate properties; 2) there has been a precedent set against use of this type of PUD in a developed area; 3) homeowners purchased their property based on the development of land in RS-3 zoning restrictions; and 3) if this was allowed it would cause a reduction in property values and may result in rental housing. This tract of land should be left to develop in RS-3 zoning and remain compatible to the quality of the existing neighborhood.

Instruments Submitted: Development Booklet (Exhibit "A-1")
Protest Petition (over 250 residents (Exhibit "A-2"))

Staff Recommendation:

Planned Unit Development #250 is located on the north side of 81st Street at 77th East Avenue. The property is zoned RS-3 single family residential and is platted in 63 lots plus the approximate 2.7 acre drainageway. The applicant has submitted a site plan requesting approval of 106 single family attached dwelling units which are permitted by the existing RS-3 zoning under the approval and content of the PUD Ordinance, plus 3 mini-parks totalling 1.1 acres.

The Staff has reviewed the applicant's proposal and find that PUD #250:

- 1) Is consistent with the Comprehensive Plan;
- 2) harmonizes with the existing and expected development of surrounding area;
- 3) is a unified treatment of the development possibilities of the project site; and
- 4) is consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #250, subject to the following conditions:

- 1) That the maximum number of dwelling units not exceed 106 per site plan submitted. That attached dwelling units be permitted

PUD #250 (continued)

provided that on the north boundary, abutting the existing single family detached units, no more than two dwellings shall be attached.

- 2) That the applicant's site plan and building elevations be conditions of approval as being representative of the design and character of the development. That a detailed site plan and typical building front and rear elevations be submitted for approval prior to the request for any building permit.
- 3) That the 7 northernmost structures be constructed utilizing 50% or more masonry, rock or brick, exterior.
- 4) That the actual building construction for the area south of the drainage way develop first, prior to development of the structures north of the drainageway; i.e., one-half or more of the units shall be in at least the framing stage before any units north of the drainageway could receive a building permit.
- 5) Development Standards
 - a. Building Setbacks:

81st Street	25 feet
Interior streets	15 feet
Between structures	10 feet
Side yard	0 feet for attached units
Perimeter setback for project	20 feet
 - b. Building Height 26 feet, except north tier of lots where a one-story height limitation shall apply.
 - c. Parking 2 off-street spaces per dwelling unit.
 - d. Livability 4,000 sq. ft. per dwelling unit computed in the aggregate.
- 6) That a 6-foot high screening fence be provided along the north boundary adjacent to the existing residential area. Also a landscaped area be provided along the north side with a minimum of one tree per each 25 feet.
- 7) That a homeowner's association be created to maintain all common areas including private drives.
- 8) That a subdivision plat, incorporating the PUD conditions of approval within the restrictive covenants, be approved by the TMAPC and filed of record in the County Clerk's office making the City of Tulsa beneficiary to said covenants, prior to the request for a building permit.

Special Discussion for the Record:

Commissioner C. Young questioned if there were homeowners in the addition to the north that purchased their homes under the assumption that the subject tract would develop as single family with larger lots.

The Staff advised that all of the other subdivisions in the area were platted previous to the subject tract.

Commissioner C. Young stated his concerns with the proposed development were the street access into the adjacent subdivision and the lot size along the north boundary.

Commissioner T. Young noted that Mr. Bartlett stated in his presentation that he considered zoning an appropriate means to protect property values; however, he also made the statement that economic considerations should not be and are not a part of the consideration in zoning. He questioned if protecting property values would be considered an economic consideration. Mr. Bartlett stated that he felt streets need to protect property values - without streets or access to an area the property value will not be maintained. He pointed out that he was talking about the rules which are set forth by someone else, not what he would like to see. The protestant stated he did not find economic issues mentioned in the Tulsa Zoning Code.

Commissioner C. Young advised that economic rules may not appear in the Zoning Code, but every vote he makes is based on some economic reason - that's what this country's all about.

Noting that Mr. Hamilton had checked the zoning on the subject tract before purchasing his home in Sweetbriar East Extended, Commissioner T. Young asked if he also checked to see what the allowable densities of development would be under all of the configurations possible within the RS-3. The protestant stated that he had checked the densities on the original plat, including 63 units, which was already on file.

When asked if the PUD would be acceptable if modified according to the Staff Recommendation, Mr. Hamilton advised that it would not be. The protestant was opposed to the attached dwellings and referred to them as "row houses."

Mike Bartlett, relating to a case at 67th and Sheridan heard by the Planning Commission in February 1980, advised that this case was very similar and the proposed density of PUD #231 was denied. The lot sizes on PUD #231 were larger than those proposed in the subject application. The resultant compromise on PUD #231 was that the applicant developed single family detached dwellings with an equivalent density as those required on an RS-3 basis.

The Staff advised that the applicant for PUD #231 had requested 34 units of a particular type of housing which was permitted under the zoning - the Staff had recommended approval for the units. The Planning Commission made the reduction of the number of lots.

In response to the protestant's comments, Mr. Moody advised that the minimum price for the proposed units would be \$70,000 each. The applicant

PUD #250 (continued)

has tried to keep the cost down because the increased interest rates of today lower the price that people can afford to buy.

Mr. Moody advised that if the Planning Commission had not required the applicant, in the subdivision plat, to acquire the additional tract and put in 74th Street, there would be no access to the existing subdivision. He proposed that 74th Street be made a private street or a crash gate could be installed for emergency services as a compromise. This would mean that there would be no mixture of traffic from the proposed addition and the existing single family areas.

The applicant, as part of the subdivision plat approval, had to spend \$20,000 for additional off-site utilities to connect the line at 76th and Memorial (which doesn't benefit the subject property at all) in order to increase the water pressure in the existing addition, Mr. Moody advised.

Commissioner T. Young questioned what would be needed to eliminate the connecting street from the existing plat so there would be an isolated area and was advised by the Staff that the T.A.C. wants the street, since it ties the street network together and gives multiple points of ingress and egress from the subdivisions.

The Staff advised that the street in question is a public street, filed of record, which would need to be vacated. Mr. Moody noted that Oklahoma Statutes presently provide that if no lots have been sold, the plat can be vacated, which will also vacate the public street.

Commissioner T. Young advised that the overriding factor in his decision on this application was that things are changing, we are not as affluent a country as we once were and there are going to be a variety of different things occur from this time on, including new methods of mortgage financing due to the interest rates. Mr. T. Young moved approval of the PUD, subject to the Staff Recommendation with the elimination of the connector street - in the appropriate configuration, perhaps including a cul-de-sac. He stated he was not in favor of the crash gate concept.

Commissioner C. Young stated that, with the elimination of the connecting street, he would support the motion for approval of the PUD application; however, he would want to include a crash gate.

Commissioner T. Young Advised that he was opposed to the crash gate, since it would mean that the road would have to be constructed so there would be a connecting road and although it is not generally used, it is still there. Commissioner C. Young agreed to second the motion for approval excluding the requirement that a crash gate be provided.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Avey, Eller, Gardner, Holliday, Parmele, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Petty "absent") to recommend to the Board of City Commissioners that the following described property be approved, subject to the conditions of the Staff Recommendation and that no access be permitted to the subdivision to the north, and that the use of cul-de-sacs or other suitable street arrangements be included in the replat procedure.

PUD #250 (continued)

All of Rustic Meadows, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof; including all abutting street rights-of-way.

At this point in the meeting, First Vice Chairman, Carl Young, assumed the duties of presiding officer.

PUD #248 Roy Johnsen (Quatro Properties) North side of 91st Street, between
Yale Avenue and Sheridan Road (RS-3)

The Staff advised that the applicant had requested this item be continued to February 4, 1981.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to continue PUD #248 to February 4, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

Madison Wood Addition (2492) SW corner of 37th Street and South Madison Ave.
(RM-T)

The Staff presented the plat with the applicant represented by Ted Sack.

The Staff noted that this plat already had a preliminary approval, but the layout has changed and the plat is being resubmitted. At the T.A.C. there was considerable discussion regarding easements, but details would be accomplished in the subsurface meetings. Also, in the covenants, a number of corrections and/or changes need to be made to assure the information on the drawings and written part of the plat agree. Engineering Department advised a street improvement may be able to lessen the adverse impact of the change in storm water runoff.

The Technical Advisory Committee and Staff recommended approval of the Revised Preliminary Plat of Madison Wood, subject to the conditions.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the Revised Preliminary Plat of Madison Wood, subject to the following conditions:

1. Covenants: Utilities may require more specific language so that it is clear that they have the use of the "Reserve Area." The plat and covenants do not agree on designation of the common area. (One shows a "Reserve" and the other assigns a lot and block.) Also, correct number of lots in Section II. PS0 notes that overhead pole lines are specified on the "perimeter of the subdivision," but easement is only provided on the west and south. Change or correct to satisfaction of PS0.
2. 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 should be tied to or related to property and/or lot lines.
3. Water plans shall be approved by the Water and Sewer Department prior to release of final plat, (if required).

Madison Wood Addition (continued)

4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
7. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
8. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer.
9. It is recommended that the developer coordinate with Traffic Engineering during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of plat.)
10. 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.
11. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)
12. Show "Limits-of-no-Access" on backs of lots where applicable.
13. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
14. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Crow-Dobbs Office Park (PUD #202) (283) West of the SW corner of 61st Street
and Memorial Drive (CS)

The Staff presented the plat with the applicant represented by Ted Sack.

The Staff advised the Commission that this is a part of an overall plan already reviewed, but no detail was available previously on the actual use or layout planned on the tract. A site plan is pending review also. The specific PUD conditions such as building, square-footage, parking, and landscaping should be included in the covenants. There was some discussion about access to 61st Street, but Traffic Engineer was satisfied with the location, and the Staff assured the T.A.C. a detailed site plan would be reviewed in the future on the remainder of the tract, since this

Crow-Dobbs Office Park (PUD #202) (continued)

is a PUD. There would be some modification or increase in the storm water detention ponds. The Engineer was reminded to include all PUD requirements in covenants.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Crow-Dobbs Office Park, subject to the conditions.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the Preliminary Plat of Crow-Dobbs Office Park, subject to the following conditions:

1. All conditions of PUD #202 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
2. 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 should be tied to or related to property and/or lot lines.
3. Show width of 61st Street.
4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required for drainage??)
7. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
8. Access points shall be approved by City and/or Traffic Engineer.
9. 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.
10. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
11. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

The Staff presented the plat with the applicant represented by Ted Sack.

This tract had been previously reviewed as a sketch plat, then as a "plat waiver," all of which were approved, subject to several conditions. It has been decided to plat the property after all, in order to show individual lots.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Baystone Addition, subject to the conditions.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the Preliminary Plat of Baystone Addition, subject to the following conditions:

1. Since this is a duplex development and not multifamily or townhouse, Board of Adjustment approval may be required because the lots will not meet minimum frontage or size.
2. Show reference to Quincy in dashed lines.
3. 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 should be tied to or related to property and/or lot lines. (PSO needs overhead lines on north.)
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required for drainage)
8. Paving and/or drainage plans shall be approved by the City Engineer, including drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
9. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer.
10. 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.
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

Baystone Addition (continued)

12. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Garnett Place Addition (3194) West side of South Garnett Road, $\frac{1}{4}$ mile north of 61st Street (IL)

The Staff presented the plat noting the applicant was not represented.

This plat had been reviewed and approved previously, but had expired due to inactivity. It is the same plat as reviewed before. Applicant will be advised to correct some dimensions which do not add up or total correctly.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Garnett Place Addition, subject to the following conditions.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the Preliminary Plat of Garnett Place Addition, subject to the following 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, (17 $\frac{1}{2}$ '). Existing easements should be tied to or related to property and/or lot lines.
2. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required for drainage.)
5. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
6. A topo map shall be submitted for review by T.A.C. (Sub. Reg's.) (Submit with drainage plans.)
7. Access points shall be approved by City and/or Traffic Engineer.
8. 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.
9. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)

Garnett Place Addition (continued)

10. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
11. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

The Quest Addition (1083) NW corner of 73rd Street and South Braden Ave.
(OM)

The Staff presented the plat with the applicant not represented.

This tract has been replatted once after the original platting, plus some lot-splits and zoning changes. This plat now submitted will cover all of the past actions and clarify what is to actually be built on the property. The one remaining lot not zoned for offices (Lot 5) is also to be rezoned, so this plat will cover the platting requirement for that application also.

It was noted that some dimensions needed to be added or verified, as well as showing the acreage on the plat. The Engineering Department advises that if no alterations from the original grading plan as indicated on "Nob Hill" are needed, detention fee may be required if the area is altered by zoning or use. Traffic Engineering advised access in center of Lot 1 will be south of median, but in the future, could be "Right-Turn Only."

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of The Quest Addition, subject to the listed conditions.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the Preliminary Plat of The Quest Addition, subject to the following conditions:

1. Since this tract has been platted twice, the previous plats may need to be properly vacated. Make sure the legal description in the covenants matches the brief legal under the title block. Certain promises were made by the applicants in the zoning hearings that have been filed of record along with this plat, as recommended in the zoning process.
2. 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 should be tied to or related to property and/or lot lines.
3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (if required?)

The Quest Addition (continued)

5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required for drainage)
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
7. Access points shall be approved by City and/or Traffic Engineer. (See above comment.)
8. 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.
9. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
10. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

REQUEST TO WAIVE PLAT REQUIREMENTS:

Z-5384 (Lot 21, Pecan Acres) (683) 6200 South Lewis Avenue (CS)

Mr. Wilmoth advised that this is a request to waive plat on the above captioned tract, since it is already platted and nothing would be gained by a new plat. The plot plan submitted shows one access driveway on South Lewis Avenue. Right-of-way on Lewis is already dedicated at 50' in accordance with the Major Street Plan.

The Engineering Department advises that this area is still mapped according to FIA zone A-4 Boundary. However, the modified (Joe Creek) channel will be recognized as adequate to pass the 100-year flood. No detention required and site plan already has been reviewed in building permit process. Owner is advised to make sure the 15' "drainage easement" west of the building doesn't continue east, so there would be no encroachment on same. PSO will need a 10' easement for their lines.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5384, subject to granting of a 10' utility easement on the south property line.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the waiver of plat on Z-5384, subject to granting of a 10' utility easement on the south property line.

LOT-SPLITS:

L-15070	Kenneth D. West	(274)
15100	TURA	(3602)
15103	A. T. & S. F. Railway Company	(2003)
15104	Mr. & Mrs. Smith d/b/a/ Arkansas Valley Properties	(393)

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15092 General Properties, Inc. (3693) West of the SW corner of 51st St.,
and Mingo Road (CS)

The Staff made the following report, noting that the applicant, Milton Berry, was present.

This is a request to split a tract into a 100' x 250' lot and a 117' x 250' lot. A platted access point will provide 40' of access (20' to each lot) and no new access is being requested. Since the CS District requires 150' of frontage, the applicant is requesting waiver of this condition. The Staff notes that there are other lots in the vicinity (on Mingo) that have less than 150' in CS (or IL) Districts. Since no new access is being requested and there are other similar lots in the area, the Staff sees no objection to the request, subject to any other conditions of the T.A.C. may wish to place on the application.

The Technical Advisory Committee and Staff recommended approval of L-15092, subject to the conditions.

On MOTION of AVEY, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve L-15092, subject to the following conditions:

- (a) Extension of sanitary sewer as needed; and
- (b) Board of Adjustment waiver of frontage.

L-15094 E. H. Knollenberg (313) West side of North Sheridan Road, ½ mile
South of 126th Street North (AG - County)

Mr. Wilmoth advised that this is a request to split an acre of land from an 80-acre tract in an AG District. The tract has enough frontage (208.75'), but the net lot size will be under the required 2-acre size. The split is to separate an existing home and its outbuildings so it can be sold. A larger size lot is not possible since outbuildings with the remaining 79-acre farm are in back of it. (The house that goes with the 79-acre remainder is to the north.) Sheridan is on the Major Street Plan for a 100-foot arterial and the applicant is aware of this, and has not asked for waiver of the Plan. The only waiver involved will be the minimum lot size required by the zoning. The Staff sees no objection, since the land area can not be expanded due to other buildings. Approval would be recommended, subject to approval of the Health Department for the existing system and approval of the County Board of Adjustment for the waiver of lot size.

L-15094 (continued)

The Technical Advisory Committee and Staff recommended approval of L-15094, as recommended by the Staff.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve L-15094, subject to approval of the Health Department for the existing system and approval of the County Board of Adjustment for the waiver of lot size.

OTHER BUSINESS:

PUD #227 Roy Johnsen NE corner of I-44 and Lewis Avenue
Consider approving final detailed landscape and site plan.

The Staff presented the final detailed landscape and site plan showing the trees that will be retained on the subject property. Mr. Alberty advised that the site plan had been approved previously; however, the Commission, as an additional requirement, had requested the detailed landscape plans be presented for their approval. The landscape plans include five different types of vegetation. The Staff recommended approval of the detailed landscape plan.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the final detailed landscape and site plan for PUD #227.

PUD #202 John Dobbs SW corner of 61st Street and Memorial Drive
Consider approving detailed site plan for a part of Development Area "H".

Mr. Alberty advised that Planned Unit Development #202 is located at the SW corner of 61st Street and Memorial Drive. Development Areas "H" & "I" were approved for a combined total of 759,000 sq. ft. Presently 244,500 sq. ft. has been committed to Shadow Mountain II Addition, leaving a balance of 514,500 sq. ft. The applicant has submitted a site plan for 428,000 sq. ft. of office and commercial floor area, leaving a balance of 86,500 sq. ft. to the remaining undeveloped portions of "H" & "I".

The Staff recommended APPROVAL of the detailed site plan, as described by the preliminary plat, for the Crow-Dobbs Office Park (part of Development Areas "H" & "I", subject to the listed conditions.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Avey, Eller, Gardner, Holliday, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Kempe, Parmele, Petty "absent") to approve the detailed site plan, as described by the preliminary plat, for the Crow-Dobbs Office Park (part of Development Areas "H" & "I"), of PUD #202, subject to the following conditions:

1. That the applicant's site plan be approved as submitted.
2. That the maximum number of square feet of office and incidental commercial area be 428,000 sq. ft.

PUD #202 (continued)

3. That the minimum number of parking spaces be 1,070. (1 space/400 sq. ft.) 1683 shown on site plan.
4. That the minimum landscaped area be 3.42 acres (16.6%) of the site area.
5. That the maximum site area be 20.56 acres.
6. That the maximum height be 6 stories.
7. That the subdivision plat (Crow-Dobbs Office Park) be approved and filed of record in the County Clerk's office, prior to the request for a building permit, incorporating the PUD development standards within the restrictive covenants thereof, making the City of Tulsa beneficiary to said covenants.

There being no further business, the Chair adjourned the meeting at 4:05 p.m.

Date Approved

February 4, 1981


Chairman

ATTEST:


Secretary