

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1516
Wednesday, August 8, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Hinkle, Secretary Kempe, 1st Vice- Chairman Rice Wilson Woodard C. Young, Chairman T. Young	Higgins Paddock	Compton Gardner Martin Matthews Wiles Wilmoth	Linker, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 7, 1984, at 11:40 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present Chairman C. Young called the meeting to order at 1:30 p.m.

MINUTES:

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Draughon, Hinkle, Kempe, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, Rice, T. Young, "absent") to approve the Minutes of July 25, 1984 (No. 1514).

CHAIRMAN'S REPORT:

Chairman Young advised the Commission that Sandra Wiles will be the new Planning Commission secretary as Tammy Martin will now be employed at Kaiser Francis Oil Company.

SUBDIVISIONS:

Preliminary Approval:

Carter Oak Amended (PUD #190) (1083) 76th Street and South Joplin Avenue
(RMT)

The Staff presented the plat with the applicant not represented.

This amended plat is to conform with an amendment to PUD #190, which reduced the number of units. The plat has been revised, with the private street system remaining the same and the changes mainly being in the enlargement of some of the lots.

Utilities cautioned that the lot line changes may cause changes in service lines. This needs to be coordinated closely with the utility companies, including the Water and Sewer Department.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Charter Oak Amended, subject to the conditions.

Charter Oak Amended (PUD #190) continued

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, T. Young, "absent") to approve the Preliminary Plat of Charter Oak Amended, subject to the following conditions:

1. Covenants: Some adjustments need to be made to the Covenants to comply with the PUD amendment. Specifically: (a) 5th paragraph add: "Minor amendment to said PUD was approved by the TMAPC on June 13, 1984"; (b) paragraph 1 (A) revise to read: "Single-family and existing duplex dwelling units and customary accessory uses...etc."; (c) paragraph 1 (B) add after word "permitted", "consisting of 10 existing duplex units and 85 single-family detached units"; (d) omit all of Section 1 (H) as no triplex and fourplexes are allowed; and (e) also include paragraph regarding Haikey Creek Treatment facility. (See condition #7 below.)
2. A number of easements, particularly the one provided for fencing, need to be tied to a lot corner or other dimension so they can be accurately located.
3. All conditions of PUD #190 shall be met prior to release of the 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.
4. 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.
5. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the covenants.) (if required?)
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
7. This property is located within the area served by the Haikey Creek Sewage Treatment Plant and will require a statement concerning sewer availability within the covenants.
8. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (if required?)
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Reference PFPI #2343. Enlarge detention ponds for Minshall Park Cluster Housing per agreement.

Charter Oak Amended (PUD #190) continued

10. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit were applicable), subject to criteria approved by the City Commission.
11. Street names shall be approved by the City Engineer. Show on plat as required. (Add the word "private" on all interior streets.)
12. 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 the plat.)
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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. The key or location map shall be complete. (Add new plats; Granite Hill, Southslope etc...)
16. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
17. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Freeport Trade Center (PUD #367) (1994) West side of South 108th East Ave.,
at East 33rd Street (CS, RM-1)

The Staff presented the plat with the applicant NOT represented.

Since the drainage requirements will require modification of plot plan, T.A.C. recommended the plat also be subject to review by the T.A.C. as "Old Business" at any T.A.C. meeting when revisions have been made.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Freeport Trade Center, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, T. Young, "absent") to approve the Preliminary Plat of Freeport Trade Center, subject to the following conditions:

1. All conditions of PUD #367 shall be met prior to release of the 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.
*(See condition #8 below.)

Freeport Trade Center (PUD #367) continued

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 the final plat. (Include language for water and sewer facilities in the covenants.) (Need water line layout)
4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Monument floodway. Include language in covenants.
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 the City Commission. (Development Sensitive - Detention on-site) Off-site storm sewer may be required.
- *8. Covenants: Under Section 11, A. add: "The Outline Development Plan is a condition of PUD approval, unless modified herein".
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. Identify East 33rd Street. Also show width of South 108th East Avenue.
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
12. All Subdivision Regulations shall be met prior to release of the final plat.

The Staff presented the plat with the applicant represented by Lynn Calton.

The Health Department was not represented at the T.A.C. meeting but recommended the plat not be transmitted to the Planning Commission for preliminary approval until percolation tests are received by that Department. There were no objections to the details of the plat.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Oak Forest, subject to the conditions. (The Staff advised the Commission that percolation tests had been made and there was no objection from the Health Department for preliminary approval.)

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, T. Young, "absent") to approve the Preliminary Plat of Oak Forest, subject to the following conditions:

1. Although all lots contain 22,500 sq. ft. or more, they are not uniformly an average width of 150 feet. The Board of Adjustment approval will be required for those lots less than 150 feet wide. (The applicant may also request at that time, mobile home use for the lots. However, mobile home use approval is not a condition for approval of the plat.)
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. (Building line and easement along 41st) Existing easements should be tied to or related to property and/or lot lines.
3. Water plans shall be approved by the applicable water authority prior to release of the final plat.
4. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
5. Street names shall be approved by the County Engineer. (Change West 41st Place to West 42nd Street.)
6. It is recommended that the developer coordinate with the County Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)
7. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
8. Include language in Covenants for limited access. Also extend LNA around radii at the corner.
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.

Oak Forest (continued)

10. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
11. The method of water supply and plans therefore, shall be approved by the City-County Health Department.
12. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
13. The Resolution for Zoning Application (CZ-106) shall be approved before the final plat is released.
14. This plat has been referred to Mannford and Sand Springs because of its location near or inside a "fence line" of those municipalities. Additional requirements may be made by the applicable municipality; otherwise only the conditions listed herein shall apply.
15. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
16. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Final Approval and Release:

Harvard Point (1583) 87th Street and South Harvard Avenue (RS-2, RS-3)

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of RICE, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, T. Young, "absent") to approve the Final Plat of Harvard Point and release same as having met all conditions of approval.

Waiver of Plat:

Z-5923 Claypool Addition (2993) NE corner of East 47th Street and South Gary Avenue (RS-2) (includes L-16239)

This is a combination lot-split and plat waiver application. Three lots are being created which will meet the RS-2 standards approved under Z-5923. The Staff sees no objection to the request provided the following requirements are met:

- (a) Dedication of additional 5' of right-of-way on both streets to meet the Major Street Plan;
- (b) granting necessary utility easements to serve the new lots (east-west on north side of tracts 1 and 2 and an easement parallel to South Gary Avenue);
- (c) sewer main extension and other utility extensions as needed; and
- (d) grading and drainage plan approval by the City Engineer, including on-site detention.

The applicant was NOT represented.

Z-5923 Claypool Addition (continued)

The applicant was advised at the T.A.C. meeting that even if the lot-split and plat waiver were approved, a Building Permit may be held up or not issued since this tract is in a drainage sensitive area, and may be included in a floodplain moratorium.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat and L-16239, subject to the conditions outlined by the Staff and T.A.C., especially noting the comment about floodplain building moratorium.

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve the Waiver of Plat for Z-5923, subject to the above stated conditions especially noting the comment about floodplain building moratorium.

LOT SPLITS:

Lot Splits for Ratification:

L-16131 Amended (792)	Robert Converse
16235 (1693)	Heritage Homes
16243 (1283)	Harold Burlingame
16244 (393)	Tim Kuntz
16247 (1392)	City of Tulsa

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve lot splits for ratification as listed above.

Lot Split for Discussion:

L-16245 Robert Converse (1792) SW corner of 27th Street and 49th West Avenue (RS)

Mr. Wilmoth described the subject tract and advised that the purpose of the lot split is to split off the east 140' of this irregular shaped piece of property.

Mayor Young expressed a concern with the water and sewer available to the lots being split and was concerned about the right-of-way off of 27th Street. Mr. Wilmoth advised that there would be water available for the property if the lot split is granted. The Health Department approval of septic system is required. He also advised that the applicant could provide the right-of-way needed to meet the Major Street Plan for this property. (if not already dedicated) The Staff recommended approval.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve lot split #16245.

Lot Split for Waiver:

L-16237 Tampa Motel Management Company (3104) North of the NW corner of
I-244 and Garnett Road (CS)

This is a request to split a 1.8 acre tract into two lots. The rear lot is proposed to be a "flag lot" having 35 feet of frontage on Garnett Road, and containing 1.4 acres. The front lot is to have 130 feet of frontage on Garnett Road, and containing .4 acres. A variance will be required by the Board of Adjustment, because of the minimum frontage requirement (150 feet on Garnett Road, per Code). The Staff recommended approval, subject to the approval of the Board of Adjustment.

The applicant was NOT represented.

The Technical Advisory Committee and Staff recommended approval, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve the waiver on Lot Split L-16237, subject to the following conditions:

- (a) Board of Adjustment approval; and
- (b) sewer extension.

PUBLIC HEARING:

Plan Amendments for District 8

Mrs. Dane Matthews advised that the first hearing concerning the District 8 Plan Amendments was on June 27, 1984, at which time the Commission sent the amendments back to the Staff to review the wording. She submitted copies of the proposed amendments to District 8 (Exhibit "A-1"). At that time there was concern expressed as far as park land preservation, open space protection and the title of the Special District.

The proposal which is now before the Commission consists of some workable compromises. The name has been changed to Turkey Mountain Special District and some policies have been added which call for the preservation of park land and acquisition where feasible and appropriate. Mrs. Matthews advised that one landowner raised a question on policy 4.1.1.3. of the handout concerning the reference to existing high intensity. The landowner suggested that the word "existing" be deleted because it precludes any further high intensity development in the area.

Also attached to the handout was a letter from Jackie Bubenik, River Parks Director, which stated his questions and concerns with the preservation of park land. Mrs. Matthew's response to those concerns were briefly discussed.

Mr. Ken Wire, president of Tulsa Audubon Society, addressed the Commission and felt that as much of the Turkey Mountain area as possible should be left in its natural condition and should be protected.

Plan Amendments for District 8 (continued)

The Commission expressed their support of the name change and new policies which have been added to the Plan since the previous hearing concerning District 8. There was some discussion concerning Section 3.4.3.4, and it was felt that stronger wording was needed. The Staff suggested that the phrase "in its natural state" be inserted in that policy.

TMAPC Action: 9 members present.

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to close the public hearing.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve the District 8 Plan Amendments which includes the deletion of the word "existing" in Section 4.1.1.3 and to amend Section 3.4.3.4 to read as follows: "The river bluff areas should be protected and maintained in its natural state to the maximum extent feasible."

PROGRESS REPORT - Cost Estimates Requested for Industrial Plan Items:

Bob Pendergrass of the INCOG Staff presented the Commission with a preliminary cost estimate on the request made by the Commission of various items associated with the Industrial Plan (Exhibit "B-1"). The final report of the cost estimates will be presented to the Commission next week. He stated that the document includes estimated dollar amounts and a time frame on completing the projects. When the Commission makes a decision on which ones to pursue the Staff could then prepare a detailed work program to fit them in with the work programs of the different agencies involved.

Mayor Young suggested that the Chamber of Commerce be notified of the meeting of August 15, 1984, when the final report is to be presented.

Without objection the Commission accepted the report.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5962 Present Zoning: OL
Applicant: Ragsdale Proposed Zoning: CS, FD
Location: North and west of South 119th East Avenue and Skelly Drive

Date of Application: May 1, 1984
Date of Hearing: August 8, 1984
Size of Tract: 2 acres

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use and the northwest portion of the subject tract as Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2 acres in size and located on the west side of Skelly Drive, south of 8th Street. It is partially wooded, rolling, vacant and zoned OL.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family subdivision zoned RS-3, on the east by Skelly Drive Expressway zoned RS-3, on the south by vacant property and a motel zoned CS, and on the west by vacant property zoned OL.

Zoning and BOA Historical Summary -- Commercial zoning has been approved along the intersection of 11th Street and Garnett Road. As mentioned in the zoning background the subject tract was part of a 100-foot buffer between the CS and RS-3 Districts.

Conclusion -- After review of the application, the Staff does not feel any conditions have changed that would eliminate the need for a buffer requirement.

Based on the Comprehensive Plan, existing zoning and land use patterns and above mentioned facts, the Staff recommends DENIAL of the CS request.

For the record, any relief that might be appropriate should come via a PUD or BOA control, not a zoning change.

Applicant's Comments:

The applicant was not present to address the Commission.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Kempe, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, Rice, "absent") to DENY the CS, FD zoning request, on the following described property:

Application No. Z-5962 (continued)

A parcel of land located in the S/2 of the SW/4 of Section 5, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, described as follows, to wit: BEGINNING at the Southwest corner of Lot 27, Block 15, Western Village Second Addition; thence South $49^{\circ}-05'-12''$ West a distance of 644.51 feet to a point of beginning; thence due West a distance of 451.21 feet; thence South $78^{\circ}-51'-30''$ West a distance of 4.68 feet; thence North $63^{\circ}-32'-15''$ West a distance of 106.52 feet; thence North $78^{\circ}-51'-30''$ East a distance of 95.41 feet; thence due east a distance of 532.55 feet; thence South $49^{\circ}-05'-12''$ West a distance of 99.25 feet to the point of beginning, containing 35,225 square feet, more or less.

PUD #359 Bob Latch 77th Street and East side of South Memorial Drive (AG)

The Staff advised that this PUD needs to be continued for one week.

TMAPC Action: 9 members present.

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to continue consideration of PUD #359 until Wednesday, August 15, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5973 and PUD #370 Present Zoning: AG
Applicant: Boyd (Eastern Oklahoma Presbyterian Housing Corp.)
Proposed Zoning: RM-1
Location: SW corner of 106th Street South and Memorial Drive

Date of Application: June 7, 1984
Date of Hearing: August 8, 1984
Size of Tract: 10 acres, more or less

Presentation to TMAPC by: Charles Chief Boyd
Address: 502 South Main Street - 74103 Phone: 582-8771

Relationship to the Comprehensive Plan: Z-5973

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation: Z-5973

Site Analysis -- The subject tract is approximately 10 acres in size and located 1/2 mile south of the southwest corner of 101st Street and South Memorial Drive. It is non-wooded, flat, vacant, and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land zoned AG, on the east by a horticultural nursery and sales zoned CS, on the south by large acreage lots with single-family dwellings zoned AG, and on the west by a developed large lot single-family subdivision zoned RS-1.

Zoning and BOA Historical Summary -- Past zoning actions by the City of Bixby have allowed CS stripping along the east side of Memorial Drive from 101st Street to 11th Street.

Conclusion -- Given the fact that CS has been allowed along the east side of Memorial, consideration of a zoning district greater than RS densities is appropriate. Even with the existing CS to the east neither the Comprehensive Plan nor the Development Guidelines would support similar non-residential districts on the west side, but would support the area as being the buffer area or transition area for the properties farther to the west. The Staff sees RM-1 as the appropriate buffer along this portion of Memorial Drive because it maintains a residential zoning pattern consistent with the Comprehensive Plan but also allows an applicant to file a PUD for office use which can be restricted. Therefore, the Staff recommends APPROVAL of RM-1 to a depth of 350 feet and RS-2 on the remainder of the tract.

For the record, the Staff considers the recommended RM-1 (350') and RS-2 zoning categories as appropriate for this area regardless of the outcome of the accompanying PUD.

PUD #370 and Z-5973 (continued)

Staff Recommendation: PUD #370

The Staff has previously reviewed the subject PUD (Staff Recommendation of July 11, 1984) and stated that we could support the concept of the proposed plan but could not support the plan itself because it did not take into consideration a necessary leg of the internal collector system. Both the T.A.C. and the P.U.D. design review Staff felt that it is necessary to require the completion of 106th Street from Bridal Trail Estates to Memorial Drive.

The applicant has submitted a revised site plan that addresses a solution to the 106th Street. He is proposing 50 feet of right-of-way and 26 feet of paving. At this point, the T.A.C. cannot support this type of design for a Collector; however, the design review Staff feels that since the existing portion of 106th Street (that the new street would tie into) is not built to normal collector street standards, it may not be necessary to require this portion to meet the standards (36 feet of paving and 60 feet of right-of-way).

Therefore, if the applicant can get approval of reduced standards in this special case, the Staff could find the proposal to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (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, the Staff recommends APPROVAL of PUD #370, subject to the following conditions:

(1) That the applicant's Amended Outline Development Plan be made a condition of approval, unless modified herein.

(2) Development Standards:

Land Area (Gross):	9.85 acres
Permitted Uses:	
East 450 feet,	Church
Remainder:	Elderly Multifamily Housing and Park
Maximum Number of Units:	96 Units (Majority one bedroom)*
Maximum Building Height:	35 feet
Minimum Livability Space on Residential portion of the tract:	57,600 sq. ft.
Minimum Building Setback	
Church:	
From Centerline of Memorial:	150 feet
From Centerline of 106th St.:	150 feet
From South Property Line:	40 feet
From Boundary between Church and Residential Area:	200 feet

*Need specific language to restrict to elderly housing only.

PUD #370 and Z-5973 (continued)

Residential Buildings:

From Boundary between Church and Residential Area:	70 feet
From Centerline of 106th Street:	40 feet
From South Property Line:	50 feet
From West Property Line:	200 feet

Minimum Off-Street Parking: Per Code for each use

- (3) That all requirements of the appropriate agency or department in the platting process be met unless a waiver is approved by the TMAPC; provided, however, that the collector street be stubbed to the west so that it can be tied to the existing street when the property owner to the north plats his property.
- (4) That signage shall meet the requirements of Section 1130.2 (b) of the Zoning Code.
- (5) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy.
- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to 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, making the City of Tulsa beneficiary to said Covenants.

Additional Staff Comments:

Mr. Gardner advised that this zoning and PUD was continued to allow the applicant time to redesign the project. The redesign includes a dedicated collector street on the subject property except the applicant does not own the northwest corner of the tract, as it is owned by Mr. Tony Solo. Since Mr. Solo owns that portion of the tract it does not give the applicant the ability to stub into that dedicated street. Mr. Solo would have to complete that street, but at this time that portion of the property is not under application.

The Staff felt that the proposed street is the key in that it must be connected and taken through. The applicant can stub the street but cannot take it completely through because he does not own that strip of land. The Staff has prepared a Staff Recommendation with a condition for waiver of the street width. The street which the applicant is willing to build is better than the one presently in place even though the right-of-way is less but the pavement would be greater.

There was limited discussion concerning the points of access to the property. Mr. Gardner felt that the points of access hinges on the decision about the streets. The Staff would be in agreement to the 50' of right-of-way with 26' of paving which would require a waiver of the Subdivision Regulations.

Z-5973 and PUD #370 (continued)

Applicant's Comments:

Mr. Charles Chief Boyd represented the owners of the property, Eastern Oklahoma Presbyterian Housing Corp., and addressed the questions raised concerning the street. There was a concern expressed and it was suggested that there be a double access to the property primarily for fire protection. Mr. Boyd stated that he had met with the Fire Marshal concerning that question. Mr. Boyd stated he has agreed to an emergency access easement across the subject property and would include a crash gate on either side of the property.

Protestants: None.

Interested Party: Mr. Tony Solo Address: Unknown

Interested Party's Comments:

Mr. Solo stated he had no objection to the access as was discussed. He would be in agreement with an emergency access as pointed out by Mr. Boyd.

TMAPC Action: 9 members present. Z-5973

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned as recommended by the Staff:

Z-5973 Legal: The South 330 feet of the SE/4 of the NE/4 of Section 26, Township 19 North, Range 13 East of Indian Base and Meridian, Tulsa, Oklahoma.

TMAPC Action: 9 members present. PUD #370

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to recommend to the Board of City Commissioners that the Planned Unit Development be approved, subject to the conditions recommended by the Staff and with the addition of the crash gate and to provide a separate easement to the property, on the following described property:

PUD #370 Legal: The South 330 feet of the SE/4 of the NE/4 of Section 26, Township 19 North, Range 13 East of Indian Base and Meridian, Tulsa, Oklahoma.

PUD #369 Johnsen (Bellamah) North of the NW corner of 101st Street and
Mingo Road (RS-3)

The Staff advised that the applicant submitted a letter requesting that this case be continued for one week (Exhibit "C-1").

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Connery, Draughon, Hinkle, Kempe, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, Rice, T. Young, "absent") to continue consideration of PUD #369 until Wednesday, August 15, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #343 (Area "B")

Staff Recommendation: Detail Landscape Plan

The subject tract is located at the southwest corner of 81st Street and Memorial Drive and is 5.33 acres, more or less, in size. It has been approved for 55,715 square feet of retail space in two buildings per conditions and detailed landscape plan which the applicant now seeks approval of.

The Staff has reviewed the Landscape Plan and find it to be consistent with the approved Outline Development Plan and meets the requirements of the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of the Detailed Landscape Plan (Area "B"), subject to the plans submitted.

TMAPC Action: 9 members present.

On MOTION of KEMPE, the Planning Commission voted 9-0-0 (Connery, Draughton, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Paddock, "absent") to approve the Detail Landscape Plan Review for Area "B".

PUD #366 Dimension Properties (Green) 58th Street, between Quincy Avenue and Quincy Place.
Minor Amendment

The Staff advised that this item needs to be tabled.

The Chair, without objection, tabled this item.

Request for Refund of Fee on Lot Split #16233.

Mr. Compton advised that this item needs to be tabled.

The Chair, without objection, tabled this item from the agenda.

There being no further business, the Chair declared the meeting adjourned at 2:52 p.m.

Date Approved August 22, 1984


Chairman

ATTEST:


Secretary