

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1608
Wednesday, **June 18, 1986**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Selph	Jones	Counsel
Draughon		Wilmoth	Williams, DSM
Kempe		Setters	
Paddock, Secretary			
Parmeale, Chairman			
VanFossen			
Wilson, 1st Vice- Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 17, 1986 at 12:22 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmeale called the meeting to order at 1:33 p.m.

MINUTES:

Approval of Minutes of June 4, 1986, Meeting #1606:

On **MOTION** of **WOODARD**, the Planning Commission voted **7-0-1** (Carnes, Draughon, Kempe, Parmeale, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Doherty, Selph, Crawford, "absent") to **APPROVE** the **Minutes of June 4, 1986, Meeting #1606**.

REPORTS:

Report of Receipts & Deposits for the Month Ended May 31, 1986:

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Paddock, Parmeale, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Selph, Crawford, "absent") to **APPROVE** the **Report of Receipts and Deposits for the Month Ended May 31, 1986**.

REPORTS:

Chairman's Report:

Ms. Wilson suggested the TMAPC send a sympathy card to the widow of Mr. Bill Gay, District 9 Chairman and an active member of the former Greater Tulsa Council. Several members of the Commission mentioned the work Mr. Gay did for the City of Tulsa and supported Ms. Wilson's suggestion.

Committee Reports:

Mr. Paddock advised the Rules & Regulations Committee will be meeting on Wednesday, June 25, 1986. Chairman Parmele suggested reviewing the returned questionnaires at this Committee meeting.

Director's Report:

REQUEST FOR CONSIDERATION OF ACTION TAKEN JUNE 11, 1986 CONTINUING Z-6111 UNTIL AUGUST 13, 1986, ASKING THAT THIS ITEM BE PLACED ON THE AGENDA OF THE TMAPC FOR JUNE 25, 1986.

Staff stated this request is made by the applicant as they do not wish to file a PUD, but proceed with the zoning request. In reply to Ms. Kempe, Staff advised that those people who spoke at the previous meeting will be notified of the new hearing date.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Selph, Crawford, "absent") to **APPROVE** the **Placement of Z-6111 Moore (CEI Inc.) on the June 25, 1986 TMAPC Agenda.**

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Heatherwood Mobile Home Park (PUD 323-1)

South side of Coyote Trail, West of South 241st West Avenue

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Selph, Crawford, "absent") to **CONTINUE Consideration of Preliminary Plat Approval for Heatherwood Mobile Home Park** until Wednesday, **July 2, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

* * * * *

Woodbine (PUD 364-1)

East 97th & South Mingo Road

(RS-3)

This plat has "Revised Sketch Plat" approval by the TAC on 12/12/85. A copy of the minutes from that meeting was provided, with Staff comments in the margin.

The TAC voted to recommend **approval** of the PRELIMINARY plat of Woodbine, subject to the following conditions:

- 1) Special condition required by City Commission. Quote from City Commission minutes of 7/24/84: "... prior to approval of the final plat or detailed site plan that the impact of this project on the off-site drainage systems be determined."
- 2) Stormwater Management advised that the drainageway and flood plain must be defined and shown as directed by Stormwater Management. Computer runs will be required. Strict erosion control will be required. A time schedule for development will be required.
- 3) All conditions of PUD 364 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 Section 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 lines and/or lot lines.
- 5) Although the Mingo Valley Expressway does not cut through any of this plat, it is nearby in this same section. Traffic Engineering recommended the standard language regarding expressway plans be shown on the face of the plat near the location map. If expressway plan is changed prior to filing this plat, this condition is not applicable if expressway doesn't affect the property.

Woodbine - Cont'd

- 6) Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (12" water line required on Mingo)
- 7) 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(s) of the lot(s).
- 8) A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
- 9) A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
- 10) Paving and drainage plans shall be approved by Stormwater Management, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. (See 1, 2 and 3 above.)
- 11) Show building lines on Reserves "A" and "C". Show total number of acres on face of plat under location map.
- 12) A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted 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.
- 13) Section II in the covenants referencing the PUD conditions should be completely revised in order to meet the provisions of the Code. Staff has prepared a revision of this section with the required conditions and attached same to the agenda.
- 14) Since Section II will cover ONLY PUD conditions, it is recommended that a "Section III" be added, including title as "HOMEOWNERS ASSOCIATION AND RESERVES", and include the information already submitted on this plat. Renumber Sections that follow accordingly. Language regarding the use of Reserve "C" (Storm water detention) shall meet the approval of Stormwater Management.
- 15) Not a condition for approval of plat, but with the addition of the PUD conditions, the written part of the plat will be longer. Suggest that the plat be on two sheets, not exceeding 24" x 36" in size each.
- 16) Restricted 10' PSO easement be placed along the north boundary (at Lots 5 - 16, Block 2) of north tier of lots as per PSO.
- 17) Change street names as noted: South 99th East Avenue to 98th East Place, 100th East Avenue to 99th East Avenue, 100th East Place to 100th East Avenue, 101st East Place to 100th East Avenue and remove cul-de-sac name of East 97th Place South as per City Engineer.
- 18) That flood plain area to the east of subject tract to be included with this plat as an overland drainage easement as per Stormwater Management.
- 19) Possible sewer easement widening required as per Sewer Department.

Woodbine - Cont'd

- 20) The ordinance for Z-5954 and PUD 364 shall be published before final plat is released.
- 21) 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 Subdivision Regulation.
- 22) All (other) Subdivision Regulations shall be met prior to release of final plat.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Selph, Crawford, "absent") to **APPROVE** the **Preliminary Plat for Woodbine**, as recommended by Staff.

REQUEST FOR WAIVER (Section 260)

Z-6081 Broadmoor

1443 South Norfolk Avenue

(0L)

This is a request to waive plat requirement on Lots 6 and 7, Block 14 of the above named subdivision. The property has been rezoned for offices, but is NOT part of the PUD on the 15th and Peoria site. The existing house on the lot will be used as is, except for interior remodeling for offices and the addition of the required off-street parking spaces, as shown on plot plan.

Staff recently reviewed a similar proposal on the northwest corner of this intersection and had numerous comments and/or recommendations. That property however, had new construction and was to utilize parking on surplus expressway right-of-way. The proposal on these two lots does not encroach any further into the Street Plan right-of-way for 15th Street than the existing building. Traffic Engineering may require a "no access" agreement for the side next to 15th Street. Staff noted that no lots along 15th Street have the required right-of-way to meet the Street Plan of 50' from centerline. (Should the structure be removed and a new building constructed then the situation would be different and additional right-of-way would be required in accordance with the Street Plan.)

Since additional land is being covered by paving, drainage plan will be required by Stormwater Management through the permit process. Utilities please advise if additional easements are needed or if the office remodel can be served from existing lines.

Staff had no objection to the request, subject to the above comments.

Applicant will ask Planning Commission to waive extra right-of-way requirement. The TAC, consistent with past actions and policy, will not recommend waiver of the Major Street & Highway Plan requirement and advises that this request is made by applicant.

The TAC voted to recommend **approval** of the request, noting statement regarding Major Street & Highway Plan, subject to the following conditions:

- a) Paving and drainage plan approval by Stormwater Management through the permit process. (This property is exempt as per Stormwater Management.)
- b) No Access agreement to be filed for the 15th Street side.
- c) An 11' utility easement on east property line for existing sewer line.
- d) Dedication of right-of-way is requested around existing structure in order to meet required right-of-way.

Comments & Discussion:

Mr. Paddock commented that, in view of the potential traffic problems associated with the Cherry Street Plaza Development, the TMAPC should be taking advantage of these opportunities to bring the right-of-way up to the specification of the Subdivision Regulations in accordance with the Major Street and Highway Plan. Ms. Wilson asked who would be responsible for enforcing the Street Plan, should the existing building ever be demolished, for whatever reasons, and a new structure planned. Mr. Wilmoth stated that this hearing was the only opportunity to state these needs, because once approved, the Building Inspector cannot require dedication of right-of-way, only place setback requirements.

Mr. Draughon asked Mr. Williams of the Department of Stormwater Management (DSM) to clarify the exemption of paving and drainage approval by that department. Mr. Williams had a question for Legal concerning the placing of a condition on the waiver request being enough to trigger DSM jurisdiction, even though it would be exempt, otherwise, by the Ordinance. Mr. Linker advised it would depend upon the facts that would require DSM to place that condition on the property. If there are unusual facts involving the property that would warrant not placing it under the exemption that would exist in the Ordinance, then yes, DSM might be able to do that as a condition, even though the Ordinance says it is exempt. Mr. Linker reminded that care must be taken as to having unusual facts, otherwise, it might be done in every instance. Mr. Williams stated that DSM did not have a problem with the increased paving; therefore, they did not mind this being exempted from the Ordinance. Mr. Williams added that their Ordinance would apply if a platting requirement is placed on the application. If the platting is not required, then the only thing attaching DSM jurisdiction would be this condition of waiver. Mr. Linker commented that if it is something where DSM jurisdiction would apply

during the platting process, and we are in the process of waiving the plat, then it can be imposed based on DSM recommendation, as long as DSM has a good basis for their recommendation. Mr. Wilmoth stated that there is also the control of the record search system.

Applicant's Comments:

Mr. Tom Klenda, 2250 East 73rd Street #540, advised they intend to remodel the existing structure for use as a law office, but they would leave the exterior as is, except for an addition to accommodate the parking requirements. Mr. Klenda stated they are seeking approval of the application as well as approval of their request to waive the right-of-way requirement. Mr. Klenda advised that, during discussions with Commissioner Metcalfe's office, they were advised there were no plans to widen 15th Street or add a left turn lane at 15th and Peoria, due to the prohibitive costs of such a project. Further, their location is such (three blocks west of Peoria) that, should a turn lane be added at some time in the future, it should not affect them.

Mr. VanFossen commented he did not understand why dedication of right-of-way would change their intended use. Mr. Klenda stated this was an investment and, if there was a street right next to their building, it would diminish their investment. Mr. VanFossen remarked that, if there is not a need for a street, it would never change; and if there is a need for a change, the Commission does not want to lose that right. Mr. VanFossen reiterated he still did not understand how requiring the right-of-way would affect the intended use. Chairman Parmele assisted by clarifying that if the applicant decided to build a new building, and was required to meet the setback requirements from the proposed right-of-way, it would affect their intensity. In reply to Ms. Wilson, the applicant stated there is a contract for sale, for which this application is a condition to closing.

Additional Comments and Discussion:

Mr. Paddock commented that he guessed the applicants, being attorneys, entered into this deal with their eyes wide open and they should have been aware of this right-of-way requirement and its designation on the Major Street and Highway Plan. Therefore, they must have been prepared to go ahead with this purchase, even if the right-of-way regulations might not be waived. Further, due to the potential traffic congestion at 15th Street and Peoria, it seemed to him to be a legitimate concern of this Commission.

Chairman Parmele stated having a problem with requiring right-of-way from one person because they come in for a redevelopment project in trying to improve the neighborhood and making the requirement they give up part of their land without being compensated for it. If this was part of a master plan to acquire all of the right-of-way on 15th Street at the same time

for improvements to 15th Street, it might be necessary. But, under the circumstances, Mr. Parmele stated he was not in favor of condemnation without compensation.

Mr. Paddock asked if there was a right-of-way dedication requirement with the PUD that was approved. Mr. Frank stated there has been no plat submitted on Cherry Street. At such time a plat is submitted, the TMAPC would then be able to make a decision to acquire additional rights-of-way for such things as left turn lanes, etc. Mr. Wilmoth commented that any additional right-of-way, at this time, would not take anything the applicant is planning on using, other than some grassy area in front. Should that cause the applicant a problem with his floor area ratio, Mr. Wilmoth suggested the Board of Adjustment is an alternative and stated that the TMAPC could, for the record, state no objection to a BOA variance.

Mr. Draughon asked for clarification as to understanding correctly that the applicant is being asked for dedication in case the street is widened, but he has been assured by the Street Department staff that there are no plans to do so. Mr. Linker stated if the applicant makes the dedication now, then technically, it is dedicated to the public whether it is improved as a street or not. Mr. Linker pointed out that this is planned to be widened on the Major Street and Highway Plan, but the point being, there are no construction plans at the present time for the improvements. This is probably what the staff at the Street Department is considering. Chairman Parmele commented that in condemnation cases, if the right-of-way was acquired through condemnation proceedings, there may be damages to the improvements by virtue of it being so close to the improvements. This is something the TMAPC can't address here by requiring the additional right-of-way, as it may adversely affect the improvements. Mr. Linker advised the Planning Commission could require reasonable dedication related to the development during the subdivision and lot split processes, and when the applicant is asking for a waiver of the subdivision process, then, in his opinion, it is a reasonable condition to require the dedication, if the TMAPC feels it is necessary. However, if the TMAPC feels it will never be needed, then it would be unreasonable to require the dedication.

Mr. VanFossen commented that, based on the 15th/Cherry Street Study, he felt it would be very unrealistic to expect this would never be needed. Mr. VanFossen stated his thinking would be different if this was someone who had owned this property for 50 years and was just wanting to expand on something existing. Under these circumstances, Mr. VanFossen stated he felt it would be totally inappropriate to not require the dedication of this land. Therefore, he moved for approval of the Staff recommendation, based upon the requirement to dedicate the right-of-way. Ms. Wilson commented this was an ideal opportunity to do some planning, and she was in favor of the motion.

Z-6081 (Broadmoor) - Cont'd

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-2-0** (Doherty, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; Carnes, Parmele, "nay"; no "abstentions"; Selph, Crawford, "absent") to **APPROVE** the **Waiver Request for Z-6081 (Broadmoor)**, subject to the following conditions:

- a) Paving and drainage plan approval by Stormwater Management through the permit process. (This property is exempt as per Stormwater Management.)
- b) No access agreement to be filed for the 15th Street side.
- c) An 11' utility easement on east property line for existing sewer line.
- d) Dedication of additional right-of-way is required on 15th Street in accordance with the Major Street and Highway Plan.

* * * * *

Z-5950 Guy Cook Addition (PUD 368) NW/c East 61st & South 99th East Ave (OL)

This is a request for waiver on two platted lots (Lots 6 & 7 Block 1) in the above named subdivision. The TAC reviewed this proposal on 6/28/84 as a "PUD Review" and had no objection to the concept. No request for waiver was made at that time. The location of the single building to be constructed has been changed slightly, but the concept is still the same as previously reviewed. Staff has no objection to the request and is of the opinion that Section 260 of the Zoning Code can be met with the following conditions:

- a) PUD conditions to be filed by separate instrument.
- b) Access control agreement on 61st Street, subject to approval of Traffic Engineering.
- c) Drainage plan approval by Stormwater Management, including storm drainage, detention design, and Watershed Development Permit application, subject to criteria as approved by City Commission.

The City Commission approved the zoning and PUD application 6/3/86. The applicant was represented by Mike Hackett.

In discussion at the TAC, Traffic Engineering recommended the south driveway be moved NORTH so as not to conflict with curb radii on future construction on 61st Street and 99th East Avenue. This would be about 11-1/2', but is subject to final approval and review of Traffic Engineering and an "access control agreement".

Z-5950 & PUD 368 (Guy Cook) - Cont'd

The TAC voted to recommend **approval** of the request on Z-5950 and PUD 368 noting that Section 260 can be met by complying with the following conditions:

- a) PUD conditions to be filed by separate instrument.
- b) Access control agreement on 61st Street subject to approval of Traffic Engineering.
- c) Drainage plan approval by Stormwater Management in the permit process.
- d) 11' perimeter utility easement.

PUD 368 (Related to Waiver Request for Z-5950):

Staff Recommendation: Declaration of Covenants

This PUD was recently approved by the TMAPC and City Commission with numerous special conditions. All of the conditions and Development Standards have been incorporated into the submitted Declaration of Covenants.

Therefore, Staff recommends APPROVAL of the Declaration of Covenants, subject to approval by the City Legal Department. The applicants are also requesting TMAPC approval for early transmittal of these Covenants to the City Commission.

Comments & Discussion:

Mr. Wilmoth advised that TAC conditions B and D of the Waiver Request have been met. Mr. Paddock suggested the Waiver Request and the Declaration of Covenants be approved in two separate motions.

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-0-1** (Doherty, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Carnes, Selph, Crawford, "absent") to **APPROVE** the **Request for Waiver on Z-5950 Guy Cook Addition**, subject to the following conditions as recommended by Staff:

- a) PUD conditions to be filed by separate instrument.
- b) Drainage plan approval by Stormwater Management in the permit process.

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-1** (Carnes, Doherty, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Selph, Crawford, "absent") to **APPROVE** the **Declaration of Covenants for PUD 368**, and early transmittal of same to the City Commission, as recommended by Staff.

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Z-5589 (Unplatted) & Lot Split 16671

9406 East 46th Street North (IL)

This is a dual request, for a waiver of Section 260 of the Zoning Code (requiring a plat), and a lot split to create two lots. The lot split will create two tracts, with the north tract containing an industrial building and the south lot apparently vacant. Lots will be 165' x 290' and 165' x 285' after the street right-of-way is calculated. Both lots will meet the minimum frontage for IL zoning and no variances are required for the split. Conditions listed for the waiver of Section 260 shall apply also to the lot split.

Staff notes that the plat requirement was waived on the adjacent land to the west (Z-4349) on 11/4/81. Staff had no objection to a waiver, subject to the following conditions:

- a) Provide a minimum of 25' right-of-way from centerline on East 44th Street North (20' may already be dedicated). Right-of-way for 46th Street is already dedicated.
- b) Since the split will separate the south lot from sewer, a sewer main extension is required, subject to approval of Water and Sewer Department.
- c) Grading and drainage plan approval will be required by Stormwater Management in the permit process. (This may already be working.)
- d) Applicant should accurately locate the sanitary sewer and/or easement and make sure that his proposed building does not encroach upon same.
- e) Other utility easements and/or extensions as required by utilities.
- f) Access control agreement for East 46th Street North if required by Traffic Engineering.

Note: Applicant's plot plan is drawn upside-down without a north arrow. Also it only shows a width of 160 feet. The legal description calls for 165' width.

PSO states that there is a transmission line on the eastern part of the subject tract and requires a 50' setback from the centerline of this line. The Sewer Department states that there is a 15' sewer easement along the west side of the subject tract and an extension of this sewer line may be required.

The TAC voted to recommend **approval** of the waiver request on Z-5589, noting Section 260 can be met by complying with conditions, and to recommend approval of L-16671, subject to the conditions outlined above.

On **MOTION** of **PADDOCK**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Selph, Crawford, "absent") to **APPROVE** the **Waiver Request for Z-5589 (Unplatted) and Lot Split Waiver for L-16671 (Burnett)**, subject to the conditions outlined above.

LOT SPLITS FOR DISCUSSION:

L-16685 Copper Oaks/Sanders

West of the NW/c 71st & South Yale (OM)

In the opinion of the Staff, the lot split(s) meets the Subdivision and Zoning Regulations, but since the lot may be irregular in shape, notice has been given to the abutting owner(s). Staff recommends APPROVAL of the request.

Comments & Discussion:

Mr. VanFossen stated the club is part of the requirement as being only supplementary to the office building, and he could not understand how it could be lot split out and still meet the original requirements. Mr. Wilmoth stated Staff was looking at the division of the land, not the use. Mr. VanFossen stated he thought it would be appropriate to investigate the reason for this request, and asked for an opinion from Legal. Mr. Linker asked if this was under a PUD, and Mr. Wilmoth stated it was not under a PUD. Mr. VanFossen stated he thought it to be under a PUD. Discussion followed between Mr. VanFossen and Mr. Linker as to the possibility of restrictive covenant requirements on this property.

Mr. VanFossen inquired if there was a requirement, in a lot split such as this, for either physical access or easement rights, etc. Mr. Wilmoth stated he felt the reason for this request might be financial; that someone may have required the applicant to get a lot split for financing purposes. In reply to Mr. VanFossen, Mr. Wilmoth advised, after checking with the City Engineer's office, there was an access point on the southeast corner of the tract. The actual physical access is through the driveway west of the tract and through the driveway on Yale.

On **MOTION** of **CARNES**, the Planning Commission voted **6-1-1** (Carnes, Draughon, Kempe, Paddock, Parmele, Wilson, "aye"; Doherty, "nay"; VanFossen, "abstaining"; Selph, Woodard, Crawford, "absent") to **APPROVE** the **Lot Split on L-16685 Copper Oaks/Sanders**, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16683 (3623) Pennington/Nancarrow
L-16687 (183) R Reef/Johnsen
L-16688 (894) TriAngle Dev/Looney
L-16689 (2703) LaFayette/Wiles

L-16690 (2903) Cooper/Puckett
L-16691 (1582)
Parks/Chappelle/Campbell
L-16692 (3304) BMF/Frevert

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, "aye"; no "nays"; no "abstentions"; Selph, Woodard, Crawford, "absent") to **APPROVE** the **Above Listed Lot Splits for Ratification of Prior Approval**, as recommended by Staff.

OTHER BUSINESS:

Z-5842-SP-2 (Related PUD 411): Located in the 9700 Block of South Memorial

Staff Recommendation: Detail Site Plan for Part of Development Area 3

The subject tract received TMAPC and City Commission approval initially as Z-5842-SP-1 and is now being revised as a Detail Site Plan in accordance with Z-5842-SP-2. It is noted that Z-5842-SP-1 will be obsolete. The tract is a part of Development Area 3 of Z-5842-SP and PUD 411, which has been approved for uses permitted as a matter of right in Use Unit 17, Automotive and Allied Activities, relating to automobiles and light truck sales and service only. The proposed use of this area continues to be for an automobile dealership. The following changes are noted as differences between Z-5842-SP-1 and Z-5842-SP-2:

- The net site area has been increased from 3.8 acres to 4.2 acres;
- The building area has been increased from 21,477 sf to 26,138 sf;
- The number of parking spaces has been increased from 295 (including 37 display) spaces to 365 spaces;
- The common area has been increased from .95 acres to 1.14 acres.

Development Area 3 has a gross area of 16.95 acres and has been allocated 76,300 square feet of building floor area. Z-5842-SP-2 will occupy the south 5.3 acres (approximate), which includes the common area of Area 3.

Staff review of Z-5842-SP-2 finds that it is consistent with the conditions and standards approved for the original Site Plan. Therefore, Staff recommends APPROVAL as follows:

- 1) That the applicant's Detail Site Plan and Text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area (Net Site Area):	182,299 sf	4.185 acres
(Net Common Area):	49,746 sf	1.142 acres
(Total Site Area):	232,044 sf	5.327 acres

Permitted Uses: Uses permitted as a matter of right in Use Unit 17, Automotive and Allied Activities, relating to automobile and light truck sales/service only.

	Approved	Submitted
Maximum Building Height:	35'	28'
Maximum Building Floor Area:		
Development Area 3:	76,300 sf	26,138 sf
Floor Area Remaining:	50,162 sf	--
Maximum FAR (per lot):	.12	.11
Maximum Lot Coverage by Building:	12%	11%
Minimum Off-Street Parking:	1 space/600 sf of floor area and 1 space/1,000 sf open air display area	365 spaces (meets)

	Approved	Submitted
Maximum Number of Vehicles to be Displayed on the Street Frontage:	1 vehicle for each 20' of arterial street frontage. 1 vehicle per each 15' of interior street frontage.	15 (meets) 50 (meets)
Minimum Building Setbacks:		
from Centerline of Memorial Construction	200'	Exceeds
from Centerline of East 98th Street (nonarterial)	90'	Exceeds
from Memorial for Paved Parking Lot	40'	Exceeds
Minimum Landscaped Open Space:	7% of Net Area*	Exceeds Calculated at 28% of Gross *

* Minimum landscaped open space shall include internal landscaped open areas and at least a 10' wide strip of street frontage for landscaped areas. Internal landscaped open space includes street frontage, parking lots islands, yards and plazas, pedestrian areas, but does not include any parking, building or driveway areas.

Signs:

- a) Ground signs shall be limited to one ground sign per automotive dealership with a maximum of 160 square feet of display surface area and 25 feet in height.
- b) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached.
- c) Internal directional signs shall be limited to 10 square feet of display surface area and 8 feet in height.
- d) Monument signs shall be permitted at each arterial street entry with a maximum of 60 square feet display surface area and 6 feet in height. Monument signs shall be permitted at each nonarterial street entry with a maximum of 32 square feet of display surface area and 4 feet in height.

Lighting:

- a) Light standards shall be limited to 30 feet in height with deflectors directing the light downward and away from adjacent lot boundaries.
- b) Building mounted lights shall be hooded and directed downward to prevent spillover lighting.

General Restrictions & Design Controls (for auto sales/service area):

- a) Interior automobile service and work areas shall not be visible from any public street.
 - b) The use of temporary signs, banners and streamers shall be prohibited.
 - c) All building exteriors shall be concrete or masonry.
 - d) Automotive body work and painting shall be permitted only within the principal automobile service building.
 - e) No trucks larger than one ton or equivalent shall be displayed or offered for sale.
- 3) That all trash, utility and equipment areas shall be screened from public view.
 - 4) That all signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code.
 - 5) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit.
 - 6) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
 - 7) That no Building Permit shall be issued until the requirements of Section 260 and 850.5 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 and Corridor conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments & Discussion:

Mr. Wayne Alberty, 5110 South Yale, represented the applicants and stated agreement to the Staff recommendation. Mr. Alberty commented that this project is evidence of what this Planning Commission has done in terms of planning, and commended the Commission on their innovative thinking with this auto mall project. In reply to Ms. Wilson, Mr. Alberty advised that construction will, hopefully, begin in August 1986.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, "aye"; no "nays"; no "abstentions"; Selph, Woodard, Crawford, "absent") to **APPROVE** the **Detail Site Plan for Part of Development Area 3 on Z-5842-SP-2 (PUD 411)**, as recommended by Staff.

* * * * *

PUD 323-2: South of the Coyote Trail between 241st & 257th West Avenue

Staff Recommendation: Minor Amendment for Setbacks

The subject tract has an area of 22.4 acres and underlying zoning of RE and AG. It has been approved under PUD 323 for mobile home use, a total of 20 units, three of which are existing. The Development Standards would normally require that the setback from the centerline of Coyote Trail be 95' in accordance with the Major Street and Highway Plan (a 60' half-street right-of-way and 35' building setback). Discussions at the TAC and the approved PUD 323-1 indicate that the half-street right-of-way for Coyote Trail will not exceed 50' and the setback shall be an additional 35' (85' total).

It has been determined during the processing of the Preliminary Plat of Heatherwood Mobile Home Park (also on this TMAPC agenda), that the applicant was requesting the 85' setback be reduced to 70' on Lot 1, 60' on Lot 2 and 70' on Lots 3 and 4. The 85' building line would be retained on Reserve Area A. Staff is supportive of this request for reduction in the setback line on Lots 1, 3 and 4 only. The manner in which mobile homes will be placed on Lot 2 will cause them to side into the major arterial at the greatly reduced setback line and be only 10' from the property line. Staff would consider it more appropriate to reduce the interior 20' setback on the private street abutting Lot 2 to 10' and require a 70' setback from the centerline of Coyote Trail, rather than the 60' dimension requested.

Therefore, Staff recommends APPROVAL of the amended setbacks from the centerline of Coyote Trail per the submitted plan, as follows:

<u>LOT</u>	<u>SETBACK</u>
Lot 1	70'
Lot 2	70'
From interior private street (abutting Lot 2)	10'
Lots 3 & 4	70'

Staff recommends that the 60' building setback line requested from the centerline of Coyote Trail for Lot 2 be DENIED.

NOTE: For the record, Staff notes that all other Development Standards shall remain in effect, which includes that a "...Detail Site Plan (Subdivision Plat), including space and unit configuration and street alignments shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit." It is noted that the Tulsa County Engineer's Office also concurs with approval of the Minor Amendment, per this Staff recommendation.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Selph, Crawford, "absent") to **APPROVE** the **Minor Amendment for Setback on PUD 323-2**, as recommended by Staff.

* * * * *

In regard to the memo from City Legal about changing Section 42 relating to sexually oriented businesses, Mr. Paddock inquired if this has been set for a public hearing. Mr. Frank advised Legal and the INCOG Staff are working on this as to the public notice for advertising, and it is still in the draft stage.

Ms. Wilson inquired as to any upcoming seminars for training and education of the TMAPC members, so organizing a trip can be done well in advance in order to take advantage of reduced airfare costs.

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

Date Approved

July 21 1986

Rant J. De...
Chairman

ATTEST:

RBPaddock

Secretary

