

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1618
Wednesday, **September 3, 1986**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Crawford	Carnes	Brierre	Linker, Legal
Doherty, 2nd Vice- Chairman		Compton	Counsel
Draughon		Frank	Williams, DSM
Kempe		Gardner	
Paddock, Secretary		Hall	
Parmeale, Chairman		Kane	
Selph		Lasker	
VanFossen		Malone	
Wilson, 1st Vice- Chairman		Setters	
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 2, 1986 at 9:55 a.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 1:36 p.m.

MINUTES:

Approval of Minutes of August 20, 1986, Meeting #1616:

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-1** (Crawford, Doherty, Draughon, Parmeale, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Kempe, Carnes, "absent") to **APPROVE** the **Minutes of August 20, 1986, Meeting #1616**.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Woodland Glen Extended Two (PUD 268-4)(2483) East 93rd & South 94th East Ave.

This is a resubdivision of Woodland Glen Extended to reduce the sizes of the lots for a net increase of 10 lots (from 26 to 36 lots). No streets and/or easements are being changed. A minor amendment is being processed concurrently with this plat to permit the increase in density on this part of the development.

Woodland Glen Extended Two & PUD 268-4 - Cont'd

The TAC voted to recommend **approval** of the PRELIMINARY PLAT of Woodland Glen Extended Two, subject to the following conditions:

1. All conditions of PUD 268-4 shall be met prior to release of final plat. (Plat as submitted agrees with amendment to PUD submitted. In the event the PUD requirements are changed, the plat shall be changed accordingly.)
2. On face of plat show:
 - (a) PUD 268-4; a date; "36 lots, 6.938 acres"
 - (b) Location map; update with new plats in NW Quarter (State Farm, and Star Center).
3. Covenants & Deed of Dedication:
 - (a) Page 3, paragraph 3; add amendment date of 9/3/86. Since this is minor amendment, no new City Commission date will apply since minor amendments don't go to City.
 - (b) Page 3, 1.A. add: "(Area B)"
 - (c) Page 4, Article 1, Section 1.D (Check, line may be left out? See PS0?)
 - (d) Page 5, Article 3, Section 1.C (Add: ... "except where easements are greater.")
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground service is planned. Show additional easements as required. (If facilities were installed on the basis of the present lot lines, utilities may have additional requirements. Check with utilities.)
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. (Short extensions required to reach new lots created.)
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(s) of the lot(s).
7. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. Streets are in, PFPI completed. (Class B Permit) Provide impact analysis on replat.
8. It is recommended that the developer coordinate with Traffic Engineer 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.)
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.

Woodland Glen Extended Two & PUD 268-4 - Cont'd

10. Water plans required for relocation of fire hydrants.
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 Subdivision Regulations.
12. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Recommendation: PUD 268-4

Minor Amendment to Convert Duplex-Patio Home Use to Single-family Detached being Lots 9-16 of Block 1, Lots 1-7 of Block 5, and Lots 1-11 of Block 6, Woodland Glen Extended (Area "B") and Reallocation of Dwelling Units to Areas "C" (North and South).

The original PUD is approximately 111 acres in size and has been approved for various types of residential dwelling units. PUD 268 is located south of the southwest corner of East 91st Street South and South Mingo Road. The applicant is requesting that the subject 6.938 acre tract which has been approved for duplex-patio type homes (Lots 9-16 of Block 1, Lots 1-7 of Block 5, and Lots 1-11 of Block 6, Woodland Glen Extended) be approved by a minor amendment for single-family detached homes. The tract is presently platted at RS-3 duplex standards into lots which average 75' wide and is referred to as Area "B". A companion item will be a request for approval of a Preliminary Plat to be called Woodland Glen Extended Two which will replat Area "B" into lots a minimum of 48' wide and reduce the dwelling unit count from 60 to 36 units. Staff notes that the remaining 24 dwelling units will be reallocated as follows:

- Area "C" North --- increased from 230 to 240 units;
- Area "C" South --- increased from 330 to 340 units; and four units will remain unallocated.

All other development standards for Areas "A" and "C" will be unchanged except as noted above.

Staff is supportive of the requested minor amendment as it would be compatible with existing and planned uses. Notice has been given to abutting property owners. Therefore, Staff recommends **APPROVAL** of PUD 268-4 subject to the following conditions:

- 1) That the applicant's Outline Development Plan and Text be made a condition of approval unless modified herein.
- 2) Development Standards for Area "A" remain unchanged for 83.407 acres and a maximum of 350 dwelling units.
- 3) Development Standards for Area "B":
 - Land Area: 3,633,209 sf 6.938 acres
 - Permitted Uses: Detached single-family residences and accessory uses.

Woodland Glen Extended Two & PUD 268-4 - Cont'd

Maximum Number of Dwelling Units:	36 *
Minimum Lot Width:	48'
Minimum Lot Area:	5,250 sf
Minimum Land Area per Dwelling Unit:	6,400 sf
Maximum Building Height:	26'
Minimum Livability Space per Dwelling Unit:	3,000 sf
Minimum Yards:	
Front yard	25' from property line
Side yard abutting an interior street	15' and 25'
Side yard abutting an adjacent lot	5'
Rear Yard	20'
Minimum Separation between Dwelling Units:	10'
Minimum Off-street Parking:	As required by the Zoning Code.

- * Approval of PUD 268-4 will create 4 unallocated dwelling units. See Development Standards for Area "C" for reallocation of 20 units.
- 4) Development Standards for Area "C" remain unchanged except as follows:
 - Area "C" North Increase dwelling units from 230 to 240
 - Area "C" South Increase dwelling units from 330 to 340
- 5) That approval of the final plat of the subject 6.938 acre tract shall satisfy the PUD requirement for Detail Site Plan approval by the TMAPC.
- 6) Subject to review and approval of conditions as recommended by the Technical Advisory Committee.
- 7) That a homeowner's association be created to maintain all common areas.
- 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments & Discussion:

Mr. Paddock questioned why this was considered a minor amendment as the amendment was requesting permission to increase density. Staff advised that in Area B there was a reduction in intensity from duplex to single-family, with a portion of the dwellings units removed from Area B

Woodland Glen Extended Two & PUD 268-4 - Cont'd

being reallocated to Area C-North and South. Therefore, net overall density amounts to a reduction in units from the total PUD, and Staff is supportive of this request.

TMAPC ACTION: 9 members present

On **MOTION** of **WILSON**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Preliminary Plat for Woodland Glen Extended Two**, and the **Minor Amendment to PUD 268-4**, as recommended by Staff.

FINAL PLAT APPROVAL & RELEASE:

Woodbine (PUD 364-1)(1984)

East 97th & South Mingo Road

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Final Plat of Woodbine (PUD 364-1)** and release same as having met all conditions of approval.

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Kennebunkport (PUD 414)(1993)

2121 East 36th Street

Chairman Parmele advised that this request for Final Plat Approval and Release was to be stricken from the agenda.

REQUEST FOR WAIVER (Section 260):

BOA 14156 College Addition (593)

NW/c East 5th Place & South Gary Avenue
University of Tulsa

This is a request to waive plat on Lots 3-9 and 18, Block 8 of the above addition. A plot plan has been submitted showing additional lots for information purposes. The ONLY lots "subject to a plat" are those lots mentioned above. The plot plan is the same as presented at the Board of Adjustment meeting. Since the property is already platted and street closures are already in progress (CJ-86-4388) through the City Commission, Staff has no objection to the request. Drainage plan approval through the permit process. The proposed use is a new Student Activity Center for the University of Tulsa.

BOA 14156 College - Cont'd

The TAC voted to recommend **approval** of the request, noting Section 260 will be met by complying with the following conditions:

- a) Grading and drainage plan approval through the permit process. (Class B Permit # 297 and PFPI # 251)
- b) Subject to terms and conditions outlined and agreed to with utilities on closure of streets and alleys.
- c) Water and sewer plans as approved by Water and Sewer Department (In progress.)

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Waiver Request for BOA 14156 College**, subject to the conditions as recommended by Staff.

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BOA 14142 Valley View (1102)

24 West 50th Place North

The Board of Adjustment has approved a day care center of Lot 14, Block 4 of the above addition. It is in an existing single-family home and no exterior changes are to be made. Since the property is already platted, Staff recommends **APPROVAL** of the request, noting that the purposes of Section 260 of the Code have been met.

TMAPC ACTION: 9 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Waiver Request for BOA 14142 Valley View**, as recommended by Staff.

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BOA 14167 Reservoir Hill (2602)

2460 North Boston Place

The Board of Adjustment has approved a day care center of Lot 1, Block 3 of the above addition. It is in an existing single-family home and no exterior changes are to be made. Since the property is already platted, Staff recommends **APPROVAL** of the request, noting that the purposes of Section 260 of the Code have been met.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Waiver Request for BOA 14167 Reservoir Hill**, as recommended by Staff.

LOT SPLITS:

LOT SPLITS FOR RATIFICATION:

L-16560	(1111)	Whiteis	L-16747	(293)	Admiral Square
L-16720	(3591)	Douglas	L-16748	(1792)	Archer/Cothran
L-16736	(3303)	TRAW	L-16749	(783)	Anderson/Sanders
L-16742	(1783)	Beer Dist/Mueller	L-16752	(3194)	JTR/Elliott
L-16743	(2383)	Hollinger	L-16753	(192)	Pac/Sack
L-16745	(3691)	Crabtree	L-16754	(3191)	Forbes

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Above Listed Lots Splits for Ratification**, as recommended by Staff.

LOT SPLITS FOR WAIVER:

L-16728/29 Duffield (1082) West 73rd Street & South 26th West Avenue

This is a request to split Lots 2, 3, & 4, Block 3 and Lot 4, Block 2 of Rosewood Acres 2nd. Each lot will be split into two lots, approximately 165-168' wide x 311' deep, or about 1.2 acres each. (Existing lots are about 2.4 acres each.) Since the subdivision is zoned AG, Board of Adjustment approval will be required because the lots are less than two acres or 200' of frontage. Staff has no objection to the request, since adjacent lots to the north are much smaller and in an RS-3 District, as well as the backs of those lots along South 26th W. Avenue being next to an RS-3 District and near the golf course. Approval would be subject to:

- a) Board of Adjustment variance of lot width and area.
- b) Approval of septic systems by City-County Health Department (percolation tests).
- c) Utility approvals. Increase size of existing easements to meet today's standards (17-1/2' or 11').

L-16728/29 Duffield - Cont'd

Stormwater Management added a condition (d) as follows:

- d) Delineate floodplain and establish easements for floodplain. (A study will be required to provide this information.) A Class A permit will be required.

The TAC voted to recommend **approval** of L-16728/29 subject to the conditions recommended by Staff and TAC (a through d).

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Lot Split Waiver for L-16728/29 Duffield**, subject to the conditions as recommended by Staff.

LOT SPLITS FOR DISCUSSION:

L-16744 Hycore (583)

North of the NW/c of 71st & Birmingham Court

In the opinion of the Staff, the lot split meets the Subdivision and Zoning Regulations, but since the lot is irregular in shape, notice has been given to the abutting owner(s). Approval is recommended.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Lot Split for L-16744 Hycore**, as recommended by Staff.

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L-16751 Kite/Beachum (3393)

3429 East 56th Place

In the opinion of the Staff, the lot split meets the Subdivision and Zoning Regulations, but since the lot is irregular in shape, notice has been given to the abutting owner(s). Approval is recommended.

TMAPC ACTION: 9 members present

On **MOTION** of **WILSON**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Lot Split for L-16751 Kite/Beachum**, as recommended by Staff.

NAME CHANGE OF SUBDIVISION:

Burgundy Estates to Forest Glen Estates (2683) 101st & South 69th East Avenue

On **MOTION** of **WOODARD**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Name Change of Subdivision: Burgundy Estates to Forest Glen Estates**, as recommended by Staff.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD 131-D** Present Zoning: **RS-3**
Applicant: **Johnsen** Proposed Zoning: **Unchanged**
Location: **South side of I-44, West of Garnett**
Size of Tract: **31 acres, approximate**

Date of Hearing: **September 3, 1986 (continued from 8/13/86)**
Presentation to TMAPC by: **Mr. Roy Johnsen, 324 Main Mall (585-5641)**

Staff Recommendation: **Major Amendment for Nursing Home Expansion
and Detail Site Plan Review**

PUD 131 has a total area of approximately 31 acres and is located south of I-44 and west of Garnett Road. The 31 acre tract is zoned a mixture of CS, RM-1 and RS-3 and is approved for various types of commercial and residential uses.

PUD #131-D is approximately 3.2 acres in size and is located in the southwest portion of PUD 131. The subject tract was approved for a minor amendment (PUD 131-A) in 1976 to allow a 33,600 square foot nursing home. The applicant is now requesting a major amendment to the PUD to permit an existing 10,600 square foot addition to the nursing home and an existing detached accessory maintenance building containing 2,635 square feet. No record is available from the Building Inspector's office of a permit having been applied for or issued for the improvements included under PUD 131-D. It is also noted that the canopy portion of the accessory building encroaches into the 15' building setback and also into a 15' utility easement.

Review of the applicant's submitted "Amended Outline Development Plan Text" indicates that according to the 24.53 acres of RM-1 and RS-3 underlying zoning, a total of 265 dwelling units would be permitted: RM-1 area at 1700 square feet per unit = 78 units; and RS-3 at 5000 square feet per unit = 187 dwelling units. To date, 188 dwelling units have either been built or lots platted which would leave a total of 77 unallocated dwelling units. The original approval for a nursing home of 33,600 square

feet utilized 56 of the dwelling units (33,600 sq. ft. divided by 600) leaving 21 dwelling units unallocated within the total PUD. The applicant is now proposing to utilize 18 of those unallocated units for the nursing home expansion leaving 3 dwelling units unallocated. The total project has a .34 Floor Area Ratio, which is well within the maximum .5 figure set by the Zoning Code. The existing nursing home use continues to be compatible with adjacent residential uses.

The Staff finds 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, Staff recommends **APPROVAL** of PUD 131-D and the Detail Site Plan, subject to the following conditions:

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

2. **Development Standards:**

Net Area of PUD 131-D:	3.2 Acres
Permitted Uses:	Nursing Home
Maximum Floor Area:	
Principal building	44,220 sf
Accessory building	2,635 sf
Maximum Building Height:	1 Story
Minimum Building Setbacks:	
from I-44 frontage road	25 ft
from centerline of East 14th	42 ft
from other property lines	15 ft *
Parking Ratio:	
Original building (33,500 sf; 155 beds)	1 space per 1,000 sf = 34 spaces
Expanded area (10,620 sf)	
22 beds @ .35	8 spaces
9 retirement units @ .75	7 spaces
manager's apartment	2 spaces
Total Parking Required:	51 spaces (59 proposed)

* Staff notes the existing canopy for the detached accessory building is located over a 15 foot utility easement and encroaches into the required 15' building line setback. STAFF'S RECOMMENDATION FOR APPROVAL IS NOT INTENDED TO ENDORSE THE ENCROACHMENT INTO THE 15' UTILITY EASEMENT. STAFF DOES NOT OBJECT TO THE CANOPY, WHICH IS OPEN ON THREE SIDES ENCROACHING INTO THE 15' BUILDING SETBACK.

Minimum Landscaped Open Space: 15% of net area **

- ** 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 lot islands, yards and plazas, pedestrian areas, but does not include any parking, building or driveway areas.
3. **Screening:** An existing screening fence shall be maintained along the east, south and west boundaries of the project.
 4. **Signage (Ground Signs):** Ground signs shall be limited to a total of two signs identifying the project and each sign shall not exceed 8 feet in height nor exceed a display surface area of 64 square feet.
 5. That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed as a condition of PUD approval. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of a Building Permit and an Occupancy Permit.
 6. Light standards shall be limited to 20 feet in height with deflectors directing the light downward and away from adjacent residential lot boundaries.
 7. That all trash, utility and equipment areas shall be screened from public view.
 8. That the matter of the existing canopy of the accessory building encroaching into the 15' utility easement on the south boundary be addressed separately by the applicant with the appropriate public and private utility companies. Approval of this major amendment in no way endorses or accepts this encroachment as it exists at the present time.
 9. That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants unless this requirement is specifically waived by the TMAPC. The requirement to plat or for a waiver is understood as a condition of granting a Building Permit, even if said permit is issued after the fact of completed construction which is the present case.

Comments & Discussion:

Ms. Wilson inquired as to how long the nursing home had been in existence. Mr. Frank advised the original amendment was approved in 1976 to allow the nursing home, but he was not sure how long after that time the original structure was built. Ms. Wilson then inquired how it was brought to Staff's attention that a Building Permit could not be found or located. Staff advised this was brought to their attention by the applicant's attorney.

In response to Chairman Parmele, the applicant confirmed acceptance of the Staff's recommendation.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-0** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Carnes, "absent") to **APPROVE** the **Major Amendment and Detail Site Plan for PUD 131-D Johnsen**, as recommended by Staff.

Legal attached to these minutes

OTHER BUSINESS:

PUD 405-1 and Z-5722-SP: SW/c of East 91st Street South and South Memorial

Staff Recommendation: **Minor Amendment and Detail Site Plan** for Portions of Area 1-C and Area 1-A

PUD 405 and Z-5722-SP is located at the southwest corner of East 91st Street and South Memorial and has a total area of 170 acres. The applicant is now requesting approval of a Minor Amendment and Detail Site Plan for portions of Areas 1-A and 1-C. See attached map showing the general location of these Areas. The subject tracts are platted as 9100 Memorial: Area 1-A (this application) includes only Lots 2, 4, 5 and 6 of Block 2; and Area 1-C is Lot 2 of Block 1.

MINOR AMENDMENT: Area 1-C has been approved for an automobile storage area and an area which can be used for preparation of automobiles to be sold on adjacent lots. The maximum building height permitted under the approved PUD/SP is one story or 15 feet. The applicant has requested that the permitted building height be increased from 15' to 22' to allow vehicles to be placed on lifts within the proposed building and raised to allow mechanics standing on the floor to work underneath these vehicles. The proposed building will be approximately 65' from the west property line and further separated from the abutting development area to the west by a large creek and drainageway. Staff considers this request minor and a normal part of the final design process. Therefore, Staff recommends **APPROVAL** of increasing the maximum building height from 15' to 22' for the proposed building on Area 1-C.

The applicant is also requesting confirmation of the change in access on East 91st Street as shown on the Detail Site Plan for Area 1-A. This change of access was approved by the TMAPC after approval of PUD 405/Z-5722 SP and is presented for information only in the minor amendment text. Secondly, the applicants placed upon themselves the unique constraint of a minimum/maximum building setback from the abutting major arterials and seek to meet this requirement by including the roof overhang

of the covered sales plaza area as a part of the building; normally such setbacks are measured to the building walls and overhangs excluded. Staff seeks to confirm this requirement that the maximum building setback is met by including the roof overhang of the covered sales plaza in this portion of the minor amendment for which Staff recommends APPROVAL.

Thirdly, the final part of the minor amendment for Area 1-A is to verify that the requirement for a 40' vehicle display area setback from abutting streets applies only to major arterial streets. Staff notes that "vehicle display pods" are located less than 40' from the property line on the proposed Plan on the internal public streets and that all other "vehicle display pods" abutting East 91st and South Memorial comply with this setback. Staff concurs with the applicant's Plan as submitted and recommends APPROVAL of this request to allow "vehicle display pods" to be established less than 40' from abutting internal street right-of-way for Area 1-A at a distance of 40' or greater from the adjacent arterial street.

Notice of the requested minor amendment has been given to "Interested Parties", which was a TMAPC condition of approval.

DETAIL SITE PLAN: Area 1-C is proposed for an area in which vehicles can be stored and prepared for sale in adjacent areas. Staff is supportive of the requested minor amendment to increase the building height from 15' to 22'. The proposed building will continue to be one story and the proposed floor area is 11,752 square feet. Staff notes that although 21,700 square feet of floor area was requested for Area 1-C only 14,050 square feet was approved; therefore, only 2298 square feet of floor area remains unallocated for Area 1-C.

The Area 1-A Detail Site Plan proposed buildings on Lot 2, 4, 5 and 6 of Block 2, 9100 Memorial; Lots 1 and 3 will remain vacant. The buildings to be built will be for new car sales and service except on Lot 6 which will become the consolidated used car sales and service area and its associated building.

Staff recommends APPROVAL of the proposed Detail Site Plan for Area 1-C and Area 1-A subject to the following conditions:

- 1) That the applicant's submitted Detail Site Plan, Text, and PUD 405-1 become conditions of approval, unless modified herein.
- 2) **Development Standards:** Area 1-C being Lot 2, Block 1 of 9100 Memorial
Land Area (Net): 132,858 sf 3.05 acres
Permitted Uses: The storage and preparation of autos and light trucks for sale within Area 1-A.
Maximum Building Floor Area: .17 FAR (14,050 sf)
11,752 sf proposed/2,298 sf unallocated

Floor Area Ratio: .106 FAR permitted; .088 FAR proposed

Maximum Building Height: 1 story (increased from 15' to 22' with approval of PUD 405-1)

Minimum Off-Street Parking: No minimum stated for the proposed use; 257 spaces with 20 for display is proposed.

Minimum Building Setbacks:
 from property lines abutting East 92nd Street and South 78th East Avenue 70' per the plat; 60' is shown on the site plan
 from North Boundary of Lot 2 None required

Minimum Landscaped Area: 7% of the net lot area is required; a planting strip 5' wide minimum is required from abutting street right-of-way; 13.3% is proposed *

Lighting: Light standards shall be limited to 30' tall with defectors directing light downward and away from adjacent boundaries of Area 1.

* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. A privacy fence or suitable screening shall be placed along the west boundary.

3) **Development Standards:** Area 1-A being Lots 2,4,5 and 6, Block 2 of 9100 Memorial

Land Area (Net):		
Lot 2	122,404 sf	2.81 acres
Lot 4	114,563 sf	2.63 acres
Lot 5	141,570 sf	3.25 acres
Lot 6	<u>87,120 sf</u>	<u>2.00 acres</u>
	465,657 sf	10.69 acres

Permitted Uses: Those uses permitted as a matter of right in Use Units 16 and 17 relating to gasoline service stations, auto sales and service only, one consolidated used car area and one gasoline service station area. The consolidated used car area shall not exceed two acres and shall not be subject to auto display limitations if such used car area is located at least 200' from an arterial street right-of-way. The gasoline service station area shall not exceed .80 acres. The following uses are prohibited: boat sales, agricultural equipment sales, aircraft sales, mobile home sales, mini-storage, and overnight campgrounds for recreation vehicles.

PUD 405-1 & Z-5722-SP - Cont'd

Maximum Lot Coverage
by Buildings:

.17 FAR/20% coverage; .16 FAR proposed

Lot 2	19,233 sf
Lot 4	23,806 sf
Lot 5	22,299 sf
Lot 6	<u>9,752 sf</u>
	75,090 sf (Excludes covered sales plaza areas on Lots 2, 4, and 5)

Note: A total 126,850 sf of Floor Area/Allocated
minus 75,090 sf
51,760 sf of unallocated floor area for Area 1-A total

Maximum Building Height: 2 stories or 35'

Maximum Number of Autos to be Displayed Between a Front or Side Building Line and a Public Street (Arterial per PUD 405-1) Right-of-Way: 20 autos per dealer; no more than 10 in a single row. The proposed plan meets this requirement

SUBJECT TO A MINIMUM OF 40' DISTANCE BETWEEN AUTO DISPLAY PER THE TMAPC (11/06/86). MUST INCREASE THE DISTANCE BETWEEN AUTO DISPLAY PODS ON LOTS 4 AND 5 TO 40'.

Off-Street Parking: 1 space per 600 sf of floor area and 1 space per 1,000 sf of open display area

Lot 2	119/20 display ... Meets requirement
Lot 4	118/20 display ... Meets requirement
Lot 5	158/20 display ... Meets requirement
Lot 6	166/20 display ... Meets requirement

(Note: All calculations include covered sales plaza area at 1 space per 1,000 sf)

Maximum Building Setback from Public Street R/W: 120' ... Meets requirement/PUD 405-1

Minimum Building Setback from Public Street R/W: 60' ... Meets requirement/PUD 405-1

Minimum Distance for Consolidated Used Car Agency from East 91st (11/06/85 TMAPC condition #1): 200' minimum ... Meets

Minimum Landscaped Area:
7% of Net Lot Area for Planted Open Space 15% proposed
5' Wide Strip along Street Frontage R/W Meets

SIGNS:

Ground signs shall be limited to one per automobile sales franchise with a maximum of 160 square feet of display surface area and 25' tall.

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.

Internal directional signs shall be limited to a maximum of 10 square feet of display surface area and 8' tall.

Monument signs shall be permitted at each arterial street entry with a maximum of 60 square feet of display surface area and 6' tall.

LIGHTING: Light standards shall be limited to 30' tall with deflectors directing the light downward and away from adjacent boundaries of Area 1-A. Building mounted lights shall be hooded and directed downward to prevent any spillover lighting.

- 4) General Restrictions and Design Controls Within Tract 1-A:
 - a) Automobile service interior work areas shall not be visible from any public streets.
 - b) The use of temporary signs, banners and streamers are prohibited.
 - c) All building exteriors shall be concrete or masonry. Concrete block is not considered as meeting this minimum standard.
 - d) The lots fronting arterial streets shall be served by an interior frontage road to minimize curb openings to arterial streets unless otherwise approved by the TMAPC.
 - e) Automotive body work and painting shall not be permitted.
 - f) No trucks larger than 3/4-ton or equivalent shall be displayed or offered for sale.
- 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 for each lot within a Development Area. 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) 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 except as stated herein.
- 7) That all trash, utility and equipment areas shall be screened from public view.

- 8) Notice of minor amendments to this Detail Site Plan is required to be given to abutting property owners and to "Interested Parties" as identified in the TMAPC minutes of 11/6/85. Departure from the previously approved Site Plan would require the TMAPC to decide whether the proposed change should require notification to property owners within 300' (condition #5 of TMAPC approval on 11/6/85).

Comments & Discussion:

Mr. VanFossen stated concerns as to the building and pole heights in Area 1-C next to the residential area. Mr. Paddock confirmed that the sketch included the original alignment of the proposed Mingo Valley Expressway, as approved by the TMAPC in 1961, and he inquired if 91st was still considered a Secondary Arterial, rather than a parkway. Mr. Gardner stated he felt this was in process, and Mr. Frank confirmed that no allowance was made for 75' half-street right-of-way along 91st Street as the plat was already in process prior to 91st becoming a Parkway.

Applicant's Comments:

Mr. Wayne Alberty, representing the applicant as the architect planner, explained for Mr. VanFossen that the 22' building height was requested because a car raised, with the hood open, required a 16' clearance. Mr. Alberty further explained that there was a 250' drainageway between Area 1-C and the residential area to the west, which was also a part of their development. Upon this clarification, Mr. VanFossen stated he had no protest as he was under the impression there was only a 65' area between the residential and subject tract.

Interested Parties:

Mr. Larry Henry, 1000 Oneok Place, representing the Chimney Hills homeowners, stated he has spoken with Staff and the applicant, and the homeowners have no objections to the proposed amendments. Mr. Henry added that the residents were thankful the TMAPC and Staff has followed through with the conditions of the PUD by giving the Interested Parties notice of these changes.

TMAPC ACTION: 10 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-1** (Crawford, Doherty, Draughon, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Kempe, "abstaining"; Carnes, "absent") to **APPROVE** the **Minor Amendment and Detail Site Plan for PUD 405-1**, as recommended by Staff.

PUBLIC HEARING:

TO CONSIDER AMENDING THE TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN, A PART OF THE COMPREHENSIVE MASTER PLAN FOR THE TULSA METROPOLITAN AREA, BY ESTABLISHING AND LOCATING A ROUTE FOR THE CREEK EXPRESSWAY, DOWNGRADING EAST 91st STREET FROM A PARKWAY TO A SECONDARY ARTERIAL STREET AND RELATED ITEMS.

Chairman Parmele stated the public hearing portion of this issue was closed at the last hearing (8/13/86), and today's meeting would be conducted as a public meeting for the TMAPC review session. Chairman Parmele advised he was in receipt of a letter from Mr. Mike Murray, on behalf of the Creek Expressway Association, Inc., requesting a continuance of this review session to allow time for an independent study on the proposed 96th Street Corridor. Mr. Bill Rhees, speaking for the Creek Expressway Association, clarified their request and stated 120 days would allow time for the study. Chairman Parmele asked for comments from the Commission as to the continuance request.

Mr. VanFossen commented one of the biggest problems created with the expressway was the time delay from last November and he thought any continuance at this point would be inappropriate. Therefore, he felt the TMAPC should take action. Mr. Paddock stated he did not see any useful purpose to be served by further delaying their decision on this matter; therefore, he moved to deny the continuance request.

TMAPC ACTION: 10 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **10-0-0** (Crawford, Doherty, Draughon, Kempe, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, "absent") to **DENY** the **Continuance Request of this Review Session on the Amendments to the Major Street and Highway Plan.**

Chairman Parmele remarked that he was in receipt of numerous letters and petitions and submitted these to be stamped as exhibits for the record. He also submitted a letter from Oklahoma Senator Charles R. Ford voicing concerns as to innuendoes regarding funding for the Skelly Bypass and the Broken Arrow Expressway. Chairman Parmele advised that the letter stated funding for these projects would not be affected by any decisions or actions taken at this meeting.

As requested by Chairman Parmele, Mr. Jerry Lasker - INCOG Executive Director, presented a brief summary of the events that have occurred to date on this issue by the Tulsa Metropolitan Area Transportation Study (TMATS) Technical Advisory and Policy Committees and the INCOG Board.

In regard to a recent State Transportation Department meeting, Ms. Wilson inquired as to their actions on protective right-of-way acquisitions procedures. Mr. Lasker advised this agency did vote to change their internal regulations to allow federal funds to be used to acquire right-of-way. Mr. Doherty questioned, if the TMAPC voted to amend the Major Street and Highway

PUBLIC HEARING: Creek Expressway - Cont'd

Plan, would it be necessary to designate a specific alignment or would it be possible to designate a corridor. Mr. Lasker replied the planning process is to designate a corridor, and after approval of this designation, the next step would be to develop a functional plan and an Environmental Impact Statement which would determine the actual line to be used for expressway right-of-way. Mr. Doherty then inquired at what point would this Commission review this process. Mr. Lasker advised that, according to state law, after functional plans are completed, it would come back before the TMAPC for approval of these functional plans.

At the request of Mr. VanFossen, Mr. Lasker reviewed the suggested TMAPC policies, as submitted by the INCOG Staff to the Planning Commission:

- 1) The original alignment, rather than the Holway alignment, should be designated on the Major Street and Highway Plan. The Oklahoma Department of Transportation (ODOT) should give full consideration to the original alignment, rather than the Holway alignment, in the development of the functional plans. We believe this provides for a greater sense of fairness in that most adjacent developments were designed based on the original alignment.
- 2) ODOT should consider possible realignment of the intersection at Sheridan Road to minimize displacement and disruption in the Mill Creek area. A half-diamond intersection should be considered on vacant land to the east of Sheridan rather than a full-diamond design, as originally planned.
- 3) ODOT should give full consideration to developing a linear park along the expressway route to replace park land acquired for the construction of the expressway and to provide additional buffering between the expressway and adjacent residential areas. (This linear park could include trail systems connecting with the future extension of the River Parks system.)
- 4) The TMAPC strongly suggests an Environmental Impact Statement be prepared by an out-of-state, nationally recognized consulting firm with substantial experience in controversial expressway projects. This will insure the greatest degree of objectivity and may reduce costly and time consuming delays that may result because of litigation.
- 5) The functional plans, once completed, should be submitted to the TMAPC for approval, as required by state law.
- 6) The State Transportation Commission should proceed with all due haste in funding the necessary functional plans and Environmental Impact Statement for the proposed Creek Expressway. Progress reports, by ODOT, should be periodically provided to the TMAPC, not less than every six months. If continuing progress is not made on the required steps necessary to fund and construct the Creek Expressway, the TMAPC may wish to consider, at some future date, any actions deemed appropriate at that time.
- 7) The TMAPC should formally notify the Metropolitan Tulsa Board of Realtors (MTBR) of the status of the Creek Expressway, and ask that MTBR communicate this information to its membership so the buying public can be fully aware of the proposed location and status of the Creek Expressway.

PUBLIC HEARING: Creek Expressway - Cont'd

- 8) The INCOG Staff should provide the greatest design flexibility in the subdivision process to preclude any additional development in the proposed alignment of the Creek Expressway.
- 9) The INCOG Staff and the District 18 Citizen Planning Team should update the District 18 Plan to eliminate the Corridor designation along 96th Street where it is no longer appropriate in view of existing residential developments.

In regard to item #4, Ms. Wilson clarified that the Oklahoma Department of Transportation (ODOT) would do the hiring of an out-of-state firm for the Environmental Impact Study. Ms. Wilson further suggested adding the INCOG Board to item #6 for notification of progress reports, because other jurisdictions are involved in the alignment.

Mr. VanFossen, in regard to the possible alignment and any changes, inquired of Mr. Lasker from his discussion with various agencies, the time frame involved in obtaining a specific or defined alignment. Mr. Lasker advised that the INCOG Staff has been informed the functional plan development may take between 18 - 24 months, and the same is true for the Environmental Impact Study. Chairman Parmele remarked it may then be 3 - 5 years before final approval. Mr. Lasker commented, from what he has heard, it may be a minimum of seven years before construction could even begin.

In reply to Mr. Paddock, Mr. Lasker clarified item #9 by stating that a Corridor designation is shown on the north side of the expressway (District 18), and is not shown on the south side (District 26). Staff's feeling is that where there is existing residential development, the Corridor designation should be eliminated. Mr. Paddock stated, for clarification, that the Long Range Transportation Plan never removed the 96th Street alignment, and what the Commission has been working with over these past years, so to speak, is an alignment along that corridor which was approved by this Commission in 1961 (the functional plan). Thus, there is a precedent, as well as a provision in state law, that would enable the Commission to do the same thing, i.e. if the TMAPC voted for the 96th Street alignment, they could require the submission of new functional plans.

Mr. Doherty, in regard to the 91st Street Parkway, stated he understood this route was currently part of the Major Street and Highway Plan, and not part of the Long Range Transportation Plan. If action were taken today on the 96th Street route restoring it to the Major Street and Highway Plan, then it appeared some subsequent action would be necessary on the 91st Street Parkway. Mr. Lasker advised this was stated in the public hearing notice (downgrading of the Parkway to a Secondary Arterial). Mr. Doherty asked Mr. Lasker if he considered these to be the same action, or separate actions. Chairman Parmele interjected the Commission could take an action on all items considered, or could do them separately.

On behalf of the TMAPC, Mr. Paddock thanked the Staff for furnishing the Commission the information he requested at the previous public hearing, and stated he felt the Staff has done an excellent job in providing information and attempting to answer the question "Do we need an expressway?".

PUBLIC HEARING: Creek Expressway - Cont'd

As there were no further questions from the Commission, Chairman Parmele read the items under consideration, as published in the Public Hearing Notice:

- 1) Establish and locate a route for the Creek Freeway beginning at the termination of the Mingo Valley Freeway at East 91st Street South (between Mingo Road and Garnett Road), extending west to intersect with Riverside Parkway;
- 2) Downgrade East 91st Street South from a six lane parkway to a secondary arterial street;
- 3) Upgrade South Yale Avenue, between 91st Street and the Creek Freeway, from a secondary arterial to a primary arterial street;
- 4) Extend the Creek Freeway west of the Arkansas River through Jenks, Oklahoma (south of the original townsite), west to intersect with the Okmulgee Beeline, and continuing west to the Tulsa/Creek County Line;
- 5) RECONFIRM the following amendments approved by the TMAPC January 8, 1986 by Resolution No. 1581:613, as listed below:
 - a) Delete the secondary arterial classification for South Harvard Avenue from East 91st Street to East 96th Street;
 - b) Designate South Harvard Avenue from East 91st Street to East 96th Street as a Residential Collector Street;
 - c) Designate North 49th West Avenue from Edison Street to 86th Street North as a Secondary Arterial Street;
 - d) Designate 86th Street North from Cincinnati to the Osage Expressway north of Delaware Creek to a Primary Arterial Street;
 - e) Designate 101st East Avenue from 21st Street South to 31st Street South as a Secondary Arterial Street.

Mr. Doherty commented that it appeared item #5, above, was not controversial and items (a) through (e) ratified previous actions by this Commission. Therefore, he moved for approval of item #5(a) through (e).

TMAPC ACTION: 10 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **10-0-0** (Crawford, Doherty, Draughon, Kempe, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, "absent") to **APPROVE** the **Reconfirmation of the following amendments (approved by the TMAPC 1/8/86 by Resolution No. 1581:613):**

- a) Delete the secondary arterial classification for South Harvard Avenue from East 91st Street to East 96th Street;
- b) Designate South Harvard Avenue from East 91st Street to East 96th Street as a Residential Collector Street;
- c) Designate North 49th West Avenue from Edison Street to 86th Street North as a Secondary Arterial Street;
- d) Designate 86th Street North from Cincinnati to the Osage Expressway north of Delaware Creek to a Primary Arterial Street;
- e) Designate 101st East Avenue from 21st Street South to 31st Street South as a Secondary Arterial Street.

PUBLIC HEARING: Creek Expressway - Cont'd

Mr. VanFossen stated that, based on what has been discussed and reviewed, he wished to make a motion that the balance of the amendments to the Major Street and Highway Plan be made in accordance with the recommendations of Staff. Further, that the suggested policies as reviewed by Mr. Lasker, be included in the TMAPC recommendations. This would, primarily, put the expressway back on 96th Street in the original alignment. Ms. Wilson questioned if this meant except for the section east of Sheridan Road, which would be the interchange per the Holway plan. Mr. VanFossen replied the original alignment should probably include the areas between Harvard and Memorial, but allow consideration of other alignments beyond those points.

Mayor Crawford moved to amend the motion to allow consideration of the alignment designated as Diagonal Option C as the location of the Creek Expressway on the Tulsa City-County Major Street and Highway Plan. Mayor Crawford stated he had four basic reasons for this position: cost, traffic, social impact and opening up other developmental possibilities along this route.

Discussion followed as to the correct Parliamentary Procedure on the above motions, as to a second, whether an amendment or a new motion, etc. Mr. VanFossen stated he felt it totally inappropriate to amend the first motion. If it is voted down, then proceed to the second motion. Mr. VanFossen stated he would be voting against the amendment, as it would not mean anything when it incorporates all of the other changes, without very clearly identifying what those changes would be. Mr. Doherty commented it was obvious the intent of the amendment was to raise the issue of the Diagonal Route and was quite clear, and it since the amendment was clear and the Commissioners pretty well had their minds made up, he called for the question on the motion to amend, as made by Mayor Crawford.

TMAPC ACTION: 10 members present

On **MOTION** of **CRAWFORD**, the Planning Commission voted **1-9-0** (Crawford, "aye"; Doherty, Draughon, Kempe, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "nay"; no "abstentions"; Carnes, "absent") to **APPROVE** the amended motion to consider Diagonal Route C as the alignment for the Creek Expressway.

The above motion failing, the original motion remained on the floor. The following are comments from the Commission before a final vote:

VANFOSSEN: In a general review, we have all received a tremendous quantity of mail. It is great to see this type of input. Several points were brought up that were interesting. I have lived for ten years less than two blocks from the Broken Arrow Expressway, and have never considered that a negative. I believe the negative impact on this is really in an area less than 1,000 feet wide, with the others benefiting by convenient access to an expressway. I have also lived near 76th and Yale for the last twelve years and have seen the traffic grow tremendously, and

PUBLIC HEARING: Creek Expressway - Cont'd

VANFOSSEN (continued):

realize that we, absolutely, need to solve the problem. I, too, have not liked the 96th Street alignment, but we have not come up with a better solution at this point. Therefore, this is the reason I am moving to put it back on 96th, and I have seen that our (TMAPC) action in November has created chaos and added chaos to a status of previous confusion. I hope that by getting it (96th) back on, we at least reduce the chaos and get started toward a positive plan. I recognize, too, that this body is involved with planning, and we **must** do something to **plan** our actions, and I am convinced through all the information that has been presented, we need the expressway.

CRAWFORD:

Let me reiterate something I have said all along, that my commitment on the diagonal involved a genuine and legitimate search, some months ago, for what was described as a viable alternative. I stated at that time that I felt this diagonal was (a viable alternative), and I have carried that commitment through to INCOG, TMATS and this body (TMAPC). It is my understanding, obviously, that this action eliminated the diagonal as a possibility. I have said from the outset that I would not be an obstructionist, and I want what is best for Tulsa. What is best for Tulsa is very difficult to determine in an issue that divides people along the line of self-interest. Understanding full well human nature being what it is, I want to make it very clear I am not admonishing anybody who is for or against 96th Street or for/against the Diagonal. I believe it should be clearly understood that any position on any route is based on self-interest, and that is the right of a citizen of this community and this country. I was taught that the only thing a person had was their word, and I have carried out that word and my position has not changed on what I think is the virtue of the Diagonal Route. I have carried that through all the bodies; I have not failed on that. I believe, in my heart, that I may never know what is best. I don't profess to be a highway engineer, but I do profess, as elected Mayor of this City, to understand what social impact is all about. Apparently, the highway engineers and others who have deliberated long and hard, have been just as honest as they can possibly be. I think there are things that have been overlooked in this type of process. But, again, I feel that we do have to have some kind of east/west hook-up, and the Diagonal Route that I have fought for, I recognize clearly seems to have no validity. I have been assured that, when it was put into the process, that what came out was something that had merit, but just not as much merit as the experts feel that 96th Street has. So, I would be untrue to my word, as I was to those people who felt that the Diagonal Route had merit, that if I continue to be an obstructionist here, it would be pretty self-defeating. So, I feel I have fought that fight, and have honored my deep grained belief that the only thing I can legitimately give anybody is my word. I think I have honored that and I think we should proceed.

PUBLIC HEARING: Creek Expressway - Cont'd

SELPH (continued):

been proposed by Mayors. Yet, the technical and professional people consistently have supported the 96th Street Corridor. As stated by Chairman Parmele, I agree that it is time to get on with it. This has been a very divisive issue and the uncertainty is something the people on both sides are tired of. I also feel the entire credibility of the planning process is at stake here and people are tired of elected officials and planning commissioners making what they perceive to be arbitrary changes in the long standing plans that we have had before us. Because of this and other reasons, I will vote for the motion.

WILSON: I have a question on the Policy Committee statement presented July 31st under recommendations, as item #2 stated that local officials would need to request this priority funding and develop the necessary functional plans. What I would like to know is, if this does leave the Planning Commission and go on to the City, will it take a special type or separate motion, or how is the City going to make this special request.

LASKER: The TMAPC action will be forwarded to the City and County Commissions. From there it will take a majority vote to ratify the recommendation of the TMAPC. Then I think it will take a resolution by the City and County asking ODOT to consider these policies when they consider developing a functional plan. We would go to the Transportation Commission meeting when this comes up on their agenda and make a presentation, representing the recommendations of the TMAPC.

SELPH: (to Lasker) Was the original alignment along the Sun Meadows subdivision farther to the north than it is now, as well as Crown Pointe?

LASKER: Yes on Sun Meadows. It went north, there was still a line of lots that were designed in Crown Pointe that the expressway would take.

PADDOCK: (to Gardner) On Darlington South and the original alignment, am I correct that when the TMAPC approved that, the south 300 feet was reserved for the expressway?

GARDNER: It was not based on the original alignment, it was based on the fact that we needed 300 feet that we would not give them credit for an increase in density. So we held the south 300 feet which abutted an existing single-family subdivision down to RS-3, whereas the density north of that was greater. The fact that the expressway would come through, there is a utility easement of some type that runs diagonally, so there is plenty of room to move the expressway north. It would take some additional lots, but there are no homes built there.

PUBLIC HEARING: Creek Expressway - Cont'd

WILSON: I have agonized over this, deciding which way to go, and what I keep coming back to is it seems like the real deep community problem is what public officials say on a private basis and what public officials say on a public basis. In going back during this review period, and in keeping with questions to find out how far back this line does go, I now realize we do need to move forward. There was a time period where I thought that maybe we did not need an expressway, but in continuing to look at the information and review and try to plan for what we do need, I am convinced we do need an expressway, and we need it at 96th Street. What we have done as a community in regards to hearsay and passing on and relying on what somebody has told you, is really a tragedy. I think Tulsa will have to heal their wounds in this regard.

Additional Comments and Discussion:

Before calling for the vote, Chairman Parmele reviewed the motion as made by Mr. VanFossen. He stated he personally wanted to thank the other Planning Commissioners, Commissioner Selph and Mayor Crawford for the time spent on this matter. Mr. Paddock requested, should the Commission agree, that the formal resolution incorporating the TMAPC vote be before the Commission in two weeks when the minutes of this meeting would be presented for approval. There being no objection from the TMAPC, Staff was so directed to prepare the resolution.

TMAPC ACTION: 10 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **10-0-0** (Crawford, Doherty, Draughon, Kempe, Parmele, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, "absent") to **APPROVE** the remaining Amendments to the Major Street and Highway Plan by establishing and locating a route for the Creek Expressway, as recommended by Staff and listed below; and to incorporate the Suggested TMAPC Policies, as discussed and listed below:

Amendments to the Major Street and Highway Plan:

- 1) Establish and locate a route for the Creek Freeway beginning at the termination of the Mingo Valley Freeway at East 91st Street South (between Mingo Road and Garnett Road), extending west to intersect with Riverside Parkway;
- 2) Downgrade East 91st Street South from a six lane parkway to a secondary arterial street;
- 3) Upgrade South Yale Avenue, between 91st Street and the Creek Freeway, from a secondary arterial to a primary arterial street;
- 4) Extend the Creek Freeway west of the Arkansas River through Jenks, Oklahoma (south of the original townsite), west to intersect with the Okmulgee Beeline, and continuing west to the Tulsa/Creek County Line;

Suggested TMAPC Policies:

- A) The original alignment, rather than the Holway alignment, should be designated on the Major Street and Highway Plan. The Oklahoma Department of Transportation (ODOT) should give full consideration to the original alignment, rather than the Holway alignment, in the development of the functional plans. We believe this provides for a greater sense of fairness in that most adjacent developments were designed based on the original alignment.
- B) ODOT should consider possible realignment of the intersection at Sheridan Road to minimize displacement and disruption in the Mill Creek area. A half-diamond intersection should be considered on vacant land to the east of Sheridan rather than a full-diamond design, as originally planned.
- C) ODOT should give full consideration to developing a linear park along the expressway route to replace park land acquired for the construction of the expressway and to provide additional buffering between the expressway and adjacent residential areas. (This linear park could include trail systems connecting with the future extension of the River Parks system.)
- D) The TMAPC strongly suggests an Environmental Impact Statement be prepared by an out-of-state, nationally recognized consulting firm with substantial experience in controversial expressway projects. This will insure the greatest degree of objectivity and may reduce costly and time consuming delays that may result because of litigation.
- E) The functional plans, once completed, should be submitted to the TMAPC for approval, as required by state law.
- F) The State Transportation Commission should proceed with all due haste in funding the necessary functional plans and Environmental Impact Statement for the proposed Creek Expressway. Progress reports, by ODOT, should be periodically provided to the TMAPC and INCOG Board, not less than every six months. If continuing progress is not made on the required steps necessary to fund and construct the Creek Expressway, the TMAPC may wish to consider, at some future date, any actions deemed appropriate at that time.
- G) The TMAPC should formally notify the Metropolitan Tulsa Board of Realtors (MTBR) of the status of the Creek Expressway, and ask that MTBR communicate this information to its membership so that the buying public can be fully aware of the proposed location and status of the Creek Expressway.
- H) The INCOG Staff should provide the greatest design flexibility in the subdivision process to preclude any additional development in the proposed alignment of the Creek Expressway.

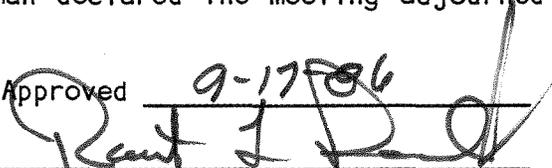
PUBLIC HEARING: Creek Expressway - Cont'd

- I) The INCOG Staff and the District 18 Citizen Planning Team should update the District 18 Plan to eliminate the Corridor designation along 96th Street where it is no longer appropriate in view of existing residential developments.
- J) The INCOG Board of Directors should investigate the possibility of publication of the Regional Long Range Transportation Plan Map in the phone books of the various jurisdictions in the Tulsa Metropolitan Area to better inform the public about the Creek Expressway and transportation plans, in general, throughout the INCOG region.

There being no further business, the Chairman declared the meeting adjourned at 3:05 p.m.

Date Approved

9-17-86



Chairman

ATTEST:



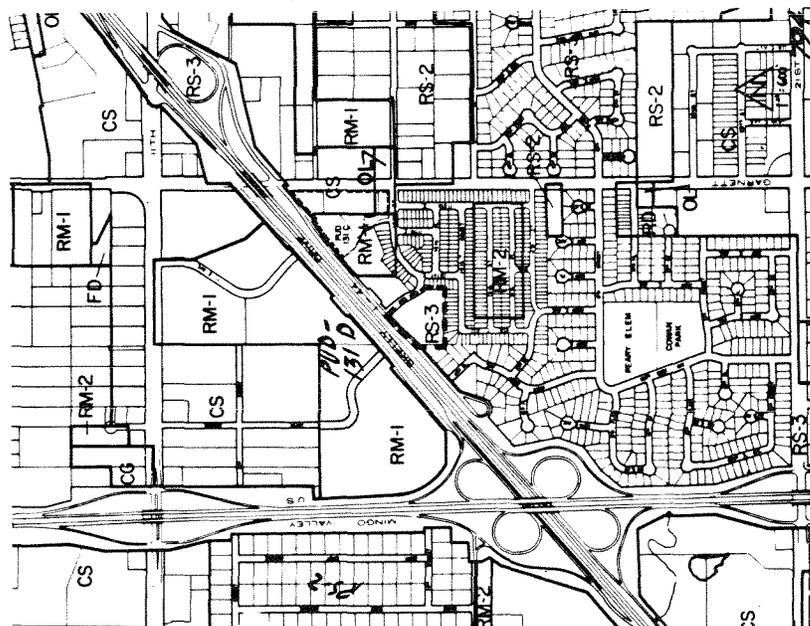
Secretary

8/13/86 TMAPR
cont'd to 9/3/86

LEGAL DESCRIPTION: PUD - 131-D

Part of Lot 1, Block 1 and Part of Vacated South 110th East Avenue of PHEASANT RUN, an addition to the City of Tulsa, Tulsa County, Oklahoma according to the official recorded plat thereof, more particularly described as follows, to-wit:

Commencing at the Southwest corner of said Lot 1; thence $N00^{\circ}29'33''W$ along the West line thereof a distance of 262.43 feet to the point of Beginning; thence along the boundary of said Lot 1 as follows; thence $N00^{\circ}29'33''W$ a distance of 194.52 feet to a point; thence $N48^{\circ}34'30''E$ a distance of 16.72 feet to a point; thence $N41^{\circ}27'00''E$ a distance of 201.56 feet to a point; thence $N48^{\circ}34'30''E$ a distance of 111.00 feet to a point; thence $S41^{\circ}25'30''E$ a distance of 0.00 feet to a point of curve; thence along said curve to the left, said curve having a radius of 627.89 feet, a central angle of $5^{\circ}07'11''$ a distance of 56.10 feet to a point of reverse curve; thence along said curve to the right, said curve having a radius of 627.89 feet, a central angle of $5^{\circ}07'11''$, a distance of 56.10 feet to a point of compound curve; thence along said curve to the right, said curve having a radius of 345.00 feet, a central angle of $15^{\circ}12'23''$, a distance of 91.56 feet to a point of tangent; thence $S26^{\circ}13'07''E$ a distance of 19.21 feet to a point of curve; thence along said curve to the left, said curve having a radius of 365.00 feet, a central angle of $11^{\circ}10'16''$, a distance of 71.17 feet to a point of compound curve; thence along said curve to the left and long the Northeasterly end of vacated South 110th East Avenue, said curve having a radius of 365.00 feet, a central angle of $9^{\circ}25'47''$, a distance of 60.07 feet to a point of compound curve; thence along said curve to the left and along the boundary of said Lot 1, said curve having a radius of 365.00 feet, a central angle of $3^{\circ}18'47''$, a distance of 21.10 feet to a point; thence $S00^{\circ}24'55''W$ a distance of 137.41 feet to a point; thence Due West a distance of 457.19 feet to the point of Beginning, containing 3.1852 acres, more or less.



Roy Johnsen
324 Main Mall, #900
Tulsa, Oklahoma 74103

NOTICE TO THE PUBLIC OF
A HEARING ON AN AMENDMENT
TO A PLANNED UNIT DEVELOPMENT
P.U.D. NO. 131-D

Notice is hereby given that a public hearing will be held before the Tulsa Metropolitan Area Planning Commission, in the City Commission Room, Plaza Level of City Hall, 200 Civic Center, Tulsa, Oklahoma, at 1:30 p.m., on the 13th day of August, 1986.

At that time and place, consideration will be given to P.U.D. NO. 131-D, an amendment to a planned unit development permitting commercial and office structures and varied dwelling types and accessory facilities, as regulated by Title 42, Sections 1100-1170, Tulsa Revised Ordinances, of a tract of real property zoned RS-3, and being described as:

SEE ATTACHED LEGAL DESCRIPTION

and being approximately located:

South side of Skelly Drive, West of Garnett Road

All persons interested in this matter may be present at this hearing and present their objections to or arguments for the proposed amendment.

After hearing, review and consideration, the Tulsa Metropolitan Area Planning Commission shall make its recommendation for approval, approval with modification, or denial, and transmit its report and recommendation to the Board of City Commissioners of the City of Tulsa for its consideration and action, as provided by law.

The Board of Commissioners' review of the recommendation of the Planning Commission as to the proposed amendment of the planned unit development shall be at a meeting time and place to be determined by the Board, said information to be available from the Office of the City Auditor.

The application and outline development plan, maps and text may be inspected at the offices of the Tulsa Metropolitan Area Planning Commission, Suite 500, 707 South Houston Avenue, Tulsa, Oklahoma, 74127, (918) 584-7526.

Bob Paddock, Secretary