

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1641
Wednesday, **March 11, 1987**, 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	Rice	Gardner	Counsel
Draughon		Setters	
Kempe			
Paddock, 1st Vice- Chairman			
Parmeale, Chairman			
Selph			
VanFossen, Secretary			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 10, 1987 at 9:50 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 1:37 p.m.

MINUTES:

Approval of Minutes of February 25, 1987, Meeting #1639:

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-1** (Carnes, Doherty, Draughon, Paddock, Parmeale, VanFossen, Wilson, Woodard, "aye"; no "nays"; Selph, "abstentions"; (Kempe, Crawford, "absent") to **APPROVE** the **Minutes of February 25, 1987, Meeting No. 1639.**

REPORTS:

Chairman's Report: Request from Terry Young to discuss Z-6136/PUD 179-M for a rehearing and waiver of fees.

Mr. Terry Young (2311 North Elwood Avenue) reviewed the history of the previous hearings before the TMAPC and City Commission in regard to Z-6136 and PUD 179-M (Woodland Hills area), and his request for a rehearing of the applications before the TMAPC. He also requested a waiver of the fees on a reapplication of the above cases. Mr. Young informed the applicant would be responsible for any readvertising fees involved on another application. He suggested having this reapplication set for the same date at the TMAPC public hearing on the amendments to the Development Guidelines.

Chairman's Report: - Cont'd

Chairman Parmele affirmed with Staff the policy on waiver of fees, and confirmed this could be done in this case. Mr. Gardner suggested that once the amendments to the Development Guidelines were out of the TMAPC Committee review sessions that the applicant advertise at that time for rehearing of these applications. Mr. Gardner advised there were several District Planning Teams involved with the Development Guidelines and Comprehensive Plan amendments and he felt these should be finalized before any zoning applications were considered. Mr. Young stated that he had no problem with a one week difference between the public hearing on the Development Guidelines and the rehearing of his applications.

Mr. Paddock moved that the Commission agree to allow Z-6136/PUD 179-M to be refilled and to waive all application fees in connection therewith. (As discussed above, this item to be set for public hearing one week after the hearing on the amendments to the Development Guidelines.)

TMAPC ACTION: 10 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **10-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, "absent") to **APPROVE** the Refiling of Z-6136 & PUD 179-M Young (Wenrick), and to waive all application fees regarding these applications.

Discussion followed as to the time frame involved on the amendments to the Comprehensive Plans and the Development Guidelines. Mr. Young requested that, due to the economic conditions in Tulsa, Staff proceed with all due haste on the special studies. Mr. VanFossen stated he felt Staff had presented a very reasonable time frame of having the amendments done in possibly 90 - 120 days, when there were previously given six months to complete this project.

Mr. Paddock commented that he did not think this Commission should ever be in the position where it could be perceived that they were acting under any undue pressure to arrive a decision. He pointed out the TMAPC policy that an application should not be reheard sooner than six months after the original application hearing date, which in this particular case would be around July 8th. Mr. Paddock stated he was not in favor of suspending the rules of this Commission for any particular application; because if it is done for one, it must be done for others. Chairman Parmele commented he thought the Commission had just voted to suspend the rules when they voted to allow immediate reapplication and the waiver of fees. Mr. Paddock stated he did not agree.

Chairman Parmele advised of a request from Mr. Pat Connelly of City Development for the TMAPC to hold another joint work session regarding the Neighborhood Conservation Committee (NCC) to review significant changes to the proposed Historic Preservation (HP) Ordinance. Mr. Paddock commented that he did not feel any need for another session prior to the public hearing on April 1st, as he thought the public input should be received first. Chairman Parmele and Mr. VanFossen both voiced agreement, which appeared to be the general consensus of the full Commission.

ZONING PUBLIC HEARING:

Application No.: Z-6146

Applicant: Nichols (Hausam)

Location: South of the SW/c of 53rd & Sheridan

Size of Tract: 2.5 acres, approximately

Date of Hearing: March 11, 1987

Presentation to TMAPC by: Mr. Bob Nichols, 111 West 5th

Present Zoning: RS-2

Proposed Zoning: RM-T

(582-3222)

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Residential.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 2.5 acres in size and located on the west side of South Sheridan Road at East 54th Street South. It is partially wooded, gently sloping, contains a single-family dwelling and is zoned RS-2.

Surrounding Area Analysis: The tract is abutted on the north and west by single family dwellings zoned RS-2, on the east across South Sheridan by single-family dwellings zoned RS-3, and on the south by vacant property zoned RM-T.

Zoning and BOA Historical Summary: The Staff and TMAPC have concurred in recommending approval of RM-T zoning for the subject tract in the past. RM-T zoning has been approved on the abutting tract to the south.

Conclusion: Staff supports the requested RM-T zoning based on the same facts as the previous case. RM-T zoning on the subject tract will insure single-family development at a density that would permit the property to develop residentially. Although the density will be higher than the surrounding area, the uses will be compatible.

Therefore, Staff recommends **APPROVAL** of the requested RM-T zoning.

NOTE: For the record, access to 54th Street should be prohibited in the platting process. Drainage plans will need to be approved by Stormwater Management regardless of the type of development that occurs on the subject property.

Applicant's Comments:

Mr. Bob Nichols, representing Mr. John Hausam, reviewed the Staff recommendation for approval, pointing out the application was a "may be found" in accordance with the Comprehensive Plan, and he reviewed the physical facts of this particular tract.

Mr. Paddock inquired as to the status of any contracts the applicant might have pending on the property. Mr. Nichols replied that he was not aware of any contracts. Mr. Paddock confirmed that this had been presented twice to the Board of Adjustment and at least once to District Court; however, the issues were not resolved and that was why the application was being presented at this time to the TMAPC. Mr. Nichols briefly reviewed the history of this tract of land, and stated that this was a textbook example of a tract of land that had been passed over for development, as it had never been part of the neighboring subdivision.

Chairman Parmele advised receipt of letters of protest from the following people: Mr. Norman Ryser, President of Key Homeowners Association; S.W. and Arlene M. Fruehling; Mr. Jack Williams; and Mr. Harold E. Bockelken.

Interested Parties:

Address:

Mr. Jack B. Hamilton	5425 South Oxford	74135
Mr. Tim Harrington	5417 South Oxford	"
Ms. Rex Brooks	6148 East 53rd	"
Mr. Jim Elder	6042 East 56th Place	"
Mr. William O. Brown	5811 East 53rd Street	"
Ms. Patty B. Smith	5278 South Joplin Place	"
Mr. Irving West	5930 East 54th Street	"
Ms. Patricia Lamb	5435 South Oxford	"
Ms. Roma Franz	5331 South Joplin	"
Mr. Harold Bockelken	5411 South Oxford	"

All of the above parties spoke in protest of the rezoning application. They stated their main concerns involved drainage and flooding in an area already known for rapidly rising waters and flood problems. Other concerns repeated by most of the Interested Parties, and as addressed by Mr. Norman Ryser of the Key Homeowners Association, included additional traffic into an already congested area, decrease in property values, the potential for strip zoning along Sheridan, and they also felt the proposed townhouses would detract from the continuity of their neighborhood.

Ms. Smith, Vice President of the Key Homeowners Association, submitted several petitions (approximately 590 signatures) opposing the requested zoning change. As spokesperson for the homeowners, she stated she felt they were being harassed, and suggested the TMAPC place a moratorium on this area until such time a study could be done addressing the flooding issues. Mr. West suggested in his protest that the application put in a cul-de-sac and build single-family homes. He also agreed to a moratorium until the flooding was resolved, and commented this tract would provide a good location for the City to build a retention area.

Applicant's Rebuttal:

Mr. Nichols commented that an applicant's rebuttal should address only those substantive issues of fact that had been raised by others speaking on the application. He added that, after listening to the protestants, he never heard one fact raised that had not already been considered in advance by the professional staff. In regard to the flood hazard zone, he pointed out that there were stringent controls to be met and only 1.8 acres of the 2.6 acres was buildable area.

In regard to the RM-T zoning to the south of this tract, Mr. Nichols stated that when this was passed in 1980, Staff had commented this area was ideally suited for RM-T zoning. Therefore, as an infill project he felt the subject application was consistent from a conformity and substantive standpoint. Mr. Nichols stressed the intent to maintain the character of the proposed development to that of the adjacent homes. He agreed that the applicant was aware of the zoning at the time of purchase, and added it was also true that the Comprehensive Plan was in place. Mr. Nichols stated that, considering the facts of the passed over tract and the RM-T zoning further south, coupled with the Comprehensive Plan that would allow RM-T on this tract (as a may be found) and the Staff recommendation, he felt the applicant's request was a reasonable expectation.

In reply to Ms. Wilson, Mr. Nichols advised that he was not aware of any changes to plans on the proposed building floor space, which was about 20,000 square feet or 15 - 18 residential units.

Review Session:

Mr. Paddock discussed with Mr. Linker the decision by Judge Shaffer in District Court, with Mr. Paddock making the point that the court's decision was based on a fairly debatable doctrine. Mr. Carnes inquired of Staff, if this was treated as infill (as those projects on South Lewis), would it not be 12 - 14 units versus 16 - 18 units. Mr. Gardner stated that, based on his knowledge of this area, he felt the number would be closer to 12 - 14 units and would be dependent on the layout.

Mr. Draughon stated agreement with the Interested Parties who felt the best use of this particular property might be a detention pond or city park. Mr. VanFossen commented that the submitted petitions appeared to be in order within an eight block radius, and the number of signatures appeared to be approximately 543. Mr. Doherty clarified the previous actions by the TMAPC, City and District Court on this case.

Chairman Parmele stated the Commission should keep in mind that they must consider the appropriate land use and zoning for this tract of land. He agreed that the concerns as to traffic problems and flooding were certainly issues that needed to be dealt with, but perhaps not by this Commission. Ms. Wilson stated agreement with the Staff recommendation for RM-T zoning as she considered it to be appropriate for this tract of land. She added that she felt a lot of the comments by the protestants were a

harboring of feelings against the previous application for an office complex. Ms. Wilson remarked that this should be recognized as an infill project and she did not feel RS zoning was appropriate, nor was it appropriate to leave the tract vacant. Ms. Kempe, agreeing with Ms. Wilson, moved for approval of the Staff recommendation for RM-T zoning.

In reply to Mr. VanFossen, Staff reviewed the Department of Stormwater Management (DSM) comments and the density allowed. Mr. Paddock pursued the suggestion that a cul-de-sac from East 54th Street be considered. Mr. Gardner stated that, physically, this could be done, but more than likely he felt that there would be a private street arrangement coming off of 54th Street, and a PUD would be required for the private street. Mr. Carnes stated that at the last presentation he voted for RM-T, but he now had a problem with the number of units that RM-T would allow. Chairman Parmele commented that the floodwater issue was being addressed by DSM and the TMAPC, while being aware of this problem, had little jurisdiction as this was controlled strictly in the platting development process. Commissioner Selph agreed with Mr. Carnes as to the proposed density, and he felt the water problems should first be addressed by DSM.

Mr. Doherty, acknowledging that access from 54th Street was previously prohibited, stated that the TMAPC should make it clear to the applicant that the Commission would frown on increasing traffic into the adjacent neighborhoods. Chairman Parmele stated that based on the fact this was a "may be found" in accordance with the Comprehensive Plan, the existing RM-T to the south, the presence of OL zoning to the northeast, and that RM-T was single-family attached housing, he would be in favor of the motion.

TMAPC ACTION: 10 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **7-3-0** (Doherty, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; Carnes, Draughon, Selph, "nay"; no "abstentions"; (Crawford, "absent") to **APPROVE Z-6146 Nichols (Hausam) for RM-T zoning**, as recommended by Staff.

Legal Description:

Beginning at a point 759' north of the SE/c of the NE/4 of Section 34, T-19-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government Survey thereof; thence north 396' to a point, 165' south of the southeast corner of the NE/4 of the NE/4; thence west 281.53' thence south 396'; thence east 281.53' to the POB, containing 2.57 acres, more or less.

* * * * *

Application No.: Z-6149 & PUD 426

Present Zoning: AG

Applicant: Terral (Francis)

Proposed Zoning: RS-2

Location: 102nd Street South & W/side of Louisville

Size of Tract: 42.5 acres, approximate

Date of Hearing: March 11, 1987

Presentation to TMAPC by:

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Residential/Development Sensitive and Special District 1.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-2 District is in accordance with the Plan Map and Special District 1 considering PUD 426.

Staff Recommendation: Z-6149

Site Analysis: The subject tract is approximately 42.5 acres in size and located south of the southwest corner of East 101st Street South and South Louisville. It is partially wooded, gently sloping and steeply sloping in parts and contains one large residential estate type dwelling, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by four single-family dwellings and vacant land zoned RS-1/PUD 376; on the east across South Louisville by single-family dwellings zoned RS-1; on the south by single family dwellings zoned RS-1; and on the west by vacant property zoned AG, FD and overlay FD.

Zoning and BOA Historical Summary: The majority of the surrounding area has been developed for large lot single-family residential dwellings in an RS-1 or RS-2 District.

Conclusion: The requested RS-1 zoning district is in accordance with the Comprehensive Plan for Low Intensity - Residential and would also be found in accordance with Special District 1 based on the companion application for PUD 426. Staff is supportive of RS-2 zoning, subject to approval of PUD 426.

Therefore Staff recommends APPROVAL of RS-2 zoning, subject to approval of PUD 426.

NOTE: The applicant amended the rezoning request from RS-2 to RS-1 at the opening of the public hearing and also presented other revisions to PUD 426, as described in these minutes.

Z-6149 & PUD 426 Terral (Francis) - Cont'd

Staff Recommendation: PUD 426

The subject tract has an area of 42.5 acres and is located south of the southwest corner of East 101st Street and South Louisville. The tract is presently zoned AG; however, the Staff is supportive of RS-2 zoning (Z-6149) per PUD 426. The proposed development will consist of one estate lot for an existing house, and 69 large lot homesites. The tract has a gently to moderately sloping terrain with large masses of mature trees, and a spring fed lake of approximately 3.3 acres located along the west boundary. The lake will become the focal point of a privately maintained common open area and private park area which will total over seven acres in size. Staff would recommend that a pedestrian access point to the lake areas, similar to that shown on the south, also be provided on the north.

The internal private street system (26' wide) will be curvilinear in design and connect to an existing street stub from the south. The main entrance to the development will include 10' wide landscaped areas on both sides of a boulevard/median type design from Louisville. The nature of the existing public street to which the connection will be made on the south is not typical of public streets throughout the City and the public/private street connection could be acceptable in this case due to the extremely low density of PUD 426 and the abutting development. It is noted that the Traffic Engineer objected to the private street system in a note dated 2/27/87 to the TAC minutes file of 2/26/87. The sanitary sewer service will be provided by an on-site package treatment plant and no septic systems will be used.

The Staff has reviewed PUD 426 and finds that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site and, (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends APPROVAL of PUD 426, subject to the following conditions:

- 1) That the applicant's Outline Development Plan and Text be made conditions of approval, except as modified herein.
- 2) **Development Standards:**
Land Area (Gross): 42.5 acres (Net) 41.5 acres
Permitted Uses: Detached single-family residences and accessory uses.
Maximum No. Dwelling Units (DU): 64-70 total (69 new; 1 existing)
[as revised at the TMAPC meeting]

Z-6149 & PUD 426 Terral (Francis) - Cont'd

Development Standards - cont'd

Minimum Lot Width:	90' *	(see note below)
Minimum Lot Area:	12,000 sf	"
Minimum Land Area per DU:	16,000 sf	"
Minimum Livability Space per DU:	7,000 sf	"
Maximum Structure Height:	35'	
Minimum Building Setbacks:		
Front Yard	30'	
Rear Yard	25'	
Side Yard	5' one side; 10' other side	
Side Yard, corner lot abutting a private street	20'	
Yard abutting a nonarterial public street	35'	
Open Space/Recreational/Private Park Area	7 acres	**

- * On cul-de-sacs, pie shaped lots may have less than the minimum frontage, as measured at the building line.
- ** Maintenance of the private, recreational and detention areas shall be by a homeowners association created for that purpose. Landscaped open space shall include the existing lake, a 15' landscape buffer along Louisville, a 10' landscape buffer along the median/boulevard main entrance from Louisville, and landscaped center islands for cul-de-sacs, where appropriate.
- 3) Subject to review and conditions of the Technical Advisory Committee (TAC). It is specifically noted that Limits of No Access shall apply where lots abut South Louisville. Note comments from the Traffic Engineer which are separate from the TAC minutes.
- 4) That the development be in general compliance with the RS-1 Zoning Code provisions, unless modified by the PUD Text and approved by the TMAPC.
- 5) That a Homeowner's Association be created to provide for maintenance and operation of private facilities such as drainageways, interior streets, parks and landscaped areas and related private improvements. A drainage ditch shall be constructed and maintained along the west side of South Louisville to prevent water from running across the street surface eastward from the subject tract.
- 6) That a Detail Site Plan shall be submitted and approved by the TMAPC prior to issuance of any Building Permits, including details of exterior screening and landscaping treatment of public and other areas. The Final Plat may be substituted for this Plan if the required information is shown.

NOTE: As revised at the TMAPC meeting.

- 7) That a Detail Landscape Plan shall be submitted and approved by the TMAPC prior to granting occupancy of any residential units in the development. Landscape buffers shall be provided as noted in the Development Standards. Access to the lake area shall be provided for the north portion similar to that shown on the Outline Development Plan on the south.
- 8) That a Detail Sign Plan shall be reviewed and approved by the TMAPC prior to installation of any subdivision identification signs. Signs shall be in compliance with the PUD Chapter 1130.2.b of the Zoning Code.
- 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.

Comments & Discussion:

Mr. Gardner reiterated that the applicant had recently amended the zoning application from RS-2 to RS-1, and noted there was a question as to a street connection with the subdivision to the south of the subject tract. Mr. Gardner remarked the City prefers the connection, but the developer does not, as there were two entrance ways off of Louisville. He added that, other than providing a connection between two single-family subdivisions, there was no necessity to connect except to provide an additional access point. Mr. Gardner commented there were no storm sewers or bar ditches along Louisville, which caused the water to flow downward and to the east into the houses sitting below Louisville. However, this has been addressed through a condition in the PUD (condition #5), so as to direct the flow of water directly north into the major street drainage.

In reply to Ms. Wilson, Mr. Gardner advised the applicant amended the zoning to RS-1 after a meeting with the neighborhood residents. He reviewed for Mr. Paddock the other amendments to the PUD text: decreasing the number of homesites from 79 to 64 - 70 (with one existing structure); lot width increasing from 75' to 90' and lot area from 9,000 square feet to 12,000 square feet; and increasing land area per dwelling unit from 10,875 square feet to 16,000 square feet. The other development standards remained as originally presented, except as modified to meet RS-1 standards.

Applicant's Comments:

Mr. Bland Pittman, Engineer (10820 East 45th) representing the applicant, briefed the Commission on the meeting with the homeowners and the subsequent changes made to the PUD based on their suggestions. He stressed their desire to have Jamestown closed off to the subdivision to the south. Mr. Pittman reviewed the land drawings and site plans as to the proposed lake, drainage, terrain, landscaping, etc. He advised of the applicant's intent to build private streets with curb and gutter, and provide green belt areas on each lot within the PUD and along the main entrance and South Louisville.

In response to Commissioner Selph, Mr. Pittman pointed out the proposed site of the sewage treatment plant in the northwest corner of the tract, and he reviewed the drainage plans for Mr. Draughon. Mr. Pittman stated the specifics of the sewage treatment plant would be reviewed by Mr. Bill Lewis.

<u>Interested Parties:</u>	<u>Address:</u>	
Mr. Ted Larkin	9901 South Sandusky	74137
Mr. John Sacra	10136 South Marlon	"
Mr. Mark Lyons	8939 South Norwood	"
Mr. Gene Payne	10152 South Marlon	"
Mr. Larry Stone	10441 South Knoxville	"
Mr. Rich Blevins	10416 South Jamestown	"
Ms. Floy Schrage	3605 East 104th Place	"
Mr. Robert Holmes	3505 East 104th Place	"
Ms. Carol Oxley	10900 South Louisville	"

Mr. Ted Larkin, as developer of the Woodlar Subdivision, stated his concerns as to the RS-2 had been remedied; however, he still had concerns regarding the drainage to Louisville and the sewage treatment plant and its maintenance. Mr. VanFossen advised that concerns such as these would be addressed in the platting process.

Mr. John Sacra stated that, in regard to the existing drainage problems off Louisville and this particular tract, he had contacted City administrators and was informed that they would be placed on an already long list. He voiced concerns as to the traffic on Louisville and felt that 69 new residences would add to this dangerous situation. Mr. Sacra stated he felt the concerns regarding the sewage plant should be addressed before development, and that more in-depth planning overall should go into this project. In reply to Mr. Doherty, Mr. Sacra identified the drainage and waterflow from the hill at 103rd and Louisville and the effect on the neighboring homes. Ms. Wilson reiterated the traffic situation on Louisville as she had recently been to the area.

Mr. Mark Lyons, representing Mr. John Wheatley (3300 East 101st), stated the neighborhood was not opposed to the development, but they felt it was poorly planned. Mr. Lyons stated that Silver Chase (to the north) while zoned RS-2 was developed as RS-1, and they were in favor of this development under RS-1 guidelines. He stated that the proposed sanitary sewer system was one of the first proposed for the Tulsa area, and the applicant had not provided that much information about the system, as it appeared they were not sure of their final plans for the plant. He added that the sewage plant would be used only by the residents of Louisville Estates and the surrounding subdivisions would not have access, and it appeared there were no contingency plans should the system break or fail to operate. Mr. Lyons also pointed out that, as yet, there was no access road shown to the sewage system plant, and he felt it a reasonable request to have these plans submitted before development. Mr. Lyons stated the applicant should be required to submit more definite plans for this

development as to the drainage, sewage system plant, etc. as the applicant was not able to answer some of these questions raised at the meeting with the homeowners. Mr. Lyons advised the homeowners objected to the manner in which this application was being moved through so quickly, and they requested this be delayed long enough to advise of more definite details and planning.

Mr. Gene Payne stated he, too, had drainage and water problems on his property and he feared more problems with this development. He requested removal of the connection with Jamestown, as he felt this would help eliminate a traffic hazard.

Mr. Larry Stone commented that the City was asking for an entrance into the back of the subject addition (along Jamestown). However, as a resident in this area, he requested this not be done. Mr. Stone agreed that the sewage treatment concerns and traffic concerns should be considered and addressed before development.

Mr. Rich Blevins also requested that no opening be placed into South Jamestown, as there were several families with children in this area, and the opening would create hazards for the children with additional traffic, as well as hinder the residents backing out of their driveways.

Ms. Floy Schrage informed the Commission of a previous situation where she had to deal with City agencies and utilities to remedy a drainage problem caused by the sandy soils in this area. She was concerned this development would add to an existing water/drainage problem.

Mr. Robert Holmes echoed the requests to keep the entry at Jamestown closed due to the steep hill coming down this street. He also felt the lake presented an additional hazard to the children living in this area.

Mr. Carol Oxley, speaking as a friend and neighbor to the applicant, requested that the Planning Commission address this issue seriously due to the road concerns and sewage treatment concerns, and to proceed with due speed.

Applicant's Rebuttal:

Mr. Pittman advised the applicant had been working on this project since January 1987, therefore, he did not feel as if this was being presented without proper planning. Referring to the submitted text for the development, Mr. Pittman pointed out that no building permits would be issued without the proper platting requirements being met and the applicant made a great effort to cover as many of the anticipated concerns of the homeowners as possible through the Site Plans, Landscaping Plans, etc. In regard to the drainage concerns, Mr. Pittman stated that only a small part of this development (1.8 acres) might contribute to waterflow problems, and he felt that much of the water that was running off to the surrounding neighbors was coming from other areas.

Mr. Pittman clarified that the treatment plant was not in a floodplain area or even in the FD area. He stated that an access road to the treatment plant was planned but, due to an oversight, was not labeled on the site plan. He added that this access road would also provide a walkway for pedestrian access to the north end of the park. In regard to concerns of the homeowners as to detention, Mr. Pittman informed that final design plans for stormwater detention were not usually done prior to obtaining zoning approval, as this would be handled in the platting stage and proper approvals from DSM would be required before building.

In regard to the connection to Jamestown, Mr. Pittman advised the applicant had no problem eliminating this connection, if the City approved. Mr. Doherty asked Mr. Pittman for a suggestion to remedy this, since the City wanted the connection; the homeowners did not. Mr. Pittman and various members of the TMAPC discussed an amicable solution. Mr. Paddock suggested handling this as a condition of approval in the PUD.

Mr. Doherty asked, as there were no reasonable grounds to oppose RS-1, why the applicant chose to go with a PUD. Mr. Pittman stated there were several reasons for going with a PUD, some of which were beneficial to the developer and some of which were beneficial to the surrounding neighborhood. One reason for a PUD was a desire to have private streets so as to allow a guard gate entrance and provide security. Mr. Pittman stated another beneficial reason for the PUD was that it assured a commitment to the landscaping buffer along Louisville, maintenance of the boulevards, park and entire area. In regard to the park facility and lake, Mr. Pittman pointed out that none of the other subdivisions in this area had such a facility.

In regard to the entrance on the north part of the property, Ms. Wilson inquired if it could, in fact, be eliminated or possibly moved further south. Mr. Pittman stated this entry was provided to meet emergency vehicle standards, as that the applicant would like to expand the main entrance and, more than likely, they would keep the northern entrance closed to all but emergency vehicles.

In reply to Mr. Draughon, Mr. Bill Lewis reviewed the history of the sewage development plans for this area. Mr. Lewis also explained the standards for an aeration type plant facility, based on the criteria of the City and the Health Department. Mr. Draughon inquired if this type of plant was subject to being flooded. Mr. Lewis stated it was not, due to the fact that it would be a tank with an aeration system (that sits on the top), and the tanks, although built at ground level, would be 12'-14' high. He reiterated that this area was not in a floodplain.

Further discussion clarified that this facility would require City (and City-County Health Department) approval and would be then maintained by the City, under Environmental Protection Agency standards. Mr. Doherty added that this might be the first facility of this type for the City of Tulsa, but was not the first in this area as the City of Sand Springs had such a facility and he knew of no problems associated with the facility. In reply to Mr. Carnes, Mr. Lewis agreed that it would take six to nine

months (or longer) to get all of the required permits. Mr. Carnes inquired if the City would own the right-of-way from the plant to the Arkansas River. Mr. Lewis confirmed this to be correct.

TMAPC ACTION: 10 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **10-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, "absent") to **APPROVE Z-6149 Terral (Francis) for RS-1 Zoning**, as amended by the applicant and as supported by Staff.

Legal Description:

RS-1 zoning: The south 27-1/2 acres of the NW/4 of the NW/4 of Section 28, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government survey thereof; AND the north 15 acres of the SW/4 of the NW/4 of Section 28, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government survey thereof.

Additional Comments and Discussion:

Continuing with discussion on PUD 426, Mr. VanFossen assured the Interested Parties that the PUD was being approved only as to concept and that there was many months of analysis yet to be done on this project. On this basis, Mr. VanFossen moved for approval of PUD 426, as amended.

Mr. Paddock stated that an important condition should be added that anything that was done on the PUD with respect to the sewage treatment facilities must have the approval of the City-County Health Department (and/or other appropriate City agency) before construction. Mr. VanFossen commented that this was handled in the platting requirements, but he would accept adding this condition. Mr. Paddock stated that he felt it should also be added that South Jamestown would be kept closed and a cul-de-sac provided. Mr. VanFossen stated he would not include this in his motion, as he did not want this limitation placed on the City staff that dealt with these decisions. Mr. Doherty commented that he felt it was premature to ban it at this point, there might be a more appropriate opportunity during the platting process to decide this matter. Mr. Carnes remarked he did not see anything wrong with putting a cul-de-sac on Jamestown, as it appeared the residents to the north and south wanted it. Mr. Paddock made a motion to amend Mr. VanFossen's motion to include a condition that Jamestown be kept closed and stubbed.

TMAPC ACTION: 10 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **6-4-0** (Carnes, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; Doherty, Kempe, Selph, VanFossen, "nay"; no "abstentions"; (Crawford, "absent") to **APPROVE** the amendment to the main motion to include conditions that: Jamestown be kept closed and stubbed; and the sewage treatment facility shall have the approval of the City-County Health Department (and/or other appropriate City agency) before construction.

Commissioner Selph reiterated that it was obvious the TMAPC was not opposed to the zoning, and he did not think they were opposed to the PUD as a concept. He added that every member realized there were some real problems to face during the platting and permitting process, and he did not feel it could be done in six to nine months, if at all. However, he was not opposed to the PUD as a concept. For the benefit of those in attendance, Chairman Parmele added that the zoning and the concept approval of the PUD was the **first** step in the planning process for the developer. He continued by stating this was all very preliminary and needed to be done first in order to commit the funds and proceed with the balance of the planning.

TMAPC ACTION: 10 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **10-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, "absent")) to **APPROVE PUD 426 Terral (Francis)**, as modified and supported by Staff and further amend to include conditions that: (1) Jamestown be kept closed and stubbed; and, (2) the sewage treatment facility shall have the approval of the City-County Health Department (and/or other appropriate City agency) before construction.

Legal Description:

PUD 426: The south 27-1/2 acres of the NW/4 of the NW/4 of Section 28, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government survey thereof; AND the north 15 acres of the SW/4 of the NW/4 of Section 28, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government survey thereof.

* * * * *

Application No.: Z-6150 Present Zoning: RS-3
Applicant: Holmboe Proposed Zoning: OL
Location: NW/c of East 17th Street & South Victor (1632 South Victor)
Size of Tract: .16 acres, approximate
Date of Hearing: March 11, 1987
Requested Continuance to: May 13, 1987

Comments & Discussion:

Chairman Parmele read a letter requesting the continuance "in order to proceed with Board of Adjustment (BOA) actions which would either terminate Z-6150 or amend to contain a PUD".

As an interested party, Mr. Tom Alexander (1624 South Victor) obtained clarification of this request from Chairman Parmele and Staff. Mr. Gardner explained that the interested parties would not be notified of the continued TMAPC application on May 13th, but would be notified of the upcoming BOA hearing.

Z-6150 Holmboe - Cont'd

TMAPC ACTION: 10 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **10-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, "absent") to **CONTINUE** Consideration of **Z-6150 Holmboe** until Wednesday, **May 13, 1987** at 1:30 p.m. In the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 313: S/side of West 61st Street @ South 28th West Avenue; Golf Estates II

Staff Recommendation: Detail Sign Plan

PUD 313 is approximately 24.6 acres in size and located on the south side of West 61st Street South at South 28th West Avenue. The subject tract has an underlying zoning of RM-T and RS-3 and contains 126 single-family lots. The applicant is now requesting Detail Sign Plan approval for the single-family area.

The applicant's submitted plans include two 24 square foot signs and two 6 square foot signs set in brick walls with a maximum height of six feet. The signs will be located off City right-of-way and off a 17.5 foot utility easement. Staff finds the request to be consistent with the original PUD.

Therefore, Staff recommends **APPROVAL** of the Detail Sign Plan per applicant's submitted plot plan and elevation and as follows: subject to the City of Tulsa Traffic Engineering Department approval to insure the proposed signs do not restrict line of sight for automobile traffic at the intersection; and subject to the signs being off the City right-of-way.

TMAPC ACTION: 10 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **10-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, "absent") to **APPROVE** the **Detail Sign Plan** for **PUD 313**, as recommended by Staff.

* * * * *

PUD 190-26: East of the SE/c of South Irvington and East 71st Street

Staff Recommendation: Minor Amendment & Detail Sign Plan

The subject tract is located east of the southeast corner of South Irvington and East 71st Street. It is developed as the Eagle Point Apartments and two temporary signs advertising the apartment are presently in place. The proposed sign will be located between the apartment parking lot and the south right-of-way line for East 71st Street directly north of the clubhouse which is 5808 East 71st Street. The sign will consist of rock pillars, an apartment logo, and a sign face which is 4'3" tall by 8'3" long. According to the Sign Plan, the proposed sign will have an east/west orientation and setback only 52' from the centerline of East 71st which is a Primary Arterial with 60' of half street right-of-way. This sign is not permitted to be built closer than 60' from the centerline of East 71st Street.

Staff finds the request to be minor and would recommend **APPROVAL** of PUD 190-26 and the Detail Sign Plan as follows:

- (1) Subject to the submitted plans revised to show the proposed sign being setback a minimum of 60' from the centerline of East 71st Street.
- (2) That the sign be located off the public street right-of-way and construction of the sign be coordinated with applicable utilities if the sign is placed on a utility easement.
- (3) Subject to removal of the two temporary signs presently in place along East 71st Street.

Comments & Discussion:

Chairman Parmele confirmed with the applicant his agreement to the Staff recommendation and the conditions listed.

TMAPC ACTION: 9 members present

On **MOTION** of **DRAUGHON**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Wilson, "absent") to **APPROVE** the **Minor Amendment and Detail Sign Plan** for **PUD 190-26**, as recommended by Staff.

* * * * *

PUD 176-1: NW/c of East 80th Street and South Yale Avenue

Staff Recommendation: Minor Amendment

PUD 176 is 32.4 acres in size and is located at the northwest corner of East 81st Street and South Yale Avenue. It has an underlying zoning of CS, RM-1 and RS-3. Development Area "B" which is the subject tract has been approved for 160 multi-family dwelling units. The applicant is now requesting a minor amendment of the required 60 foot setback from the centerline of South Yale Avenue to 24 feet to allow for promotional flags for the existing apartment complex. Review of the applicant's submitted plans and information indicate 6 flags measuring 3 feet by 5 feet and on 20 foot tall poles are now in place along Yale and East 80th Street. The flags have been in place for approximately two years. Notice of the amendment has been given to abutting property owners. A large permanent sign presently exists at this location identifying the apartment complex.

South Yale Avenue is designated as a 120 foot Primary Arterial with maps showing a full 30 feet of dedication from the centerline. Staff cannot support the location of the flags in the City right-of-way and would recommend the flags be relocated to a point off City property. Staff could support the flags as permitted by the Code (four times per year, 10 days per period) subject to the location off the right-of-way.

Therefore, Staff recommends DENIAL of the minor amendment as requested and **APPROVAL** subject to the provisions of the Zoning Code for promotional signs with said signs being placed in the same general location off the City right-of-way and a minimum distance of 60 feet from the centerline of South Yale in accordance with the Major Street and Highway Plan.

Comments & Discussion:

Mr. VanFossen inquired as to the status of flags of this nature city-wide. Mr. Frank advised that flags such as this were being cited, but they were permitted as promotional advertising. Chairman Parmele confirmed the applicant had no comments, as he was in agreement to the Staff recommendation.

TMAPC ACTION: 10 members present

On **MOTION** of VANFOSSEN, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Wilson, "absent")) to **APPROVE** the **Minor Amendment to PUD 176-1**, as recommended by Staff.

In regard to the Rules and Regulations Committee meeting scheduled to start at 2:45 p.m. this date, Mr. Frank commented that Mr. Murrel Wilmoth had advised there were some technical issues to be work out among the various agencies providing information on the septic system study. Therefore, the group will be getting back with the Commission at a later date. Mr. Paddock suggested rescheduling a follow-up meeting after April 1st, as he would be out of town until after that date.

There being no further business, the Chairman declared the meeting adjourned at 5:04 p.m.

Date Approved 3-25-87
[Signature]
Chairman

ATTEST:

[Signature]
Secretary

