

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1699
Wednesday, June 1, 1988, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes Coutant, Secretary Doherty Kempe, Chairman Paddock, 2nd Vice- Chairman Parmele, 1st Vice- Chairman Wilson Woodard	Draughon Harris Randle	Frank Gardner Setters Wilmoth	Jackere, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, May 31, 1988 at 10:04 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of the Minutes of May 18, 1988, Meeting #1697:

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Harris, Randle, "absent") to **APPROVE** the **Minutes of May 18, 1988, Meeting #1697**.

REPORTS:

Committee Reports:

Mr. Carnes advised the **Comprehensive Plan Committee** would be meeting at the conclusion of today's TMAPC meeting to continue discussions related to Staff support and the role of the District Planning Teams.

Mr. Parmele advised the **Budget & Work Program Committee** (BWP) had met this date to continue evaluation of the TMAPC work program. The BWP will be making a recommendation to the full Commission at next week's TMAPC meeting, and the budget and work program information would be distributed prior to that meeting.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Chartwell Place (PUD 388)(683) NW/c of East 71st & South Trenton (CS, OM, OL)

TAC Minutes:

The TAC reviewed a development on this tract as a "PUD Review" (not a plat) on 1/24/85, and based on the plot plan submitted at that time, made several comments, including:

- a) Access to be approved by Traffic Engineering.
- b) Recommended when plat is processed that a 3' area for fencing be shown in addition to the standard easements.
- c) There were no objections to the circulation, building layout or access.
- d) Reference to applicant's text regarding "private utilities" was to be deleted.
- e) Conceptual water and sewer lines shown on the plan were subject to change.
- f) On-site detention required, or 100 year storm drain to Joe Creek. PFPI required.
- g) No objections to the concept plan.

A revised plan was submitted to the Planning Commission on 2/20/85 and the PUD was approved on 3/6/85 subject to conditions. Since the revisions may or may not reflect the same information submitted on the plat as of this date (4/28/88) the Staff made the following recommendation:

1. We can review the plat at the TAC on 4/28/88, but until a revised plot plan and revised PUD is submitted, we can not transmit it to the Planning Commission for hearing.
2. It appears that a minor amendment may be necessary. Even though the allowable square footages may not change, the uses may. This is part of the PUD process and the plat should conform to any amendments thereto.

The Staff presented the plat with the applicant represented by Steve Wolf and Cindy Phillips.

Applicant requested elimination of the 17.5' utility easement along 71st Street, but this is not recommended. A reduction in the width of the easement on Trenton may be possible. Fire Department advised that the curves and turns at the northwest and west end of Lot 3 should meet turning radius for fire trucks. Applicants reviewed the project with the TAC, including possible plans to provide access between this project and Wal-Mart. TAC had no objection to that proposal, and noted that the plan would provide much better circulation for both developments. There were no objections to the concept. Staff advised applicant that plat would be forwarded to the Planning Commission when the necessary PUD plans are submitted.

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

Chartwell Place - Cont'd

1. Plat will be reviewed at this time and forwarded to the TMAPC with PUD plans, as per Staff advisory.
2. Utility easements shall meet the approval of the utilities. If underground plat is planned, coordinate with Subsurface Committee. (Five foot strip between 17.5' perimeter general utility easement and the 25' mutual access and utility easement may also need to be designated an easement if utilities need to cross.)
3. Additional dedication on Trenton should continue around the corner at 71st as a 30' radius (Subdivision Regulations).
4. All conditions of PUD 388 as amended (if necessary) shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Additional easement needed on west part of Lot 3.)
8. 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.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
10. 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.)
11. Access points shall be approved by Traffic Engineering (40' width on 71st - location, OK; "right-turn-only"; access to Trenton - OK on the north half of Lot 1, and/or Lot 3).
12. 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.
13. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
14. All Subdivision Regulations shall be met prior to release of final plat.

Chartwell Place - Cont'd

TMAPC Comments & Discussion:

Mr. Wilmoth noted that, as of 5/27/88, the applicant had not yet filed the necessary minor amendment to the PUD. Therefore, Staff recommended that this item be stricken from the TMAPC agenda and resubmitted when the PUD amendment was processed. Hearing no objection from the Commission, Chairman Kempe stated this would be stricken, as recommended by Staff.

Mr. Roy Johnsen, speaking on behalf of the applicant, appeared later in the meeting and requested the Commission reconsider and continue this item for three weeks.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Carnes, Coutant, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Draughon, Harris, Randle, "absent") to **CONTINUE Consideration of the Preliminary Plat for Chartwell Place until Wednesday, June 22, 1988 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.**

* * * * *

Woodhill (1583)

East 89th Street & South Kingston Avenue

(RS-2)

This subdivision is bounded on three sides by platted lots, with one access street (89th) and 330' of frontage on 91st Street. Staff was aware of two possible alternate designs the developer was considering, both of which have merits. One was a double cul-de-sac in about the north 2/3 of the tract, with a short cul from 91st Street, and the other plan is the one submitted. This review is based upon the plan as submitted by the developer.

The Staff presented the plat with the applicant represented by Jack Cox and Mr. Breedlove.

The City Engineer, as well as the Traffic Engineer and Fire Department, recommended that Kingston Avenue extend all the way through to 91st Street, thereby providing a second point of access and elimination of an over length cul-de-sac.

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

1. Final plat shall not be released until the zoning is approved by the City Commission. (TMAPC approved RS-2, 5/11/88, Z-6196.) If the City Commission has not approved the zoning application prior to 6/1/88, it is recommended the plat be continued until such time as the zoning application has been approved.

Woodhill - Cont'd

2. Staff has no objection to the 25' building lines shown on Lots 1 and 24, but this will require Board of Adjustment approval. Final plat shall not be released until variance in building line is approved by Board of Adjustment (BOA #14840).
3. Extend Kingston through to 91st, eliminating the cul-de-sac.
4. On face of plat show: (a) 35' building line parallel to 91st Street, (b) Identify South Joplin and South Lakewood Avenues.
5. Covenants:
 - a) Sect I, Para 1 2nd line... add..."designated on the plat as Reserves A & B"
 - b) Sect I, Para 19 Conflicts(?) with zoning code. Check: Side yard requirements are "5' one side and 10' other side". (Subject to BOA #14840)
 - c) Sect II, 1. (D) Could be combined with Section II, 3.
 - d) 1st pg, 5th para "storm sewers" omitted.
6. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
7. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for Water and Sewer facilities in covenants.
8. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
9. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
12. 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.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

Woodhill - Cont'd

14. 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.
15. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC Comments & Discussion:

Mr. Wilmoth reviewed the TAC minutes (above), and advised of an issue based on a later submittal of a letter from Charles Hardt, City Engineer, stating that they had no objection to the approval as submitted (with the double cul-de-sac) and Engineering did not want the tie into 91st Street. Chairman Kempe confirmed receipt of the letter from Mr. Hardt as mentioned above. Mr. Paddock commented he did not understand why the City had withdrawn its proposal to extend Kingston Avenue through to 91st Street. Mr. Wilmoth stated that the first submittal was initially reviewed by the various departments, but not officially. In further reply to Mr. Paddock, Mr. Wilmoth stated that he felt the reason for this was due to the fact that the developer's engineer had already done most of the engineering based upon the informal review.

For clarification and information purposes, Chairman Kempe read into the record the letter submitted by Mr. Hardt, City Engineer (5/27/88):

"The Engineering Department staff made a recommendation at TAC meeting to make a connection to 91st Street at Kingston Avenue. This request was made at my direction after conversation with adjoining neighbors concerning traffic problems and steep slopes. At the meeting I indicated my preference to the Kingston Avenue connection to 91st Street instead of a cul-de-sac at the bottom of a hill as proposed. I also stated that conditions were not severe enough to justify my intervening if the project was very far along.

Today, I met with Mr. Lindsay Perkins and Mr. Jack Cox and was informed that commitments for the sale of 16 of the lots has been obtained from builders based on the cul-de-sac configuration. Financing of the development has been obtained based on the sale of the lots and construction plans have been prepared. Also, the developer had a letter from Traffic Engineering stating that the cul-de-sac configuration would be recommended at TAC meeting.

In light of this information, I request the Engineering Department's TAC Committee recommendation be revised to reflect approval of the two cul-de-sacs on Kingston Avenue."

Applicant's Comments:

Mr. Jack Cox (7935 East 57th Street) advised two studies had been made on the subject tract; one with the street extending to 91st, and another with the cul-de-sacs. Mr. Cox stated these study plats were reviewed by the applicant before going to the various city agencies, and the Traffic Engineering Division (Mr. Eshelman) submitted a letter stating they would be "recommending that the double cul-de-sac plan be used...". However, at the TAC meeting, they changed their recommendation to Kingston going through to access on 91st Street.

Woodhill - Cont'd

<u>Interested Parties:</u>	<u>Address:</u>	
Mr. Steve Cropper	8934 South Lakewood	74137
Mr. Guy Spence	8935 South Lakewood	"
Mr. Ira L. Edwards, Jr.	8911 South Lakewood	"
Ms. Jean Shearer	8903 South Lakewood	"
Mr. Lindsey Perkins	4735 South Atlanta Place	74105
Mr. Clarence Oliver	8819 South Joplin	74137
Ms. Donna Cropper	8934 South Lakewood	"

Mr. Steve Cropper, speaking on behalf of the Woodhill Heights Homeowners Association, stated he was not taking issue with the proposed development or the developer, but he considered the issue to be with the only access being on 89th Street. He advised the Homeowners Association voted two to one against a single access, as they preferred a separate entrance on 91st Street over the double cul-de-sac plan. Mr. Cropper commented they were also curious as to why the City changed its mind with respect to an entrance on 91st Street. He interpreted the rescinding of their decision to be based upon the process being too far along as commitments had been made on 16 lots, financing, etc. Mr. Cropper submitted a question as to where the standards applied based on the technical merits which were enclosed with a recommendation from the City Engineer; or do "we" overlook these standards because of harm to the developer? Mr. Cropper stated that it was the position of the Homeowners Association that, if the needs were balanced upon the technical assessment, the recommendation submitted by the City Engineer reflects this. However, if the balance was between the interests of the developer and the existing homeowners based upon harm, he felt consideration should be given to the homeowners' investment in the Woodhill Heights community.

Mr. Guy Spence, a member of the Woodhill Heights Homeowners Association and an adjacent property owner, opposed the single access proposal. He, too, questioned why the standard guideline had been changed with regard to subdivisions of this type having two points of access. Mr. Spence stated concern as to traffic safety, as there were several children living in this area. He compared this situation to the three entrances on Sheridan (three blocks away), and reiterated his confusion as to why the standards could not be applied to this development. Therefore, he requested the TMAPC consider the impact to the neighborhood and asked that the guidelines be adhered to and not show an exception, thereby granting Kingston access to 91st Street so that Lakewood Avenue would not become a main thoroughfare.

In reply to Mr. Parmele, Mr. Wilmoth clarified that a waiver would be needed, regardless of which proposal was used, i.e. one for the spacing of less than 600' between street entrances, or one for an over length cul-de-sac. Mr. Paddock noted the letter from the City Engineer was written the day following the TAC meeting, in which the TAC voted unanimously for the extension to 91st Street. He further inquired as to the procedures involved and if the City Engineer, as a member of the TAC, was able to override the TAC recommendations. Mr. Wilmoth pointed out the City Engineer was over the Traffic Engineering Department and the

Engineering Department, however, the vote at the TAC is not taken agency by agency. Mr. Paddock asked why the TAC did not reassemble in committee since this was a committee consensus of technical experts. Mr. Wilmoth reiterated that the City Engineer was the supervisor of the Engineering Staff at the TAC meeting, and this staff was not necessarily the ones making the decisions. Mr. Paddock inquired as to the Subdivision Regulation requirements on this type of development and plat. Mr. Wilmoth stated that the minimum spacing of street as far as access onto 91st Street was recommended at 600' and he reiterated that a waiver would be required with either plan. Mr. Wilmoth pointed out that an emergency access on 91st was platted and provided; however, this access was based on a policy and not a written regulation.

Mr. Gardner stated a main point was that one was a policy and the other was a Subdivision Regulation. He commented that, although it might be an embarrassment, it appears the representative from the City Engineer's office did not look at that part of the Subdivision Regulations stipulating minor street intersections with arterials should be no closer than 600'. He continued by stating that a key consideration when considering the two waivers was the spacing of the streets which access on 91st Street. Mr. Parmele confirmed that the plan reviewed by the TAC was the same one submitted to the TMAPC which shows the double cul-de-sacs.

Mr. Ira Edwards, Jr. agreed with statements made by the other protestants. He advised he had attended a meeting with the City Engineer on May 19th where, in his opinion, Mr. Hardt: (1) was aware of the letter from the Traffic Engineer; (2) after review of the plat, indicated he would not approve the double cul-de-sac as he (Mr. Hardt) favored an entry on 91st Street; (3) was fully aware of the Subdivision Regulation, and discussed with him other waivers of the spacing regulation; and (4) after discussion regarding the steepness of the terrain in this area, Mr. Hardt indicated a negative response to the double cul-de-sac. Mr. Edwards further expressed his confusion as to why the City Engineer would change his decision on this matter. He advised of a meeting with the developer and the homeowners association before a plat was submitted where the developer had indicated that if the homeowners objected to the double cul-de-sac, then there would not be one. A vote was taken at that time showing opposition to the double cul-de-sac, and the developer was aware of this. Mr. Edwards expressed concerns as to the amount of traffic considering the number of children in the existing subdivisions.

Ms. Jean Shearer also agreed with the other interested parties, and stated her main concern was the safety of the children in the neighborhood. She commented that there was a lack of stop signs in the subdivision, which further added to the safety concerns. In reply to Mr. Paddock, Ms. Shearer pointed out where she lived in proximity to the subject development.

Mr. Lindsey Perkins, developer of the project, stated that he had hired his engineer (Cox and Associates) to look at the development possibilities for this tract. They submitted two proposals, both of which were preliminarily reviewed by the various City departments. The City indicated a preference for the two cul-de-sac plan, and from an engineering point of view, this was the best proposal due to the topography of the tract. Mr. Perkins advised he had met with the Woodhill Heights and the Woodhill Estates Homeowners Associations, and it was obvious at the Woodhill Heights meeting that there was a controversial issue to be discussed. He commented there were several people in attendance, including the president of the Association, who was in favor of the two cul-de-sac plan; however, the majority was opposed to this plan. Mr. Perkins advised that he did not make the statement he would change the plan if the Association was not in favor; what he did say was that if there was a firm decision on the part of the Association, then he would consider a change. However, at the end of the meeting, he informed them that, since this was a controversial issue, he would leave it up to the City.

The day following this meeting, he went to meet with Mr. Hardt, but Mr. Hardt was out of town and he asked to meet with someone on the staff. He did meet with Mr. Darryl French in the Traffic Engineering Department. Mr. French indicated that there was no question that the two cul-de-sac plan was preferable to the City due to the minimal traffic impact. Mr. French also indicated to them that, in his opinion, the safety considerations were overridden by the concern regarding the terrain, as he did not favor the close accesses on 91st Street. Mr. Perkins stated that, based on this discussion with Mr. French, he was convinced the proper approach was to go with the double cul-de-sac. One day before the TAC meeting, he learned that Mr. Hardt had had discussions with some of the homeowners, and might be changing his recommendation at the TAC meeting. Mr. Perkins commented he met with Mr. Hardt the day after the TAC meeting, where Mr. Hardt advised him that the only input he had was from the homeowners, and at that time he did not know about any of the background work done by Cox and Associates. Mr. Hardt expressed two main concerns to Mr. Perkins, one being ice and snow due to the severity of the hill on this ten acre tract. Mr. Perkins stated that he would provide a covenant that would require the homeowners association to set aside funds to address this concern. Mr. Hardt's second concern related to traffic in the Woodhill Heights area, and he acknowledged that this was not specifically due to the development of Woodhill, but related more to the development of the configuration and layout and engineering in general. Mr. Perkins stated that Mr. Hardt acknowledged that there were several additions being developed similar to this subdivision, unfortunately, he felt there were too many access streets going in as there would be others tied in at a later date. Mr. Perkins commented that he felt Mr. Hardt reversed the decision presented at the TAC, upon review of the background and facts, and because of the discussion and information provided to Mr. Hardt which he had not previously been aware of.

Woodhill - Cont'd

In reply to Mr. Paddock, Mr. Perkins clarified that the plats submitted were more than a sketch plat, in that they were engineered surveyed layouts. Mr. Paddock asked Mr. Perkins if it might be possible that he could have "jumped the gun a little" by selling some of the lots and obtaining financing before TMAPC approval of the preliminary plat. Mr. Perkins stated that, as an experienced developer, he followed his same procedure which was to discuss the proposal with the City agencies to obtain their recommendations before TAC and/or TMAPC review. He commented that if there was anything unfortunate that occurred he felt it was the "late date" change that took place two days prior to the TAC meeting.

To answer Ms. Wilson, Mr. Perkins explained that he had talked with Mr. French in the Traffic Engineer's office as Mr. Eshelman and Mr. Hardt were out of town. Mr. French advised him that he would get with Mr. Eshelman. Mr. Perkins stated he requested a letter from this department in order to have something to back up the work done by their engineers, and also to have something to take to the homeowners association to show that the way he was proceeding was the way the City preferred. Mr. Perkins submitted a copy of the letter from Mr. Eshelman dated May 5, 1988.

Mr. Perkins requested the Commission to direct a question to those in attendance from the Woodhill Heights Association to ask them if they were here today representing themselves or representing the Association. Mr. Perkins stated he had a discussion last night with the president of the Association who indicated the Association was not, as a body, going to take a position on this issue.

Mr. Clarence Oliver, representing the Woodhill Estates Homeowners Association, had a question as to drainage from this project which appeared would be going into a bar ditch in their subdivision. Chairman Kempe pointed out that one of the TAC conditions addressed drainage and stormwater concerns.

Ms. Donna Cropper reiterated that the vote at the homeowners association was ten to five against the double cul-de-sac proposal. She stated that, since the president of the association could not be present, her husband appeared on behalf of the association.

Review Session:

Mr. Doherty obtained information from Staff as to traffic counts in order to gauge traffic impact to better understand the Traffic Engineer's thinking on this. Chairman Kempe inquired if this was an unusual street configuration in a developing area. Mr. Wilmoth reviewed the plat as to the stub streets and the street configuration, as well as access points. He stated there was a good possibility for access streets in development to the east of this tract.

Woodhill - Cont'd

Mr. Carnes indicated he would be voting in favor of the double cul-de-sacs. Mr. Doherty confirmed there was a good chance the pattern would continue with accesses every 600' or 660'. Mr. Parmele commented that he felt one of the considerations of Traffic Engineering was the spacing of the streets on 91st Street due the possible increase in traffic during peak traffic hours. Therefore, he moved for approval of the preliminary plat for the double cul-de-sac, subject to the conditions as recommended by Staff except for condition #3 which shall be deleted.

In response to Ms. Wilson regarding waivers, Mr. Wilmoth clarified that, if approved as submitted, the cul-de-sac was slightly over length and would require a waiver. If approved for the 91st Street access, a waiver would be needed in regard to spacing requirements.

Mr. Paddock stated he was really torn in deciding this, as some things have happened that do not sound quite right. However, he stated he would be voting against the motion. Mr. Coutant commented he would be voting in favor of the motion, but he did not feel it should pass without commenting that this situation has been handled poorly. He suggested that when items come to the Commission from the TAC, that it come "with one voice, and not with some second guessing".

TMAPC ACTION: 8 members present

On MOTION of PARMELE, the TMAPC voted 6-2-0 (Carnes, Coutant, Doherty, Kempe, Parmele, Woodard, "aye"; Paddock, Wilson, "nay"; no "abstentions"; Draughon, Harris, Randle, "absent") to APPROVE the Preliminary Plat for Woodhill, granting a waiver on the over length cul-de-sac and subject to the conditions as recommended by the TAC and Staff, except for condition #3 which shall be deleted.

WAIVER REQUEST: Section 260

Z-6193, Z-6195 Terrace Drive (Tulsa Heart Ctr)(PUD 437)(793)

SE/c of 14th Place & South Utica

(CS, OL, P)

This has been reviewed as a "PUD Review" by the TAC on 10/29/87 as PUD 434 and on 3/10/88 as PUD 437, including Z-6193 and 6195. A copy of the minutes was provided with comments from the previous meetings. This application is the formal request to waive the platting requirement since the provisions of Section 260 can be met by the existing plat and recording the PUD conditions by separate instrument.

Roy Johnsen explained the project to the TAC, noting the changes that had been made since the previous reviews. Discussion took place regarding the amount of dedication existing on Utica, and it was generally agreed that there was 40' from centerline (50' being required by the Major Street Plan). Mr. Johnsen advised he would ask for a waiver of the requirement for an additional 10' of right-of-way, being consistent with the 40' from centerline approved by the TMAPC at 12th Street and Utica on PUD 432. Waiver was also requested on 15th Street which would require an additional 12' of right-of-way dedication.

The TAC, noting previous comments from Traffic and City Engineering that consistent with policy, no recommendation would be made for waiver of the Street Plan requirements.

Therefore, the TAC voted unanimously to recommend APPROVAL of the waiver of plat on PUD 437, Z-6193, and Z-6195 including right-of-way requirements on Utica and 15th Street and further noting that it is not the policy of the TAC to recommend waiver of Major Street Plan requirements, and that applicant was asking waiver of same, the specific requirements being listed as:

- a) Restrictive covenants to be filed by separate instrument, including PUD requirements and "landscape repair" information.
- b) Grading and drainage plan approval is required through the permit process.
- c) Dedicate an additional 10' of right-of-way on Utica as per Street Plan.
- d) Dedicate an additional 12' of right-of-way on 15th as per Street Plan.
- e) Provide 17.5' utility easement parallel to South Utica Avenue and East 15th Street.
- f) Planter boxes and lighting that extend into the right-of-way on 14th Place may require a license agreement with the City. Applicant advised to contact City for further recommendation.
- g) Access control agreement required for driveways as shown on plot plan. (Locations OK as shown)
- h) Provide 11' and 22' general utility easement through the north parking lot where sanitary sewer is located.
- i) Approval of PSO required regarding location of existing facilities and/or easements along the south side of the proposed expansion.

Terrace Drive Addition - Cont'd

Comments & Discussion:

Mr. Roy Johnsen, representing the applicant, stated general agreement with the Staff recommendation except for the utility easement requirement. He stated that 17.5' appeared to be excessive in this situation and compared this application to a similar application at South Utica and East 12th Street that was granted only a 10' utility easement.

Therefore, Mr. Paddock moved for approval of the Waiver Request to waive the Subdivision Regulations with respect to additional right-of-way on Utica Avenue and 15th Street (delete items 'c' and 'd'), plus amend item 'e' to require only a 10' utility easement.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **6-0-1** (Carnes, Kempe Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Coutant "abstaining"; Doherty, Draughon, Harris, Randle "absent") to **APPROVE** the **Waiver Request for Z-6193, Z-6196 Terrace Drive Addition (Tulsa Heart Center)**, deleting items 'c' and 'd' and subject to remaining conditions as recommended by the TAC and Staff, amending item 'e' to require a 10' utility easement.

* * * * *

Z-5613 (Unplatted)(2804)

13800 East Apache Street

(IM)

This is a request to waive plat on a 1.25 acre tract being the east 208' of the west 440' of the north 312' of the NW/4, NE/4, Section 28, T-20-N, R-14-E. It is part of a larger 7 acre tract that was zoned IM by Z-5613. Applicant is not proposing any use for the remainder of the tract at this time, so the request is only on the 1.25 acre tract with the new building. Staff and TAC had no objection to the request, provided the following conditions are met:

- a) Grading and drainage plan approval by Department of Stormwater Management through the permit process.
- b) Right-of-way dedication along Apache to meet Street Plan.
- c) Access limitation agreement, subject to approval of Traffic Engineering. (OK as per plan)
- d) Health Department approval as needed.
- e) Utility easements as recommended by utilities. (extensions if required 17.5' parallel to Apache and 11' along east side.)
- f) It should be understood that this is a partial waiver on the above zoning file. In the event the remainder of the tract is to be used, it should be platted, including this 1.25 acre tract, or as recommended at the time of platting the remaining 5.75 acres.

The applicant was not represented.

The TAC voted unanimously to recommend **approval**, subject to the conditions outlined by Staff and TAC.

Z-5613 (Unplatted) - Cont'd

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Coutant, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Draughon, Harris, Randle, "absent") to **APPROVE** the **Waiver Request for Z-5613 (Unplatted)**, subject to the conditions as recommended by the TAC and Staff.

* * * * *

BOA 14824, Z-4084 Villa Grove Heights #1 (2893) 4131 South Harvard (OL)

This is a request to waive plat on Lot 3, Block 1 of the above named subdivision. The BOA has approved a day care center in an existing building. No exterior improvements or major changes are contemplated. The plat requirements have also been waived on other lots along Harvard in this area. The underlying OL zoning, as well as the BOA case caused a plat requirement, so both are included in this request. Staff recommends **APPROVAL** since the property is already platted and nothing would be gained by a replat.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Coutant, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Draughon, Harris, Randle, "absent") to **APPROVE** the **Waiver Request for BOA 14824, Z-4084 Villa Grove Heights #1**, as recommended by the TAC and Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17047 (1194) Kelley
L-17048 (1392) Hockett

L-17049 (592) Lentz
L-17050 (3402) Grotto

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Coutant, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Draughon, Harris, Randle, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

OTHER BUSINESS:

PUD 179-B (Gooding):

Amended Detail Sign Plan
8518 East 71st Street South

Staff Recommendation:

Lot 8 of PUD 179-B has an area of approximately 3.1 acres and has an underlying zoning of OL and RS-3; commercial uses were permitted under the original PUD 179. The lot presently contains two commercial buildings with a total floor area of 35,00 square feet. The applicant is proposing to replace an existing wall sign for a tenant located in the east end of the easternmost building with a 105 square foot wall sign. Although wall sign standards were not addressed in the original PUD, the proposed sign would be within sign area controls typically placed upon PUD's. The total display surface area of all signs on these buildings would be approximately 1.5 square feet per linear foot of building wall.

Review of the applicant's submitted information shows existing and proposed signage to be consistent with the PUD Chapter of the Zoning Code and PUD 179.

Therefore, Staff recommends APPROVAL of the Amended Detail Sign Plan for PUD 179-B subject to the applicant's submitted sign elevation and information.

TMAPC ACTION: 7 members present

On MOTION of PADDOCK, the TMAPC voted 7-0-0 (Carnes, Coutant, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Draughon, Harris, Randle, "absent") to APPROVE the Amended Detail Sign Plan, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:54 p.m.

Date Approved June 15, 1988
Cherry Kempe
Chairman

ATTEST:

RBPaddock
Secretary

