

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1757
Wednesday, **August 16, 1989**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes, 2nd Vice Chairman	Randle	Dickey	Linker, Legal Counsel
Coutant		Gardner	
Doherty, Chairman		Matthews	
Draughon, Secretary		Setters	
Kempe		Stump	
Paddock		Wilmoth	
Parmelee			
Selph			
Wilson, 1st Vice Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 15, 1989 at 12:50 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:36 p.m.

MINUTES:

Approval of the Minutes of August 2, 1989, Meeting #1755:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmelee, Selph, Wilson, Woodard, "aye"; no "nays"; Kempe, "abstaining"; Randle, "absent") to **APPROVE** the **Minutes of August 2, 1989, Meeting #1755.**

REPORTS:

Committee Reports:

Comprehensive Plan Committee:

- a) Request to call a public hearing for September 20, 1989 to consider amendments to the District 2 Plan.

Ms. Dane Matthews, INCOG Staff, requested a one week continuance on setting the public hearing in order to allow time to review documents received from the Department of City Development in regard to the District 2 amendments. Hearing no objection, Chairman Doherty tabled this item for one week.

REPORTS: Committee - Cont

b) BRIEFING: The "Arterial Right-of-Way and Building Setback Study of Selected Arterial Streets". Ms. Carol Dickey, INCOG, presented the briefing and answered questions from the TMAPC members. Mr. Paddock confirmed the Comprehensive Plan Committee had referred some items of the study to the City and Traffic Engineer and TMATS for their recommendations, and Staff was awaiting their response before seeking a recommendation from the TMAPC. Mr. Paddock also complimented Staff on "a first class job" as he felt this was a very good and thorough study.

Rules & Regulations Committee: Mr. Paddock advised of a meeting this date, upon adjournment of the TMAPC meeting, to consider a recommendation to the TMAPC as relates to language for major/minor amendments to PUD's. He added the Committee was also continuing their review of Sign Code amendments.

Budget & Work Program Committee: Mr. Parmele advised an upcoming meeting will be schedule in September, following up on the information distributed by Staff on the work program and budget.

Director's Report:

Mr. Gardner advised the TMAPC was in receipt of a letter from the Mayor's office requesting a public hearing be set in regard to the major/minor amendment to PUD's issue, and Staff had prepared a notice establishing September 13, 1989 as the public hearing date, which did comply with the 60 day time limit requested by the Mayor. Chairman Doherty commented that he had met with Susan Savage just prior to this meeting and explained the difficulty the Rules & Regulations Committee and TMAPC members were having on this issue. Ms. Savage indicated that the 60 days (mentioned in the Mayor's letter) was not "set in concrete", as the Mayor preferred a good study or "product" rather than a hurried rush.

CONTINUANCE(S):

College Parke (PUD 306-6)(2083) 9300 Blk of So College Pl (RM-2, RM-1, RS-3)

On **MOTION** of **PADDOCK**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **CONTINUE Consideration of the Preliminary Plat for College Parke** until Wednesday, **September 6, 1989** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

* * * * *

PUD 306-6 Morris (Cox & Assoc)

East 92nd Street & South College Place

On **MOTION** of **PADDOCK**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **CONTINUE Consideration of the Minor Amendment & Detail Site Plan for PUD 306-6 Morris** until Wednesday, **August 23, 1989** at 1:30 p.m. In the City Commission Room, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Sweetbriar South (PUD 250-A)(1183)

East 79th St & So 77th E Ave (RS-3)

Staff advised this case was continued from July 19th, and recommended the item be stricken from agenda and reset after approval of the City Commission on the related PUD. Hearing no objection, the Chairman declared the item be stricken.

* * * * *

Pleasant View Estates Second (2114)

E 94th St N & N 134th E Ave (County RE)

This is the second phase of this development, which also includes one lot from the previous plat which is being resubdivided.

The Staff presented the plat with the applicant represented by Jack Finley at the TAC meeting.

Staff and Health Department advised applicant that percolation test results are required before Planning Commission review of the preliminary plat. If this has not been done before 7/19/89, the application will be continued for two weeks. (Health Dept. approval received prior to TMAPC meeting.)

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Pleasant View Estates Second, subject to the following conditions:

1. On face of plat correct number of lots from 5 to 6. Street names should be designated as "North" or "East". Show Pleasant View Estates on location map.

Pleasant View Estates Second - Cont

2. In covenants add the following paragraph, numbered as "22": THE OWNER SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENTS IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER OR SEWER MAINS, ELECTRIC, NATURAL GAS, COMMUNICATIONS OR TELEPHONE SERVICE.
3. 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.
4. Water plans shall be approved by Rural Water District #3 Rogers County, if required, prior to release of final plat.
5. 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).
6. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable), subject to criteria approved by the County Commission.
7. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
8. It is recommended that the developer coordinate with County 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. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
10. 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.
11. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval. (Core tests also required.)
12. The method of water supply and plans therefor, shall be approved by the City-County Health Department.
13. Change name of street from North 138th East Avenue to North 136th East Avenue.

Pleasant View Estates Second - Cont

14. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply. (Staff was advised by Owasso Planner that they had no objections or comments.)
15. 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.
16. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 10 members present

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the Preliminary Plat for Pleasant View Estates 2nd, subject to the conditions as recommended by the TAC and Staff.

* * * * *

Twin Mounds Estates (2272) So 28th W Ave & W 158th St S (AG - County)

This plat has a sketch plat approval by TAC and the TMAPC on 5/3/89. The County Board of Adjustment approved a variance to permit "zero frontage" since the interior roads and access to the plat are private. A copy of the minutes of the Planning Commission and the County Board of Adjustment were provided with staff comments in the margin.

The preliminary plat has been revised to show only five lots, but the sketch plat and the Board of Adjustment allowed seven. Should applicant wish to split the larger lots at a later date, Staff sees no objection as long as the total number of lots does not exceed seven as approved by the Board of Adjustment. This would require the usual lot split procedure. If more than seven lots were to be created applicant would have to file another Board of Adjustment application and present the reasons for requesting additional lots. (Staff included a provision covering this situation in the revised restrictive covenants.)

The Staff presented the plat with the applicant represented by Mike Mason.

Applicant was requesting that if possible, he would like to obtain a final approval on August 16th along with the preliminary approval. Staff noted that all release letters would have to be received on or prior to that date to receive the final approval. Also, City-County Health Department approval for the septic systems is required even before the preliminary plat can be approved.

Twin Mound Estates - Cont

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

1. A homeowners association or other means shall be provided for private maintenance of the roads. (This may be by separate instrument, referenced in the restrictive covenants on the plat.)
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines. (OG&E requested an additional easement between lots 1, 2, 6 and 7. An existing east/west line of poles may be relocated to this easement.)
3. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable), subject to criteria approved by the County Commission. (If required.)
4. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. **Percolation tests required prior to preliminary approval.**
5. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. This information is to be included in the restrictive covenants on plat.
6. The method of water supply and plans therefor, shall be approved by the City-County Health Department.
7. The restrictive covenants submitted have been revised by Staff to include the provisions of the Board of Adjustment relating to the private streets, surfacing, maintenance, etc. (Copy provided by Staff.) These revisions are a condition of approval of the preliminary plat.
8. 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.
9. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Staff advised that all letters had been received, the conditions have been met, and the plat was ready for preliminary and final approval.

TMAPC ACTION: 10 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the Preliminary and Final Plat for Twin Mounds Estates, subject to the conditions as recommended by TAC and Staff.

* * * * *

Jenks Southeast Campus (2883) SW/c of 101st & Yale (RM-2, RMO, RS-3, RS-2)

TAC Minutes (8/10/89):

This plat is being filed to satisfy the zoning (Z-5193 and Z-5839) and Board of Adjustment (15228) cases under Section 260 of the Zoning Code. A conceptual site plan has been submitted with this plat and is the same concept plan submitted to the Board of Adjustment. Although the Board of Adjustment hearing will not be scheduled until September 7, 1989, since there are some important planning considerations to make, this is being reviewed by Staff, TAC and Planning Commission prior to the public hearing for the school use. This will also provide some technical input and recommendations from the Planning Commission for the Board of Adjustment consideration.

The major concern of Staff is the lack of provisions for either termination or extension of the two stub streets into the southerly end of this tract. East 103rd Street on the west serves six lots and South Vandalia Avenue on the south serves a minimum of 22 lots on an overlength dead end street that was stubbed north to eventually intersect with 103rd Street and either extend on to South Yale or loop back to the west. Staff is more concerned with the extension of Vandalia because of the number of lots on that street and the length to 105th Street which is approximately 1200 feet. Several alternatives for these connections could be developed, but no suggestions and/or recommendations had been made by either the applicant or from TAC members.

Staff does note that the general layout of the school facilities is good, and buffering has been provided along the west side next to the single-family residences. The buses and parking have direct access only to the arterial streets and is located a good distance from the residences on the west and south.

The Staff presented the plat noting the applicant was not represented.

Mr. Vincent and Mr. Allred were present as "interested parties" and homeowners in the area.

There was considerable discussion regarding what to do about the two stub streets into the property from the south and west. Staff stated that from a good planning stand point, 103rd Street should be extended to Yale, with an intersection from South Vandalia, with single family development on both sides of the extended streets. (This affects approximately the south 300' of the property.) Traffic Engineering and City Engineering also emphasized the need for extending the streets for better circulation, utility service, and fire protection. Water and Sewer Department must have water lines looped to provide better service, as well as fire protection.

Jenks Southeast Campus - Cont

Staff advised that this was not PUD and any specific restrictions regarding fences, lighting, pedestrian traffic, etc. are all a part of the Board of Adjustment process. It was noted that if school use was not permitted in the south 300', then it would have to develop as single-family residential in the RS-2 District.

Mr. Allred and Mr. Vincent, homeowners in the area, expressed concern about the traffic and possibility of congestion caused by dropping off school children at the ends of the present streets, or on future extended streets. TAC recognized this problem, and again noted that if the two streets were extended with residential lots on both sides, then this would not enable direct access to the school grounds.

Staff stated that the Jenks School District had not consulted the Staff or TAC about any of the problems relating to this site, particularly the two stub streets. Had they inquired, at least some input could have been made prior to their acquisition of the site. (There was no one present for the school District at this meeting. They had been sent a copy of the plat and notice of the meeting date.)

In summary, since the use must be approved by the Board of Adjustment, and the stub street question must be resolved, it is felt that only SKETCH PLAT approval could be recommended, in order to submit the TAC recommendations to the TMAPC, but yet let the TAC have another review after the Board of Adjustment reviews the application for school use.

The TAC voted unanimously to recommend **approval** of the SKETCH PLAT of Jenks Southeast Campus, subject to the following conditions:

1. Provide for extension of East 103rd Street and South Vandalia Avenue for the reasons stated in the discussion documented in these minutes. [This condition was deleted by TMAPC action; see comments.]
2. Any construction over the existing pipelines crossing this property shall be approved by the owners of the pipelines. Care shall be taken to provide protection of the pipelines in accordance with the owners thereof. (Williams Pipeline has been sent a copy of the plat and notice of the meetings.) A release letter from the pipeline owners shall be a condition of approval before the final plat is approved.
3. Access points shall be approved by the Traffic Engineer. (Two additional access points are shown on the plat that are not utilized at this time according to the concept plan.)
4. On face of plat show Wexford and 103rd Street for references. Show a graphic scale. Show the 10' utility easement as 11'. (See also condition #6)
5. Any conditions imposed by the Board of Adjustment in the approval of the school use, applicable to a plat, shall be met or shown on plat prior to release of final plat.

Jenks Southeast Campus - Cont

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. Show ONG easement along South Yale. Show Book/Page reference.
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. (Significant fees will be required.)
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.
14. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
15. 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.
16. All (other) Subdivision Regulations shall be met prior to release of the final plat.

NOTE: Since this is for another public agency, it is recommended that the plat fees be waived for the Jenks School District. (This has been the customary procedure for previous public agency plats.)

Jenks Southeast Campus - Cont

TMAPC Comments & Discussion:

Mr. Wilmoth advised that, at 2:50 p.m. Friday, August 11th, the applicant's engineer advised they had discussed problems relating to the two stub streets into this tract, and that a memo was to be sent from Traffic Engineering outlining their recommendations. He stated the main point of contention appears to be with the outcome of 103rd and Vandalia Streets, which both access to the tract. Mr. Wilmoth commented the TAC recommended these street both be extended through, but he had recently received word that the Traffic Engineer was withdrawing their support of that recommendation, and he has not heard from any of the other agencies on the TAC. Mr. Paddock asked if any reservations had been expressed by the Fire Department representative, or any other city department, at the TAC meeting. Mr. Wilmoth replied that there were no negative comments expressed as it was fairly unanimous; however, the Traffic Engineer representative at the TAC was not the same one who wrote the letter withdrawing support.

Mr. Blaine Imel (5200 South Harvard, Suite 5E), architect for Jenks Schools, advised he has met with the neighborhood residents and no one expressed a desire to have 103rd Street or Vandalia come through this area. Mr. Imel also requested approval of the waiver of plat fees for the Jenks School District.

Mr. Howard Allred (4530 East 103rd) commented he was located immediately west of the subject tract, and was appearing on behalf of the residents in Sunset Estates. Mr. Allred requested approval of the plat as presented, with access only on 101st Street and Yale Avenue, as the residents objected to the opening of 103rd Street to Yale.

General discussion followed in regard to access within the subdivision to 101st Street and/or Yale Avenue.

Mr. Doug Vincent (10530 South Urbana), representing residents of Knollwood Estates and J.M. Reed Estates, stated these groups prefer the access to this tract to remain as is. He added they were also opposed to any openings on 103rd and/or Vandalia, and have forwarded this request to the school. He commented the residents were willing to give up the conveniences offered their children in order to avoid having the additional traffic in the neighborhood from those outside the subdivision who would drive down 103rd and/or Vandalia to drop off school children.

Mr. Carnes commented it appeared obvious that the school and neighborhood residents wished to keep the tract closed off at 103rd and Vandalia. Ms. Kempe suggested advising the BOA of comments submitted at this hearing by the interested parties that the fence be extended to close off 103rd Street and Vandalia Avenue to prohibit access. Therefore, Commissioner Selph moved for approval of the Staff recommendation with the deletion of condition #1 (which provided for extension of 103rd and Vandalia), and a suggestion to the BOA for consideration of a condition requiring extension of the fence along the south and west boundary of the tract.

Jenks Southeast Campus - Cont

Mr. Wilmoth reminded the TMAPC members the approval was for a sketch plat only and a waiver of fees (as is customary for schools).

TMAPC ACTION: 10 members present

On **MOTION** of SELPH, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the Sketch Plat for Jenks Southeast Campus, subject to the conditions as as recommended by the TAC and Staff, **EXCEPT** for condition #1 which is to be deleted; and **APPROVE** a waiver of fees (as is customary for schools). Further, the TMAPC suggests the BOA consider imposing a condition requiring extension of the fence along the south and west boundaries, as requested by the school and neighborhood residents.

REQUEST FOR WAIVER (Section 260):

Z-4147 Unplatted (983) West side of South Yale, south of 71st Street (OM)

This request also includes lot split L-17208 which will create two lots facing South Yale Avenue. No waivers of the Zoning Code are required since the lots meet the frontage requirements. No plans have been submitted for development at this time, but applicant desires to request waiver and the lot split in order to develop as soon as practical. Staff notes that this is over the 2.5 acre maximum size recommended for waiver of plat, but applicant has indicated that he is not requesting waiver of the Major Street Plan right-of-way requirement on South Yale. This action will enable the City to acquire the necessary rights-of-way for widening South Yale on to the south. The following shall apply:

- a) Dedicate 60' right-of-way from centerline of Yale in accordance with the Street Plan.
- b) Provide a 17.5' utility easement parallel to South Yale for utilities to move into, if needed, when Yale Avenue is widened. Provide other easements if required.
- c) Grading and drainage plan approval will be required for development in the permit process, subject to approval of Department of Stormwater Management.
- d) Access points subject to approval of Traffic Engineer. (Since access points are not known at this time, Traffic Engineering will required access limitation agreement at the time of development. Subject to approval of Traffic Engineering).
- e) Extension of any utility lines. (Sewer main extension may be required.)

Z-4147 Unplatted - Cont

Staff noted that Department of Stormwater Management had advised that they favor platting this property and are not supportive of a waiver. Reason was that **detention will be required along with drainage easements**. Other TAC members also noted that this tract is 5.88 acres, well **over the 2.5 acre maximum size** being the usual policy of the TAC and TMAPC for waiver of plat. All other tracts around this one have been platted, so it was the opinion of TAC this should also be platted to show the necessary detention and easements required.

The applicant was not represented.

For the record, Traffic Engineer noted that a future median on South Yale will result in "right-turn-only" for all access points. Also, if two lots are to be created, a "mutual access easement" also be shown on plat for any common driveways.

The TAC voted unanimously to recommend **DENIAL** of the waiver of plat on Z-4147 FOR THE REASONS STATED ABOVE, noting that the listed conditions or comments will apply to the subdivision plat when it is submitted.

Comments & Discussion:

Mr. Wilmoth advised that the recommendation for denial from the TAC was on the basis of the entire tract. However, the application has been amended to only the north 225' x 410' parcel. Although less opposed to a waiver of just this area, Staff would prefer to see a plat on the entire tract. Mr. Wilmoth added that, if the applicant had a user for this 225', then there was at least something to go on, as the big unknown remained the large tract to the south.

Mr. Bill Jones, representing Southern National Bank, commented that TAC looked at this application on the entire five acre tract, and he apologized for any confusion by separating this into smaller parcels, as he felt this would, in fact, create less confusion. He advised that Southern National has contracted with Liberty National, the owner of the entire tract south of the existing bank. Mr. Jones pointed out that once the 60' dedication was made on Yale Avenue, the parcel would be less than two acres. He added that the applicant would also be giving the necessary easements, and would be going through the Department of Stormwater Management (DSM) and Traffic Engineering.

Mr. Carnes moved for approval, subject to the conditions outlined by TAC, plus waiver of plat on the north 225'. Mr. Draughon objected to the motion as it appeared to him to "be a clever way to get around DSM requirements". He stated concern that, if the tract was divided a piece at a time, then proper drainage or detention would not be established.

Mr. Wilmoth advised that if the plat was waived, upon applying for a Building Permit, the plans would go to Building Inspections, then on for review by DSM and Traffic, etc. Therefore, the permitting process could accomplish the same results as the drainage easement on the plat.

Commissioner Selph stated that, as long as condition "c" was met, adequate grading and drainage would be imposed. Mr. Draughon reiterated his concerns with proper DSM action. Mr. Wilmoth suggested adding the words "including drainage easements" to condition "c", which addresses easements.

After continued discussion on drainage concerns, Ms. Kempe commented that it sounded as if the TMAPC was trying to do Stormwater Management's job, and she felt adequate conditions had been suggested by the TAC for the plat waiver, which was all the TMAPC was requested to act upon. Chairman Doherty asked if requiring a plat on this parcel involved anything different in terms of DSM than waiving the plat. Mr. Wilmoth replied there was no difference that he knew of since it was still required to go through the permit process.

Mr. Paddock suggested amending the main motion to insert the wording as recommended by Staff to condition "c" for easements. Mr. Linker pointed out that condition "b" had wording regarding easements, and he suggested additional wording to this condition instead of "c". Mr. Carnes amended his motion to include the additional wording to condition "b".

TMAPC ACTION: 10 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-1-0** (Carnes, Coutant, Doherty, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; Draughon, "nay"; no "abstentions"; Randle, "absent") to **APPROVE** the Waiver Request for Z-4147, as amended to the North 225', and subject to the conditions as recommended by the TAC and Staff, modifying condition "b" to read:

Provide a 17.5 utility easement parallel to South Yale for utilities to move into, if needed, when Yale Avenue is widened. Provide other easements, including drainage easements, if required.

* * * * *

CBOA 916 Unplatted (172) NW/c of E 131st St & S Elgin Ave (AG - County)

This is a request to waive plat for Southside Baptist Church of Jenks, now located on leased property about one block east of the new site. The church is moving from the leased property to property they are purchasing at the above site. The TAC reviewed and the TMAPC approved a waiver of plat on the old site on the leased land under CBOA #831 on 7/20/88.

The entire tract under application #916 is approximately 7.5 acres, but the first phase will be confined to approximately the south 2.5 acres. Since the first phase is within the guidelines of plat waiver policy (2.5 acres) Staff has no objection to a waiver, subject to the following:

CBOA 916 Unplatted - Cont

- a) Compliance with any special conditions of the County Board of Adjustment applicable to a plat and/or waiver.
- b) Plat waiver at this time is limited to the first phase construction. A plat may be required for further expansion, including the entire property.
- c) Health Department approval of the septic system.
- d) Provide 11' perimeter utility easement except on south side next to 131st, which should be 17.5'.
- e) Verify dedications for 131st Street and South Elgin. (If not dedicated this will be a requirement. 50' from centerline on 131st Street and 30' from centerline of Elgin.)
- f) Extension of any utilities needed to serve the tract if required.
- g) Provide access limitation agreement for no access to 131st as per County Engineer.

The applicant was represented by Bob Debolt.

The TAC voted unanimously to recommend **approval** of WAIVER OF PLAT on CBOA-916, subject to the conditions outlined by Staff and the Technical Advisory Committee, EXCEPT ITEMS "c" and "e" which have already been accomplished.

TMAPC ACTION: 10 members present

On **MOTION** of SELPH, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the Waiver Request for CBOA 916, subject to the conditions as recommended by the TAC and Staff, EXCEPT for conditions "c" and "e" which has already been met.

LOT SPLITS FOR WAIVER:

L-17209 Local America Bank (1593) 2602-2624 So Sheridan Rd (RM-2, CS,OL)

This split is to separate the three different uses already on Lot 1, Block 1, South Sheridan Manor Addition. Tract I has an existing office building, Tract II is an existing apartment complex and Tract III is an existing strip shopping center. There have been three previous splits on this lot as follows:

- 1) 10/18/67 #11630 (south 139.69')
- 2) 09/02/70 #12374 (east 176' of the north 300')
- 3) 07/07/89 #17203 (south 139.69' of the east 176')

L-17209 Local America Bank - Cont

All of these splits created tracts with actual frontage on South Sheridan with the rear (apartment complex) tract tied to one or more tracts in front for access to Sheridan. In actual use, there are three separate zonings with three separate uses, and it is desired to permit three separate ownerships. The rear lot (Tract II) which is the apartment complex, will require Board of Adjustment approval since it has no actual frontage on a dedicated street. Research by Staff shows it abuts both water & sewer lines, there are easements of record, either by plat or separate instrument, and there is recorded access at two points. (A third may also be provided at the SE corner.) Therefore, Staff recommends approval subject to the following:

- a) Board of Adjustment approval of frontage requirement to permit access by private easement.
- b) Adequate access to water & sewer lines subject to approval of Water and Sewer Department. (Check for recorded easements for water and sewer lines provide Book/Page references.)
- c) Provide 17.5' utility easement parallel to south Sheridan Road.

The applicant was not represented.

The TAC voted unanimously to recommend **approval** of L-17209, subject to the conditions outlined by Staff and the Technical Advisory Committee.

Comments & Discussion:

Mr. Wilmoth advised that condition "b" has been met. Due to a conflict of interest, Mr. Coutant stated he would not participate in the discussion of this case and would abstain from voting.

TMAPC ACTION: 10 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Randle, "absent") to **APPROVE L-17209 Local America Bank**, subject to the conditions as recommended by the TAC and Staff, except for condition "b" which has already been met.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17208 (983) Liberty Nat'l Bank/Jones	L-17213 (2083) El Capitan/Cox
L-17209 (1593) Local American Bank	L-17215 (3294) Crow-Lippe #2
L-17212 (2093) Wiggins	L-17216 (2003) Santa Fe Pacific

TMAPC ACTION: 10 members present

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-2** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Coutant, Draughon, "abstaining"; Randle, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

ZONING PUBLIC HEARING:

Application No.: PUD 105-A (Major Amendment) Present Zoning: CS
Applicant: Norman (Riverbend Dev Co) Proposed Zoning: Unchanged
Location: SW/c of East 81st Street & South Yorktown Avenue
Date of Hearing: August 16, 1989
Presentation to TMAPC by: Charles Norman, 2900 Mid Continent Tower (583-7571)

Staff Recommendation:

Major amendment PUD 105-A encompasses a 200' by 200' tract at the southwest corner of 81st Street and Yorktown Avenue. It is accompanied by a request for CS zoning on the east 90' of the tract (Z-6260) which was recommended for approval by TMAPC at their August 9, 1989 meeting. The tract is bordered on the east by a shopping center, zoned CS, to the north by vacant property zoned CO and AG, and to the west and south by vacant property zoned RM-1 and PUD 105.

The area included in this request is presently proposed for multifamily development under the provisions of PUD 105. The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area designates the subject tract Low Intensity - No Specific Land Use. The applicant is proposing CS types of uses which would not be in conformance with the Plan. The area is, however, likely to eventually be across 81st Street from Commercial development as well as being adjacent to a shopping center to the east across Yorktown Avenue.

After review of PUD 105-A, Staff finds the uses and intensities of uses proposed to be in harmony with the spirit and intent of the Code. Based upon the following conditions, Staff finds PUD 105-A 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 105-A 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:**

Land Area: .91 Acres 36,684 sf

(3) Permitted Uses: Use Units 11, 12 (but excluding Entertainment and/or Drinking Establishments), 13, 14, 16, and 21 (but excluding outdoor advertising); and accessory uses customarily incident to permitted principal uses.

Maximum Building Floor Area: 6,000 sf

Maximum Building Height: 22'

Off-Street Parking: As required by the applicable use unit of the Tulsa Zoning Code.

PUD 105-A (Major Amendment) - Cont

Minimum Building Setbacks:

from C/L of East 81st Street
Principal buildings 100'
Gas/service isle canopies 85'

from C/L of South Yorktown Ave
Principal buildings 50'
Gas/service isle canopies 50'

from west and south boundaries 20'

**Minimum Internal Landscaped
Open Space:**

A minimum of 7% of the net land area shall be improved as internal landscaped open space. Internal landscaped open space includes street frontage landscaped areas, parking island, yards and plazas, and pedestrian areas, but does not include any street R/W, parking, building or driveway areas.

Signs:

- a) One ground sign shall be permitted on the East 81st Street frontage with a maximum of 160 square feet of display surface area and 25' in height.
- b) Wall and canopy signs shall be permitted not to exceed two square feet of display surface area per lineal foot of building wall or canopy to which attached. The length of a tenant wall sign shall not exceed 75% of the frontage of the tenant space.

Lighting:

- a) Light standards shall be equipped with deflectors directing the light downward and away from the multi-family areas to the south side of South Yorktown Avenue.
- b) Building-mounted lights shall be directed downward and be hooded to prevent spillover lighting.

Screening: All trash, equipment and utility areas shall be screened from public view.

- 4) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify that all landscaping and screening fences have been installed in accordance with the approved landscape plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
- 5) That no Building Permits shall be issued within the Planned Unit Development until a Detail Site Plan which includes all buildings and required parking has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

PUD 105-A (Major Amendment) - Cont

- 6) No building permits shall be issued for erection of a sign in the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 7) That no Building Permits 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 City of Tulsa beneficiary to said Covenants.
- 8) The total permissible dwelling units in PUD 105 be reduced by 23 to 1,017.

Comments & Discussion:

Mr. Charles Norman, representing the applicant, stated agreement with the Staff recommendation except for two areas. Mr. Norman reviewed the background of development on the subject tract, including work done by Stormwater Management for drainage. He commented that the related zoning case and this PUD were requested in order to permit this project. At some point in the future when the parkway is completed, and the channel diverted back to south of the bingo parlor, Mr. Norman commented he would be able to submit to the TMAPC a total approach to the subject property, including vacation of some of the lots which have been restricted to drainage purposes.

In regard to the two areas for consideration, Mr. Norman requested the sign conditions be amended to add the proviso which has been approved in the other cases: "Provided that no more than three messages shall be displayed within a ten second period." He added that Detail Sign and Detail Site Plans will be submitted as soon as the City Commission takes action on the zoning and PUD. The second request involved condition #6, and Mr. Norman asked that this be limited to the imposition of restrictive covenants, in accord with the PUD, so the applicant would not be required to replat the property for this 200' x 200' tract.

In reply to Mr. Doherty, Mr. Norman advised the message sign would be limited to gas prices only, and he reiterated a Detail Sign Plan would be presented. Chairman Doherty commented that the sign issue might best be discussed at the time the Detail Sign Plan was submitted.

Discussion followed on replatting versus the restrictive covenants. Mr. Norman advised that Mr. Wilmoth had just indicated a plat waiver was already pending and would come before the TMAPC in the near future. Mr. Carnes then moved for approval per the Staff recommendation, plus early transmittal of the minutes as requested by the applicant.

TMAPC ACTION: 10 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Carnes, Coutant, Doherty, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Randle, "absent") to **APPROVE** the Major Amendment to PUD 105-A Norman (Riverbend Dev. Co.), as recommended by Staff.

OTHER BUSINESS:

PUD 417-B, Area C: Declaration of Covenants and Restrictions
SE/c of East 19th Street & South Wheeling Avenue

Staff Recommendation:

The applicant is requesting approval of the Declaration of Covenants and Restrictions which cover Lots 1 - 5, Block 2 and Lots 1 - 5, Block 3, Reddin Third Addition, being Area C of PUD 417-B. This area contains the parking facilities for this part of the St. John Medical Center complex. The Staff has reviewed the document and finds it to be in compliance with the conditions of the PUD. It is recommended that the document be APPROVED, subject to approval by the City Attorney as to format.

TMAPC ACTION: 10 members present

On MOTION of PADDOCK, the TMAPC voted 9-0-1 (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Randle, "absent") to APPROVE the Declaration of Covenants and Restrictions for PUD 417-B, Area C, as recommended by Staff and subject to approval by the City Attorney as to format.

* * * * *

PUD 446: Detail Landscape Plan
West of East 71st Street & South Memorial Drive

Staff Recommendation:

After review of the Detail Landscape Plan, Staff finds the type, size and location of the plant materials to be satisfactory but the proposal does not include the required "landscaped buffer area along the south and west boundaries" of the property. Therefore, Staff recommends DENIAL of the Detail Landscape Plan for PUD 446.

Comments & Discussion:

In reply to Ms. Kempe, Mr. Stump reviewed the PUD requirements for a "landscape buffer on the south and west boundaries", reiterating that this did not appear to be included in the Detail Landscape Plan. Mr. Coutant verified that the requirement for fencing (per TMAPC) was deleted at the City Commission hearing, but the landscaped buffer was retained.

Mr. Ron Percefull (11033 South Delaware), landscape architect for the applicant, stated he had no problem with providing the desired landscape buffer, but he was confused as to what exactly was required.

In reply to Mr. Carnes, Mr. Stump commented that Staff interpreted the required landscaped buffer on the south and west to be something along the lines of a hedge or bushes for barrier purposes, not for the express purpose of hiding the buildings. Discussion continued on the intended purpose of the landscape buffer and what would be adequate as far as materials. Mr. Paddock commented that it appears Staff feels this needs

PUD 446 Detail Landscape Plan - Cont

to be redesigned. Therefore, he would be in favor of a continuance to allow the landscape architect and Staff an opportunity to get together on a redesign.

Mr. Richard Voris (7121 South 77th East Avenue), a member of the Southeast Tulsa Homeowners Association, advised the residents would like to review the plans for the landscaping, detention pond, etc. He agreed additional plantings were needed on the south and west boundaries in order to provide an adequate visual buffer. In reply to Mr. Carnes, Mr. Voris agreed that a continuance would be in order.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Randle, Selph, Woodard, "absent") to **CONTINUE** Consideration of the Detail Landscape Plan for PUD 446 until Wednesday, September 6, 1989 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

* * * * *

PUD 306-5: Minor Amendment to Reduce the Required Side Yard
South Florence Place and East 91st Court South

Staff Recommendation:

The applicant is requesting a reduction in the required side yard for Lot 18, Block 1 of Woodside Village IV Addition from 10' to 7.3'. The encroachment is to allow a 12'10" wide breakfast nook. The amount of encroachment varies from 1.56' on the north end to 2.65' on the south end.

Due to the irregular shape of the lot and it's two frontages, Staff feels the lot is somewhat unusual. The extent of the encroachment appears to be relatively minor. Therefore, Staff finds the request to be minor in nature and consistent with the original PUD and recommends **APPROVAL** of minor amendment PUD 306-5 as requested.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Randle, Selph, Woodard, "absent") to **APPROVE** the Minor Amendment to PUD 306-5, as recommended by Staff.

* * * * *

PUD 410-A: Detail Site Plan for Area B
East of 36th Street & South Yale Avenue

Staff Recommendation:

The Detail Site Plan is for Area B of PUD 410-A and contains a private school for the handicapped. After review of the plan Staff finds the Detail Site Plan to be in conformance with the PUD conditions and therefore recommends **APPROVAL** of the Detail Site Plan for Area B of PUD 410-A.

Comments & Discussion:

Mr. Albert Tomassi (1132 South Braden), representing the church located on the adjacent tract, stated agreement to the proposal as submitted.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Randle, Selph, Woodard, "absent") to **APPROVE** the Detail Site Plan for Area B of PUD 410-A, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 3:40 p.m.

Date Approved 9/6/89
James K. Bobit
Chairman

ATTEST:
Maryann A. Nelson
Secretary *1st Vice Chair*

