

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1904
Wednesday, October 28, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Buerge	Gardner	Linker, Legal
Broussard	Selph	Hester	Counsel
Secretary		Matthews	
Carnes		Stump	
Doherty, Chairman		Wilmoth	
Horner			
Midget, Mayor's			
Designee			
Neely			
Parmeale, 1st Vice			
Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, October 27, 1992 at 12:01 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 1:35 p.m.

Minutes:

Approval of the minutes of October 7, 1992, Meeting No. 1902:

On **MOTION** of **WILSON**, the TMAPC voted **7-0-1** (Ballard, Broussard, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Buerge, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of October 7, 1992 Meeting No. 1902.

Approval of the minutes of October 13, 1992, Meeting No. 1903:

On **MOTION** of **WILSON**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of October 7, 1992 Meeting No. 1903.

REPORTS:

Report of Receipts and Deposits:

Mr. Gardner presented the Report of Receipts and Deposits and advised that all items were in order.

TMAPC Action; 8 members present:

On MOTION of BROUSSARD, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to APPROVE the Report of Receipts and Deposits for the month ended September 30, 1992.

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Chairman's Report:

Chairman Doherty announced the sign amendments to the Zoning Code will be before the City Council October 29, 1992. Chairman Doherty reported the recommendation from the Urban Development Committee was split, but follows the recommendations from the sign industry.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson reported the Budget and Work Program Committee reviewed the 1993 first quarter progress report. She announced that during this fiscal year the Comprehensive Plan Committee will be working on the 11th Street Study, District 1 Sector Plan, Blanket Zoning, Infill Study Phase II, Outer Loop and the Peoria Plan. Ms. Wilson advised that the Rules and Regulations Committee will be working on PUD Regulations and also on the Outer Loop.

Comprehensive Plan Committee

Mr. Neely announced the Comprehensive Plan Committee reviewed amendments to the Urban Renewal Plan, amendments to the Major Street and Highway Plan, and the Outer Loop Study. He reported these items will be on the November 4, 1992 agenda for public hearing.

Rules and Regulations Committee

Mr. Parmele reported the Rules and Regulations Committee reviewed amendments to the PUD Chapter of the Zoning Code. This item will be set for public hearing December 2, 1992. He reminded the Planning Commission of next week's Committee meeting over proposed changes to the Adult Entertainment amendments to the Zoning Code.

Director's Report:

Mr. Gardner reported on the Annual Planning and Zoning Conference that was held in Orlando, Florida, October 21-23, 1992.

SUBDIVISIONS:

PRELIMINARY PLAT:

Cloverdale (1193) (PD-5) (CD-5)
East 15th Street and S. 78th E. Avenue

(RS-3)

Staff Comments:

Background research:

This plat covers a tract of land that was included as PUD 326 and Z-4777. The zoning application was denied for RM-2 and PUD 326 was processed as a multifamily or patio type development. A plat was submitted titled St. Ives Colony which was to be processed along with the PUD. The TMAPC approved the PUD on 6/29/83 and the City Commission was to review on 8/16/83. No action was taken by the City Commission and no ordinance published, thus making the PUD application and plat of St. Ives Colony ineffective. The plat eventually expired and the subdivision file closed. The PUD or previous plat have no bearing on the present application which is based upon the existing RS-3 zoning.

The Staff presented the plat with the applicant represented by David Sanders.

TAC, in particular Traffic Engineering, noted that since the tract at the southwest corner of this plat had been split, this prevents extension of 18th Street. It would be recommended that the plat show LNA at the back of Lots 13 and 14, Block 1.

On MOTION of EDWARDS, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY plat of Cloverdale, subject to the following conditions:

1. On the face of plat show number of lots and acres under the location map.
2. Plat is drawn at a 1"=50' scale which will require a waiver of the subdivision regulations requiring 1"=100'. (Approval of scale recommended.)
3. East 16th Court is not overlength, but will require paving radius of 45' as per Fire Department regulations. (See Fire Department for requirements.) Provide additional easement as needed.)
4. Staff recommends No Access to 15th Street from Lot 1, Block 1, thus making 15th Street a "side yard". Omit the "25' Building Line" and show "17.5' Utility Easement and Building Line". (Subject to approval of Traffic Engineering.) (Show LNA at the end of 18th Street)

5. Deed of Dedication and Covenants:

a) Show legal description also as a "metes and bounds" description matching the distances and bearings on face of plat.

b) Add under SECTION I after LNA:

4. "OWNER RESPONSIBILITY WITHIN EASEMENTS" The owner of each lot shall be responsible for the repair or damage to landscaping and paving occasioned by necessary maintenance of underground water, sewer, storm sewer, gas, communications, cable television, or electric facilities within the utility easements depicted on the accompanying plat; provided however, the City of Tulsa or the supplier of the utility service shall use reasonable care in the performance of such activities.

6. NOT A CONDITION FOR APPROVAL OF PLAT, BUT ONLY AN OBSERVATION BY STAFF. Developer should make sure that any proposed homes will be able to meet the RS-3 zoning setbacks. Since some of the lots are irregularly shaped, they may present some unique problems in site plan layout.
7. 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.
8. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
9. 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 owners(s) of the lot(s).
10. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (Show existing sanitary sewer easement.)
11. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).

13. Street names shall be approved by the Department of Public Works and shown on plat as recommended.
14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.)
15. 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.
16. 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. If plugged provide plugging records.
17. 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.
18. All (other) Subdivision Regulations shall be met prior to release of final plat.

Interested Parties

Adolf Johannsen

1803 S. 77th E. Ave. 74112

Mr. Johannsen expressed concern over adequate sewage and drainage systems for the proposed development. He questioned the effect high density housing expected to be built will have on property values and increased traffic generated in the neighborhood. Mr. Johannsen's property borders the southwest corner of the proposed development where 18th Street ends and questioned whether this area will be fenced or if access will be allowed through.

Chairman Doherty responded to Mr. Johannsen's questions.

Mr. Wilmoth advised there will be no vehicular traffic permitted on East 18th Street to South 77th East Avenue.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to APPROVE the Preliminary Plat for Cloverdale subject to Staff conditions and WAIVE the subdivision regulations to permit a 1"=50' scale.

* * * * *

Staff Comments

The TMAPC approved RS-1 zoning on this tract on 9/16/92 and it is pending review and approval of the City Council. Plat will not be transmitted to TMAPC until City Council has approved the zoning. (Z-6369)

***Note regarding the building lines:**

Applicants had asked for RS-2 zoning only for the purpose of permitting a 30' front building line. All lots are over 13,500 sq. ft. which is the RS-1 minimum. The Planning Commission can not approve a "conditional zoning" so the recommendation to the City Council is for RS-1 zoning which requires a 35' front building line.

In the event that the Zoning Ordinances are changed to provide other alternatives such as a 30' building line by exception, then this would be permitted on the plat. However, the plat should reflect the proper building lines at the time it is filed of record, and comply with all the ordinances in effect on the date of filing.

The Staff presented the plat with the applicant represented by Phil Smith.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY** plat of Lexington, subject to the following conditions:

- *1. Show 35' building lines on plat in accordance with the proposed RS-1 zoning unless other standards are approved at the time of filing the final plat. (The building line on Yale should be 35' in accordance with the Zoning Code for setbacks from an arterial street. There is no anticipated change in setbacks from arterials.) The 35' building line should extend across the Reserve area also.
2. Provide an access point to Reserve A from Yale unless otherwise directed by the The Department of Public Works.
3. If the large easement on Lots 2, 3 & 4, Block 4, is specifically for drainage or a combination of utility & drainage, indicate same on plat to the satisfaction of the Department of Public Works and the utilities.
4. Identify S. Sandusky Avenue and E. 111th Street S. on Twelve Oaks to the west. Correct S.T.R. under Title Block to show T-18-N.
5. Deed of Dedication and Covenants:
Section I - A:
Omit reference to private streets in line 5
Section I - B-2: Typo, first line

Section I - G: Reference made to landscaping and sign easements (not shown on face of plat)?

Section III should be labeled Section II, etc....

Section II - 5: Add: "Garages having access on a side street with a 15' building line shall be set back a minimum distance of 20 feet."

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 section line.)
7. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
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 owners(s) of the lot(s).
9. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
10. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
12. Street names shall be approved by the Department of Public Works.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works. Show 20' maintenance access to detention pond, or other provisions as recommended by the Department of Public Works.
14. It is recommended that the developer coordinate with the Department of Public Works 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.)
15. 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.

16. 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. If plugged, provide plugging records.
17. The Zoning Application Z-6369 shall be approved and the ordinance or resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
18. 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.
19. All (other) Subdivision Regulations shall be met prior to release of final plat.

City Council approved RS-1 zoning, 10/8/92.

TMAPC Comments

Mr. Neely inquired of future plans for the unplatted section to the north of this tract.

Mr. Wilmoth advised the tract is currently zoned AG, but he has no information as to future plans.

Mr. Gardner noted the northeast corner has been platted for a single-family subdivision and detention is planned at the northeast corner.

Mr. Neely expressed concern over the only access to that property being off Yale or 111th Streets.

Mr. Wilmoth explained the dimension to the centerline of 111th Street is 330' so the depth is enough to put three cul-de-sacs coming off 111th Street. Most of 111th Street west of Yale, has been removed from the Street Plan as an arterial except at the intersection.

Interested Parties

Don Blaser, Chairman	4610 E. 118th St	74137
Brittany Estates Homeowners Association		
J. Park Coffey	4609 E. 119th St.	74137
Toby Armellini	11151 S Sandusky	74137
JoAnn Schultz	11175 S. Sandusky	74137

The above-listed individuals expressed the following concerns:

Area residents expressed concern over problems of increased erosion and silt deposition near Yale Avenue from 116th Street to 121st Streets this development will cause. Soil in the area is composed of fine sand.

Residents suggested delay of development until the City completes work on drainage on Yale from 116th Street to the Arkansas River.

It was suggested the developer pipe runoff water from the development to the Arkansas River. This requirement has been made of property on the northeast corner of 111th and Yale.

It was suggested the developer be required to retain all silt from the stripped land during development. This could be done by building the retention pond before the land is stripped.

Concerns over sufficient storm water retention for residents to the west side of this development were expressed.

One individual expressed concern over the dead-end street at 113th and South Sandusky being opened up to the new development. (Staff advised that Sandusky/113th Street was not intended to be a cul-de-sac, but is a "stub-out" for future development.)

Concerns were also expressed over construction traffic using residential streets and perhaps using private driveways for a turn-around thereby causing damage to their property.

One resident suggested postponing the proposed development until the water runoff problem can be resolved.

Applicant's Comments

Greg Breedlove

2217 E. Skelly Dr.

Mr. Breedlove, representative of the Wexford Development Group, advised this is a preliminary plat and they are going through the initial stages of the planning process. They are presently working on storm sewer plans. These plans have not yet been approved by the City. Mr. Breedlove acknowledged the developers are also very concerned over silt in the area. He declared they consider it their responsibility to keep it on the project and will be taking all precautions possible to accomplish this. Mr. Breedlove conveyed the developers intention to first build the detention areas before other construction takes place.

Chairman Doherty explained that the Planning Commission is merely approving the preliminary plat, although it is important to understand there are drainage problems. Chairman Doherty suggested interested parties confer with Mr. Breedlove and contact Stormwater Management to become involved in this process.

Ms. Wilson suggested Staff transmit a copy of the minutes to Stormwater Management to convey area residents' concerns.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Midget, Selph "absent") to APPROVE the Preliminary Plat for Lexington as recommended by Staff and that the plat's building lines comply with zoning requirements as they exist at the time of Final Plat approval.

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WAIVER REQUEST; Section 213: including L-17586

Z-5746 Stonebraker Heights (1292) (PD-7) (CD-2)
1510-1512 S. Denver Ave.

OL

Staff Comments

This is a dual request, which includes lot-split #17586 which will adjust the boundaries within Lots 2 & 3 to provide the necessary parking on adjacent Lots 1 and 4, all in Block 4 of the above captioned subdivision. The plat requirement on Lots 1 & 2 and 5 & 6 in this block have been waived by the TMAPC. Only Lots 3 & 4 are still "subject to a plat". Applicant is requesting a waiver of the Subdivision Regulations requiring conformance with the Street Plan, since additional right-of-way would encroach within the existing buildings on this street. (Drawings were provided showing the existing buildings approximately 45' from centerline)

South Denver in this location is on the Street Plan for 100' of right-of-way and only 60' exists. Other waivers have been granted in this area, but the TAC has been consistent in not recommending waiver of the Street Plan. The TMAPC has waived additional requirement for right-of-way in all plat waivers processed on S. Denver between the Inner Dispersal Loop and Riverside Drive. A small bit of right-of-way was obtained by a replat at the corner of Denver and Riverside Drive and a ten foot strip along Denver when QuikTrip relocated at the northeast corner of 15th. That block was replatted as D-Lanco Addition. There have been at least eight plat waivers and approximately 21 parcels rezoned on S. Denver since 1970. Some of those 21 are still "subject to plat" and others are being used as they were when rezoned and no applications for occupancy permits and/or building permits were requested, therefore, no "plat waiver" applications were made.

The applicant was represented by Kathy Grant.

Applicant advised that this request was only to divide the property so that each building had its required parking "on site". No new construction is proposed and the parking lots and buildings are existing.

On MOTION of DIXON, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the waiver of plat and

L-17586, noting that no recommendation was made to waive the subdivision regulations requiring conformance with the major Street Plan right-of-way on Denver.

*Board of Adjustment approved variance of lot frontage to permit the Lot-split as requested. Case #16141, 10-13-92.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 6-0-1 (Broussard, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Ballard, Buerge, Midget, Selph "absent") to APPROVE the Waiver Request for Z-5746 as recommended by Staff and WAIVE the Subdivision Regulations requiring conformance with the Street Plan per Staff recommendations.

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ACCESS CHANGE ON RECORDED PLAT:

Labarge Addition (394) (PD-17) (CD-6)
15714 E. Admiral Place

IL, SR

Staff Comments

Mr. Wilmoth advised this involves lot split #17612, which is a prior approval since it meets the code. One additional access point is being added to a frontage of over 500'. Department of Public Works (Traffic) has approved this change and Staff also recommends approval.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Midget, Selph "absent") to APPROVE Access Change of Recorded Plat as recommended by Staff.

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LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- L-17606 Gibson (1194) (PD-17) (CD-6) RS-1
S/side 14th St., W. of 177th E. Ave.
- L-17607 Hurst (2814) (PD-15) (County) 13401 E. 79th St. N. RE
- L-17611 Keith (3224) (PD-14) (County) 12614 N. 129th E. Ave. AG
- L-17612 Jones Truck (394) (PD-17) (CD-6) 15714 E. Admiral Pl. IL,SR
- L-17614 Thrifty Rent-a-Car (2593) (PD-17) (CD-5) 5330 East 31st St. IL

Staff Comments

Mr. Wilmoth advised Staff recommends approval of the above-listed lot splits.

TMAPC Action; 7 members present:

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Midget, Selph "absent") to RATIFY the above listed lot splits having received prior approval.

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COMPREHENSIVE PLAN PUBLIC HEARING:

Chairman Doherty announced this public hearing is to consider amending the District 4 Plan Map and Text a part of the Comprehensive Plan for the Tulsa Metropolitan Area to incorporate provisions of the 11th Street Corridor Study, Phase I.

Staff Comments

Ms. Matthews gave a detailed explanation of the history and finds of the 11th Street Corridor Study and detailed the area involved.

Interested Parties

Dave Strader, President 812 S. Quincy 74120
Central Park Neighborhood Association

Mr. Strader, who has participated in this planning process, declared those working on the Study have worked to rid the area of prostitution and obtain CDBG money and Capital Improvement Projects. He said they are experiencing a transition in the area. Mr. Strader urged the Planning Commission to approve this Study.

Lorenda Stetler, Treasurer 1018 S. Rockford 74120
Central Park Neighborhood Association

Ms. Stetler echoed Mr. Strader's statements and commented on the changes she has seen this area go through. Ms. Stetler also urged the Planning Commission to approve this Study.

Don Lawson, ONG Representative

Mr. Lawson commended the Study; however, he stated ONG can no longer purchase below-ground meters and asked that reference to them be deleted from the Comprehensive Plan. Mr. Lawson advised ONG is not able to place high pressure gas meters too near a structure.

Ms. Matthews declared the residents feel very strongly that they do not want gas meters in the middle of their front yards. Ms. Matthews advised the meter placement is part of a piece of legislation Representative Russ Roach introduced several years ago, specifically to protect developments in Swan Lake. The Study does not specify that the gas meters need to be underground, but it is

the residents' understanding that ONG is required to work with the property owner to arrive at a mutually agreeable location.

TMAPC Comments

Ms. Wilson commented that this is an excellent Study and the Planning Commission has encouraged more planning to address problems such as this Study has. Ms. Wilson declared this Study is forward looking and can be used in the future to revitalize the area, especially neighborhoods close to downtown.

TMAPC Action; 8 members present:

On MOTION of WILSON, the TMAPC voted 8-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph "absent") to AMMEND the District 4 Plan Map and Text a part of the Comprehensive Plan for the Tulsa Metropolitan Area to incorporate provisions of the 11th Street Corridor Study, Phase I.

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CONTINUED ZONING PUBLIC HEARING:

ZONING PUBLIC HEARING

Application No.: Z-6363 Present Zoning: AG
Applicant: Pittman-Poe & Assoc., Inc. Proposed Zoning: RE
Location: Southwest corner of S. Sheridan Road & E. 131st Street

Chairman Doherty announced the applicant is requesting a continuance to December 9, 1992.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to CONTINUE Z-6363 to December 9, 1992.

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ZONING PUBLIC HEARING

Application No.: PUD 490
Applicant: Tim Terral
Location: Southwest corner of S. Sheridan Road & E. 131st Street

Chairman Doherty announced the applicant is requesting a continuance to December 9, 1992.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to CONTINUE PUD-490 to December 9, 1992.

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ZONING PUBLIC HEARING

Application No.: Z-5956-SP-1 Present Zoning: Corridor Site Plan
Applicant: Mohammad S. Qureshi Proposed Use: Convenience Store
Location: Southeast corner of 61st Street South and 107th East Avenue
Date of Hearing: October 28, 1992
Presentation to TMAPC: Jack Spradling

Staff Comments

The proposed site plan is for a convenience store with gasoline sales at the southeast corner of 61st Street South and 107th East Avenue. The Technical Advisory Committee reviewed this site plan and found that the access proposed onto 107th East Avenue was unsafe and inappropriate for a primary access to a convenience store due to the sharp curve and close proximity to 61st Street. Since corridor development is required to have its principal access from internal collector service streets and this proposed site plan has none considered acceptable by City Traffic Engineering, Staff recommends DENIAL of the corridor site plan as an inappropriate use for this site and not in compliance with the Corridor Chapter.

TMAPC Comments

Mr. Parmele asked if it would be possible for the applicant to reconfigure the site plan for access which would be acceptable.

Mr. Stump advised the applicant would have to develop a larger portion of the site and build a new collector street coming off of 61st Street.

Applicant's Comments

Jack Spradling 1660 E. 71st Street 74136
Mr. Spradling, Engineer for the applicant, acknowledged the corridor zoning requires access from a collector street, and noted 107th Street serves that purpose. Mr. Spradling pointed out that four subdivisions have been developed around this tract and noted that no access points were required to stub to this ten-acre tract and, therefore, the tract is isolated. Mr. Spradling acknowledged some type of street needs to be developed to the east of the stream; however, anything done will result in a dead-end street. Mr. Spradling advised to access the corner would require a major structure across the stream and would severely limit the value or use of the property. He is suggesting instead access onto 107th

Street, which would meet the collector requirements. Mr. Spradling acknowledged the unsafe conditions of the intersections, but there is no other way to gain access to the property. He is requesting access off 107th Street and then isolate this tract from the balance of the tract so no other traffic can be involved. The only traffic onto and off of 107th Street would be for this use only. As the balance of the ten acres is developed, a collector or another type street would come down on the east side of the creek and serve the remainder of the property. The applicant is requesting access onto 107th Street as part of the site plan.

Interested Parties

Marge Ward

7506 E. 88th Place 74133

Manager, Southboard Apartment

Ms. Ward expressed concern over increased traffic the proposed convenience store would add to an already-overburdened and dangerous intersection. Ms. Ward pointed out this area is primarily residential and voiced concern over the character of this tract.

Applicant's Rebuttal

Mr. Spradling acknowledged the high density residential development in the area. He does not anticipate a lot of traffic ingressing and egressing 61st Street. The only potential customers entering from 107th Street would be residents in the area.

TMAPC Review Session

Mr. Parmele asked where a collector could be constructed.

Mr. Stump advised there is room on the eastern side of the property. He advised that the corridor district by right does not allow commercial activity. Unless major investments are made to increase the accessibility of this tract, it is inappropriate for commercial activity because of its lack of safe access.

Mr. Parmele pointed out that in part, the City and State have imposed this poor access by requiring through design guidelines of the expressway system. By doing this they have imposed an additional hardship on this property owner that limits his access.

Mr. Stump pointed out if the state had not relocated 107th Street to the east, the collector street would not even touch this property and the owner would only have the 61st Street access.

Mr. Gardner noted the problem is lack of left turn access. This site basically only has right turn access and commercial sites need both access.

There was discussion among the Planning Commissioners declaring a convenience store is a large trip generator, and in this instance would generate too much traffic for the access that is available, whereas an office would generate fewer trips.

Mr. Parmele declared having a problem with design of use for the reason given, lack of access.

In response to a question from Mr. Carnes, Mr. Spradling replied they have tried to determine other ways to use the land and other means of access that is feasible. He stated that corridor does not guarantee commercial use; commercial use is acceptable in corridor zoning, and this is a way of making a small, isolated piece of property work. Mr. Spradling feels an office building could not be placed on this site because of the creek and flood plain.

Chairman Doherty expressed concern over going against Traffic Engineering's recommendation, considering the amount of traffic a convenience store generates.

Mr. Parmele advised that he believes the use at this location is appropriate with the amount of traffic on 61st Street and the amount of traffic coming off the expressway. He strongly believes the property owner is being penalized for a condition imposed upon him by action of the City and State in moving 107th Street. He feels that the Planning Commission may be able to approve the use and work with the access, but hates to deny it and will oppose the motion.

TMAPC Action; 8 members present:

On MOTION of WILSON, the TMAPC voted 7-1-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; Parmele "nay"; no "abstentions"; Ballard, Buerge, Selph "absent") to DENY Z-5956-SP-1.

Legal Description

The North 275' of the West 120' of the East Half of the East Half of the Northwest Quarter of the Northeast Quarter, otherwise described as the East Half of the East Half of Lot 2, in Section 6, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma according to the U.S. Government Survey thereof Less and Except the North 75' thereof.

* * * * *

ZONING PUBLIC HEARING:

Chairman Doherty announced this public hearing is for the Zoning text amendments for City of Tulsa and Tulsa County to allow reduction of the required front yard up to 5' in RE and RS Districts by Special Exception rather than by variance and other amendments to Section 403 Table 3.

Mr. Parmele reported the Rules and Regulations Committee recommendation was to approve this amendment as submitted by Staff.

There were no interested parties present.

SECTION 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS

A. Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts

Table 3
Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts

	RE	RS-1	RS-2	RS-3	RS-4	RD	RT	RM-0	RM-1	RM-2	RM-3
LOT WIDTH (Min. Ft.)											
Single-Family Dwelling	150	100	75	60	50	60	60	60	60	60	60
Duplex Dwelling						60	60	60	60	60	60
Multifamily Development								100	100	50	100
LOT AREA (Min. SF)											
Single-Family Dwelling	22,500	13,500	9,000	6,900	5,500	6,900	6,900	6,900	6,000	6,000	6,000
Duplex Dwelling						6,900	6,900	6,900	6,900	6,900	6,000
Multifamily Development								10,000	10,000	6,000	24,000
LAND AREA PER D.U. (Min. SF)											
Single-Family Dwelling	26,250	16,000	10,875	8,400	6,750	8,400	8,400	7,500	7,500	7,500	7,500
Duplex Dwelling						4,200	4,200	4,200	4,200	4,200	4,200
Multifamily Development											
Less than two bedrooms								2,800	1,700	1,200	500
Two or more bedrooms								3,600	2,200	1,400	500
TOWNHOUSE DEVELOPMENT											
Development Width (Min. Ft.)							70	70	70	70	70
Lot Width (Min. Ft.)							20	20	20	20	20
Lot Area (Min. SF)							1,600	1,600	1,600	1,600	1,600
Land Area (of Development) per D.U. (Min. SF)							4,200	3,600	2,200	2,200	2,200
STRUCTURE HEIGHT (Max. Ft.)											
	35	35	35	35	35	35	35	35	35	35	NA
LIVABILITY SPACE PER D.U. (Min. SF)											
	12,000	7,000	5,000	4,000	2,500	2,000	1,200	1,200	600	200	NA
FRONT YARD AND ANY YARD ABUTTING A PUBLIC STREET:											
Measured from the centerline of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan, or 25 feet if the street is not designated on the Major Street Plan: (Min. Ft.)											
Arterial or Freeway Service Road	35	35	35	35	35	35	35	35	35	35	35
Not an Arterial	35	35	30	25	20	25	10	25	25	10	25
REAR YARDS (Min. Ft.)											
	25	25	25	20	20	20	20	20	20	10	25
SIDE YARDS (Min. Ft.)											
One side yard	15	10	10	5	5	5	5	10	10	10	25
Other side yard	15	5	5	5	5	5	5	10	10	10	25

1. Other Bulk and Area Requirements

- a. In the RM-0 and RM-1 District, a one-story limitation shall apply to structures containing more than three (3) dwelling units which are within 50 feet of an adjoining RE or RS District.
- b. A minimum of three (3) townhouse lots is required for a townhouse development.
- c. Required livability space within a townhouse development shall be provided on each townhouse lot, or may be provided in common areas within the townhouse development as designated on the recorded subdivision plat.
- d. When a lot or portion of a lot abuts a cul-de-sac having a radius greater than 25 feet, or when a lot or portion of a lot abuts a nonarterial street right-of-way which exceeds 50 feet in width, the setback distance designated in the column to the right shall be measured from the property line.
- e. When a single-family or duplex lot abuts a non-arterial street right-of-way on two sides, the owner may select the front yard and the other yard abutting the non-arterial public street shall not be less than 15 feet; provided that garages which access this street shall be setback a minimum of 20 feet.
- f. Side yards shall not apply to interior lot lines of townhouse developments.
- g. Front yard requirements in the RE, RS-1, RS-2, and RS-3 districts may be reduced five (5) feet with Board of Adjustment approval as a special exception.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Midget, Selph "absent") to APPROVE amendments to Section 403 Table 3 and Section 1608A as presented in the exhibit.

* * * * *

ZONING PUBLIC HEARING

Application No.: CZ-201 Present Zoning: RS
Applicant: Joe W. Fisher Proposed Zoning: IH
Location: 312 Broad Street
Date of Hearing: October 28, 1992

Chairman Doherty announced the Sand Springs Planning Commission has requested a continuance to November 4, 1992.

TMAPC Action; 8 members present:

On MOTION of WILSON, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to CONTINUE CZ-201 to November 4, 1992.

* * * * *

ZONING PUBLIC HEARING

Application No.: Z-6374 Present Zoning: RMH
Applicant: Curtis Holsted Proposed Zoning: CG
Location: 12221 E. Admiral Pl.
Date of Hearing: October 28, 1992

Chairman Doherty announced the applicant has requested a continuance to November 4, 1992.

Mr. Gardner conveyed the applicant's approval to readvertise for IL zoning, since Staff was recommending denial of the requested CG zoning. Mr. Gardner declared to allow sufficient time for readvertising, December 2, 1992 would be an appropriate date for continuance.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph "absent") to CONTINUE Z-6374 to December 2, 1992.

* * * * *

OTHER BUSINESS:

PUD 481-3 Minor amendment to allow occupancy of Homebase store prior to installation of landscaping - Northwest corner of Mingo Valley Expressway and 71st Street South.

The developers of the Mingo Marketplace shopping center are requesting that the Homebase store be allowed to obtain an occupancy permit prior to completing installation of the required landscaping. Occupancy of the Petsmart would not be allowed until Homebase's landscaping is installed. This is basically the same arrangement as was approved for the Best Buys store in this same shopping center. Staff believes the installation of landscaping will be completed within the next few weeks, and, therefore, recommends APPROVAL of minor amendment PUD 481-3 as requested.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 7-1-0 (Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; Neely "nay"; no "abstentions"; Ballard, Buerge, Selph "absent") to APPROVE PUD 481-3 Minor Amendment.

* * * * *

Z-5444-SP-1-a Minor amendment to permit a tent carnival, Located west of the southwest corner of East 41st Street South and South Garnett Road.

The applicant is requesting a minor amendment to permit a one-day-per-year carnival which utilizes a 30' x 70' tent to be placed on the south portion of the subject tract. The dates will vary from year to year, but are typically held in the fall season. The carnival is not open to the public, but is restricted to a specific organization, usually a private company.

Staff finds the use minor in nature and consistent with the original site plan approval. Staff recommends APPROVAL of minor amendment Z-5444-SP-1 subject to the following conditions:

1. The proposed use be limited to one day per calendar year.

2. One tent is permitted at the location shown on the applicant's submitted plot plan which is not to exceed 30' x 70' in size.
3. The tent may be erected one day prior to the carnival and must be removed within one day after the event.
4. The applicant must obtain all necessary permits from the City of Tulsa.
5. The applicant must submit in writing, along with the application for tent permit, a letter stating that the tent will not take up required off-street parking for the hotel.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 7-0-1 (Broussard, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Ballard, Buerge, Selph "absent") to APPROVE Z-5444-SP-1-a Minor Amendment subject to Staff conditions.

* * * * *

PUD 407-1 Minor Amendment to increase signage - northwest corner of 68th Street South and Yale Avenue.

The applicant is requesting to increase the wall and ground signage in the PUD. Currently, a total of 32 SF of wall and/or monument signs exist on each of the 12 office lots in the PUD. In addition, two project identification signs are allowed, each up to 64 SF in display surface area. The total display surface area for all signs in the PUD would then be limited to 512 SF. The applicant is proposing to erect two wall signs, each over 500 SF in size on a single building, the two project identification signs, as well as a third 42 SF project identification sign, and 8 wall or monument signs of up to 24 SF in size. The two large wall signs would require a variance from the Board of Adjustment, and the total signage in the PUD would increase by approximately 250%. Staff recommends this amendment either be DENIED or classified as a Major Amendment.

Applicant's Comments

Roy Johnsen, attorney for the applicant, gave a history of the property and detailed description of the tract. Mr. Johnsen advised the Warren Foundation has since purchased the complex to be used for medical offices and other facilities which support St. Francis Hospital. Mr. Johnsen presented a sketch of the proposed signage. He then reviewed the sign plans as to the specific styling and size of the proposed signs. Mr. Johnsen presented a photograph of the building on which the architect scaled the sign in the proportion it would be. Mr. Johnsen cited examples of other

properties owned by the Warren Foundation as proof of their concern for aesthetics related to quality of appearance of their projects.

It was the consensus of Planning Commission that the sign at ground level would be excessively large, but placed high on the tower, in perspective, it is adequate. Also, the Planning Commissioners declared it is important for users to be able to determine the names of the buildings.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-1** (Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; Broussard "abstaining"; Ballard, Buerge, Selph "absent") to **APPROVE** Minor Amendment PUD 407-1, subject to Board of Adjustment approval if determined to be needed by the Chief Zoning Officer as follows:

8 interior wall or monument signs, not to exceed 24 SF, total display surface area 192 SF

Lot 2

- 1 project identification sign on the north wall of tower, maximum of 346 SF
- 1 project identification sign on south wall of tower, maximum of 346 SF
- 1 project identification monument sign at Yale entry, 42 SF

* * * * *

PUD 474: DETAIL SITE PLAN REVIEW -- East of the Northeast corner of South Peoria Avenue and 35th Place

The site plan is for the addition of a two-story office building to the existing one-story office building. The site plan meets all the requirements of the PUD so long as none of the offices are used for medical and dental offices, clinics or laboratories. There is insufficient parking for these types of offices. Also, no location for trash receptacles is shown. Staff, therefore, recommends **APPROVAL** of the Detail Site Plan subject to the following conditions:

1. Medical and dental offices, clinics or laboratories are prohibited, and
2. All trash receptacles shall be screened from public view and setback at least 75' from the east property line of the PUD.

Mr. Stump reminded the applicant that the landscaping plan should show detail on the screening fence.

TMAPC Action; 7 members present:

On MOTION of MIDGET, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph, Wilson "absent") to APPROVE the Detail Site Plan for PUD 474 as recommended by Staff.

* * * * *

PUD 339: Detail Sign Plan Review -- Development Area "A" --
Northeast corner of East 101st Street South and
South Sheridan Road

The applicant is requesting detail sign plan approval to add an approximate 9.75 square feet "Transfund" sign to the existing pole sign located in the southwest corner of the PUD (northeast corner of the intersection). Staff has reviewed the request and finds it consistent with the original sign plan and the PUD standards.

Staff recommends APPROVAL of the Amended Detail Sign Plan for Development Area "A".

TMAPC Action; 7 members present:

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph, Wilson "absent") to APPROVE Detail Sign Review for PUD 339 as recommended by Staff.

* * * * *

PUD 374 Detail Sign Plan - northwest corner of 21st Street South
and Atlanta Avenue.

The applicant is requesting approval of a 4.5 SF Transfund ground sign at the northwest corner of 21st Street South and Atlanta Avenue. Staff finds that it complies with the PUD development standards and recommends APPROVAL.

TMAPC Action; 7 members present:

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph, Wilson "absent") to APPROVE Detail Sign Review for PUD 339 as recommended by Staff.

* * * * *

PUD 480-1: Minor Amendment To Transfer Floor Area And Reduce A Building Setback For The Grocery Store

The applicant requests amendment of two PUD Development Standards. The first is to transfer 1283 SF of permitted building floor area from the restaurant to the grocery store. The total maximum building floor area would not change. The new standards would be as follows:

Maximum Building Floor Area	49,750 SF
Grocery Store Building	47,533 SF
Restaurant Building	2,217 SF

The second amendment is to allow the grocery store loading dock area to be 5' closer to the south property line. The 5' reduction in building setback would only be on the east 40' of the grocery store. This area is adjacent to the rear of the Olde Village Shopping Center and the reduction in setback should not have any adverse impact.

Staff can support both of these amendments as being minor in nature and still in keeping with the original intent of the PUD. Therefore, staff recommends **APPROVAL** of minor amendment PUD 480-1 as requested.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph, Wilson "absent") to **APPROVE** Minor Amendment PUD 480-1.

* * * * *

PUD 476 Detail Sign and Landscape Plans - east of the northeast corner of Peoria Avenue and 41st Place

Staff review has found the sign and landscape plans to generally be in conformance to the PUD conditions subject to the following conditions:

1. An 8' cedar fence be provided on the east side of the PUD replacing the wrought iron fence that is shown.
2. Bermuda sod should extend to the north property line in the east 10' of the PUD.

With these changes Staff recommends **APPROVAL** of the Detail Sign plan for a wall sign and the Detail Landscape Plan for PUD 476.

TMAPC Action; 7 members present:

On MOTION of PARMELE , the TMAPC voted 7-0-0 (Broussard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Ballard, Buerge, Selph, Wilson "absent") to APPROVE Detail Sign Plan and Detail Landscape Plan for PUD 476 as recommended by Staff.

* * * * *

PUD 179-S Detail Site, Sign and Landscape Plans for Outback Restaurant in Development Area B

Staff has reviewed the Detail Plans and finds them to be in conformance with the PUD's development standards. A portion of this lot is in Development Area "C", but the applicant has agreed to file for a minor amendment to reconfigure Development Area "B" to coincide with the lot which contains the restaurant. Staff, therefore, recommends APPROVAL of the Detail Site Plan, the Detail Sign Plan for both ground and wall signs and the Detail Landscape Plan.

PUD 179 S-1: Minor Amendment to adjust development area boundaries and building setbacks.

The applicant is requesting to redefine the internal boundary between Development Areas B and C. This is a result of the actual developer of a restaurant in Area B needing a somewhat different shape to the tract so that his parcel now includes part of Area B and part of Area C. Both Areas B and C permit a restaurant, but in order to better track the amount of unused building floor area in a particular development area, staff recommends amending the boundaries. Because one building setback was measured from the west boundary of Area B and that boundary would be moved, the setback distance from the new western boundary of Area B must be changed. The following shows how the development two areas will be re-configured:

	<u>Old Area B</u>	<u>New Area B</u>	<u>Old Area C</u>	<u>New Area C</u>
Land Area	49,209 SF	50,000 SF	158,574 SF	157,783 SF
71st St. Frontage	234.33'	200.00'	150'	184.33'
Setback From				
West Boundary	125'	100.00'	unchanged	unchanged

All other Development Standards will remain the same.

Staff finds this change to be minor in nature and in keeping with the original PUD concept. Therefore, staff recommends APPROVAL of minor amendment PUD 179-S-1.

TMAPC Action; 7 members present:

On MOTION of PARMELE , the TMAPC voted 7-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Parmele "aye"; no "nays"; no "abstentions"; Buerge, Midget, Selph, Wilson "absent") to APPROVE Detail Site Plan, Sign Plan, and Landscape Plan Development Area "B" and APPROVE Minor Amendment PUD 179-S-1 and WAIVE policy of notice requirement as recommended by Staff.

* * * * *

There being no further business, the Chairman declared the meeting adjourned at 3:20 p.m.

Date Approved: 11/19/92

James R. DeChief
Chairman

ATTEST:
Janet D. [Signature]
Secretary

