

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1946
Wednesday, October 6, 1993, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Broussard	Ballard	Gardner	Linker, Legal
Carnes, 2nd Vice Chairman	Doherty	Hester	Counsel
Dick		Jones	
Horner		Stump	
Midget, Mayor's Designee			
Neely Secretary			
Pace			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, October 5, 1993 at 1:02 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Vice-Chairman Parmele called the meeting to order at 1:33 p.m.

Minutes:

Approval of the minutes of September 15, 1993, Meeting No. 1944:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-2** (Carnes, Dick, Horner, Pace, Parmele, Wilson "aye"; no "nays"; Broussard, Neely "abstaining"; Ballard, Doherty, Midget "absent") to **APPROVE** the minutes of the meeting of September 15, 1993 Meeting No. 1944.

Approval of the minutes of September 22, 1993, Meeting No. 1945:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** the minutes of the meeting of September 22, 1993 Meeting No. 1945.

REPORTS:

Chairman's Report:

Tax Increment Financing: Review the proposed Tax Increment District No. 1, City of Tulsa, Oklahoma, Project Plan as approved by the Local Development Act Review Committee for recommendation to the City Council.

Jim Norton gave a detailed description of Tax Increment Financing. Mr. Norton distributed information depicting a graphic of how tax incrementation would work. He delineated the district for which a plan has been prepared and noted that there will be various projects within this district that create the increment. Mr. Norton advised that the only project confirmed presently is a 26-unit condominium project valued at approximately \$1.5 million which will generate about \$13,000 in tax increment to spend the first year. Mr. Norton explained what can be done with the monies created with the tax increment district. Mr. Norton disclosed that the data presented was reviewed by the City of Tulsa Finance Department and an internal review committee made up of City Staff. He reported on projected increments available for contemplated projects within this district. Mr. Norton advised that the review committee has reviewed the document and will be recommending adoption by the City Council.

Mr. Norton answered questions from the Planning Commission.

Vice-Chairman Parmele referred this item to the Comprehensive Plan Committee for review at their October 27, 1993 meeting.

CONTINUED ZONING PUBLIC HEARING:

Z-6412 Jim Stephens (PD-6) (CD-9)
East of SE/c of 35th Street South & South Peoria Ave. RS-3 to PK

Vice-Chairman Parmele announced that the applicant has withdrawn this application.

SUBDIVISIONS:

PRELIMINARY PLAT:

Hyde Park Amended (383) T.E. & P (PD-18) (CD-7)
NE/c of E. 71st St. S. & S. Yale Ave.

Vice-Chairman Parmele announced that this item is struck from the agenda.

Solid Rock Fellowship (3292) Horizon (PD-18) (County)
North of northeast corner of 65th West Avenue and West 61st Street
South

The subdivision plat was presented by Jones with no representative present at the TAC meeting.

Jones pointed out several drafting changes that should be made to the face of the plat.

Rains noted that a current topographic map should be submitted to review drainage.

Fields recommended that the references to the "City of Tulsa" be changed to Tulsa County in the Deed of Dedication.

Morris stated that water service is provided by Tulsa District #2 and sewer service is by Taneha Sewer. For sewer information the applicant should contact Terry Cole at 428-2867.

On MOTION of RAINS, the Technical Advisory Committee voted unanimously to **APPROVE** the PRELIMINARY PLAT subject to the conditions listed above and those conditions listed below:

The proposed subdivision is 40 acres in size, contains one lot and is planned for church use. The Tulsa County Board of Adjustment will consider church use in an AG-zoned district at the September 21st meeting.

Staff would offer the following comments/conditions:

1. 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.
2. 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).
3. Paving and/or drainage plans shall be approved by the County Engineer.
4. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
5. Street names shall be approved by the County Engineer and shown on plat.
6. All curve data, including corner radii, shall be shown on final plat as applicable.

7. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
8. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
9. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the County Engineer. Include applicable language in covenants.
10. It is recommended that the developer coordinate with the 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.)
11. 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.
12. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
13. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
14. 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 to be included in restrictive covenants on plat.)
15. The method of water supply and plans therefore shall be approved by the City/County Health Department.
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. 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.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.

20. This plat has been referred to Sapulpa and Sand Springs 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.
21. 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.
22. All (other) Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties present.

TMAPC Action; 8 members present:

On **MOTION** of **NEELY**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** the Preliminary Plat of Hyde Park Amended subject to conditions recommended by Staff.

* * * * *

Tam-Bao Buddhist Temple (1194) (PD-17) (CD-6)
16933 East 21st Street South

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Cotner pointed out that payment of drainage fees has been deferred until a permit for new construction is obtained or the property is sold. This requirement should be in the restrictions on the plat.

Sack stated that the plat will return to a 1 Lot, 1 Block configuration.

Solnok requested a 17.5' easement along the south property line.

Edwards stated that the property may be served with the existing water service, but prior to issuance of a building permit or sale of the property a water main extension shall be required. This condition should also be in the restrictions of the plat.

French noted that 60' of roadway dedication is required for East 21st Street South.

On MOTION of COTNER, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY PLAT subject to the above conditions and those listed below:

The subject tract was approved by the Board of Adjustment for church use (BOA-16408, August 10, 1993), subject to the utilization of existing structures. The TAC and TMAPC denied the plat waiver request based on the size and lack of dedications. The plat proposes to utilize existing City of Tulsa water service and a septic system.

Staff would offer the following comments/conditions:

1. 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.
2. 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.
3. 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).
4. 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.
5. 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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
7. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
8. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.

10. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
11. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
13. 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.)
14. 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.
15. The method of sewage disposal and plans therefor, shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
16. 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 to be included in restrictive covenants on plat.)
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.
20. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
21. This plat has been referred to Catoosa 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.
22. 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.

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

Staff Comments

Mr. Jones informed that there is an existing 60" main service water line which runs through the tract. The Department of Public Works has waived installation of a 12" water service line which would parallel that line until such time that a new building is constructed.

Ms. Wilson asked if, when a new building is constructed, existing structures would be demolished or would this project merely involve expansion of an existing building.

Mr. Jones indicated that at such time as a building permit is applied for any new construction, the requirement would be triggered for construction of a 12" waterline to tie into the 60" main line. Mr. Jones noted that the church has a small congregation and the requirement to extend a 12" water main the entire 530' of the tract is cost-prohibitive to the congregation as it now exists.

Ted Sack was in attendance representing the applicant.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC voted 8-0-0 (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to APPROVE the Preliminary Plat of Tam-Bao Buddhist Temple subject to conditions recommended by Staff.

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Trinity Park Amended (3304) (PD-16) (CD-6)

Northeast corner of I-244 Expressway & 129th East Avenue

Jones presented the plat with no representative in attendance at the TAC meeting.

Cotner pointed out that since the property was being replatted into a 1 Lot, 1 Block configuration that drainage fees would be required for the entire tract prior to release of the plat.

Several distances appear to be in error and it was suggested by French to have the engineer check all distances and bearings.

On MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of

TRINITY PARK AMENDED subject to the above conditions and those listed below:

Trinity Park Amended is a resubdivision of Trinity Park which was filed on record in April 1992. The major difference in the two plats is the proposed Trinity Park Amended contains only one lot instead of the original platted three lots. Board of Adjustment case number BOA-15738 approved church, private school and related uses on the subject tract on May 28, 1991.

Staff would offer the following comments conditions:

1. The underlying plat shall be properly vacated in accordance with current legal procedures. (Not a consideration of plat approval... only a reminder.)
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.
3. 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.
4. 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).
5. 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.
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
9. Street names shall be approved by the Department of Public Works and shown on plat.

10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic)/County Engineer. Include applicable language in covenants.
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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. 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.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
20. This plat has been referred to Catoosa 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.
21. 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.
22. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC Action; 8 members present:

On **MOTION** of **NEELY**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** the Preliminary Plat of Trinity Park Amended subject to conditions recommended by Staff.

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Holley Heights (2702) (PD-11) (CD-1)

NW/c of Pine & N. Union Ave.

The major amendment, PUD-232-B, was approved by the TMAPC with amendments on July 28, 1993. The amendments included a reduction in the commercial area of Lot 36, Block 2 and the relocation of West Pine Street to the south approximately 20 feet.

The plat was presented by Jones with Ted Sack and Jerry Emanuel in attendance at the TAC meeting.

Jones advised the TAC that a major amendment, PUD-232-B, was considered by the TMAPC on July 28 and changes were made which will affect the plat. Jones stated that the changes are minor and should not cause a problem.

Sack informed the TAC as to the changes and that the oil well shown on the plat was existing and a request to the Board of Adjustment would be made to reduce the 200' setback to 50' as shown.

Emanuel stated that the street would be private, although constructed to City standards and inspected.

Miller advised that additional easements would be required on both sides of Reserve "A."

Canahl advised that Reserve "A" is a regulatory floodplain and an additional 20' easement would be required on each side. In addition, overland drainage easements would be required across lots to drain low sump areas. Maintenance of Reserve "B" was also discussed.

It was added that the relocation of West Pine Place be subject to the approval of DPW (Traffic Engineering) to insure avoided conflict with the existing access to property on the east side of North Union Avenue.

On **MOTION** of Hill, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY PLAT of HOLLEY HEIGHTS, subject to the above conditions and those listed below:

1. All conditions of PUD-232-B shall be met prior to release of final plat, including any applicable provisions in the

covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.

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.
3. 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.
4. 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).
5. 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.
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.

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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. 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.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
20. 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.
21. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Comments

Regarding the relocation of West Pine Place, Mr. Jones informed that those changes are minor and the Preliminary Plat can be processed. He noted that the engineer will make the modifications and street relocation can be processed as the draft final. Mr. Jones advised that should substantial changes are made, Staff has advised the engineer that a new preliminary plat will be brought before the Planning Commission. He advised that the engineer believes that changes can be made to accommodate the PUD conditions in such a manner that it will be substantially the same plat as before the TMAPC today.

TMAPC Action; 9 members present:

On MOTION of CARNES, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to APPROVE the Preliminary Plat of Holley Heights subject to conditions recommended by Staff.

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FINAL APPROVAL AND RELEASE

Garrett Place (1694) White (PD-17) (CD-6)
East of NE/c of 21st Street South & South 129th E. Ave.

Staff Comments

Mr. Jones advised that all releases have been received, the restrictive covenants are still being worked on and Staff recommends approval subject to approval by the Legal Department.

TMAPC Action; 9 members present:

On MOTION of DICK, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to APPROVE the Final Plat of Garrett Place and RELEASE same as having met all conditions of approval as recommended by Staff and subject to final review by the Legal Department.

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Hillcrest South Lewis (783) Sack (PD-18) (CD-2)
South of SW/c of 71st Street South & South Lewis Ave.

Staff Comments

Mr. Jones advised that all releases have been received, the restrictive covenants are still being worked on and Staff as recommends approval subject to approval by the Legal Department.

TMAPC Action; 9 members present:

On MOTION of DICK, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Horner, Neely, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to APPROVE the Final Plat of Hillcrest South Lewis and RELEASE same as having met all conditions of approval as recommended by Staff and subject to final review by the Legal Department.

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WAIVER REQUEST: SECTION 213:

BOA-16444 (Unplatted) (994)
1404 S. 145th E. Ave.

(PD-17) (CD-6)

This is a request to waive the plat on a tract approved for City Park use by the Board of Adjustment on September 14, 1993. A site plan was made a condition of approval by the Board. Since the property is owned by the City and all controls were put on by the Board of Adjustment, this request was not reviewed by the Technical Advisory Committee and Staff would recommend **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Horner "absent") to **APPROVE** the Waiver of Plat for BOA #16444 as recommended by Staff.

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CHANGE OF ACCESS ON RECORDED PLAT:

Carousel Concourse I (3393)
South of SW/c of 51st Street South & South Yale Ave.

(PD-18) (CD-7)

Staff Comments

Mr. Jones advised of platted access points, existing ingress and egress, and the proposed new access. He noted that Traffic Engineering has given approval and Staff recommends **APPROVAL** subject to the plan presented.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Horner "absent") to **APPROVE** the Change of Access for Carousel Concourse I as recommended by Staff.

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LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17766 Ebey (474) 12775 S. 129th E. Ave.	(PD-19) (County) AG
L-17767 Sooner Federal S. & L. (2593) NE/c of E. 51st St. S. & S. Memorial Dr.	(PD-18) (CD-5) IL
L-17771 Favell (583) 6565 Timberlane Dr.	(PD-18) (CD-9) RS-1
L-17772 Tulsa Distribution Ltd. Partnership (2693) NE/c of E. 46th St. S. & S. 70th E. Ave.	IL (PD-18) (CD-5)
L-17779 Coombs (3091) 16902 W. 41st St.	(PD-23) (County) AG
L-17780 Summit Property Co. (2383) SE/c of S. Sheridan Rd. & E. 91st St. S.	(PD-18) (CD-8) RM-1
L-17782 Graham (2993) NW/c of E. 44th Pl. & S. Florence Ave.	(PD-6) (CD-9) RS-1
L-17783 Huso (394) 449 S. Allegheny Ave.	(PD-5) (CD-4) RS-3

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot splits to be in conformance with the lot-split requirements.

TMAPC Action; 8 members present:

On **MOTION** of **DICK**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Horner "absent") to **RATIFY** the above-listed lot-splits having received prior approval.

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PUD-467-1: Minor Amendment - northwest corner of East 51st Street South and South Pittsburg Avenue.

The applicant is requesting to increase the allowable size of ground signs for Piccadilly Cafeteria on Lot 3, Block 1 of Dickens Commons. The increases would be from 64 SF to 80 SF for the monument sign on East 51st Street and from 144 SF to 175 SF for the pole sign fronting I-44. Since the size of the tract has increases to include part of Lot 2 of Dickens Commons, Staff feels the increased signage is still in keeping with the intent of the PUD and recommends **APPROVAL**.

AND

PUD-467: Detail Sign Plan for Lot 3 and part of Lot 2 of Dickens Commons.

If Minor Amendment PUD-467-1 is approved, Staff recommends **APPROVAL** of the two ground signs on Lot 3 for Piccadilly Cafeteria.

TMAPC Action; 9 members present:

On **MOTION** of **DICK**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 467-1 Minor Amendment and Detail Sign Plan for Lot 3 and part of Lot 2 as recommended by Staff.

* * * * *

PUD-281: Amendments to Deed of Dedication of Blocks 1, 2 and 3 of Gleneagles.

The applicant is proposing to amend the Deed of Dedication of Blocks 1, 2 and 3 of Gleneagles Addition consistent with TMAPC's September 15, 1993 approval of a minor amendment as to building setbacks and parking lot setbacks.

Staff has reviewed the proposed changes and finds them to be in accordance with TMAPC action, and therefore recommends **APPROVAL** subject to form and approval by the City Attorney.

TMAPC Action; 9 members present:

On **MOTION** of **DICK**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 281 Amendments to the Deed of Dedication of Blocks 1, 2, and 3 of Gleneagles Addition as recommended by Staff and subject to approval by the City Attorney.

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Amendment of Certificate of Dedication of "The Directory"

Staff Comments

Mr. Jones advised that Square Eighty-One, 81st & Lewis where the Wal-Mart Super Center is located, was a land swap to accommodate Oral Roberts University and Wal-Mart. The subdivision plat has been approved and scheduled to be heard by the City Council October 14. A document must be processed to amend the Directory plat and remove that piece of property. Wal-Mart gave them a piece of property on which a Major Amendment was processed to a corridor site plan that restricts the property for use as parking only, so that the Directory Hotel can meet parking requirements. He advised that it has been approved by the Legal Department. Because of the manner in which the Deed of Dedication and Restrictive Covenants were written for the Directory, it requires approval by the

Planning Commission. Mr. Jones advised that the Legal Department has given approval and Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** the Amendment of Certificate of Dedication of "The Directory" as recommended by Staff.

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PUD-316-3: Minor Amendment to reduce required front yard - 9263 South 86th East Avenue - Lot 6, Block 3, Oak Leaf II.

The applicant is requesting a 0.3' reduction in the required front yard for a newly constructed single-family home. Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 316-3 Minor Amendment as recommended by Staff.

* * * * *

Z-6344-SP-2a: Minor Amendment to Corridor Site - south of the southwest corner of 107th East Avenue and 61st Street South.

The applicant is requesting that the building setback from the east property line (rear of the building) be reduced from 25' to 15' to accommodate a revised parking lot arrangement in the front of the building which would otherwise significantly reduce the landscaped area between the street and the parking lot. The parking lot arrangement has also been changed to provide 71 spaces rather than the earlier approved 51 spaces.

The applicant is also requesting that the notice requirement be waived. Staff can support the request including the waiver of notice since the area to the east of this property is zoned Corridor and the Corridor Site Plan for that area proposes to keep this area undeveloped. Also, the new parking lot is set back 25' from the property line adjacent to the apartments versus the approved parking lot which was set back 10'. Therefore, Staff recommends **APPROVAL** of Z-6344-SP-2a.

Z-6344-SP-2a: Detail Landscape Plan

Staff has reviewed the proposed landscaping and finds it complies with the new landscape ordinance and the conceptual plan presented with the Corridor Site Plan. Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** Z-6344-SP-2 Corridor Site Plan Minor Amendment and Detail Landscape Plan as recommended by Staff.

* * * * *

PUD-447-1: Minor Amendment to Fencing Requirement - Detail Landscape Plan - Detail Fence Plan - northeast corner of 111th Street South and South Yale Avenue.

The submitted Landscape Plan includes landscape materials along the entire west and south boundaries of the PUD, except for access points at Canton Avenue and 110th Street South, as required in the original approval. The Plan also depicts a decorative screening fence with masonry posts along the same boundaries as the landscaping with the exception of the portion of the development which abuts the detention pond. Along this portion of the development, adjacent to the major street right-of-way, the applicant is proposing a wood rail fence with gate for maintenance of the pond by Public Works. This fence change will require approval of a Minor Amendment. In addition, the applicant is proposing supplemental landscaping along the north boundary of the detention pond in lieu of the solid fence along 111th Street South and South Yale Avenue.

Staff believes the proposed change will allow the public to enjoy the landscaped open space of the detention area and, at the same time, will allow privacy for the new home owners. Therefore, Staff recommends **APPROVAL** of the Minor Amendment to the original PUD fence requirement and **APPROVAL** of the Detail Landscape and Fence Plans as submitted.

Interested Parties

Jim Crosby

Mr. Crosby clarified that the masonry columns stop at the edge of the lots and the open space, which is the detention park, and the pond, as per the plan, does not have masonry columns.

Mr. Gardner informed that the masonry columns and screening fence are on the balance of the PUD to the north and east, adjacent to the lots. He noted that Staff is recommending approval, per the detail plan submitted, including landscaping which would be on the south side of Block 7, between the pond and the major street having some screening effect.

Mr. Crosby advised that this has been labeled on the plans as a phase for the Homeowners Association to complete. Mr. Crosby does not feel the need to include additional trees and feels the Homeowners Association should be responsible for this since there will be a 6' privacy fence between the residences and detention pond. Mr. Crosby noted that there will be trees along the arterial with the rail fence as indicated, which will screen between the arterial and the detention facility and between the detention facility and residences there will be a 6' wood privacy fence.

Staff expressed agreement with modifications so long as there is a screening requirement on the south boundary of the lots in Block 7.

Mr. Gardner stated that it would be best to leave the solid screening requirement around that block and let the applicant return, if he wishes, to substitute landscaping for solid screening.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** PUD 447 Minor Amendment, Detail Landscape Plan and Detail Fence Plan as recommended by Staff with the option to allow the applicant to amend to substitute landscaping for the screening fence.

* * * * *

PUD 357-A: Detail Sign Plan - east of the southeast corner of 71st Street South and South Quincy Avenue.

The applicant is requesting approval of a 3'5" x 3' wall sign for OccuMed near the middle of building C in the southeast corner of Lot 1, Block 1, Valley Bend Park. The sign complies with the PUD standards; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** PUD 357-A Detail Sign Plan as recommended by Staff.

* * * * *

PUD 206 Detail Sign Plan - southwest corner of Sheridan Road and 91st Street South.

The Walgreens being constructed in the northeast corner of Development Area A is proposing one 25' high ground sign containing 132 SF and wall signs on all four sides of the store. In addition, a number of directional ground signs are proposed, but since they contain less than 3 SF they are exempt from the PUD standards.

After review of the proposed signs, Staff finds they comply with the PUD development standards and recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Broussard, Carnes, Dick, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Midget "absent") to **APPROVE** PUD 206 Detail Sign Plan.

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PUD-339-4: Minor Amendment to delete the age 55 or older restriction on the rental of 25% of the units within the project.

The applicant is requesting a Minor Amendment to delete the PUD condition relating to maintaining 25% of the units for persons 55 years of age and older. This project was originally approved for 256 elderly housing units on November 1, 1983 with a provision that the project could be changed to standard multifamily development by

Minor Amendment, but only if the off-street parking and livability requirements of the Zoning Code are met.

Several Minor Amendments have been filed over the years, one of which approved reducing the number of elderly units (55 years of age and older) to 25% of the project or 64 units subject to the following parking requirements:

- * 0.75 spaces per elderly dwelling unit
- * 1.50 spaces per one-bedroom or efficiency unit (non-elderly)
- * 2.00 spaces per two- or more bedroom unit (non-elderly)

The applicant was required to have 364 spaces under the above criteria and there existed 370 spaces. Eliminating the elderly housing units would require a total of 429 parking spaces, 59 spaces fewer than existing parking. The applicant can restripe the existing parking lots January 1, 1994 and pick up 33 additional spaces for a total of 403 parking spaces. He is asking the Board of Adjustment to vary the 26 parking spaces (BOA-16457) on October 12, 1993.

Based on the original PUD approval, Staff recommends **APPROVAL** of this Minor Amendment subject to meeting the off-street parking requirements as set forth in the Zoning Code and as set out above.

Interested Parties

Mike Wallace

9935 S. 67th East Avenue

Mr. Wallace informed that his rear yard abuts the subject apartment complex. He pointed out that it is the only three-story structure located within approximately 15' of residential property. Mr. Wallace recounted that this complex has been granted several variances as a result of its original intent, a community strictly for the elderly. He reported that apartment management has not followed requirements set out by the Planning Commission. Mr. Wallace cited problems he is experiencing as a result of the apartment complex containing 75% standard occupancy. He revealed that management knew at the time of construction that it would not be possible to be 100% for those 55-years of age and older, due to its location being too far from shopping centers, churches, bus service, etc. Mr. Wallace feels the developers were attempting to construct a large complex without complying with conventional standards. Mr. Wallace advised that the PUD requires heavy screening be placed between the apartment complex and residential areas; he declared that there is none. Mr. Wallace related that from his back yard he has a view of two satellite dishes with no landscaping. He added that the fence which was erected has not been maintained and is in a state of disrepair, with his requests for repair being ignored. Mr. Wallace cited instances of apartment residents littering his back yard, excessively loud music, vulgar language, etc. Mr. Wallace asked that the history of the property

be reviewed to prove that present owners have misrepresented the facts of development of this complex. He asked that it be required to keep 25% of population for those 55-years old and older, institute a review process to ensure this is done, that the Planning Commission advise the Legal Counsel of the apartment complex of their responsibility for upkeep of the existing fence, and that current owners be advised of their responsibility to institute proper landscaping.

Vice-Chairman Parmele asked if concessions were given when this PUD was originally approved regarding setbacks because it was a project for the elderly.

Mr. Gardner replied that there is a double row of perimeter parking along the north and east boundaries, setting the buildings approximately 50' from those properties meeting requirements. He noted that the variance was for not meeting parking for conventional development, and the provision was that the project could be changed to standard multifamily development by minor amendment, but only if parking requirements were met. In response to a question from Mr. Parmele, Mr. Gardner replied that he did not know if it met livability requirements.

Vice-Chairman Parmele suggested notifying Code Enforcement regarding the possible neglect of landscaping and screening.

Applicant's Comments

Mr. Norman, representing the applicant, advised that the project meets all requirement of a multifamily project. He noted that perimeter parking separates the buildings by approximately 70' to 75' on all sides which abut the residential area. Mr. Norman informed that the only exception made was reduction of parking requirements based on the original concept. Mr. Norman informed of legal changes which have occurred, the Federal Fair Housing Act and a housing act the State of Oklahoma passed, prohibiting discrimination in housing based on age. Mr. Norman advised that the new owner has engaged an architect to increase parking spaces by restriping to current standards. He pointed out that there has been no problem with apartment complex residents parking in the residential area. Mr. Norman revealed that he would inform the new owner of complaints Mr. Wallace cited regarding noncompliance with requirements of the PUD.

There was discussion among the Planning Commission of continuing this item to review the record regarding screening and requested that livability requirements be researched.

TMAPC Action; 9 members present:

On MOTION of WILSON, the TMAPC voted 9-0-0 (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to CONTINUE PUD 339-4 to October 20, 1993.

Vice Chairman Parmele instructed Staff to review the PUD and changes which have occurred and determine livability space. He also requested that an on-site inspection be made of landscaping and screening fences.

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PUD-481: Detail Sign Plan - Sportstown, Lot 2, Block 1, Mingo Marketplace.

The applicant is seeking approval of one wall sign on the south side of the Sportstown business located on Lot 2, Block 1, Mingo Marketplace (northwest corner of Mingo Valley Expressway and 71st Street South).

PUD-481 permits a maximum of 2 square feet of wall sign per linear foot of building wall. The proposed wall sign complies with the approved PUD; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 481 Detail Sign Plans as recommended by Staff.

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PUD-468: Detail Sign Plan - Lot 3, Block 1, Sam's Center, 7002 South Mingo Road.

Applicant is requesting approval of four wall signs (one each building face) and one ground sign (25 feet in height). All signs meet the PUD size restrictions; therefore, Staff recommends **APPROVAL** of the Detail Sign Plans subject to the ground sign being placed 100 feet or more away from any other ground signs per PUD requirements.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 468 Detail Sign Plan as recommended by Staff.

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PUD-179: Detail Sign Plan - Lot 3, Block 1, El Paseo Addition, 7215 South Memorial Drive.

The applicant is requesting permission to place a wall sign, 6 feet high and 21 feet in length, on the east side of the building over the doors of the loading dock. The 126 square feet of wall signage meets the PUD requirements; therefore, Staff recommends **APPROVAL** of the Detail Sign Plan.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 179 Detail Sign Plan as recommended by Staff.

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PUD 488 Detail Sign Plan - northeast corner of 33rd Street South and Peoria Avenue.

The Bank of Oklahoma is proposing a new ground sign on Peoria Avenue which is 13.5' high and contains 50 SF of display surface area, so the size of the sign meets the PUD requirements. The applicant shows the sign to be 2' from the property line abutting Peoria Avenue and 42' from the centerline of Peoria. This area of Peoria has 50' of right-of-way on its east side. Therefore, Staff recommends **APPROVAL** of the sign as long as it is no closer than 50' from the centerline of Peoria Avenue.

TMAPC Action; 9 members present:

On **MOTION** of **NEELY**, the TMAPC voted **9-0-0** (Broussard, Carnes, Dick, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Doherty "absent") to **APPROVE** PUD 488 Detail Sign Plan as recommended by Staff.

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

Date Approved: 10/20/93



Chairman

ATTEST:



Secretary