

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 1972  
Wednesday, April 27, 1994, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Ballard  
Carnes, 2nd Vice  
Chairman  
Doherty, Secretary  
Harris  
Horner  
Midget, Mayor's  
Designee  
Pace  
Parmele  
Chairman  
Wilson

**Members Absent**

Broussard  
Neely

**Staff Present**

Gardner  
Hester  
Jones  
Matthews  
Stump

**Others Present**

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 26, 1994 at 1:19 p.m., as well as in the Reception Area of the INCOG offices.

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

**Minutes:**

Approval of the minutes of April 6, 1994, Meeting No. 1970 and April 13, 1994, Meeting No. 1971:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely, Midget "absent") to **APPROVE** the minutes of the meeting of April 6, 1994 Meeting No. 1970 and **APPROVE** the minutes of the meeting of April 13, 1994 Meeting No. 1971.

**REPORTS:**

**Chairman's Report:**

Request to call for Public Hearing to amend TMAPC Comprehensive Plan for District 8 as relates to the location of the proposed water tank on Turkey Mountain.

**TMAPC Comments**

Chairman Parmele acknowledged receipt of a letter requesting that a public hearing be set to consider amending the Comprehensive Plan. Chairman Parmele instructed Staff to set this item for Public Hearing May 25, 1994.

There was discussion among the Planning Commissioners as to the text of the Comprehensive Plan stating a specific location for the water tank, east of Elwood Avenue, which was an item of contention several years ago.

## Committee Reports:

### Rules and Regulations Committee

Mr. Doherty informed of receipt of a letter from Ray Greene requesting consideration to amend the Zoning Code to allow the Zoning Clearance Officer to make certain administrative decisions which are presently going before the Board of Adjustment (BOA). He referred this to the Budget and Work Program Committee for consideration.

Mr. Doherty advised of a request from Mike Case, Case Properties, to consider amending the sign provisions of the Zoning Code due to experiencing problems with his cube sign in residentially zoned areas.

### **COMPREHENSIVE PLAN PUBLIC HEARING:**

Public Hearing to adopt the Tulsa Trails Master Plan as a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

### **TULSA TRAILS PLAN** April 27, 1994

#### Goals

1. A system of trails that accommodates recreational trips; trips to work, school or shopping; and that offers an alternative to use of the motor vehicle.
2. A county-wide system of trails that links parks and recreation areas, stormwater detention facilities, schools, libraries and other major activity areas. The general network is as indicated on the Plan map.
3. A system of trails to meet the various needs and desires of the population. These could include multi-purpose trails, pedestrian-ways, bikeways, equestrian trails and stormwater facility maintenance trails.
4. Accessibility of the trails system under the Americans with Disabilities Act (ADA).
5. A safe and aesthetically pleasing trails system that maximizes use of existing and proposed rights-of-way and easements, where feasible.

#### Objectives

1. Coordinate trail system planning with planning for all other major public improvements, incorporating trail linkages where feasible and appropriate.
2. Identify opportunities for park and open space-related amenities at various locations on the trail system. Such amenities could include, but not be limited to, drinking fountains, restrooms, telephones, benches, lighting, shelters and picnic tables.
3. The Tulsa Trails system should be developed as set forth in such previously-adopted plans as the Park, Recreation and Open Space Plan: Major Update, Year 2005, each of the Planning District Detail Plans, the Citywide Master Drainage Plan and Comprehensive Plans from the various communities within Tulsa County.

4. Pursue acquisition of abandoned railroad rights-of-way for future trail system use, where feasible.
5. The development of the trails system should basically follow urbanization. However, private donations of agricultural lands for trail purposes prior to urban development should not be precluded.
6. As additional trails or trails systems are designated within the county, these should be incorporated into the Tulsa Trails Master Plan.

#### Policies

1. Identify existing gaps or deficiencies in the trails network and develop plans to alleviate those needs.
2. Where feasible and appropriate, future public improvements should include linkages with the Tulsa Trails system.
3. Signage should be an important consideration and element in the planning and development of all components of the Tulsa Trails system.
4. Identify and actively pursue all avenues of funding for development of the trails system. This should include public, private, joint funding and donations.
5. The use and designation of less heavily-traveled existing roadways as bike routes is encouraged where feasible and appropriate, and should include adequate signage.
6. Minimize any adverse secondary impacts that the trails system may have on adjacent land uses. This could include, but not be limited to, screening, buffering, lighting directed away from adjacent uses (especially residential uses), adequate maintenance and Police or other security presence.
7. Continue coordination with the Tulsa Trails Committees, the various community operating departments and governments and the TMAPC in keeping the Tulsa Trails Plan current and overseeing its implementation.
8. The Plan map indicates existing and proposed trails alignments and opportunities for linkages. Where an alignment or linkage does not currently exist, the map designates conceptual routes or linkages. That is, the map identifies a corridor within which may be designated a trail at some future time, or an opportunity to establish a link between communities or focal points within a community.

#### Staff Comments

Dane Matthews reported that the above-stated Tulsa Trails Master Plan was reviewed by the Comprehensive Plan Committee and recommended for approval.

Mr. Doherty, TMAPC representative to the Tulsa Trails Committee, noted that Staff has done an excellent job incorporating recommendations and the spirit of the development.

There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **ADOPT** the Tulsa Trails Master Plan as a part of the Comprehensive Plan for the Tulsa Metropolitan Area as recommended by Staff.

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**TDA Plan Amendment for Oaklawn Neighborhood** - Certify as in accord with the 11th Street Corridor Study and District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

**Staff Comments**

Ms. Matthews reported that Staff has reviewed the TDA Plan Amendment for Oaklawn Neighborhood and find it to be in accord with the Comprehensive Plan, both District 4 and the 11th Street Corridor Study. She noted that the 11th Street Corridor Study was very specific about calling for redevelopment of this area and reuse of Longfellow School, Fire Alarm Building, etc. Ms. Matthews affirmed that Staff found this item to be in accord with Comprehensive Plan, as has the Comprehensive Plan Committee.

There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **CERTIFY** the TDA Plan Amendment for Oaklawn Neighborhood to be in accord with the 11th Street Corridor Study and District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

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**Tax Increment Financing** - Determine if designating Planning District 2 as a Tax Increment area as recommended by the Downtown Tax Increment Plan is in conformance with the Comprehensive Plan for the Tulsa Metropolitan Area.

**Interested Parties**

**Jim Norton**

**201 West 5th Street, Ste. 201 74103**

**President DTU**

Mr. Norton informed of briefing the Comprehensive Plan Committee over this item and noted that this is the second Tax Increment Financing District being proposed in the city. Mr. Norton advised that it involves the creation of a new Tax Increment Financing District using the new Home Depot as the private sector investment to create a sales tax increment. He explained items contemplated for improvement, i.e., intersections, landscaping, and acquisition of the neighborhood between Central Park and the cemetery and redevelopment of that area as a residential neighborhood. Mr. Norton declared that DTU supports this plan.

**Brenda Miller**

**Urban Development Department**

Ms. Miller reviewed the Tax Increment process and details of the plan.

**Dave Strader**

**812 South Quincy 74120**

Mr. Strader, President of Central Park Neighborhood Association, expressed support of this Plan, noting its compatibility with the 11th Street Corridor Study. He declared that the residents' main objective is to improve their area and this plan is vital to that goal.

**Charles Pyle**

**1507 South Madison 74120**

Mr. Pyle, a property owner in Oaklawn, maintains a vegetable garden in the area and concedes there are deteriorated structures in the neighborhood and can benefit from redevelopment. He noted that the plan currently calls for the neighborhood to be razed and redeveloped. Mr. Pyle suggested modifying the plan to save some of the 1919-model homes which are well-maintained. He expressed support of redevelopment, but does not believe the entire area should be razed for redevelopment.

**Farrell Thrasher**

**1319 East 6th Street 74120**

Mr. Thrasher, Vice President of the Central Park Neighborhood Association and President of the 6th Street Merchant's Association, advised that he worked with the 11th Street Corridor Study and expressed support of Tax Increment Financing.

In response to not destroying all the homes in the neighborhood, Ms. Miller informed that most of the housing is in poor condition; however, regarding acquisition and rehabilitation, she noted that it would depend on how the residential area is developed. She informed that Mr. Pyle made similar comments at another meeting and she assured the Planning Commission that she will be as sensitive as possible to his concerns.

**C.G. Branch**

**6520 East 56th Place 74145**

**(Present, but did not wish to address the Planning Commission.)**

There were no other interested parties wishing to address the Planning Commission.

Mr. Carnes announced that the Comprehensive Plan Committee unanimously voted to recommend approval of Tax Increment Financing District Two and found it to be in conformance with the Comprehensive Plan.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **APPROVE** designating Tax Increment Financing District Two as recommended by the Downtown Tax Increment Plan and finding it in **CONFORMANCE** with the Comprehensive Plan for the Tulsa Metropolitan Area.

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## SUBDIVISIONS:

### PRELIMINARY PLAT

#### 33rd Self Storage (PUD-483)

(PD-8)(CD-2)

Southwest corner of South 33rd West Avenue and West 57th Street South

Jones presented the plat with Jack Cox in attendance at the TAC meeting.

Herbert recommended that a drainage easement be shown on that part of Development Area "A" as needed.

French recommended that the second access point from the south line up with the Development Area boundary.

French recommended that only one access point be permitted into the mini-storage area as shown on the site plan.

French also suggested the applicant work with Traffic Engineering to assure proper site distance on the south.

Penquite stated that additional fire hydrants may be required in Development Areas "A" and "B".

Pierce recommended a change in two covenants dealing with utilities.

33rd Self Storage contains 5.15 acres with one lot, but is divided into three development areas by the Planned Unit Development. The proposed uses include both residential and automobile-related uses.

Staff would offer the following comments and/or recommendations:

1. Since the property is a replat, the developer should ensure that, if needed, proper consent is obtained from remaining lot owners.
2. All conditions of PUD-483 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.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
4. Water and sanitary sewer 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.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
6. 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.

7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
9. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
10. Street names shall be approved by the Department of Public Works and shown on plat.
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. 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).
13. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
14. 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.
15. 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.)
16. 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.
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 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.
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.

On the **MOTION** of **PENQUITE**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** of **33rd SELF STORAGE** subject to all conditions listed above.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of **33rd SELF STORAGE** as recommended by Staff.

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**Howerton Acres II (294)**

**(PD-17)(CD-6)**

Southeast corner of East Admiral Place and South 161st East Avenue

Jones presented the plat with Dan Tanner in attendance at the TAC meeting.

Tanner stated that the name of the plat will be changed to QuikTrip Commercial Center.

French recommended the radius leading into the end of the cul-de-sac be enlarged to 30'.

French stated that 58' of right-of-way is required for South 161st East Avenue with the right turn lane, however, 50' will meet the City's needs. (A waiver of the Subdivision Regulations will be required.)

French recommended that lots 2 and 3 not have access to East Admiral but rather the cul-de-sac.

French suggested that the applicant work with Traffic Engineering to assure site distance is maintained along East Admiral Place.

Pierce recommended additional easements on lot 8.

Howerton Acres II is an eight-lot, 14.003-acre commercial subdivision that is located at the southeast corner of South 161st East Avenue and East Admiral Place. The applicant is requesting Preliminary Plat approval and Staff would offer the following conditions and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be prepared at a 1"=60' scale (1"=100' required).
2. Show book and page of all separate easements.
3. Define "FUTURE" Overland Drainage Easement.
4. 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.

5. Water and sanitary sewer 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.
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
7. 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.
8. 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.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
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. 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.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** of **QUIKTRIP COMMERCIAL CENTER**, subject to all conditions listed above.

Interested Parties

**Gary West**

**16403 East 1st Street 74108**

**Gary Fink & Dorothy Bobbitt**

**16435 East 1st Street 74108**

Ms. Bobbitt, whose residence abuts QuikTrip, requested information regarding elimination of access to the alleyway.

Mr. Jones informed that the alleyway is not dedicated and will be absorbed in the subdivision plat. Access will be controlled from 161st and East Admiral. Regarding Ms. Bobbitt's concern about access to fire hydrants, Mr. Jones indicated points of access to the fire hydrants and assured her that the Fire Department will review access and ensure that these hydrants will continue to provide adequate protection.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **APPROVE** THE **PRELIMINARY PLAT** of **QUIKTRIP COMMERCIAL**, **WAIVING** of the Subdivision Regulations to permit the plat be prepared at a 1" = 60' scale and allow 50' right-of-way requirement for South 161st East Avenue with the right turn lane as recommended by Staff.

\* \* \* \* \*

**Union Elementary School (PUD-364)(1984)**

**(PD-18)(CD-8)**

North of the northeast corner of East 101st Street South and South Mingo Road

Jones presented the plat with Al Hall in attendance at the TAC meeting.

Pierce stated that PSO may desire to place overhead electric lines along the south property line.

Penquite stated that water extension for fire protection and adequate access will be required.

French recommended that the TMAPC refer the Detail Site Plan to the TAC for input prior to their hearing.

Union Elementary School is a one-lot ten-acre subdivision that is part of PUD-364. The property is abutted to the north and east by an existing single-family subdivision, Woodbine and Woodbine II, and to the south by the proposed single-family subdivision, Millicent Crossing. A condition of approval of Millicent Crossing was to provide pedestrian access to this property.

Staff would offer the following conditions and/or recommendations:

1. All conditions of PUD-364-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 and sanitary sewer 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. Street names shall be approved by the Department of Public Works 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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

16. The key or location map shall be complete.
17. 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.
18. 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.
19. This plat has been referred to Bixby and Broken Arrow 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.
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.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** of **UNION ELEMENTARY SCHOOL**, subject to all conditions listed above.

In response to Ms. Wilson's question regarding sidewalk location, Mr. Jones explained that Traffic Engineering will make that determination. He reminded the Planning Commission that the engineer working on Millicent Crossing suggested that pedestrian access be provided along Mingo accessing the school. Mr. Jones advised that Union Public Schools have indicated that they may want access away from the arterial street.

Interested Parties

**Duane Cox**

**Yvan Beausoleil**

**M. Hall**

**9804 South 99th East Avenue 74133**

**9804 East 97th Street 74133**

**102 North Elm Place, Broken Arrow 74012**

The above-listed individuals made the following comments:

Residents detailed present drainage problems and concern was expressed that construction of these homes and the school will increase runoff creating additional problems. There was considerable discussion over methods of capturing runoff and diverting it into stormwater drains. One individual informed that representatives of Stormwater Management have not been receptive to discussing this matter with area residents.

Area residents expressed concern over the safety of their children walking to school, since there are no sidewalks in Woodbine and none are proposed for Millicent Crossing. Residents believe the proposed bridge connection between these two subdivisions will increase traffic flow, causing increased danger to their children, cause their low crime rate to rise, and they will lose peace, quiet and cohesiveness of their neighborhood.

**Kenneth Bradford**

**717 South Houston 74127**

Mr. Bradford, a representative of HTB who is the architect engineer for the project, advised that the preliminary site plan has just been received and no view of grading conditions on the site has been done.

There was discussion among the Planning Commission over imposing a condition on the parking lot to ensure drainage is to the south.

Staff Comments

With regard to concerns over additional water drainage, Mr. Jones informed that it is a requirement of TAC that no water, either during construction or after the project is built, will be allowed to run off into the residential district. He disclosed that Stormwater Management is aware of the drainage issue. In response, to Ms. Wilson's question regarding sidewalks, Mr. Jones informed that Subdivision Regulations require sidewalks on collector streets. He pointed out that Mingo is an arterial street and there is no requirement for that in the Subdivision Regulations.

TMAPC Comments

Chairman Parmele instructed Staff to flag the preliminary plat to ensure that Public Works is aware of the drainage problem and make an effort to contain drainage to the west and south rather than the north.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the PRELIMINARY PLAT of Union Elementary School as recommended by Staff and with cautions noted.

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Oakview Terrace (2093)

(PD-6)(CD-9)

Northeast corner of East 38th Street South and South Atlanta Place

Interested Parties

**Jeff Levinson**

**35 East 18th Street**

Mr. Levinson requested a two-week continuance on this item in order to resolve an area of contention.

**Steve Schuller**

Mr. Schuller, who had previously appeared regarding this item as attorney for a number of protestants, informed that he will not be able to attend the meeting in two weeks due to scheduling conflicts. He explained that his clients believe that it may take longer than two weeks to resolve differences with the developer. Mr. Schuller added that area residents are working with the developer and it appears that a resolution is possible. He requested a four-week continuance.

Mr. Levinson deemed that a four-week continuance might impede the process of a resolution.

It was the consensus of the Planning Commission to continue this item for three weeks.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 9-0-0 (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **CONTINUE** the **PRELIMINARY PLAT** for Oakview Terrace to May 18, 1994.

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**FINAL APPROVAL AND RELEASE:**

Theissen Center (394)

(PD-17)(CD-6)

West of the SW/c of East Admiral Place & South 161st East Avenue

Staff Comments

Mr. Jones advised that all releases have been received and Staff was recommending approval.

Interested Parties

**Dorothy Bobbitt**  
**Gary West**

**16435 East 1st Street 74108**  
**16403 East 1st Street 74108**

The interested parties were not in attendance when this item was heard.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the Final Plat of Theissen Center and **RELEASE** same as having met all conditions of approval as recommended by Staff.

\* \* \* \* \*

**PLAT WAIVER REQUEST: SECTION 213:**

**BOA-16621 (Unplatted)(1193)**

(PD-5)(CD-5)

Northeast corner of East 15th Street South and South 79th East Avenue

This approximately five-acre tract is the site of an existing church, a portion of which was destroyed by a storm approximately one year ago. Since no Board of Adjustment approval could be found, the applicant has made application to rebuild that portion destroyed, and will be heard on April 26, 1994. Since all right-of-way appears to be existing and the intent is only to rebuild that portion destroyed, Staff would recommend **APPROVAL** of the **SUBDIVISION PLAT WAIVER** for **BOA-16621**.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend to **WAIVE** the **SUBDIVISION PLAT** for **BOA-16621**.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the WAIVER OF PLAT for BOA-16621 as recommended by Staff.

\* \* \* \* \*

**CZ-210 (Opportunity Heights)(3392)**  
5401 West Skelly Drive

**(PD-9)(County)**

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

This 2.23-acre tract is located at the northwest corner of West 55th Street South and South 43rd West Avenue. The subject tract is presently zoned RS and CG, and the requested IL zoning will be considered by the TMAPC on February 23, 1994. Staff is supportive of the requested Plat Waiver based on the tract size, existing plat and number of similar plat waivers granted in the immediate area.

Staff recommends APPROVAL of the Plat Waiver for CZ-210 per the following conditions:

1. Utility extensions and/or easements if needed.
2. Grading and/or drainage plan approval by the County Engineer in the permit process.

**NOTE:** This request will not be transmitted to the TMAPC until the rezoning resolution is published.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Subdivision Plat Waiver, subject to the above conditions.

Ted Sack was present representing the applicant and indicated agreement with Staff recommendation.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the WAIVER OF PLAT for CZ-210 as recommended by Staff.

\* \* \* \* \*

**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL**

<u>L-17850 Joe Hamra, Trustee (1393)</u> 2154 S. 85th E. Ave.	(PD-5)(CD-5) CS
<u>L-17870 Harold &amp; Sharon Watts (2682)</u> 727 W. 108th St. S.	(PD-22)(County) AG-R
<u>L-17871 Benjamin &amp; Norma Crockett (413)</u> E. of Peoria on 116th St. N.	(PD-12)(County) AG
<u>L-17874 Lois Groden (363)</u> 5609 E. 191st St. S.	(PD-20)(County) AG
<u>L-17878 Jerry &amp; Larry Johnston (583)</u> 2501 E. 71st St. S.	(PD-18)(CD-9) RS-1
<u>L-17879 Ruth Rattler (3623)</u> NW/c of E. 126th St. N. & N. 93rd E. Ave.	(PD-14)(County) AG
<u>Staff Comments</u>	

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 **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in conformance with Subdivision Regulation.

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**LOT-SPLIT FOR DISCUSSION:**

<u>L-17877 Nolan &amp; Ginger Gross (2493)</u> 3146 S. Mingo Rd.	(PD-17)(CD-5) CS
---------------------------------------------------------------------	---------------------

The applicant is requesting release of a tie statement placed on a deed. Lot-split #13441 split off the street frontage, leaving the 2-acre interior portion of the property landlocked. The property owner also owned a lot to the north with 60' of frontage on Mingo. Lot-split approval required the landlocked piece be attached to this 60' lot to provide access to Mingo Road. The standard tie statement restricting transfer without TMAPC approval was placed on the deed at that time. These tracts were later transferred to the current owner. In 1983 the current owner sold the street frontage portion of the 60' lot. He also has access agreements on the two adjacent properties along Mingo. The tie statement no longer serves the purpose for which it was required.

There were no interested parties in attendance.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **RELEASE** the TIE CONTRACT for L-17877 subject to Board of Adjustment approval of the variance for frontage.

\*\*\*\*\*

**CONTINUED ZONING PUBLIC HEARING:**

Application No.: **PUD-306-C**

Applicant: Roy Johnsen

Location: East of the northeast corner of East 101st Street South and South Delaware Avenue

Date of Hearing: April 27, 1994

**TMAPC Comments**

Chairman Parmele acknowledged receipt of a letter from the applicant requesting continuance to May 11, 1994. There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Neely "absent") to **CONTINUE** PUD 306-C to May 11, 1994.

\* \* \* \* \*

Application No.: **Z-6439/PUD 509**

Applicant: David Riggs

Location: 129th East Avenue between 5th Street and 7th Street

Date of Hearing: April 26, 1994

Presentation to TMAPC:

Present Zoning: RS-2

Proposed Zoning: IL or CH/PUD

**Relationship to the Comprehensive Plan:**

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity Linear Development.

According to the Zoning Matrix the requested IL or CH Districts **are not** in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property contains approximately 1.79 acres. The property is gently sloping, nonwooded and is vacant.

**Surrounding Area Analysis:** The subject tract is abutted on the north by a vacant lot and a single-family dwelling to the northeast, zoned RS-2; to the east by vacant land, zoned RS-2; to the south by a church, zoned RS-2 and to the southeast by a single-family home, zoned RS-2; to the west by single-family dwellings and vacant property, zoned CO.

**Zoning and BOA Historical Summary:** The Comprehensive Plan has designated the development in this area along S. 129th East Avenue as Medium Intensity Linear Development and requires a Planned Unit Development for future development. The Comprehensive Plan also excludes any industrial uses and discourages through traffic into the residential district. The most recent rezoning in this area was for approval of OL zoning north of the subject tract and CO zoning to the west. Staff recommends **DENIAL** of **IL** or **CH** zoning and if accompanying PUD-509 is acceptable, **APPROVAL** of **CG** zoning on Lot 13, Block 4, of Meadowbrook Heights Addition.

AND

**PUD-509:** 129th East Avenue between East 5th Street South and East 7th Street South

PUD-509 with accompanying rezoning case Z-6439 is now proposing a retail, warehousing and office development on a 1.7-acre tract which fronts 129th East Avenue on the west and 5th Street South on the north. The Comprehensive Plan designates the PUD as a Medium Intensity Linear Development Area, and specifically recommends that industrial uses be excluded from this area, even in a PUD. The PUD is surrounded on three sides by RS-2 zoning and across 129th East Avenue is CO zoning. The conceptual plan calls for a 3,200 SF retail building on South 129th East Avenue and a 4,000 SF warehouse to the east of the retail building and a 3,200 SF, 2-story office building at the northeast corner of the PUD. Access to the retail and warehouse uses would be limited to South 129th East Avenue. Access to the office building would be from East 5th Street South. There is not currently a street in the 130th East Avenue right-of-way and Staff could not support non-residential uses facing into a residential area. The PUD does not address if the applicant proposes to build 130th East Avenue. Because of existing development, the transitional nature of the residential zoning fronting South 129th East Avenue and the Comprehensive Plan, Staff can support the request with a number of conditions to ensure protection of residential areas to the east, north and south.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD-509 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD-509 subject to the following conditions:

1. The applicant's Amended Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. **Development Standards:**

Land Area (Gross): 96,500 SF

Permitted Uses: Use Units 11, 13, 14 and warehousing

Maximum Building Floor Area

Use Units 13 & 14 uses:	3,200 SF
Use Unit 11 uses:	3,200 SF
Warehousing uses:	4,000 SF

Minimum Building Setbacks

C/L of S. 129th E. Ave.:	100'
C/L of S. 130th E. Ave.	
Use Unit 11 uses:	50'
Use Unit 13, 14 or	
warehousing uses:	75'
C/L of E. 5th St. S.	
Use Unit 11 uses:	50'
Use Unit 13, 14 or	
warehousing uses:	125'

From South Boundary of PUD	
Use Unit 11 uses:	25'
Use Unit 13 & 14 uses:	35'
Warehousing uses:	75'
From Boundary of PUD Abutting Lot 14	
Use Unit 11 uses:	25'
Use Unit 13, 14 or warehousing uses:	35'
Maximum Building Height	
All uses:	one story not to exceed 18' in height
Minimum Off-Street Parking:	as required for the applicable Use Unit in the Tulsa Zoning Code
Minimum Setback of Off-Street Parking and Loading Areas	
From PUD boundary abutting 130th E. Ave.:	50'
All other PUD boundaries:	5'

3. The maximum wall signage allowed in the PUD shall be 1 SF per lineal foot of building wall to which it is attached if accessory to a Use Unit 13 or 14 use, and wall signs are only allowed on the west wall of the building. For Use Unit 11 uses, one wall sign not exceeding 32 SF is permitted. No wall signs are permitted for the warehousing use.

One ground sign is permitted in the PUD which shall not exceed 25' in height nor 50 SF of display surface area. It shall be on the South 129th East Avenue frontage and shall be at least 100' from any residentially zoned area outside the PUD.

4. Access to Use Unit 13 and 14 and warehousing uses shall be exclusively from South 129th East Avenue. Access to Use Unit 11 uses shall be from East 5th Street South or South 129th East Avenue.
5. Screening fences shall be erected as shown on the conceptual plan and a double row of evergreens shall be planted along the side of the PUD abutting South 130th East Avenue to provide screening.
6. Outdoor display of merchandise shall be permitted on the east 80' of Lots 12 and 13.
7. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all buildings, building elevations, and required parking has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
8. A Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A Landscape Architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan prior to issuance of an Occupancy Permit. The landscaping materials required under

the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.

9. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
10. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
11. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 20 feet and are not permitted in the east 50' of the PUD.
12. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
13. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City beneficiary to said Covenants.
14. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

The Planning Commission wants to ensure that CG zoning is only for Lot 13, with the accompanying PUD overlay and only to accommodate the single specific use the applicant is applying for. They declared that other CG uses would not be appropriate.

Mr. Stump informed that the applicant is requesting outside display of merchandise such as concrete lawn ornaments. He advised that they are required to be set back at least 50' from the street, placing them behind the building setback line, limited to the middle two lots.

#### Applicant's Comments

##### **Whit Mosey**

1532 South Gillette

Mr. Mosey, representing David Riggs, informed that the proposed use is to sell lawn ornaments with a storage area at the rear with the northern portion intended for medical office use. Mr. Mosey presented letters of support from area residents. He expressed agreement with Staff recommendation.

There were no interested parties in attendance.

#### **TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to recommend **APPROVAL** of Z-6439 for CG zoning on Lot 13, Block 4 of Meadowbrook Heights Addition and **APPROVAL** of PUD 509 as recommended by Staff.

**LEGAL DESCRIPTION Z-6439**

Lot 13, Block 4 of Meadowbrook Heights Addition to the City of Tulsa, Oklahoma.

**LEGAL DESCRIPTION PUD 509**

Lots 1, 2, 3, 11, 12, and 13, Block 4 Meadowbrook Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

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**ZONING PUBLIC HEARING:**

Application No.: **PUD-411-C-1**

Applicant: Ted Sack

Location: Development Area 1-A - northeast corner of East 101st Street South and South Memorial Drive

Date of Hearing: April 27, 1994

Minor Amendment to reallocate floor area in Development Area 1-A

The applicant is proposing to create two separate lots within Development Area 1-A and to allocate building floor area to each. Currently, Development Area 1-A has a 0.25 FAR and floor area would be allocated to the two tracts so that one would have an FAR of 0.15 and the other 0.273. Staff can support the change since even the higher FAR is still reasonably low. Staff recommends PUD-411-C-1 as follows:

<u>Lot</u>	<u>Net Area</u>	<u>Max. Building Floor Area</u>	<u>FAR</u>
Tract 1	198,000 SF	49,500 SF	0.25
Remainder of Dev. Area 1-A	851,846 SF	213,000 SF	0.25
<b>TOTAL:</b>	1,049,846 SF	262,500 SF	0.250

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 411-C MINOR AMENDMENT as recommended by Staff.

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Application No.: **PUD-489-3**  
Applicant: Gregory T. Weisz  
Location: Northeast corner of East 71st Street South and South Mingo Road  
Date of Hearing: April 27, 1994

**Minor Amendment to reallocate building floor area and parking spaces**

The applicant is requesting to reallocate 4,000 SF of building floor area from Lot 3 and 1,000 SF from Lot 2, and to add both to Lot 4. In addition, 39 off-street parking spaces adjacent to the east side of Lot 4, which are in Lot 6, would be designated for uses in Lot 4. Staff finds the reallocations to be minor in nature and recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 489-3 **MINOR AMENDMENT** as recommended by Staff.

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Application No.: **PUD-507-1**  
Applicant: **Gregory T. Weisz**  
Location: East of the southeast corner of South 85th East Avenue and East 71st Street South  
Date of Hearing: April 27, 1994

**Minor Amendment to reallocate building floor area**

The applicant is proposing to divide Development Area A into two lots and to allocate building floor area to each lot. This request is in conformance with the Plat of Woodland Hills Plaza, which was given Final Approval on April 6, 1994. The original 151,000 SF would be divided as follows:

Lot 1: 8,000 SF  
Lot 2: 143,000 SF

Staff's opinion is that this complies with the original intent of the PUD and therefore recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 507-1 **MINOR AMENDMENT** as recommended by Staff.

\*\*\*\*\*

Application No.: **PUD-405-10**  
Applicant: Jeffrey G. Levinson  
Location: East 91st Street South & South Sheridan Road.  
Date of Hearing: April 27, 1994  
Presentation to TMAPC: Jeffrey Levinson

Minor Amendment to allow single-family residential uses.

The applicant is requesting a Minor Amendment to allow single-family dwellings in the northwest 6.6 acres of Development Area 7. Originally, 203 dwelling units were permitted on the 21.48 acres of Development Area 7. Use Units 7 and 8 were permitted. Subsequently, Minor Amendment PUD-405-4 allowed a 164-bed nursing home on these same 6.6 acres. The remaining 14.88 acres of Development Area 7 were allocated 141 dwelling units. Since this was approved, the remainder of Development Areas 7 and 5 were developed as a single-family subdivision with 81 units which generally met the development standards of the RS-3 district. Now the applicant would like to abandon the nursing home project and instead develop the area as a single-family subdivision which meets RS-4 bulk and area requirements. Staff can support the change of use from a nursing home to single-family dwellings being considered a Minor Amendment, since the area was originally intended to be residential. The intensity of development to the north, east, south and southwest is RS-3 or lower. Because of this, Staff would recommend **APPROVAL** of the Minor Amendment, but with the development complying with the RS-3 development standards rather than the RS-4 that was proposed.

Applicant's Comments

**Jeffrey Levinson**

**35 East 18th Street**

Mr. Levinson advised that he is requesting RS-4 zoning, which is a less intensive use than what was originally planned, which was multifamily use. He noted that, although much of the surrounding area is RS-3, the subject tract is isolated due to extensive easements abutting this property which also limit the use of the property. He concluded that because of the setback lines, RS-4 zoning is the most appropriate for this tract and that RS-3 setback requirements may make this property extremely difficult to develop and perhaps impractical. He conceded that RS-3 zoning would be acceptable if front setback lines of 20' were allowed.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 405-10 **MINOR AMENDMENT** with RS-3 development standards, 20' setback and minimum 50' frontage.

\* \* \* \* \*

**OTHER BUSINESS:**

**PUD-215:** Revised Detail Site Plan - Faith United Methodist Church - 7431 East 91st Street South

The church is requesting approval of a revised site plan which incorporates 3,600 SF of additional classroom space. The existing parking lot where the classrooms are proposed to be built will be relocated to the northwest approximately 35', but will still be over sixty feet from the nearest residential lot. Staff recommends **APPROVAL** of the revised site plan.

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 215 REVISED DETAIL SITE PLAN as recommended by Staff.

\* \* \* \* \*

**PUD-489:** Detail Site Plan - Lot 4, Block 1, 71 Mingo Center - north of the northeast corner of East 71st Street South and South Mingo Road

Golden Corral is proposing a 10,560 SF restaurant on Lot 4, with 67 parking spaces on Lot 4 and 39 spaces in Lot 6, designated to meet the off-street parking needs of this restaurant. Over 14% of the lot is landscaped area. Ten percent is required. Staff recommends **APPROVAL** of the Detail Site Plan.

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 489 DETAIL SITE PLAN as recommended by Staff.

\* \* \* \* \*

**PUD-507:** Detail Site Plan - Lot 2, Block 1, Woodland Hills Plaza - east of the southeast corner of East 71st Street South and South Memorial Drive

The Site Plan of Lot 2 is for 142,630 SF of retail commercial with 686 spaces provided. The required number of off-street parking spaces for Use Unit 13 or 14 uses is 634. Provision is made for the adjacent property owner to the south (Lot 3) to construct the second access point required by the PUD. Also, an access corridor to the property to the east is shown but not constructed. Staff recommends **APPROVAL** of the Detail Site Plan for Lot 2 subject to the following conditions:

1. Only Use Unit 11, 13 or 14 uses are permitted, and
2. A mutual access agreement shall be executed by the owners of Lot 2, giving the owners of Lot 3 and the tract to the east access to the shopping center at the locations shown.

TMAPC Comments

Regarding access to the Wenrick property to the east, Mr. Stump advised that Mr. Sack informed him that this access was to be accomplished prior to occupancy.

The consensus of the Planning Commission was that this item was discussed at length at a prior meeting and declared that access should be indicated on the site plan and required that access be shown on the site plan and in place prior to occupancy.

Mr. Doherty made a motion for denial which was seconded by Mr. Midget.

Applicant's Comments

Mr. Sack stated that Roy Johnsen, attorney for the applicant, indicated that Mr. Wenrick would construct the access to the drive. He advised that if that is not the intention of the Planning Commission, the client would have no problem constructing access as the Planning Commission instructs.

Mr. Doherty pointed out that at the last discussion regarding this property, it was made clear that each individual was responsible for his own property and the Planning Commission does not want to be involved in who is paying for what. The fact that a site plan comes back contrary to that instruction and for further negotiation is contrary to the spirit of the Planning Commission's intent.

Ms. Wilson declared that the Planning Commission made clear that the intent was to show access on the plat and there was no agreement to wait until the time of occupancy.

Mr. Doherty noted that on the site plan is printed *future access drive by adjacent property owner*.

Mr. Sack informed that the owner will construct access.

Mr. Doherty pointed out that the site plan submitted does not comply with the last discussion with the applicant.

Mr. Sack informed that the building permit is ready to pick up and the plat will be filed shortly and requested approval of the application. He informed that he will submit to Staff a revised site plan tomorrow removing the statement Mr. Doherty referred to.

Mr. Doherty withdrew his motion of denial and Mr. Midget withdrew his second.

Mr. Carnes made a motion for a one-week continuance. Mr. Doherty seconded the motion.

**Tom Wenrick**

**2930 East 51st Street**

Mr. Wenrick, adjoining property owner, suggested that when the site plan is reviewed that a dashed line not be on the landscaped area, but be indicated as a stub street, as is usually done.

Mr. Stump requested clarification on executing the mutual access agreement.

Mr. Doherty informed that is to be completed prior to occupancy and execution of the language of the agreement is prior to occupancy, but on the site plan the Planning Commission wants to know where it is placed.

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **CONTINUE** PUD 507 DETAIL SITE PLAN to May 4, 1994.

After all agenda items were heard, Mr. Doherty informed that Mr. Sack submitted a hand-corrected copy of the site plan indicating the access drive. Mr. Doherty made a motion for reconsideration of PUD 507 Detail Site Plan. Ms. Wilson seconded the motion.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Carnes, Harris, Neely "absent") to **RECONSIDER** PUD 507 DETAIL SITE PLAN.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Carnes, Harris, Neely "absent") to **APPROVE** PUD 507 DETAIL SITE PLAN for Lot 2, Block 1 as amended.

\* \* \* \* \*

**PUD-166-D:** Detail Sign Plan - Patrick's Pub & Grill - south of the southeast corner of East 91st Street South and South Sheridan Road

The applicant is requesting approval of two additional wall signs on Patrick's Pub & Grill. There are currently two signs on the building; one on the north entrance and one on a canopy facing northwest. An 8' X 8' new sign is to be placed on the south face of the building and a 4' X 5' sign on the west side. The west wall would now contain 115 SF of signage and is allowed 144 SF. The south wall would contain 64 SF and is permitted 106 SF. Therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **5-0-1** (Doherty, Horner, Midget, Pace, Wilson "aye"; no "nays"; Parmele "abstaining"; Ballard, Broussard, Carnes, Harris, Neely "absent") to **APPROVE** PUD 166-D **DETAIL SIGN PLANS** recommended by Staff.

\* \* \* \* \*

**PUD-300:** Detail Sign Plan - 8007-A South Sheridan Road.

This request is for a new wall sign on a 22.5' wide store front in the Square One shopping center. The sign contains 30 SF of display surface area and is within the limitations of the PUD. Therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 6 members present:**

On **MOTION** of **WILSON**, the TMAPC voted **6-0-0** (Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Carnes, Harris, Neely "absent") to **APPROVE** PUD 300 **DETAIL SIGN PLAN** as recommended by Staff.

\* \* \* \* \*

**PUD-190:** Detail Sign Plan - southwest corner of East 71st Street South and South Sheridan Road

Pennington's restaurant is requesting approval of a 9' X 12' wall sign in rental spaces 26 and 27 of Summit Square Shopping Center. The restaurant will have 80' of building wall on the side where the sign is affixed, so it is within the 1 1/2 SF per foot of wall limitation of the PUD. Therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Neely "absent") to **APPROVE** PUD 190 **DETAIL SIGN PLAN** as recommended by Staff.

\* \* \* \* \*

Woodbine Homeowners Association requests a hearing before the TMAPC to discuss the necessity for connecting Woodbine and Millicent Crossing with a street and bridge.

Chairman Parmele informed that the Planning Commission can take no action on this matter today and input is for discussion and information only.

Staff Comments

Mr. Jones advised that Millicent Crossing is a residential single-family subdivision located near the northeast corner of 101st and Mingo which the Planning Commission has given preliminary plat approval. Mr. Jones believes the point of contention is the tie-in to an existing residential single-family subdivision to the south. He noted that all of this is part of a PUD, and when the original PUD was presented, the entire area was planned to be interconnected. Now the property to the south is developing and from a planning standpoint, the logical procedure is to connect to the stub street for access in and out of the subdivision and throughout the subdivision to the north. Presently the subdivision to the north only has one point of ingress and egress. Traffic Engineering has reviewed the plat and supports the concept. It is a logical tie-in of the existing stub streets.

Interested Parties

<b>Teresa Hobbs</b>	9915 East 97th Street	74133
<b>Sandy Kile</b>	10102 East 98th Street South	74133
<b>Duane Cox</b>	9804 South 99th East Avenue	74133
<b>Leon Burke</b>	9912 East 98th East Avenue	74133
<b>Barbara Mock</b>	10227 East 98th Street	74133
<b>Ken Smith</b>	9916 East 99th Street South	74133
<b>Ernie &amp; Marlene Armendariz</b>	10106 East 98th Street South	74133
<b>Brenda Smith</b>	9916 East 99th Street South	74133
<b>Annette Birt</b>	9805 East 96th Place	74133
<b>Shirley Sellers</b>	10020 East 98th Street	74133
<b>Natoma Stephens</b>	10003 East 98th Place	74133
<b>Robert Martin</b>	9902 East 99th Street	74133
<b>Julie Kemp</b>	9810 East 97th Street	74133
<b>Nelda Taylor</b>	9722 East 97th Street	74133
<b>Debbie Woodruff</b>	9907 South 100th East Place	74133
<b>Yvan Beausoleil</b>	9804 East 97th Street	74133

The above listed individuals expressed the following:

Woodbine homeowners request that if the street must be extended that stop signs and sidewalks be installed. The expected increase in traffic and children walking to and from school make these items imperative to the safety of the children.

Residents expressed concern of increased traffic using the street as a short-cut to avoid the intersection, thereby increasing danger to the large number of children in the neighborhood.

Residents want single access for security reasons and the enjoyment of their neighborhood without concern of excessive traffic and the noise it would create.

Residents attribute their incidence of no crime in their neighborhood to the single entrance.

Residents asked that the stub street remain as it is until the adjacent area is developed, and address the issue when it proves that the stub street is needed. It was also suggested using an alternate stub street.

Residents object to the intrusion caused by increased traffic to peacefulness to their neighborhood.

Residents suggested that if a bridge is installed, a break-away gate be considered similar to what exists at Mill Creek Pond.

Residents expressed their desire to work with the governing entities in working toward a compromise.

Woodbine residents declared that they received no notification of the Millicent Crossing preliminary plat.

Mr. Jones noted that abutting property owners were mailed notification and reviewed statute requirements and subdivision regulations for proper notification. He informed of receiving phone calls regarding the preliminary plat for Millicent Crossing.

Mr. Jones pointed out that both Millicent Crossing and Woodbine incorporate curvilinear streets aiding in slowing down speeding traffic.

Letters of support were presented to the Planning Commission for keeping Woodbine with a single entrance.

TMAPC Comments

Mr. Doherty explained that subdivision regulations require more than one point of access.

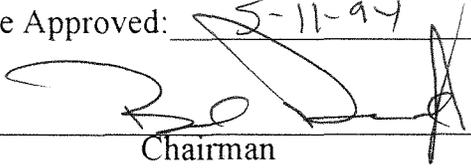
Mr. Gardner pointed out that without a stub street for a second point of access, Woodbine would not exist.

Chairman Parmele recalled a similar instance in Crown Pointe and Silver Chase where the stub street was not connected and a home was destroyed by fire because the fire truck could not reach the home. He stated that the Planning Commission received substantial criticism because of not having the second point of access in place.

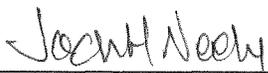
Chairman Parmele noted that when the final plat for Millicent Crossing is presented to the Planning Commission for final approval, all interested parties who signed in will receive notification. Additionally, he instructed Mr. Jones to notify Ken Smith, president of the HOA, when Millicent Crossing comes in for final plat.

\* \* \* \* \*

There being no further business, the Chairman declared the meeting adjourned at 4:15 p.m.

Date Approved: 5-11-94  
  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
1st Vice chair Secretary