

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2004

Wednesday, January 4, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Carnes, 2nd Vice
Chairman
Doherty
Gray
Horner
Midget, Mayor's
Designee
Pace
Parmele
Chairman
Selph

Members Absent

Ballard
Wilson

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, January 3, 1995 at 12:40 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 1:40 p.m.

Minutes:

Approval of the minutes of December 14, 1994, Meeting No. 2002 and the minutes of December 21, 1994, Meeting No. 2003:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Carnes Doherty, Gray, Horner, Midget, Pace, Parmele, "aye"; no "nays"; Selph "abstaining"; Ballard, Wilson "absent") to **APPROVE** the minutes of the meetings of December 14, 1994 Meeting No. 2002 and December 21, 1994 Meeting No. 2003.

REPORTS:

Chairman's Report:

Chairman Parmele reminded the Planning Commission that the election of officers will be held January 11, 1995.

Committee Reports:

Budget and Work Program Committee

In Ms. Wilson's absence, Mr. Doherty reminded the Planning Commission that the American Planning Association (APA) Conference will be held the first week of April. He asked the Planning Commissioners to check their schedules to determine if they will be able to attend.

Director's Report:

Mr. Gardner announced items to be heard by the City Council January 5. He also reminded the Planning Commissioners that the TMAPC workshop is scheduled for January 10. Mr. Gardner informed that response has been poor and a second letter has been mailed to encourage participation.

COMPREHENSIVE PLAN PUBLIC HEARING:

Public Hearing to amend District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, to reflect deannexation of land.

RESOLUTION NO. 2004:769

**A RESOLUTION AMENDING
THE DISTRICT SEVENTEEN PLAN MAP,
A PART OF THE COMPREHENSIVE PLAN
FOR THE TULSA METROPOLITAN AREA**

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 28th day of January, 1976, this Commission, by Resolution No. 1097:416, did adopt the District Seventeen Plan Map and Text as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma; and

WHEREAS, a Public Hearing was held on the 4th day of January, 1995, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to modify its previously adopted District Seventeen Plan Map to delete the area approximately bounded by 145th East Avenue and 161st East Avenue, East 41st Street South and East 51st Street South recently deannexed by the City of Tulsa (the northwest, southeast and southwest quadrants).

NOW, THEREFORE, BE IT RESOLVED by the TMAPC, that the amendment to the District Seventeen Plan Map, as above set out, be and is hereby adopted as part of the District Seventeen Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Comments

Ms. Matthews informed that that the District 17 plan map needs to reflect that the area approximately bounded by 145th East Avenue and 161st East Avenue, East 41st Street South and East 51st Street South has been deannexed by the City of Tulsa.

Mr. Doherty asked if the area has been annexed by the City of Broken Arrow.

Ms. Matthews replied that she would research to determine whether the area has been annexed by Broken Arrow, and transmittal will be withheld until that determination is made.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to recommend **AMENDING** the District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, to reflect deannexation of land.

* * * * *

SUBDIVISIONS:

PRELIMINARY PLAT:

Boatmen's Bank I (PUD-206)(2283) (PD-18)(CD-8)
South of the southwest corner of East 91st Street South and South Sheridan Road

Jones presented the plat with Dwayne Wilkerson in attendance at the TAC meeting.

Herbert stated that an overland drainage easement may be required along the south property line.

Somdecerrff recommended the legal description be corrected in the deed of dedication.

French noted that the access points on the plat appear to be fine but recommended his office review the detail site plan for the PUD.

Matthews recommended that a "Finished Floor Elevation" be shown on the face of the plat due to the shallow sewer pipe for connection.

Boatmen's Bank I is a one-lot, one-block commercial subdivision plat that is part of Development Area "A" of PUD-206. As of this writing, no detail site plan has been submitted for review.

Staff would offer the following comments and/or recommendations:

1. Show distance from northeast corner of lot to section corner.
2. Show "STREET RIGHT-OF-WAY DEDICATED BY THIS PLAT" on face of plat.
3. All conditions of PUD-206 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.
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 shall be tied to or related to property line and/or lot lines.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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 owner(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 & Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
13. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
14. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
15. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic)/County Engineer. Include applicable language in covenants.

16. 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 plat release.)
17. 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.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to Bixby 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.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of Boatmen's Bank I, subject to all conditions listed above.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** the PRELIMINARY PLAT for Boatmen's Bank and waiver of Subdivision Regulations to permit a 1" = 40' scale and subject to Staff conditions.

PLAT WAIVER, SECTION 213 AND SECTION 260:

BOA-16620 (Romoland)(994)
1437 South 129th East Avenue

(PD-17)(CD-6)

Jones presented the request with O.J. Jackson in attendance at the TAC meeting.

Matthews stated that an approximate 200'-300' sewer extension would be required.

Herbert recommended that the plat waiver be for this use only and subject to this site plan. In addition, all drainage must be directed to a public street or storm sewer.

French recommended that the applicant verify existing right-of-way for South 129th East Avenue and that he execute an access agreement.

The subject tract is approximately 2.25 acres in size and platted as Lots 5 and 6, Block 12, Romoland. The Board of Adjustment approved a special exception to permit church use, per plans submitted, on April 12, 1994. This request is to waive the required subdivision plat as required by the Board of Adjustment approval. Existing right-of-way for South 129th East Avenue appears to meet the Major Street Plan.

Based on the size of the subject tract and its being platted, Staff recommends **APPROVAL** of the plat waiver for BOA-16620 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for BOA-16620, subject to all conditions listed above.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** the PLAT WAIVER for BOA-16620 as recommended by Staff.

BOA-16896 (Pilcher Summit)(893)
1128 South College Avenue

(PD-4)(CD-4)

Mr. Jones requested that this item be continued to January 11, 1995 to allow Board of Adjustment action before the property is subject to platting requirements.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **CONTINUE** the PLAT WAIVER for BOA-16896 to January 11, 1995.

FINAL APPROVAL AND RELEASE:

Cherokee Expressway Industrial District 2nd Amended (3413)
Southeast corner of East 76th Street North & North Whirlpool Drive.

(PD-15)(County)

Staff Comments

Mr. Jones informed that all release letters have been received and Staff is recommending approval.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Carnes, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; Doherty "abstaining"; Ballard, Wilson "absent") to recommend **APPROVAL** of the FINAL PLAT of Cherokee Expressway Industrial District 2nd Amended and **RELEASE** same as having met all conditions of approval as recommended by Staff.

Ridge Pointe (PUD-411)(2483)

(PD-26)(CD-8)

East of the northeast corner of E. 101st Street South & South Memorial Drive.

Staff Comments

Mr. Jones announced that all release letters have been received and Staff recommends approval subject to approval by the Legal Department.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to recommend **APPROVAL** of the FINAL PLAT of Ridge Pointe and **RELEASE** same as having met all conditions of approval as recommended by Staff and subject to final approval of the Legal Department.

QuikTrip #78R (1583)

(PD-18)(CD-8)

Northeast corner of E. 101st St. S. & S. Yale Ave.

Mr. Jones informed that this item was acted upon at the December 21, 1994 meeting and was inadvertently placed on today's agenda. He asked that it be stricken from the agenda.

Chairman Parmele declared this item stricken from the agenda.

Signal Hill II (PUD-458)(1583)

(PD-18)(CD-8)

South of the southeast corner of East 81st Street South & South Yale Avenue.

Staff Comments

Mr. Jones informed that all release letters have been received and Staff recommends approval subject to approval by the Legal Department.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** the FINAL PLAT of Signal Hill II and **RELEASE** same as having met all conditions of approval as recommended by Staff and subject to approval by the Legal Department.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

<u>L-17973 Dorothy Jones (F. Miller)(803)</u> 2804 E. 56th St. N.	(PD-25)(CD-1) RS-3
<u>L-17996 Super Shops Automotive (S. Johnson)(1193)</u> 1920 S. Memorial Dr.	(PD-5)(CD-5) CS
<u>L-18005 Bettye Gilmore (R. Roberson)(793)</u> 1602 & 1606 E. 14th St. S.	(PD-6)(CD-4) RM-2
<u>L-18006 Larry & Jerry Johnston (583)</u> 2501 E. 71st St. S.	(PD-18)(CD-9) RS-1
<u>L-18007 Rohr/Stalcup (893)</u> 1224 S. Florence Ave.	(PD-4)(CD-4) RS-3
<u>L-18008 Melvin & Loanna Wheat (City of Tulsa)(1382)</u> 8333 S. Elwood Ave.	(PD-8)(CD-2) AG
<u>L-18009 David Pease (973)</u> 1404 E. 151st St. S.	(PD-21)(County) AG
<u>L-18010 GBK Corporation (D. Brown)(2893)</u> 3835 E. 51st St. S.	(PD-18)(CD-7) CO
<u>L-18013 Lincoln Property Company (D. Brown)(1583)</u> Northeast corner of E. 91st St. S. & S. Yale Ave.	(PD-18)(CD-8) CS

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 **HORNER**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

CONTINUED ZONING PUBLIC HEARING:

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

Applicant: Roy Johnsen

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

Date of Hearing: January 4, 1995

Chairman Parmele announced receipt of a request for a continuance to January 25, 1995.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **CONTINUE** PUD 306-C to January 25, 1995

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ZONING PUBLIC HEARING:

Application No.: **PUD-530**

Applicant: YWCA

Location: East 20th Street South & South Lewis Avenue.

Date of Hearing: January 4, 1995

Presentation to TMAPC: Kathleen R. Page

Present Zoning: *RS-3/OL*
Proposed Zoning: *PUD/RS-3/OL*

The applicant is proposing to expand the existing YWCA facilities by removing two homes on the south side of 19th Street, demolishing the easternmost existing building and adding buildings north and west of the existing pool building. The PUD also calls for the cul-de-sacing of 20th Street approximately 200' west of its intersection with Lewis Avenue. The uses proposed include child care for up to 150 children, adult health and wellness facility, gymnasium, pool and offices and counseling space. With the proposed expansion, the facility would contain 27,500 SF of building floor area. The PUD concept plan shows 66 parking spaces but 33 of these spaces are in the planned right-of-way of Lewis Avenue. Currently, Lewis Avenue has 30-35' of right-of-way west of its centerline and 50' is required by the Major Street and Highway Plan. A variance would be needed from the Board of Adjustment to allow parking in the planned right-of-way.

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-530 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-530 subject to the following conditions:

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

2. **Development Standards:**

Land Area (Gross):	105,663 SF
Permitted Uses:	YWCA, children's nursery and Use Unit 11 and customary accessory uses
Maximum Building Floor Area	
Total of all buildings:	27,500 SF
Use Unit 11 uses:	6,000 SF
Minimum Building Setbacks	
From centerline of 19th Street:	55'
From centerline of Lewis Avenue:	75'
From west boundary of PUD:	25'
From south boundary of PUD:	5'
Minimum Parking Space Setbacks	
From centerline of 19th Street:	50'
From west boundary of PUD:	50'
From south boundary of PUD:	0'
From centerline of Lewis Avenue:	50' *
	<i>*unless varied by the Board of Adjustment</i>
Maximum Building Height:	35'
Minimum Landscaped Open Space and Pedestrian Areas:	25% of PUD excluding right-of-way

Signs:

Two signs are permitted, one being a bulletin board not exceeding 32 SF in surface area nor 10' in height if a ground sign; no portable signs are permitted. The other sign shall be an identification sign which shall not exceed 80 SF in surface area nor 10' in height if a ground sign. All ground signs shall be on the Lewis Avenue frontage, but not within 130' of the centerline of 19th Street. All wall signs shall be on the south or east facing walls of buildings, but in no case less than 100' from the west boundary of the PUD.

3. **Screening and Buffering:**

A screening fence shall be provided along the west boundary of the PUD, except the area within 55' of the centerline of 19th Street. A landscaped strip shall be provided along the west boundary of the PUD, except the area within 55' of the centerline of 19th Street. A landscaped strip shall be provided along the west and north boundaries of the PUD.

4. Access:

Vehicular access to the PUD shall be only from Lewis Avenue or the east half of the southern boundary. Pedestrian access shall not be permitted at this time along the western boundary of the PUD* and all entrances to buildings shall be on the south or east facing walls.

* This may be changed by minor amendment at a later date once all new buildings are in place, parking is not a problem and area residents and the YWCA are in agreement.

5. The development standards of the PUD are contingent upon the closing of 20th Street. If this is accomplished, Staff would recommend that a "T" type turnaround meeting the requirements of Traffic Engineering be installed at the new terminus of 20th Street, rather than a circular one, to conserve space.
6. No windows higher than the top of the screening fence on the west boundary are permitted on the west facing walls of the buildings.
7. The TMAPC shall review and approve the external appearance of all new buildings at the time of Detail Site Plan approval. Special consideration should be given to making the exterior compatible in style to the surrounding neighborhood.
8. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
9. 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.
10. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
11. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
12. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet.
13. 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.
14. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have 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 and making the City beneficiary to said covenants.

15. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

Applicant's Comments

Ms. Page expressed agreement with Staff recommendation.

Interested Parties in Support of the Application

Nancy Davis

2232 East 19th Street 74104

Nell Bradshaw

1628 South Victor 74104

Greg Guerrero

2223 East 20th Street 74104

Martin Steinmetz, President

1763 South Xanthus 74104

Yorktown Neighborhood Association

The above-listed interested parties expressed support of the application and made the following comments:

Area residents informed that a task force was created with representatives of the YWCA and detailed how consensus was eventually reached.

One individual declared that he would not be supportive of any future pedestrian access along the western boundary.

Interested Parties Opposed to the Application

Don Tharp

2215 East 19th Street 74104

Mr. Tharp expressed opposition to the application for the following reasons:

Increased traffic will add to existing traffic problems.

That a parking lot not be placed on the properties rented beside 2232 East 19th Street.

Mr. Tharp was supportive of the closing of 19th Street.

TMAPC Comments

Mr. Doherty asked Mr. Steinmetz if recommendation for approval of the PUD should be predicated on the closing of 20th Street.

Mr. Steinmetz replied that the residents would need to reevaluate in order to determine the effect it would have on the area by not closing 20th Street.

Chairman Parmele instructed Staff to notify interested parties when the detail site and landscape plans are to be presented for review.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to recommend **APPROVAL** of PUD 530 as recommended by Staff.

LEGAL DESCRIPTION

Lots 1, 2, 3, and 4, Block 11, and Lots 1, 2, 3, 4, 17, 18, 19, and 20, Block 7, Woodward Park, an Addition to the City of Tulsa, Tulsa County, Oklahoma, and located on the northwest corner and the southwest corner of East 20th Street and South Lewis Avenue, Tulsa, Oklahoma.

Application No.: **PUD-485-A**
Applicant: John W. Moody
Location: 10800 South Memorial Drive
Date of Hearing: January 4, 1995
Presentation to TMAPC:

Chairman Parmele announced that the applicant has requested a continuance of this item to January 11, 1995.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **CONTINUE** PUD 485-A to January 11, 1995.

Application No.: **PUD-456-A**
Applicant: Charles E. Norman
Location: East side of South Memorial Drive at East 77th Street South.
Date of Hearing: January 4, 1995

Chairman Parmele announced that interested parties have requested a continuance on this item to January 18, 1995.

Interested Parties

Ken Adams, Vice Chair, District 18, Area C **7227 East 65th Place 74133**

Mr. Adams advised that area residents have requested the opportunity to meet with Mr. Norman and the developer to discuss the proposed development.

Mr. Norman expressed having no objection to the request for continuance. However, he requested that this item be continued for only two weeks.

Mr. Adams agreed that a two-week continuance would be acceptable.

Chairman Parmele acknowledged that there are a number of individuals present on this item. He asked if anyone present wished to voice objection to the continuance. There were none.

Interested Parties

George Suppes	7823 South 88th East Avenue	74133
Teresa Dell	7531 South 85th East Avenue	74133
Vicki Williams	7822 South 88th East Avenue	74133
Marvin Schuttloffel	7528 South 83rd East Avenue	74133
Barbara Tricinella	7832 South 88th East Avenue	74133
Eric Housman	7520 South 83rd East Avenue	74133
Andrew and Martha Iatridis	7759 South 80th East Avenue	74133

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **CONTINUE PUD 456-A** to January 18, 1995.

Application No.: **PUD-467-3**

Applicant: David Brown

Location: Lots 1 and 2, Dickens Commons - East 51st Street South & South Pittsburg Avenue.

Date of Hearing: January 4, 1995

Minor Amendment

(to redefine development areas, reallocate maximum building area, reduce frontage requirements and increase the maximum number of signs)

The applicant is requesting approval of a Minor Amendment to: redefine development areas, reallocate maximum building area, reduce frontage requirements and increase the maximum number of signs.

The requested amendment affects Development Areas 1 and 2. It will not increase the lot or building area and will not decrease the open space area.

Therefore, Staff recommends **APPROVAL** of the redefined development area and the reallocated building area as described in the attached standards, subject to a joint access agreement filed with the County as it regards access to Development Areas 5 and 6.

Staff also recommends **APPROVAL** of the reduced frontage requirements as described in the attached standards.

The amendment as proposed will add 1 monument sign to Development Area 7 (a portion of former Area 2).

Staff recommends **APPROVAL** of the additional sign based on the proposed development pattern, subject to the attached standards.

Development Standards - Development Area 5

Net Area	0.60 acres or 26,011 SF
Permitted Uses	Use Units 10, 11, 12, 13 and 14, except no funeral home and no Entertainment and/or Drinking Establishments as defined in Use Unit 12. Bars are permitted only as an accessory to a principal use restaurant
Maximum Floor Area	8827.42 SF
Maximum Building Height	22 feet
Maximum # of Stories	1
Minimum Lot Width	110.00 feet
Minimum Building Setbacks:	
from C/L of 51st Street	130 feet
from right-of-way of I-44	20 feet
Minimum Off-Street Parking	as required by the applicable Use Unit of the Zoning Code
Minimum Interior Landscaped Open Space	12% of net areas excluding street right-of-way

Signs:

Ground Signs: Ground Signs shall be limited to one ground sign along 51st, identifying the project and/or tenants therein, and shall be located not less than 50 feet east of the west line of the development area. The ground sign along 51st shall be limited to a monument sign not to exceed 8 feet in height, nor to exceed a display surface area of 64 square feet. In addition, the ground sign is to be commonly shared with Development Area 6.

Pole Signs: Pole Signs shall be limited to a sign shared with Development Areas 6 and 7, located along Highway I-44 in Lot 7. The owners of Areas 5, 6 & 7 shall be allocated a percentage of the total sign area according to net lot area. The pole sign shall be limited to 25 feet in height and a display surface area not to exceed 144 square feet.

Wall or Canopy Signs: The aggregate display of the wall or canopy signs shall be limited to 1.5 square feet per linear foot of building wall to which the sign or signs are affixed. Wall signage shall be of uniform letter height and display surface area dimension. Wall or canopy signs shall not exceed the height of the building.

Development Standards - Development Area 6

Net Area	0.60 acres or 25,989 SF
Permitted Uses	Use Units 10, 11, 12, 13 and 14, except no funeral home and no Entertainment and/or Drinking Establishments as defined in Use Unit 12. Bars are permitted only as an accessory to a principal use restaurant
Maximum Floor Area	8819.56 SF
Maximum Building Height	22 feet
Maximum # of Stories	1
Minimum Lot Width	110.00 feet
Minimum Building Setbacks:	
from C/L of 51st Street	130 feet
from right-of-way of I-44	20 feet
Minimum Off-Street Parking	as required by the applicable Use Unit of the Zoning Code
Minimum Interior Landscaped Open Space	12% of net areas excluding street right-of-way

Signs:

Ground Signs: Ground Signs shall be limited to a sign shared with Development Area 5, limited to a 64 SF monument sign identifying the projects and/or tenants within. The sign shall be located along East 51st Street not less than 50 feet east of the west line of Development Area 5.

Pole Signs: Pole Signs shall be limited to a sign shared with Development Areas 5 & 7, located along Highway I-44 in Lot 7. The owners of Areas 5, 6 & 7 shall be allocated a percentage of the total sign area according to net lot area. The pole sign shall be limited to 25 feet in height and a display surface area not to exceed 144 SF.

Wall or Canopy Signs: The aggregate display area of the wall or canopy signs shall be limited to 1.5 square feet per linear foot of building wall to which the sign or signs area affixed. Wall signage shall be of uniform letter height and display surface area dimension. Wall or canopy signs shall not exceed the height of the building.

Development Standards - Development Area 7

Net Area	1.35 acres or 58,997 SF
Permitted Uses	Use Units 10, 11, 12, 13 and 14, except no funeral home and no Entertainment and/or Drinking Establishments as defined in Use Unit 12. Bars are permitted only as an accessory to a principal use restaurant.
Maximum Floor Area	11,887 SF
Maximum Building Height	24 feet
Maximum # of Stories	1
Minimum Lot Width	150.00 feet
Minimum Building Setbacks: from C/L of 51st Street	130 feet
from right-of-way of I-44	20 feet
Minimum Off-Street Parking	as required by the applicable Use Unit of the Zoning Code
Minimum Interior Landscaped Open Space	12% of net areas excluding street right-of-way

Signs:

Ground Signs: Ground Signs shall be limited to one ground sign along 51st Street, identifying the project and/or tenants therein. The ground sign along 51st Street shall be limited to a monument sign not to exceed 8 feet in height, nor exceed a display surface area of 64 square feet.

Pole Signs: Pole Signs shall be limited to one sign located along I-44 with the display area shared by Development Areas 5 & 6. The owners of areas 5, 6 & 7 shall be allocated a percentage of the total sign area according to net lot area. The pole sign shall be limited to 25 feet in height and a display surface area not to exceed 144 square feet.

Wall or Canopy Signs: The aggregate display area of the wall or canopy signs shall be limited to 1.5 square feet per linear foot of building wall to which the sign or signs are affixed. Wall signage shall be of uniform letter height and display surface area dimension. Wall or canopy signs shall not exceed the height of the building.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-1-0** (Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; Carnes "nay"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** PUD 467-3 MINOR AMENDMENT as recommended by Staff.

* * * * *

Application No.: **PUD-351-A-2**
Applicant: Michael F. Dwyer
Location: 4431 South Harvard Avenue
Date of Hearing: January 4, 1995

Minor Amendment
(to permit occupancy prior to landscape installation)

The applicant is requesting an amendment to PUD-351-A to permit occupancy prior to installation of required landscaping. The applicant is proposing to complete sodding and bed preparation prior to occupancy and have all plant materials in place by May 1, 1995. Due to the time of year, Staff recommends **APPROVAL** of the amendment as requested.

TMAPC Comments

Mr. Doherty informed that documents have been submitted indicating that abutting property owners have reached consensus on the appropriate screening and drainage.

Jack Page, Public Works, presented a history of the drainage problems experienced in the area and how the developer of the proposed development intends to address drainage. He explained that drainage from the rear parking lot was initially directed to the southeasterly direction toward homes experiencing drainage problems from the development to the north. Mr. Page informed that Public Works informed the developer that another alternative would have to be developed to handle drainage. As a result, a retaining wall was constructed. There was fill work, guttering and the drainage pattern was changed such that all of the area now drains to the west toward Harvard. Mr. Page informed that members of his Staff inspected the development and found that the area does drain toward Harvard and that none of the impervious area drains to the southeast.

Chairman Parmele advised that concerns were that the outlet from the parking lot points towards Harvard, and it appears that there is a significant amount of space between the edge of the parking lot and Harvard. He questioned whether that water will get to Harvard.

Mr. Page informed that the flume is being changed now to direct water to Harvard.

Mr. Doherty informed of considerable correspondence between the applicants, applicants' contractor and interested parties which will be placed in the file.

Interested Parties

Steve & Sue Gerkin
Steve Heath
Robert Vincent
Kurt Barron
Carole Engman
Ed Monnet
Roger Robbins
Lorena Sublett

2453 East 22nd Place 74114
2021 South Lewis #700 74104
2457 East 22nd Place 74114
2512 South Evanston 74114
3305 East 45th Street 74135
3323 East 45th Street 74135
3311 East 45 74135
3337 East 45th Street 74135

Mr. Monnet expressed agreement with the proposed plan changes. He was concerned with how to ensure the applicant will comply with conditions agreed to.

Mr. Doherty explained that it is not the City's custom to issue a Certificate of Occupancy unless conditions are met.

Ms. Sublett, who resides southeast of the subject property, was concerned about the drainage and expressed her hope that the development does not make a bad situation worse.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to recommend **APPROVAL** of PUD 351-A Minor Amendment as recommended by Staff.

Application No.: **PUD-513-1**

Applicant: Kevin C. Coutant

Location: West of the southwest corner of East 51st Street South and South Harvard Avenue.

Date of Hearing: January 4, 1995

Presentation to TMAPC: Kevin Coutant

Minor Amendment
East 51st Street South, west of South Harvard Avenue

The applicant requests approval of a Minor Amendment to reduce the minimum lot frontage required along a public street. The proposed development will front lots on a private internal street.

Staff has reviewed the request and recommends **APPROVAL** subject to the following:

1. Minimum private street pavement width shall be 24 feet.
2. No signage will be allowed on lots not abutting 51st Street.

3. A maximum of 32 SF of signage will be allowed on lots abutting 51st Street. Signs may be wall or monument signs. Maximum height of a monument sign is 6 feet.
4. Minimum building setback along the private street will be 32 feet from the centerline.
5. The provisions of the Landscape Ordinance will be observed on all lots within the project. The planting requirements along the private street will be treated in the same manner as those along the public (51st) street. The streetyard along the private street is defined as the area (20') between the back of the curb and the minimum building setback line
6. Mutual access agreements will be filed with the County Clerk's office.
7. Minimum frontage for any lot abutting 51st Street is 75 feet.

Mr. Stump informed that the applicant has questioned the wording on condition #2. He informed that Staff is willing to delete that condition so long as it is understood that lots which do not have frontage on a public street are not entitled to signage, as stated in the Zoning Code. Regarding condition #3, Staff imposed a maximum height of 6' which was not in the original approval and he asked that the last sentence of that condition be deleted.

Applicant's Comments

Mr. Coutant expressed agreement with the modifications stated above by Mr. Stump. He asked for further modification of the following: clarify item #3 that the maximum signage will be allowed on *each* lot; delete item #5. Mr. Coutant reminded the Planning Commission that there is substantial landscaping required within the PUD and that he is required to appear before the Planning Commission for detail landscape and site plans that should address concerns of item #5.

There was discussion among the Planning Commission over whether condition #5 should be included as a condition.

Mr. Stump informed that Staff would be willing to address this concern at detail landscape review.

The Planning Commission was concerned over treatment of the private street and were satisfied that it would be addressed at the detail landscape plan phase.

Ms. Pace recalled concerns from residents that tall trees be incorporated within the development to break up the second-story view of the development. She asked Mr. Coutant if he still intended to do this.

Mr. Coutant confirmed that this is the intention.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** PUD 513-1 MINOR AMENDMENT as amended.

1. Minimum private street pavement width shall be 24 feet.
2. A maximum of 32 SF of signage will be allowed on each lot abutting 51st Street. Signs may be wall or monument signs.
3. Minimum building setback along the private street will be 32 feet from the centerline.
4. Mutual access agreements will be filed with the County Clerk's office.
5. Minimum frontage for any lot abutting 51st Street is 75 feet.

* * * * *

OTHER BUSINESS:

PUD-481: Revised Detail Site Plan - northwest corner of East 71st Street South and South 101st East Avenue

The applicant is proposing to reconfigure the parking arrangement and add a 120' high monopole tower as well as a 20' x 12' service building on Lot 1, Block 2, Mingo Marketplace. Staff recommends **APPROVAL** of the revised Site Plan so long as the tower is of a monopole design.

TMAPC Action; 8 members present:

On **MOTION** of, **MIDGET** the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Wilson "absent") to **APPROVE** PUD 481 REVISED DETAIL SITE PLAN as recommended by Staff.

* * * * *

There being no further business, the Chairman declared the meeting adjourned at 3:00 p.m.

Date Approved:

Jan 18, 1995

[Signature]

Chairman

ATTEST:

Bonnie Gray
Secretary

