

# TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2043

Wednesday, November 1, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

## Members Present

Carnes,  
Chairman  
Doherty, 1st Vice  
Chairman  
Gray, Secretary  
Horner  
Midget, Mayor's  
Designee  
Pace

## Members Absent

Ballard  
Boyle  
Ledford  
Selph  
Taylor

## Staff Present

Gardner  
Hester  
Jones  
Stump

## Others Present

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, October 27, 1995 at 4:22 p.m., in the office of the County Clerk at 4:18 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:37 p.m.

## Minutes:

### Approval of the minutes of October 18, 1995, Meeting No. 2041:

On **MOTION** of **MIDGET**, the TMAPC voted **5-0-1** (Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; Carnes "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** the minutes of the meeting of October 18, 1995 Meeting No. 2041.

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## REPORTS:

### Chairman's Report:

Chairman Carnes acknowledged receipt of a letter from Councilor Gary Watts regarding a proposal from a constituent that a method be implemented whereby citizens attending public meetings lasting more than two hours can have parking tickets forgiven.

Mr. Midget reported that the request came from Nell Bradshaw, who is transmitting her proposal to the Tulsa Parking Authority.

Mr. Doherty reported on conversation with Councilor Watts who suggested that chips be distributed to citizens to place on their windshields when meetings exceed two hours. This would be an expression of appreciation to the public for participation in the process and would require no amendment to the parking ordinances, etc.

Mr. Midget pointed out that there are many citizen meetings of Boards and Commissions held in and around City Hall and questioned how distribution of parking passes would be determined.

Chairman Carnes referred this item to the Rules and Regulations Committee.

### Director's Report:

#### Consider making a recommendation on street closing (103rd E. Ave. south of 71st Street South)

Mr. Gardner reported that the subject request is to close the north 1,040 feet of South 103rd East Avenue, which is a dedicated public way 50 feet in width and 2,566.36 feet in length. Closing this portion of 103rd East Avenue would leave Lots 3 and 4 of Block 1 and Lots 3 and 4 of Block 2, Chancellor Acres, without public access.

The new replat of this north 1,040 feet will provide a private access easement, but not a public access nor even a paved access. South 103rd East Avenue is unimproved, but is used on a limited basis. These properties appear to be vacant.

The key issue of closing a portion of 103rd East Avenue is obtaining the owners' consent of these lots that will no longer be assured public access. Staff is not aware of any utilities in the right-of-way to be affected.

### Discussion

Mr. Doherty expressed concern over the effect of landlocking Lots 3 and 4 of Block 1 and Lots 3 and 4 of Block 2.

Charles Norman informed that this is part of PUD 521 which was earlier proposed as the site for a K-Mart store; however, the project did not materialize. He explained that another user is now requesting to construct a large building on the site. Mr. Norman noted that it was always necessary to close 103rd East Avenue as part of the PUD. Mr. Norman presented a copy of the site plan which will be submitted to the Planning Commission within the next two weeks. He explained that the collector street is being relocated to 101st Street, which

will be aligned with an existing traffic signal. Mr. Norman informed that a temporary 25' roadway will be dedicated from the new street to the old street.

Mr. Doherty was concerned that should development not occur as anticipated, closing this street will landlock several lots.

Mr. Linker informed that City Council retains the right to reopen the street should there be a problem.

Mr. Gardner stated that at the time of platting, Staff would like to see a condition imposed that the temporary access easement be paved.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **RECOMMEND** that the City Council approve closing the north 1,040 feet of South 103rd East Avenue as recommended by Staff contingent upon providing the 25' wide temporary paved roadway from 101st Street to 103rd Street at the south boundary of the PUD.

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**SUBDIVISIONS:**

**PRELIMINARY PLATS:**

South Towne Square (1884) (PD-18) (CD-8)  
South of the southeast corner of East 81st Street South & South Mingo Road.

Jones presented the plat with Bill Lewis in attendance at the TAC meeting.

South Towne Square is a residential single-family subdivision which contains 37.6 acres and 129 lots. The sketch plat was reviewed by the Technical Advisory Committee on May 4, 1995 and by the TMAPC on May 17, 1995. The property is zoned CO, corridor and subject to the corridor site plan review process.

Staff would offer the following comments and/or recommendations:

1. Show Mingo Valley Expressway on key map.
2. Correct range on key map.
3. Correct number of lots to 126.
4. Release letter from pipeline company will be required.
5. The plat is subject to all conditions of the approved corridor site plan.

6. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
7. 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.)
8. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
9. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
12. Street names shall be approved by the Department of Public Works and shown on plat.
13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
15. 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.
16. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
17. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
18. 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.)
19. 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.
20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.

21. The key or location map shall be complete.
22. 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.)
23. 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.)
24. 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.
25. 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.)
26. All other Subdivision Regulations shall be met prior to release of final plat.

On the motion of Nelson, The Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of South Towne Square, subject to all conditions listed above.

Staff Comments

Mr. Jones announced that Bill Lewis was present representing the preliminary plat. He informed that Staff recommends approval of the preliminary plat subject to conditions listed above and subject to approval of the Corridor Site Plan. Mr. Jones advised that the applicant has expressed agreement with the conditions.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT of South Towne Square as recommended by Staff and subject to approval of the Corridor Site Plan now being processed.

\* \* \* \* \*

Northeast corner of East 101st Street South & South Yale Avenue.

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

Cotner discussed the drainage issue and the potential that drainage for this tract had been resolved when Sun Meadows II was platted.

Pierce recommended a 10' utility easement inside the property line along the south and west property lines.

WINBURY CENTER is a two-lot subdivision plat which contains a total of 4.87 acres. The plat comprises two of the three development areas of PUD 538. Lot 1, which is development area "A" of the PUD, permits commercial use and lot 2, development area "B", permits office use. Development area "C", which is not included in this plat, permits single-family residential use and abuts the plat to the east.

Staff would offer the following comments and/or recommendations:

1. The applicant shall file of record by separate instrument the PUD conditions for development area "C", which is not included in the plat.
2. All conditions of PUD-538 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 shall be tied to or related to property line and/or lot lines.
4. 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.)
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
6. 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.
7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
9. Street names shall be approved by the Department of Public Works and shown on plat.

10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
12. 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.
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 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 plat release.)
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, 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.)
20. 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.)
21. This plat has been referred to Bixby, Jenks 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.
22. 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.)
23. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of Winbury Center, subject to all conditions listed above.

Staff Comments

Mr. Jones reported that, in accord with Planning Commission policy, interested parties who spoke at the public hearing for the PUD were notified. Mr. Jones recommended that before this plat is approved, the Restrictive Covenants of the PUD for the balance of the tract, "Development Area "C" for the residentially-zoned area, should be filed of record concurrently with the plat.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT for Winbury Center as recommended by Staff with the condition that the Restrictive Covenants of the PUD for the balance of the tract be filed of record concurrently with the plat.

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PLAT WAIVER, SECTION 213:

Z-5887 (Unplatted) (304)  
16015 East Admiral Place.

(PD-17) (CD-6)

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

Z-5887 was a request to permit CS and IL zoning on approximately 20 acres in 1983. All concurred in approval of CS and IR zoning. A plat waiver was approved on the west portion of the subject tract which was contained in the LaBarge subdivision plat. The balance of the property was recommended for a subdivision plat. The applicant is now requesting a plat waiver on a portion of the unplatted property for an automobile sales facility.

Based on the property being unplatted and lack of right-of-way dedication, Staff is still in agreement with the 1983 recommendation to plat the property. Staff would also point out to the applicant that automobile sales is not permitted in a CS-zoned district without Board of Adjustment approval.

Staff recommends DENIAL of the plat waiver for that portion of Z-5887.

On the motion of French, the Technical Advisory Committee voted unanimously to recommend DENIAL of the plat waiver for that portion of Z-5887 under application.

There were no interested parties in attendance.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **DENY** the PLAT WAIVER for Z-5887 as recommended by Staff.

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BOA-17208 (Southern Heights) (983)  
West side of South Yale Avenue at 78th Street South.

(PD-18) (CD-8)

Jones presented the request with no representative present at the TAC meeting.

French recommended that the existing driveway on the east side of South Yale be identified to evaluate access points. In addition, access should be subject to Traffic Engineering approval due to limited site distance.

Herbert noted that a PFPI may be required for drainage. Cotner added that the property is in a drainage sensitive area.

Board of Adjustment case 17208 is a request to permit a type of assisted care facility on a RT zoned tract which is approximately two acres in size. After review of the site plan, Staff would note that the property is platted and less than 2.5 acres in size. All right-of-way appears to be existing for South Yale Avenue.

Staff recommends APPROVAL of the plat waiver for BOA-17208, 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 Cotner, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of plat waiver for BOA-17208, subject to all conditions listed above.

The applicant was present and indicated approval with Staff recommendation.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** the PLAT WAIVER for BOA-17208 as recommended by Staff.

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**REINSTATEMENT OF PRELIMINARY PLAT:**

Islamic Cemetery (1263)

**(PD-20) (County)**

South of the southeast corner of East 191st Street South & South Memorial Drive.

**Staff Comments**

Mr. Jones announced that this item is to reinstate a preliminary plat for Islamic Cemetery which was originally approved November 17, 1994. He informed that this is a Lot 1, Block 1 twenty-acre tract which has set idle for approximately one year and Subdivision Regulations place a one-year time limit for preliminary plats. Mr. Jones announced that Staff recommends **APPROVAL** of a one-year extension of the Islamic Cemetery preliminary plat.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **REINSTATE** the **PRELIMINARY PLAT** for Islamic Cemetery as recommended by Staff.

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**APPROVAL AND EXECUTION OF AMENDMENT OF RESTRICTIVE COVENANT:**

College Parke Second (PUD 306-6) (2083)

**(PD-18) (CD-2)**

East of the southeast corner of E. 95th Street South & South Delaware Avenue.

**Staff Comments**

Mr. Jones announced that this is for approval and execution of a document amending a restrictive covenant to change how the Homeowner's Association is formed and the assessment process. He informed that both he and Mr. Linker have reviewed the document and recommend **APPROVAL** of the document as it exists.

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** the **EXECUTION** of Amendment of Restrictive Covenant as recommended by Staff.

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**APPROVAL AND EXECUTION OF REPLATTING CONSENT DOCUMENT:**

Colefax Hill (PUD 518) (1583) (PD-18) (CD-8)  
West of the northwest corner of East 91st Street & South Sheridan Road.

Staff Comments

Mr. Jones informed that Colefax Hill is a single-family subdivision that is being processed which involves the replatting of property. He informed that because of a new law that states that any time property is replatted, a majority of current property owners' consent must be obtained in order to replat. Mr. Jones informed that both he and Mr. Linker have reviewed the document and recommend **APPROVAL**.

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** and **EXECUTE** the replatting consent document as recommended by Staff.

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

- L-18155 National Loan Investors (R. Gable) (3104) (PD-16)(CD-6)  
10800 block of E. Marshall IL
- L-18158 Daniel Perry (W. Patten) (1292) (PD-6)(CD-4)  
303 E. 21st St. HP/ RS-3
- L-18162 31st Memorial LLC (P. Tomlinson) (2393) (PD-17)(CD-5)  
3211 S. 79th E. Ave. CS
- L-18164 L. Tillinghast (2323) (PD-14)(CD-County)  
14801 N. 75th E. Ave. RE
- L-18166 Earl Foster (City of Tulsa) (PD-18c)(CD-8)  
6139 S. Mingo CS
- L-18170 Terry McGee/Shirley Abbott (292) (PD-11)(CD-1)  
555 - 569 N. Country Club RS-2
- L-18171 O'Reilly Real Estate (City of Tulsa) (PD-3)(CD-3)  
1462 N. Harvard 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; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

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**CONTINUED ZONING PUBLIC HEARING:**

Application No.: **PUD-540**

Applicant: Roy D. Johnsen

Location: 101st Street & South Yale, Southwest corner of the Creek Turnpike and Yale Ave.

Date of Hearing: November 1, 1995

Presentation to TMAPC: Roy Johnsen

The applicant is proposing a single-family residential PUD on private streets containing up to 51 dwellings. Access would be from an existing private street currently serving Hunter's Pointe (97th Street South). No standards for the private roadway or minimum lot size was proposed by the applicant. The conceptual private street and lot layout is unacceptable to staff and should not be endorsed by the Planning Commission. Minimum lot widths are proposed to be 60'. Staff feels these narrow lots are incompatible with the surrounding lots which are typically more than twice this wide. In staff's opinion, a more appropriate minimum standard for these lots would be RS-1 bulk and area requirements. Also, no evidence has been provided that the homeowners association responsible for the maintenance of 97th Place has agreed to allow this new subdivision to use their street for access to Yale Avenue and the proposed Preliminary Plat does not comply with the proposed PUD conditions.

Staff finds the uses, and with modification, the intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD-540 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-540 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):	19.2693 acres
(Net)	16.95 acres
Permitted Uses	Use Unit 6 and customary accessory uses
Maximum Number of Dwelling Units	46
Minimum Bulk and Area Requirements	RS-1

3. All streets may be private, but must be built to the same standards as a public minor residential street and provide at least a 30' right-of-way with easements and cul-de-sacs designed to meet the requirements of the TAC. Access to 97th Street South must be approved by the Hunters Pointe Property Owners Association, Incorporated.

4. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas and private streets, including any stormwater detention areas within the PUD.
5. All private roadways shall be a minimum of 26' in width, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10%.
6. No Building Permit shall be issued until the requirements of Section 1107F 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.
7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

#### Applicant's Comments

Mr. Johnsen reiterated that this project was prompted by the desire to be a part of Hunter's Pointe. Mr. Johnsen disclosed that one of the reasons for the lots in Hunter's Pointe to be so large is because they are on septic tanks. He declared that if this application does not tie into East 97th Street South, which is a private street, the property will then develop in a conventional manner with the tracts having cul-de-sac streets with access to Yale Avenue. Mr. Johnsen informed that a wall with a guard house and gated entry are proposed along Yale Avenue. He presented a rendering of a wall and gated entry similar to what is anticipated for the subject tract. Mr. Johnsen commented on other successful subdivisions in the City where smaller lots are near or next to larger lots. He noted subdivisions in the vicinity which also contain a variety of lot sizes. Mr. Johnsen informed that the applicant's concept is for a smaller lot, containing a large-quality-constructed home with a lot width of 65'. He noted that the newly proposed 65' lot width will require a revision of the subdivision as originally proposed. Mr. Johnsen informed that his new proposal of 65' of minimum lot width with 8,450 SF of lot size almost meets RS-2 lot requirements. Mr. Johnsen disclosed that the overall yield is permitted by the underlying RS-1. He informed that his client will acquiesce to Planning Commissioners' wishes as to whether to allow hammerhead turn-arounds or cul-de-sacs; however, the developer believes hammerhead turn-arounds are more desirable since less surface area of paving is required. Mr. Johnsen presented a rendering depicting a side entry where the front of the garage fronts the street and a second option which is to install the drive along the side of the house toward the rear. He anticipates this development to have a mixture of these two types of garage entries. Mr. Johnsen stated that a front-entry garage opening is sufficient to accommodate safety and line-of-vision concerns, and would be 40' from the centerline of the street. He noted that the northernmost existing house is located 17' from 97th Street and a variance will be needed to accommodate it. Mr. Johnsen informed that there are ten common parking locations within the two tracts.

#### TMAPC Review

Ms. Gray expressed agreement with the high demand for the type of subdivision being proposed; however, she questioned whether Hunter's Pointe residents are aware of how small the lots will be.

Mr. Johnsen disclosed that there are several residents from Hunter's Pointe who have expressed interest in purchasing homes in the proposed development.

Mr. Doherty voiced concern over crowding the proposed houses too close to the street and was uneasy with the proposed density abutting Hunter's Pointe.

Ms. Pace expressed concern regarding private streets within the City and deemed that they do not develop a sense of community, because they create enclaves. However, she acknowledged that in this situation, it appears to be a natural extension of development from Hunter's Pointe. She asked Staff to comment on how private streets were developed and if problems can be foreseen with the lack of connecting communities in an area of this size.

Mr. Gardner informed that Staff is concerned about private streets if the development is more than twenty acres. He stated that Staff is more comfortable with allowing private streets in smaller developments because they are not usually necessary to allow the rest of the street pattern to connect together to access all directions. He agreed with Ms. Pace's statement that these tracts are a continuation of a policy that has been established to allow private streets abutting the Creek Expressway. He explained that a more conscious effort has been made to provide continuity of the street pattern even though some may be private streets.

Mr. Doherty deemed that in this situation he can support private streets. Regarding hammerhead turn-arounds versus cul-de-sacs, he determined that the argument for less surface area of paving is compelling. He expressed support of Staff recommendation of 50' setback from the street.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to recommend **APPROVAL** of PUD 540 with the following conditions:

Approval of the PUD as recommended by Staff with the following exceptions:

- 1) RS-2 standard lots where they abut Hunter's Pointe;
- 2) Minimum lot width of 60' for any lot abutting Yale Avenue;
- 3) Minimum lot width of 65' on the balance of the tract;
- 4) Minimum building setback of 45' from centerline of private streets;
- 5) Minimum lot area of 8,450 SF;
- 6) Allow hammerhead turn-arounds and cul-de-sacs as presented by the applicant.
- 7) Maximum number of dwelling units - 52; and
- 8) All other bulk and area requirements as required in an RS-3 district.

**LEGAL DESCRIPTION PUD 540**

A TRACT OF LAND THAT IS PART OF THE NE/4 OF THE SE/4 OF SECTION-21, T-18-N, R-13-E, IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, BEING DESCRIBED AS FOLLOWS, TO-WIT: "BEGINNING AT A POINT" WHICH IS THE SOUTHEAST CORNER OF SAID NE/4 OF THE SE/4; THENCE N 0°10'55" E ALONG THE EASTERLY LINE OF THE NE/4 OF THE SE/4 FOR 610.17'; THENCE N 89°58'00" W AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 97TH PLACE FOR 660.67' TO A POINT ON THE EASTERLY LINE OF BLOCK-1 OF "HUNTER'S POINTE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE S 0°10'25" W ALONG SAID EASTERLY LINE FOR 610.30' TO A POINT ON THE SOUTHERLY LINE OF THE NE/4 OF THE SE/4 OF SECTION-21; THENCE S 89°58'40" E ALONG SAID SOUTHERLY LINE FOR 660.58' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND AND CONTAINING 403,136 SQUARE FEET OR 9.2547 ACRES MORE OR LESS;

**AND**

A TRACT OF LAND THAT IS PART OF THE NE/4 OF THE SE/4 OF SECTION-21, T-18-N, R-13-E, IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, BEING DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT WHICH IS THE SOUTHEAST CORNER OF SAID NE/4 OF THE SE/4; THENCE N 0°10'55" E ALONG THE EASTERLY LINE OF THE NE/4 OF THE SE/4 FOR 660.17' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND; THENCE CONTINUING N 0°10'55" E ALONG SAID EASTERLY LINE FOR 660.17' TO THE NORTHEASTERLY CORNER OF SAID NE/4 OF THE SE/4; THENCE N 89°57'20" W ALONG THE NORTHERLY LINE OF THE NE/4 OF THE SE/4 FOR 660.78' TO A POINT ON THE EASTERLY LINE OF BLOCK-2 OF "HUNTERS POINTE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE S 0°10'25" W ALONG SAID EASTERLY LINE FOR 660.30' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 97TH PLACE; THENCE S 89°58'00" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 660.68' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND AND CONTAINING 436,234 SQUARE FEET OR 10.0146 ACRES MORE OR LESS.

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**ZONING PUBLIC HEARING:**

Application No.: **PUD 431 A-3** Minor Amendment  
Applicant: Richard Craig/Acura  
Location: Southwest corner of East 101st Street and Sheridan Avenue.  
Lot 1, Block 1 of May's No. 21  
Date of Hearing: November 1, 1995

The applicant is requesting approval of an increase to the allowed display area of a ground sign on this lot from 180 SF to 225 SF. The purpose of the request is to accommodate the attachment of an "Arby's" sign to the existing "May's Drug Store" ground sign.

Staff review indicates that this lot is allowed one ground sign per the original PUD approval. Staff review also indicates that the Commission approved an increase in the height of the allowed sign (16' to 25') in October of 1994. The allowed display area was not increased.

The applicant previously requested an amendment (September '95) to the height limitation for a second stand-alone sign which was to be dedicated to use by "Arby's". The Commission denied the request based on the fact that the PUD allows only one sign on this lot.

As an alternative, the applicant is requesting a 45 SF increase to the existing sign. This requested increase is well below that allowed by the code, as the lot has approximately 470' of frontage.

The proposed increase is, in Staff's opinion, consistent with the character of the PUD and the character of the development across Sheridan and 101st to the east and northeast. Therefore, Staff recommends **APPROVAL** of the requested increase as proposed.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** PUD 431-A-3 Minor Amendment to increase the size of the ground sign to 225 SF as recommended by Staff.

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Application No.: **PUD 507-6** Minor Amendment

Applicant: Roy Johnsen

Location: South of 71st Street, East of Memorial - Lots 1 and 2, Block 1 of Woodland Plaza.

Date of Hearing: November 1, 1995

Presentation to TMAPC: Roy Johnsen

The applicant is requesting amendment to the PUD to allow an increase in the maximum commercial floor area and in the maximum height. The increase in floor area would be from 151,000 SF to 152,443 SF and the increase in height would be from 40' to 42'. The requested increase results from the construction of a mezzanine within the existing "Bed , Bath and Beyond" retail establishment.

Staff has reviewed the request and finds the following: The existing CS zoned area is dimensioned at 360' x 841'. This area yields 151,380 SF of commercial floor area based on a maximum .5 FAR. The applicant is requesting 152,443 SF of floor area and has made application to the Board of Adjustment requesting approval for the area beyond that allowed by the code.

The current approval allows 8,000 SF to be built on Lot 1 with the remaining 143,000 SF to be built on Lot 2. The request would increase the allowed area in Lot 2 to 144,760 by increasing the overall commercial floor area and by transferring 317 SF from Lot 1 to Lot 2. Lot 1 would be reduced to 7,683 SF, the floor area of the existing structure.

The increase in height from 40' to 42' is, in Staff's opinion, consistent with the overall character of the PUD. The request came about as a means to resolve the difference in the architect's plans and the contractor's shop drawings which resulted in the existing Barnes and Noble entry canopy.

Staff therefore recommends **APPROVAL** of the applicant's request subject to the following condition:

The applicant shall provide Staff a letter from the owner of Lot 1 (On The Border Restaurant) stating willingness to reduce allowable floor area to 7,683 SF on that lot and transfer the remainder to Lot 2.

**TMAPC Action; 6 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** PUD 507-6 Minor Amendment to increase building floor area and building height as recommended by Staff and contingent upon Board of Adjustment approval of a variance to the maximum floor area ratio.

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Application No.: **Z-6310-SP-1a**

Applicant: Robert B. Dail

Location: Northwest corner of East 51st Street & South Pittsburg Avenue - Lot 3, Block 1 of Dickens Commons.

Date of Hearing: November 1, 1995

The applicant is requesting amendment to the PUD and to the Corridor Site Plan. The purpose of the request is to enlarge an existing awning at the entry to "Piccadilly Cafeteria" which will serve to shield patrons from the elements as they wait to enter. The existing awning is 5'8" x 27' x 4' and the replacement will be 5'8" x 21' x 17'10".

Staff has reviewed the request and finds that the canopy as an entry covering will not add to the calculated floor space. The awning as proposed will not cause changes to parking or vehicle circulation, being contained completely between the curb and the building. The setback from the face of the awning to the property line is 113' of the building. Therefore Staff recommends **APPROVAL**.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Ledford, Selph, Taylor "absent") to **APPROVE** Z-6310-SP-1a Minor Amendment to increase canopy size as recommended by Staff.

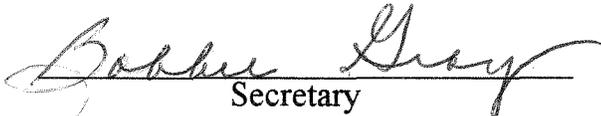
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There being no further business, the Chairman declared the meeting adjourned at p.m.

Date Approved: 11-15-95

  
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Chairman

ATTEST:

  
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Secretary