

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2095

Wednesday, January 8, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Boyle	Almy	Linker, Legal
Carnes, Chairman		Gardner	Counsel
Dick		Jones	
Doherty, 1st Vice Chairman		Stump	
Gray			
Horner			
Ledford			
Midget, Mayor's Designee			
Pace, Secretary			
Westervelt			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, January 7, 1997 at 1:24 p.m., in the office of the County Clerk at 1:19 p.m., as well as in the Reception Area of the INCOG offices at 1:30 p.m.

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

Minutes:

Approval of the minutes of December 11, 1996, Meeting No. 2093:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of December 11, 1996 Meeting No. 2093.

Approval of the minutes of December 18, 1996, Meeting No. 2094:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of December 18, 1996 Meeting No. 2094.

REPORTS:

Committee Reports:

Budget and Work Program Committee

Mr. Horner requested staff to schedule a Budget and Work Program Committee to discuss items to be considered for the FY98 Budget and Work Program. Mr. Gardner informed the Commission that letters requesting input have been sent to Planning District Representatives, City Council, County Commissioners, Department Heads and the Mayor's Office. The Committee meeting will be scheduled for January 22, 1997 to review any information received.

Rules and Regulations Committee

Mr. Doherty stated he received a telephone call from the outdoor advertising industry asking whether outdoor advertising signs will be discussed again at the committee level. He feels another committee meeting is not necessary. Mr. Gardner reminded the Commission that the public hearing is scheduled for January 22, 1997.

Ms. Pace asked whether the public hearing is for further input and possible adoption of the proposal. Mr. Doherty replied it is for input purposes only.

Director's Report:

Mr. Gardner informed the Commission that there are numerous zoning and PUD items and the multi-family amendments scheduled for the January 9, 1997 City Council meeting.

Mr. Gardner reminded the Commission that the TMAPC will elect officers at the January 15, 1997 TMAPC meeting.

SUBDIVISIONS:

Lot Split for Ratification of Prior Approval:

<u>L-18386 Southern Oaks Estates II</u> (2183) Vandalia and East 97th	(PD-26) (CD-8)
<u>L-18391 William Nail</u> (2903) 2238 North Columbia Place	(PD-3) (CD-3)
<u>L-18392 Lonnie Wells</u> (703) 4715 North Peoria	(PD-25) (CD-1)
<u>L-18393 Harvard Quadrangle</u> (3293) 5200 South Harvard	(PD-18) (CD-9)
<u>L-18394 City of Tulsa</u> (2393) 3635 South Sheridan Road	(PD-18) (CD-5)

Staff Comments:

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-1** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; Midget "abstaining"; Boyle, Westervelt "absent ") to **RATIFY** these Lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Sketch Plat Approval:

Oak Tree Village (1884) (PD-18) (CD-8)
South of the southwest corner of East 81st Street South and South Garnett Road

Chairman Carnes stated that staff has requested additional information from the applicant and requested a one-week continuance.

TMAPC Action; 9 members present:

On **MOTION** of **PACE**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Midget, Westervelt "absent ") to **CONTINUE** the Sketch Plat for Oak Tree Village to January 15, 1997.

Preliminary Plat Approval:

The Arbors (PUD-552) (2783) (PD-26) (CD-8)
South of the southeast corner of East 101st Street South and South Sheridan Road

TAC Comments:

Jones presented the plat with Ted Sack in attendance.

Jones and Sack discussed the 50' strip of unplatted property at the east end of the subject tract.

The Arbors is a one-lot subdivision plat which contains 2.0661 acres. The planned unit development permits an elderly housing facility with a maximum of 20 dwelling units in a one-story building.

Staff would offer the following comments and/or recommendations:

1. This plat creates a 50' unplatted strip to the east which is unplatted and proposed to be deeded and attached to the Reserve "A" area of Wexford for additional detention area. A lot-split must be approved and filed of record prior to TMAPC approval of the preliminary plat.
2. A letter from an attorney is required in regards to the L.L.C.
3. All conditions of PUD-552 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). 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. The zoning application Z-6572 shall be approved and the ordinance or resolution therefore published before final plat is released. (Plat shall conform to the applicable zoning approved.)
23. 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.
24. 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.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Nelson, the Technical Advisory Committee voted unanimously to recommend Approval of the preliminary plat of The Arbors, subject to all conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **9-0-1** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, "aye"; no "nays"; Westervelt "abstaining"; Boyle "absent") to **APPROVE** the Preliminary Plat of The Arbors, subject to all conditions recommended by TAC.

Plat Waiver, Section 213:

PUD-166-J (Sheridan Square) (2383)

(PD-18) (CD-8)

South of the southeast corner of East 91st Street South and South Sheridan Road

TAC Comments:

Jones presented the request with Lee Ann Fager in attendance.

On Motion of French, the Technical Advisory Committee voted unanimously to recommend Approval of the plat waiver for PUD-166-J, subject to the following conditions:

1. Grading and drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions or easement if required.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Plat Waiver for PUD-166-J, subject to conditions as recommended TAC.

Final Plat Approval:

Kingsbury II (PUD-166) (2383)

(PD-18) (CD-8)

East 92nd Street South at South 71st East Avenue

Staff Comments:

Mr. Jones stated all release letters have been received and everything is in order. Legal Department has reviewed the final language and the attorneys are in agreement with the language.

Mr. Jones informed the Commission that staff is in the process of processing a vacation of the underlying plat.

TMAPC Comments:

Mr. Doherty pointed out the amendments to the covenants that were included in the agenda packet. Mr. Jones replied the covenants included in the agenda packets were draft final copies that were given to the engineer and attorney to make the changes on the final copy.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Final Plat for Kingsbury II (PUD-166) as recommended by staff.

Final Plat Approval:

Coventry Gardens (PUD-469) (1814) (PD-15) (County)
East of the northeast corner of East 96th Street North and North Mingo Road

Staff Comments:

Mr. Jones stated all release letters have been received and everything is in order. Therefore, staff recommends approval.

Mr. Jones pointed out that the previous hold-up on the final plat approval was due to the Deed of Dedication language.

TMAPC Action; 10 members present:

On **MOTION** of **DICK**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Final Plat for Coventry Gardens (PUD-469) as recommended by staff.

Approval of Declaration of Covenants:

Z-6344-SP-7 (Langencamp Addition) (684) (PD-18) (CD-8)
6229 South 107th East Avenue

Staff Comments:

Mr. Jones reminded the Commission of previous approval of the Corridor Site Plan subject to the applicant filing of record, by separate instrument, all the conditions of the Corridor Site Plan. The applicant is incorporating the visual Site Plan into a written document that may be filed of record.

Staff and Legal Department have reviewed and signed off on the document. Therefore, staff recommends approval of the Declaration of Covenants for Z-6344-SP-7.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Declaration of Covenants for Z-6344-SP-7.

Change of Access:

Unplatted (1683) (PD-18) (CD-8)
Southwest corner of East 81st Street South and South Yale Avenue

Staff Comments:

Mr. Jones informed the Commission that the City purchased this property to be used as a detention area. A part of the agreement in the City purchasing this property was to construct two access points for the property owner located behind the detention facility to have access. An access control agreement or a change of access is required to be filed of record.

A change of access diagram was included in the agenda packets. Both staff and Traffic Engineering have signed off on the diagram. Therefore, staff would recommended approval of the change of access, subject to approval of final language on the Access Control Agreement.

TMAPC Comments:

Mr. Ledford commented that it is unusual to have 36 foot-wide access points. Mr. Jones replied that 40-foot wide is standard and that Traffic Engineering feels since the accesses will not serve any businesses that 36-feet would be appropriate.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Change of Access for Unplatted property located at the southwest corner of East 81st Street South and South Yale Avenue, subject to approval of final language of the Access Control Agreement as recommended by staff.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6054-SP-2

(PD-18) (CD-8)

Applicant: Dwight Claxton

Location: West side of South Garnett Road at 85th Street

Chairman Carnes stated that staff has requested additional information from the applicant and requested a one-week continuance.

TMAPC Action; 9 members present:

On **MOTION** of **PACE**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Midget, Westervelt "absent ") to **CONTINUE** the Sketch Plat for Oak Tree Village to January 15, 1997.

ZONING PUBLIC HEARING:

Application No.: PUD-431-A-4

(PD-26) (CD-8)

Applicant: Richard Craig

Location: 10114 South Sheridan

(Minor Amendment to increase permitted wall signage.)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to increase the surface display area allowed for wall signs in the PUD from one SF to two SF for each linear foot of building wall.

Staff has reviewed the application and Outline Development Plan and finds the ratio for wall signs was set at 1':1' with the approval of PUD-431A in 1993. In 1995, approval was given for a revised site plan allowing an Arby's Restaurant in the building which would continue to house an existing May's Pharmacy. Subsequent applications to provide Arby's signage to the east wall of the building have not been approved by Staff due to the existing May's wall signage utilizing all of the maximum allowable surface display area permitted in the PUD and the applicant's failure to make a timely application for a Minor Amendment. The applicant, however, installed wall signage without TMAPC review and approval and was cited by the City of Tulsa in October, 1995.

Staff has reviewed the sign requirements for surrounding CS districts and PUDs at 101st and Sheridan. PUD 267 to the immediate east across Sheridan allows a wall sign ratio of 1.5':1' and is directly opposite the east building wall of the applicant's proposed signage.

PUD 339 to the northeast allows the full wall surface display area allowed under the Zoning Code of 3':1', although not fully utilized by the bank facility on the site. Commercial uses to the north are not within a PUD and also allow the maximum wall signage permitted by the Code.

Based on review of the applicant's request, the circumstances of the history of the PUD and the size of wall signage allowed on surrounding tracts; staff concludes that an increase in the wall signage ratio is in keeping with the spirit and intent of the PUD and maintains the character of surrounding uses. If the Minor Amendment is approved, the applicant's request for additional signage will bring the total display area on the east building wall to 155.7 SF. Therefore, staff **SUPPORTS** the applicant's request for an increase in allowed square footage and **RECOMMENDS** a ratio of 1.5':1 which would allow a 168.75 SF maximum surface display area on the east building wall.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Doherty stated the recommended ratio of 1.5' is due to the consistency with other PUDs in the area. Mr. Stump replied in the affirmative.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Minor Amendment to increase the surface display area allowed for wall signs from one SF to 1.5 SF in PUD-431-A-4 as recommended by staff.

Application No.: PUD-469-2

(PD-15) (County)

Applicant: R. A. Yohnk

Location: East of Northeast corner East 96th Street and North Mingo Road

(Minor Amendment to allow a church.)

Staff Recommendation:

The United Pentecostal Church of Owasso is requesting approval to use a portion of PUD-469 (2.66 acres) for a church. This area of the PUD was approved for single-family residential. The PUD did, however, provide for uses permitted in an RS District by special exception as a Minor Amendment.

The application indicates a portable building is proposed for use as Phase I of the development of a church. No additional information concerning subsequent phases, development of the site or any detailed information relating to the configuration of the site was provided. The tract is immediately west of El Rio Vista Subdivision and immediately east of a new Owasso elementary school.

Therefore, staff recommends **APPROVAL** of the Minor Amendment allowing church use with the following development standards:

Maximum Floor Area Ratio:	0.30
Maximum Building Height:	35'

Minimum Building Setbacks:

From centerline of 96th Street North	110'
From east boundary	75'
From west boundary	25'
From north boundary	50'

Minimum Parking Lot Setbacks (including access drives)

From north and east boundary	10'
From west boundary	5'
From centerline of 96th Street North	65'

Any specifics relating to the site, phasing of development or the placement of any portable structures are subject to detailed site plan review and are not part of this approval.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Minor Amendment for PUD-469-2 to allow a church, subject to the development standards as recommended by staff.

Application No.: PUD-359

(PD-18) (CD-8)

Applicant: Gateway Foundation/Nina Honeyman

Location: East of Memorial Drive at 77th Street South

Presented to TMAPC: Nina Honeyman

(Site Plan for assisted living development.)

Staff Recommendation:

The applicant's Detail Site Plan is for a 50-unit assisted living development (24 one bedroom units and 26 studios) in Development Area B of PUD-359. Area B allows up to 208 units of retirement or elderly multi-family residential units.

The assisted living development is significantly less intense than what is allowed. Staff's review of the single-story development finds it generally complies with the PUD development standards. Additional detail is needed on the location of trash, utility and equipment areas to assure they are screened from public view. Also a second point of access to Memorial was originally proposed in the PUD that would provide better emergency vehicular access to this development and also the nursing home to the east of the PUD. Emergency vehicular access to the south side of the building may also be required.

Therefore staff recommends **APPROVAL** of the Detail Site Plan of Development Area B of PUD-359 subject to the following conditions:

1. Additional information be provided to staff to assure that all trash, utility and equipment areas are properly screened from public view, and
2. A second point of access be provided to Memorial Drive along the south side of the development with the access drive extending to the north-south drive on the east side of Development Area B.

Applicant's Comments:

Nina Honeyman, 4608 South Garnett, Suite 413, stated she is in agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DICK**, the TMAPC voted **9-0-1** (Ballard, Carnes, Dick, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; Boyle "absent") to **APPROVE** the Detail Site Plan of Development Area A of PUD-359 subject to the conditions as recommended by staff.

OTHER BUSINESS:

AC-009 Charles C. Boyd

(PD-2) (CD-1)

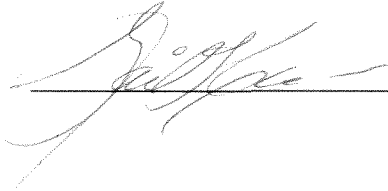
Northwest corner East Independence and North Elgin Avenue
(Alternative Landscape Compliance to delete the requirement for irrigation of landscaped areas.)

TMAPC Action; 10 members present:

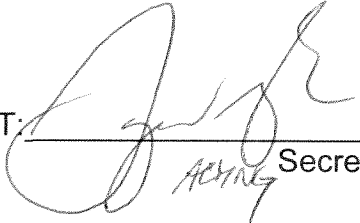
On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent ") to **APPROVE** the Alternative Landscape Compliance AC-009 to delete the requirement for irrigation of landscaped areas as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date Approved: 1-22-97



Chairman

ATTEST: 

Secretary