

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2322

Wednesday, September 25, 2002, 1:30 p.m.

Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Bayles	Hill	Dunlap	Romig, Legal
Carnes	Jackson	Huntsinger	
Dick		Matthews	
Harmon		Stump	
Horner			
Ledford			
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, September 20, 2002 at 3:00 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Minutes:

Approval of the minutes of September 4, 2002, Meeting No. 2320

On **MOTION** of **HORNER** the TMAPC voted 8-0-1 (Bayles, Carnes, Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; Dick "abstaining"; Hill, Jackson "absent") to **APPROVE** the minutes of the meeting of November 28, 2001, Meeting No. 2293.

REPORTS:

Worksession Report:

Mr. Harmon reported that there was a worksession prior to today's meeting and covered four topics.

Mr. Harmon directed staff to set a public hearing regarding the spacing issues for sexually oriented businesses and their relationship to certain other establishments.

Mr. Stump stated that staff will advertise for a public hearing on October 23, 2002.

Mr. Harmon reported that there would be another worksession regarding the multi-hazard mitigation plan.

Mr. Harmon reported that there would be another worksession regarding detached accessory use buildings and possible amendments to allow factory-built homes under certain conditions.

Director's Report:

Mr. Stump reported that there are two zoning items and a PUD at the City Council meeting September 26, 2002. Mr. Dunlap will be attending for staff.

Mr. Harmon announced that the public hearing regarding the Brookside Infill Development Design Recommendations will be heard last on the agenda today.

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SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

**L-19419 - Sisemore Weisz - (IL/IM) (PD-16) (CD-6)
4902 North Mingo Road**

Staff Recommendation:

The applicant has applied to split Tract D off Tract C. However, in order to meet the required street frontage, Tract B is being split off Tract A and tied to Tract C. All IL and IM bulk and area requirements are met with the proposed lot-split.

PSO has requested additional easements, and the City of Tulsa Public Works department is requiring the main sewer line to be extended to serve Tracts B/C and D. The owner has no plans to develop Tract C at this time and is requesting approval of the lot-split, with the sewer lines being extended when Tract C is developed. Also, Tract D will be acquired by the Tulsa Airports Improvement Trust to assist in their long-range nuisance abatement efforts. The existing house and garage on Tract D will be demolished. Therefore, the applicant is asking for a waiver of Subdivision Regulation 6.5.2 requiring sewer service to each tract.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and therefore recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split with the condition that the existing dwelling and garage in Tract D be removed; the additional utility easements be given per PSO's request; and that verbiage be placed on the deeds for Tracts C and D that sewer lines will be extended when developed.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for L-19419 with the condition that the existing dwelling and garage in Tract D be removed; the additional utility easements be given per PSO's request; and that verbiage be placed on the deeds for Tracts C and D that sewer lines will be extended when developed as recommended by staff.

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FINAL PLAT:

South Springs South Subdivision – PUD 405 K (2383) (PD 18) (CD 8)
East 93rd Street South and South 76th East Avenue

Staff Recommendation:

This plat consists of 142 lots in six blocks with five reserve areas on 42.6 acres. The property will be used for residential uses.

All release letters have been received for this final plat. Staff recommends **APPROVAL** of the final plat.

Applicant indicated his agreement with staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the final plat for South Springs South Subdivision as recommended by staff.

PRELIMINARY PLAT:

Waynesfield - AGR (1272) (PD 21) (County)
West of Peoria and south of 131st Street

Staff Recommendation:

This plat consists of ten lots, in one block, on 21 acres. The plat was continued from the September 18, 2002 TMAPC meeting to allow for redesign of the cul-de-sac near lots 5 and 6.

The following were discussed September 5, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property has recently been zoned AGR in Tulsa County. The plat consists of 10 lots in 1 block on 21 acres. Septic systems are proposed.
2. **Streets/access:** The County Engineer requests that the entrance access not be greater than 60 feet. He requests a 55-foot setback from the property line between lots 5 and 6. The dimensions are off on the perimeter of the plat. In the covenants, the reference to the second structure in Section 1 needs to be removed. The building setbacks in Section K need to be corrected. The clipped corner on 131st Street necessitates a waiver or else a 30 foot radius or 28 feet on either side. The legal description needs to be corrected. Easements must be put outside the right-of-way.
3. **Sewer:** N/A (This will have septic systems.)
4. **Water:** N/A (Water will be from Creek RWD # 2.)
5. **Storm Drainage:** N/A
6. **Utilities:** No comment.
7. **Other:** The County Engineer stated that all the improvements would need to be in place before the plat was accepted, in accordance with the new rules for plats in the County.

The City of Glenpool forwarded their comments and these will be taken care of by the engineer for the project

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. A waiver to allow more than three side-lot lines is needed.
2. A waiver to allow a cul-de-sac exceeding 500 feet in length is required.

Special Conditions:

1. The concerns of the County Engineer must be taken care of to his specifications. The City of Glenpool's concerns must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.
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. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

The applicant indicated his agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 9-0-0 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the preliminary plat for Waynesfield subject to special conditions and standard conditions as recommended by staff.

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CHANGE OF ACCESS ON RECORDED PLAT:

Lot 7, Block 1, Interstate Central Extended Plat (2893)

West of South Yale Avenue and North of East 51st Street South

Staff Recommendation:

This application is made to allow a change of access along South Yale Avenue for Lot 7 of the Interstate Central Extended Plat. The proposal is to add a 40-foot limited access approximately 70 feet north of the existing south lot line of the existing Lot 7. The property is zoned CS.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

The applicant indicated his agreement with staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 9-0-0 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Hill, Jackson "absent") to **APPROVE** the change for access for Lot 7 of Interstate Central Extended as recommended by staff.

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Mr. Jackson in at 1:40 p.m.

Mr. Ledford announced that he would be abstaining from PUD-624-1.

ZONING PUBLIC HEARING

PUD-624-1:

Minor Amendment

Applicant: Jerry W. Ledford, Jr.

(PD-11) (CD-11)

Location: North side of West Apache Street, between North 41st West Avenue and North Osage Drive

Staff Recommendation:

PUD-624 was approved by the City Council in February, 2000. The PUD contains 658 gross acres located on the north side of West Apache Street, between North 41st West Avenue and North Osage Drive. The PUD has been approved for mixed uses, including single-family, multifamily and commercial uses.

This minor amendment proposes to relocate land uses, eliminate some previously approved uses, decrease overall floor area and reduce residential density.

Staff finds the request to be minor in nature. The allocation of land to particular uses and the relationship to uses within the project are not substantially altered and the limitation or elimination of previously-approved uses does not substantially alter the character of the development. Therefore, staff recommends **APPROVAL** of the requested minor amendment for PUD-624-1, 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:**

TRACTS A-1 through A-5 Single-Family Residential

Gross Area:

441.98 Acres

Permitted Uses:

Detached single-family residences and customary accessory uses
(Use Unit 6).

Maximum Number of Dwelling Units:

2,654

Bulk and Area Requirements:

As provided within an RS-3 district.

**TRACTS E-1 AND E-2
Multifamily**

Gross Area: 32.58 Acres

Permitted Uses:

Multifamily dwellings and customary accessory uses (Use Unit 8).*

Maximum Number of Dwelling Units: 815

Maximum Number of Dwelling Units Per Acre Per Lot: 25

Maximum Building Height: 40 FT

Maximum Stories: 3

Other Bulk and Area Requirements:**

As established within an RM-1 district.

*Use Unit 7a (townhouse dwellings) and Use Unit 6 (single-family dwellings) may be permitted by minor amendment.

**Additional setbacks and buffering may be required by TMAPC at the time of Detail Site Plan review, depending upon surrounding use and physical features.

**TRACTS C-1 AND C-2
Commercial**

Gross Area: 37.96 Acres

Permitted Uses:

As permitted by right within a CS district, excluding Use Unit 12a.

Maximum Floor Area Ratio Per Lot: .30

Maximum Building Height:

Two-story/not to exceed 35 FT.

Minimum Building Setback from abutting residential areas: *30 Ft

Other Bulk and Area Requirements:*

As provided within a CS district.

Off-Street Parking:

As required by the applicable use unit.

Minimum Landscaped Open Space:

10% of net lot area.

*Additional setbacks or buffering may be required by the TMAPC at the time of detail site plan review depending upon surrounding uses and physical features.

**TRACTS F-1 AND F-2
Open Space**

Gross Area: 106.13 Acres

Permitted Uses:

Landscaped Open Space Area, (landscaping, pedestrian pathways, and similar open air facilities).*

*Open air facility must be approved by TMAPC on detail site plan review.

**TRACT H-1
Community Center**

Gross Area: 6.21 Acres

Permitted Uses:

Residential community center intended for noncommercial use of the residents of the development and may include a principal building and customary recreational facilities (Use Unit 5).

Maximum Floor Area Ratio: .10

Maximum Building Height:

Two-story/not to exceed 40 FT

Minimum Building Setback from abutting residential areas:

30 FT plus two feet of setback for each foot of building height exceeding 25 feet.

Off-Street Parking:

As required by the applicable use unit.

Minimum Landscaped Open Space:

15% of net lot area.

**TRACT B-1
Senior Care**

Gross Area: 16.93 Acres

Permitted Uses:

Multifamily dwellings and customary accessory uses (Use Unit 8) intended for the elderly, including but not limited to, elderly/retirement housing, life care retirement center, and assisted living facilities and skilled nursing facilities (Use Unit 2).*

Maximum Number of Dwelling Units:** 423

Maximum Number of Dwelling Units Per Acre: 25

Maximum Livability Space Per Dwelling Units: 200 SF

Maximum Building Height: 40 FT

Maximum Stories: Three

Other Bulk and Area Requirements:

As established within RM-1 district, provided however, pursuant to minor amendment, setbacks may be modified from internal development area boundaries, proposed expressway right-of-way and open space area.

*Use Unit 7a (Townhouse dwellings) and Use Unit 6 (Single-family dwellings) may be permitted by minor amendment.

**The permitted intensity of residential care facilities shall be determined by applying the floor area ratio of .5.

**TRACT K-1
School Campus**

Gross Area: 16.54 Acres

Permitted Uses:

Public or private school offering a compulsory education curriculum from K-9 grades (Use Unit 5). Alternatively, Tract K-1 may be developed as single-family dwellings subject to the development standards set forth for tracts A-1 through A-5.

Maximum Floor Area Ratio: .10

Maximum Building Height:

Two-story/not to exceed 40 FT.

Minimum Building Setback from abutting residential areas:

30 FT for one story, 60 FT for two stories.

Off-Street Parking:

As required by the applicable use unit.

Minimum Landscaped Open Space:

15% of net lot area.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. 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 for the lot, 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.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

6. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
7. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent properties abutting the PUD. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in adjacent properties or street right-of-way. No light standard nor building-mounted light shall exceed 20 feet in height.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. In single-family residential areas a homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guard houses or other commonly-owned structures within the PUD. Private street residential subdivisions are not permitted but may be permitted by approval of a minor amendment to the PUD.
10. The precise alignment of arterial streets and collector streets shall be determined at the time of the subdivision platting.
11. If permitted by minor amendment, all private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness that meet the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
12. If private streets are permitted by minor amendment, the City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets, or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
13. 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 that relate to PUD conditions.

14. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
15. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, traffic engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
16. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
17. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

Applicant indicated his agreement with staff recommendation.

Interested Parties:

Pat Bodean, 3611 West 34th Street North, Tulsa, Oklahoma 74127, stated that at the last meeting she attended, this PUD was approved. She asked when this development and the housing development would actually start.

TMAPC Comments:

Mr. Harmon stated that he would have to ask the applicant to come up to answer Ms. Bodean's question.

Applicant's Comments:

Jerry Ledford, Jr., 8209 East 63rd Place South, Tulsa, Oklahoma 74133, Tulsa Engineering and Planning, stated that as soon as the minor amendment is approved and the preliminary plat is completed, he anticipates construction to start in the spring of 2003.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-2 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Midget, Westervelt "aye"; no "nays"; Jackson, Ledford "abstaining"; Hill "absent") to **APPROVE** the minor amendment for PUD-624-1, subject to conditions as recommended by staff.

Public Hearing to Consider Adoption of the Brookside Infill Development Design Recommendations, Area Map and Text as Amendments to the Comprehensive Plan for the Tulsa Metropolitan Area

Applicant's Comments:

David Paddock, President of the Brookside Neighborhood Association, 1101 East 34th Street, Tulsa, Oklahoma 74105, stated that he would like to reinforce the fact that the infill development design recommendations include only the areas to Madison Avenue on the west, Rockford on the east, 31st Street on the north, and I-44 to the south. He explained that he considers this the planning area and it has nothing to do with Riverside Drive.

Mr. Paddock indicated that this proposal has been a three-year project as a joint effort between the residents and the business owners of Brookside. The Urban Development Department was asked to assist in pulling this plan together and transferring it to paper. The proposal is a very comprehensive study with a large amount of information.

Mr. Paddock stated that he has lived in Brookside for over ten years. He described this plan as a preservation of Brookside. The private sector is coming into Brookside doing a lot of things that some people require or are requesting the public money to do. The goal of this plan is to protect some things in regards to infill development that he sees as a concern.

Mr. Paddock cited several locations on Peoria that he feels are not compatible with the Brookside area. The proposed plan is to protect the character, urbanism, pedestrian traffic, which are things that are drawing people to Brookside.

Mr. Paddock stated that the properties in mid-town bring premium rent. People want to be in Brookside. He indicated that he is present today to represent those people who have told him that they want to preserve the mid-town character.

Mr. Paddock concluded that the plan is not static, but dynamic. The goal is to accomplish a change or modification to the District 6 Plan. This is not the first time this has been done for Brookside. He would like a plan that is updated periodically that reflects what the Brookside Business owners and residents want.

TMAPC Comments:

Mr. Harmon asked Mr. Paddock what he would like to see as a timeline for these issues to be implemented. In response, Mr. Paddock stated that the implementation could pick up and carry forward into 2003. He projected that he would return in 2003 with something regarding implementation. The planning is being continued at this point.

Mr. Harmon asked Mr. Paddock if he sees this as an ongoing process over many years. In response, Mr. Paddock stated that this has been an ongoing process since the 1970's.

Jay Trygve Westby, no address given, stated that he is in support of this plan and thinks that Peoria is a great place to be. He indicated that he owns property 4207 and 4209 on 42nd Street.

TMAPC Comments:

Mr. Harmon asked Mr. Trygve Westby if he attended the meetings and had any input. In response, Mr. Trygve Westby stated that he has looked at the plan and thinks it is a good idea.

Interested Parties Cont.:

Johnny McClanahan, owner of Myers-Duren Harley-Davidson, 4848 South Peoria, Tulsa, Oklahoma 74105, stated that he has been involved with the study since the beginning and attended most of the meetings. He is totally behind this proposal and requested help with the Camelot area. He commented that he would like to see this plan to eventually go to 71st Street as well.

TMAPC Comments:

Mr. Harmon complimented Mr. McClanahan on his building located on Peoria and thanked him for his contribution to the subject area.

Interested Parties:

Diane Rose, 219 East 46th Street, Tulsa, Oklahoma 74105, stated that she did a survey during her run this morning and cited several code violations. She commented that she is highly supportive of Brookside Plan to enforce and review the current codes.

Ms. Rose stated that the Tulsa Bicycle Advisory Committee had a lot to say about the suggestion of the bricks on the sidewalks and streets. She indicated that the committee is against the proposal of bricks because Tulsa has not done a good job of maintaining brick streets. The bricks are a hazard for bicyclists and pedestrians tripping over them.

John Allen, 4835 South Peoria, Tulsa, Oklahoma 74105, representing Venture Properties, stated that he has been involved with the infill study. He is in support of the spirit of this plan and Brookside is worth taking this time to focus attention on.

Mr. Allen expressed concerns about increasing the cost of developing and redeveloping property in Brookside. He cited an example regarding requiring a PUD for any kind of infill work that is done. A PUD has requirements that can hinder redeveloping existing property.

Ken Foot, 3935 South Madison, Tulsa, Oklahoma 74105, stated that he moved to the Brookside area 27 years ago. He commented that he was involved in this plan and went to every one of the meetings. Brookside has turned into a nice place to live and he would like it to stay that way. If this plan would give people who want to do business and/or infill projects a sense of what the people in Brookside feel, then he would like it to be implemented. He understands the concerns of business people regarding the costs of updating property or developing. The Plan is to give people a direction or a guide, and if it is feasible for the developer to use the guides, then great.

TMAPC Comments:

Mr. Harmon asked Mr. Foot how he sees the area cooperating between homeowners and businesses. He asked if Mr. Foot if he sees a camaraderie present. In response, Mr. Foot stated that in the early 1980's, there was not a camaraderie going on. Mr. Foot commented that today there is dialogue between the Peoria neighbors and businesses. Mr. Foot stated that the neighborhood will meet with anyone who would like to meet and discuss issues.

Mr. Foot stated that previously someone mentioned the bricks indicated on the plan. He wanted to point out that it is not bricks, but textured concrete to look like bricks.

Brad Gemeinhart, 1423 East 37th Place, Tulsa, Oklahoma 74105, who owns a business at 3716 South Peoria, representing the Brookside Business Association. The Brookside Business Association has grown in members (115) and it is mainly because there is a vision. There is a vision for the subject area to improve it, to build and to strengthen it. The area has grown in popularity and there is a village-type atmosphere in which the businesses are directly connected to the residents. With this report, the area is trying to protect that and promote that.

Mr. Gemeinhart stated that this plan would help small businesses by attracting people to the area and it would increase the sale tax levels and eventually fill the City coffers. This one document can help the entire city to develop and offer more services. The implementation could be a challenge because there is a lot of information in the plan, but with a joint effort between public and private resources, he believes that most improvements, if not all, can be accomplished.

Mr. Gemeinhart stated that the Mayor's Administration has been talking about a vision for the city and this document is a concrete way in which the vision can be shown. Not only to our city, to the State, but to the entire nation as well.

Mr. Gemeinhart stated that, regarding an implementation timeline, he believes working hard on taking care of some of the traffic calming issues would be the first priority and then the esthetics could follow. Traffic calming and parking issues are where most of the resources should be used to begin with.

TMAPC Comments:

Mr. Harmon asked Mr. Gemeinhart how well the cooperation between the neighborhood and business community is. In response, Mr. Gemeinhart stated that two years ago it was strained, but because of the Infill Task Force getting together, he credits the whole committee in working towards this. The two parties learned to talk to each other and found that everyone wanted the same things. The two parties attend each other's meetings and businesses donate door prizes to the neighborhood meetings.

Mr. Westervelt asked if there was any dialogue regarding additional public parking and if there were any solutions discussed. In response, Mr. Gemeinhart stated that solutions have not been discussed. He explained that currently they are trying to find out what the options would be. He believes that from finding the options, solutions should follow. He commented that some private sectors are putting in parking and it is being addressed as well as it can be on a private level.

Mr. Westervelt asked how much discussion there was regarding public parking during the study. In response, Mr. Gemeinhart stated that they are waiting to find out what all of the options are and there have not been specific meetings at the Business Association discussing this issue.

Interested Parties:

Louise Mannes, 4972 South Newport Avenue, Tulsa, Oklahoma 74105, stated that she lives behind the Camelot Hotel and her job for some years has been to look after the Camelot, work with the property caretakers, and call when there are incidents. She commented that she has taken two years from her job to work on the Infill Committee. She is hopeful that the plan would be implemented immediately.

Staff Recommendation:

Ms. Matthews stated that staff generally supports the content of the plan, but after review it appears to go far beyond the powers of the Planning Commission to implement. There are some parts of the plan that staff would recommend that somehow be referred to another City Department. Ms. Matthews read the following recommendation:

TMAPC Comments:

Mr. Westervelt stated that there were some discussion between the Planning Commission and Mr. Carr regarding screening walls being masonry versus wood fences. If the Planning Commission wanted to add to the recommendations, he asked if it would be done through adoption process. In response, Ms. Matthews stated that it can be done in a two-part process. It could be referenced in the text of the Plan itself. There would also need to be some reference to this in the Zoning ordinance, or otherwise it would only be a guideline, as to approve to an ordinance.

Mr. Westervelt asked Ms. Matthews how to encourage improvements for the parking issues. In response, Ms. Matthews stated that this becomes an implementation issue and when it is time for a Capital Improvement Project application, requests for parking lots, public/private or totally public could be submitted as part of that process and added to the list. She explained that funding would be an issue.

Mr. Midget asked Ms. Matthews if there is any way, is going through this process, that zoning recommendations could be separated from the policy issues that the committee has recommended, in order to give the Planning Commission a better chance to address issues regarding parking. In response, Ms. Matthews asked if he meant to separate the physical development from the zoning issues. In response, Mr. Midget answered affirmatively. In response, Ms. Matthews stated that it would be a part of the implementation phase, too, and this would be presented to the City Council if the Planning Commission recommends approval. It would behoove the Planning Commission, business associations, and neighborhood associations to call those specific policy issues to the attention of the Council. Ms. Matthews further stated that when the staff reviews any future zoning requests from the Brookside area, the staff recommendation would reflect that it is in a special district.

In response to Mr. Midget, Ms. Matthews stated that the pattern, whether the Planning Commission chooses to adopt a separate chapter for each one of the pilot studies, would be up to them, but if the Planning Commission wants to tailor the pattern, then it would have to be a specific chapter. Brookside's needs are different from those of the Brady Village and others.

Mr. Stump stated that staff has done preliminary work on this type of thing. At this point staff feels that they would recommending adoption of a chapter that would enable this sort of special district to occur and give guidelines on what can be varied and what can't, and what can be required, and then they would recommend adoption of a special overlay district with unique standards for each area within the guidelines of that chapter. This would be similar to the way the Planning Commission adopts unique standards for each PUD that is adopted, but it is all done within the constraints of the PUD chapter.

Mr. Ledford asked how this particular plan would operate in conjunction with our Comprehensive Plan. He asked if the Planning Commission would approve this special district plan and then amend the Comprehensive Plan. In response, Ms. Matthews answered affirmatively. She explained that it would be adopted by reference and that would make it a part of the Comprehensive Plan.

Mr. Westervelt asked staff how this would be done procedurally. In response, Mr. Stump stated that in order to give everyone an opportunity to comment on future proposals to amend this Plan, or what to adopt and not to adopt, it would

be best to recess the public hearing to a date certain and let staff present some of the actual wording of what staff thinks would implement the Planning Commission's recommendations. Mr. Stump commented that any guidance the Planning Commission could give staff would be helpful in preparing the wording.

Mr. Romig stated that, as individual members, the Planning Commission could submit their changes to staff before the next public hearing.

Mr. Westervelt requested that masonry screening walls, dumpster screening and parking issues be included in the wording developed by staff for the continued public hearing.

Ms. Bayles thanked every person who worked on the task force for their hours over the last three years. She asked that the wording developed by staff be available for the task force members in order to respond to the staff recommendations or questioned whether that should happen later.

Mr. Stump stated that anything staff develops could be passed in advanced to everyone involved in this Plan so that they would be ready and understand what staff is proposing.

Mr. Harmon suggested there be another worksession in order to review the requests for amendments to the Plan.

Mr. Carnes stated that staff has done an excellent job in the past. Everyone could call, from both sides of the issue, and staff could mail a rough draft before public hearing. Mr. Carnes commented that he doesn't think there needs to be another worksession.

Mr. Westervelt suggested that staff proceed and if there is confusion or concern, then it would be appropriate to move it to a worksession.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted 10-0-0 (Bayles, Carnes, Coutant, Dick, Harmon, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Hill "absent") to **CONTINUE** the public hearing to consider adopting the Brookside Infill Development Design Recommendations to October 23, 2002, 1:30 p.m.; and direct staff to draft the appropriate language.

TMAPC Comments:

Mr. Harmon requested the draft be sent earlier than the usual packet mailing.

Mr. Midget stated that when one looks up the word "neighborhood" in the dictionary one finds "Brookside". He further stated that he remembers when this first started, the neighborhood's and businesses' relationship was not good, but they have pulled themselves together and that shows. Now the neighborhood

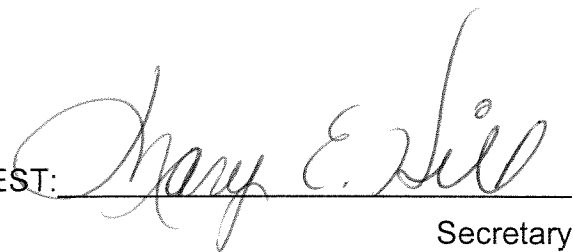
and businesses are working together for the betterment of the entire area. The group sets a new standard and could serve as a model for other urban areas within the community. Mr. Midget thanked the neighbors and businesses for their hard work on this proposal.

There being no further business, the Chairman declared the meeting adjourned at 2:33 p.m.

Date Approved: 10/23/02



Chairman

ATTEST: 
Secretary