

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1335
 Wednesday, November 19, 1980, 1:30 p.m.
 Langenheimer Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Avey	Inhofe	Alberty	Jackere, Legal Department
Eller	Keleher	Gardner	
Gardner	Parmele	Howell	
Holliday		Lasker	
Kempe, Secretary		Wilmoth	
Petty			
C. Young, 1st Vice Chairman			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, November 18, 1980, at 11:55 a.m., as well as in the Reception Area of the TMAPC Offices.

Carl Young, First Vice Chairman, called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to approve the Minutes of November 5, 1980 (No. 1333).

DIRECTOR'S REPORT:

Director Jerry Lasker advised the Commission that the elevator in the Center Office Building is now in working order. Therefore, the Staff will complete the change of offices later this week. Mr. Lasker extended an invitation to the Commissioners to tour the facilities.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5471 Present Zoning: RD
 Applicant: John Moody (Preston) Proposed Zoning: OM
 Location: South and East of the SE corner of 71st Street and Yale Avenue

Date of Application: September 30, 1980
 Date of Hearing: November 19, 1980
 Size of Tract: 3.3 acres, plus or minus

Presentation to TMAPC by: John Moody
 Address: 4100 Bank of Oklahoma Tower Phone: 588-2651

Applicant's Comments:

John Moody advised that approximately four years ago, a Board of Adjustment action approved the construction of patio homes on the nine lots to the east and south of the subject tract. Those properties were zoned OM at that time; the subject property was also zoned OM. Additionally, at that time; the owner of the subject tract had the property down-zoned to RD (duplex) since that appeared to be the market which would best satisfy his intended development.

Z-5471 (continued)

A similar application was presented on the subject property one year ago; however, adjacent property owners protested the rezoning since the applicant had not advised them of the intended use of the subject property. The protestants were owners of adjacent property and had purchased these properties with the understanding that duplexes or other similar-type structures would be built on the subject tract. They were not opposed to office use on the property providing there were certain agreements reached regarding the particular development; i.e., type of landscaping undertaken, type of screening which would be erected and restrictions regarding height of buildings and number of parking spaces provided. This application was denied by the City Commission, after a Planning Commission recommendation for denial.

Mr. Moody presented a proposed Amendment (Exhibit "A-1") to the Certificate of Dedication which was drawn up and agreed to by the adjacent property owners who previously protested the application. The Amendment was also signed by the new owners of the townhouse-duplex units along 73rd Street and South Braden Avenue. The Amendment bore the signatures of all but one of the surrounding property owners. Mr. Moody advised that the applicant would be willing to add the City of Tulsa as a third party to the Restrictive Covenants.

The subject tract has very prominent topographical features; it is very high on the north portion of the tract and drops down to a very low spot on the southwest corner of the property. The applicant proposes a 14,600 square-foot office building to be located on the north one-third of the subject tract. The proposed project will include single-story structures on both the north and south ends with two-story units to be located in the center of the project. The project will involve a 30% floor area ratio. The applicant has agreed to provide a minimum of 61 parking spaces, and additionally, will reduce the building area and provide a minimum of one parking space per 150 square feet of every medical space that would be leased to tenants in the building. Berms and other additional landscaping will be placed along the west side of South Braden so that the parking lot will not be visible from the duplexes facing the subject tract.

The Crockett Building Company proposes to erect the second building on the subject tract. The proposed structure will contain 26,000 square feet, approximately 30% coverage. The builders will follow the natural contours of the property; the eastern-half of the building will be single-story with two stories on the western-half of the property which slopes down. The property will be replatted and two access points will be provided.

The proposed buildings will be of different architectural styles, traditional and contemporary; however, each of the buildings have been designed so that each tenant will have separate entry and there will be a variation in the frontage of the building to provide architectural relief and interior courtyards so that the structure will look more residential in character.

It has been agreed that standard lighting will not be used on the parking lots, but instead, will be restricted to low lighting in the lots.

Mr. Moody advised that the applicant felt that the proposed use of the subject property would be the best solution that can be achieved with the physical facts on the tract.

Z-5471 (continued)

Protests: None.

Instruments Submitted: Amendment to Certificate of Dedication (Exhibit "A-1")

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Office.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the OM District is in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of the requested OM zoning for the following reasons:

The subject property is located south of the southwest corner of 71st Place and Braden Avenue. The property is vacant, zoned RD residential duplex, and the applicant is requesting OM office medium intensity.

The conditions surrounding the subject property have not changed since a similar application was first heard in November 1979. Although the properties to the east and south are zoned OM, the Board of Adjustment changed the use of that property, December 15, 1977, to residential with the approval of an exception (BOA Case No. 9737). Subsequent to the Board's action, an application was filed on the subject property requesting down-zoning to RD, and that was approved on February 21, 1978. Had property to the east and south been developed office as zoned, then the subject property would never have been zoned RD and the present OM request would be unnecessary. The land use changes that have occurred since the adoption of the Comprehensive Plan, make the office designation on the subject property no longer consistent with the surrounding development. Office zoning on the subject property would front offices into the residences to the east and, therefore, would have an adverse affect on these properties.

Based on these reasons, the Staff recommends DENIAL of the requested office zoning.

Special Discussion for the Record:

Commissioner Petty questioned if there was another way to handle the agreement with the adjacent property owners and the development of the property.

Bob Gardner advised that a PUD would be required and also a zoning change to accommodate the type of project which Mr. Moody presented. A PUD would assure the kind of development, as presented, and the City of Tulsa would be beneficiary to the covenants.

Mr. Moody then reiterated that the applicant would be willing to include the City of Tulsa in the restrictive covenant amendment.

Z-5471 (continued)

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-1-0 (Avey, Eller, Gardner, Holliday, Kempe, C. Young, T. Young "aye"; Petty "nay"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OM:

Lots 3-8, and Reserve "A", LESS and EXCEPT the South 26' of the Westernmost 98' of Reserve "A", Block 1, a resubdivision of Block 3, Nob Hill, an addition to the City of Tulsa, Tulsa County, Okla., according to the recorded plat thereof.

PUD #248 Roy Johnsen (Quatro Properties, Inc.) North side of 91st Street,
between Yale Avenue and Sheridan Road (RS-3)

The Staff advised that the applicant had requested a continuance of this item.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to continue PUD #248 to December 3, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

Grand Point Second (1583) NW corner of 91st Street and South Sheridan Road
(CS)

The Staff presented the plat, noting the applicant was not represented.

The Traffic Engineering Department recommended that the access point on Sheridan nearest 91st be moved to avoid conflict with the existing dedicated street on the east side of Sheridan Road.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Grand Point 2nd, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to approve the Preliminary Plat of Grant Point Second, subject to the following 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 should be tied to, or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat, (if required).

Grand Point Second (Continued)

3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat, (if required).
4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, (if required for drainage).
5. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
6. Access points shall be approved by City and/or Traffic Engineers.
7. 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.
8. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, (including documents required under Section 3.6-5 of the Subdivision Regulations).
9. All Subdivision Regulations shall be met prior to release of final plat. (Staff)

Square One (PUD #222) (1183) NE corner of 81st Street and South Sheridan Rd.
(CS & RM-0)

Mr. Wilmoth advised that the conditions have been met, all letters of approval are in the file and the plat is ready for preliminary and final approval and release.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to grant preliminary and final approval and release of Square One.

Glenoak (PUD #243) (3393) NE corner of 59th Place and South Harvard Avenue
(RS-2)

The Staff presented the plat noting that the engineer, Bobby Brummett, was present.

It was recommended some minor clarification be made in the covenants regarding Reserves "A" and "B" to permit utility use over those areas. The City Engineer advised that developer shall minimize drainage effects off-site to his best ability.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Glenoak, subject to the conditions.

Glenoak (PUD #222) (continued)

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to approve the Preliminary Plat of Glenoak, subject to the following conditions:

1. Since the fence to be built around the project will be a substantial structure, a three (3) foot "fence area" should be allowed, as well as room for utilities. (Subject to coordination with utility companies.)
2. Show LNA along Harvard Avenue.
3. All conditions of PUD #243 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(s) 1100-1170 of the Zoning Code in the covenants. (Staff)
4. Utility easements shall meet the approval of the utility companies. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required, (including 20' restricted water line easements). Existing easements should be tied to, or related to property and/or lot lines.
5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat, (include language in covenants regarding pavement repair). (Loop line required.)
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
7. Drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission. (Developer shall minimize drainage effects off-site to his best ability.) (PFPI required)
8. In Covenants: #19: Restriction time limit should only apply to the first 13 paragraphs. Add two paragraphs: One for relinquishment of access on Harvard and language for pavement repair over water lines. Identify intersection of 59th Street and Knoxville Avenue as an "Emergency Access" to comply with item #14A in Covenants.
9. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, (including miscellaneous documents required by the Subdivision Regulations).
10. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Koger Executive Center II (1994) NE corner of 41st Street and South 102nd East Avenue (CS)

Kensington II, Blocks 3-8 Amended (PUD #128) (783) 74th Street and South Trenton Avenue (RM-1)

The Staff recommended these items be tabled.

The Chair, without objection, tabled Koger Executive Center II and Kensington II, Blocks 3-8 Amended.

Century 21 Extended (PUD #131) (794) 1400 Block of South Garnett Road (RS-3)

The Staff advised that the conditions have been met, all letters are in the file and release of the final plat was recommended.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to release the final plat of Century 21 Extended.

FOR CHANGE OF ACCESS ON RECORDED PLAT:

Royal Arms Addition (3692) South side of Skelly Drive at Norfolk Avenue (OM)

The Staff advised that this is a request to add one access point east of the southeast corner of Norfolk Avenue and the south service road to Skelly Dr. The request has been approved by the Traffic Engineering Department, and it is recommended that the Planning Commission concur and also approve.

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe Keller, Parmele "absent") to approve the change of access on the recorded plat of Royal Arms Addition.

LOT-SPLITS:

L-15059	Osage Oil & Transportation Company	(2193)	L-15063	Hornet Oil Company	(2693)
15060	Steven E. Smith	(683)	15064	Frontier Financial Services, Inc.	(883)
15062	Barbero, et al, Trustees of Standard Royalties, Inc.	(2004)	15065	Nelson Electric	(2393)

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") for ratification of prior approval of the above-listed lot-splits.

OTHER BUSINESS:

Health Dept. Request to Add Policy to Appendix A of the Subdivision Regulations

The Staff recommended this item be continued for two weeks to allow time for review by the Rules and Regulations Committee.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleer, Parmele "absent") to continue the Health Department request for an addition to Appendix A of the Subdivision Regulations.

"26-Oaks" (PUD #227) (2993) Roy Johnsen NE corner of Skelly Drive and South
Lewis Avenue (OL)

Roy Johnsen reviewed the details of the proposed minor amendments and advised that he was in agreement with the Staff Recommendation as follows:

Planned Unit Development #227 is located on the NE corner of I-44 service road and Lewis Avenue. The property is zoned OL low-intensity office and was approved for 34,944 square feet of one and two-story Offices. The applicant is requesting a minor amendment in three areas.

1. An amendment to the minimum lot frontage requirements in the OL District.

The OL District requires a minimum lot frontage on a freeway service road of 75 feet. The project will be divided into 8 lots, each containing an office building and a lot containing the parking area and open space. The principal concern with the frontage requirement is access control. The proposal will limit access to the service road to one ingress and egress point. Therefore, the Staff feels the amendment to permit the "condominium" lots can be approved due to the controls of the PUD, and that the division into lots will not affect the physical appearance of the project, only the method of ownership.

2. An amendment to permit the second floor area to be 32% of the total floor area rather than 30%, as stated by the applicant's text.

The 2% increases would result in approximately 700 square feet additional floor area on the second floor level. It is not an increase for additional total floor area. The Staff considers this increase minimal and, therefore, minor in nature.

3. An amendment to permit the sidewalks to be included within the landscaped open space area.

The applicant's text had excluded the sidewalk area in the computation of the open space area. If the sidewalks are excluded, the open area computes at 26.2% of the net land area. With the sidewalks included, the open area computes at 30.4%; the minimum area required by the PUD is 30% of the net land area. The Staff's review policy in determining open space is to include sidewalks if the sidewalk traverses a landscaped space. In this case whether the sidewalks are included, which will provide 30.4%, or excluded, which will provide 26.2%, the net result is a significant amount of landscaped area. Therefore, the Staff considers the request reasonable and minor in nature as it affects the PUD approval.

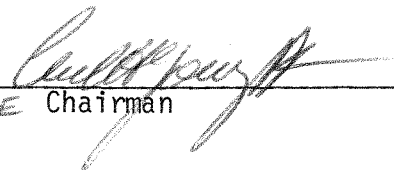
The Staff recommends APPROVAL of all three requests to minor amendments to PUD #227.

"26 Oaks" (continued)

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Gardner, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Keleher, Parmele "absent") to approve the three minor amendments, as requested, for "26 Oaks" PUD #227, to modify frontage, floor area and landscaping requirements.

There being no further business, the Chair adjourned the meeting at 2:20 p.m.

Date Approved November 26, 1980



VICE Chairman

ATTEST:



Secretary

