TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1508
Wednesday, June 6, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery	Beckstrom	Compton	Linker, Legal
Hinkle, Secretary	Draughon	Gardner	Department
Kempe, 1st Vice Chairman	Flick	Martin	
Rice	Higgins	Wilmoth	
Woodard	T. Young		
C. Young, Chairman			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, June 5, 1984, at 11:32 a.m., as well as in the Reception Area of the INCOG offices.

Chairman C. Young called the meeting to order at 1:47 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the Minutes of May 16, 1984 (No. 1506) and the Minutes of May 23, 1984 (No. 1507).

SUBDIVISIONS:

Preliminary Plat:

Mohawk Park Addition (PUD #363) (1503) SE corner of East 39th Street North and North Yale Avenue (RMH, and FD)

Fairway Park Addition (PUD #347) (382) 6500 Block of South 28th West Avenue (RS-3)

Mr. Wilmoth advised that these two items need to be continued for a two week period.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to continue consideration of the preliminary plats for Mohawk Park Addition and Fairway Park Addition until Wednesday, June 20, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Fox Pointe (PUD #354) (1583) 91st Street and South Fulton Avenue (RM-1)

The Staff presented the plat with the applicant represented by Mike Taylor.

The Technical Advisory Committee reviewed this as a PUD review on February 23, 1984, and recommended a dedicated street running north and south generally along the east part of the project. The Planning Commission Zoning Staff also recommended a street dedication. In the review process at the Planning Commission meeting on March 28, 1984, the Planning Commission approved the PUD on a split vote, allowing the private street system requested by the applicant. The City Commission also approved the PUD allowing the private street and amended PUD text. The plat submitted is to comply with the approvals by the TMAPC and the City Commission.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Fox Pointe, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 5-1-0 (Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; Connery, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") that the preliminary plat of Fox Pointe Addition be approved, subject to the following conditions:

1. All conditions of PUD #354 shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.

2. 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.

3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the covenants.)

4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).

5. This property is located within the area served by the Haikey Creek Sewage Treatment Plant and will require a statement concerning sewer availability within the covenants.

6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.

7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required?)

8. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design

Fox Pointe (PUD #354)(continued)

(and Earth Change Permit where applicable), subject to criteria approved by the City Commission.

9. Street names shall be approved by the City Engineer. (Check sequence with existing streets? Show on plat as required?) (After the street name, indicate ("Private").

10. All adjacent streets and/or widths thereof should be shown on the final plat. (Show South Darlington Avenue intersection near southeast corner of this plat.)

11. Limits of Access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in covenants. Move Hudson access west for better separation, move east access on office lot to the west.

12. It is recommended that the developer coordinate with the Traffic Engineering during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)

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. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)

15. The Ordinance for Z-5927 and PUD #354 shall be published before the final plat is released.

16. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

17. All (other) Subdivision Regulations shall be met prior to the release of the final plat.

Union Building (784) South side of East 71st Street, East of South 103rd East Avenue (CS)

Mr. Wilmoth advised that consideration of this item needs to be continued for a period of two weeks.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to continue consideration of the preliminary plat of Union Building until Wednesday, June 20, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Lakeshore Food (194) NE corner of East Admiral Place and 183rd East Avenue (IL)

The Staff presented the plat with the applicant not represented.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Lakeshore Food, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") that the preliminary plat of Lakeshore Food be approved, 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. (17½' or 11') Existing easements should be tied to or related to property and/or lot lines.

2. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.

3. 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 the City Commission. (On-site detention)

4. 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.

5. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.

6. Limits of Access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in covenants.

7. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

8. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Sooner Addition (3314) North side of East 66th Street North, East of North 129th East Avenue (RMH)

The Staff presented the plat noting the applicant was represented by Bruce Orvis at the T.A.C. meeting.

This plat had a preliminary approval by the TMAPC (April 20, 1983) wherein the conditions for approval were listed. All conditions were met except receipt of approval from the Tulsa City-County Health Department as required by the Subdivision Regulations (Sec. 4d, page 14). The Staff did

Sooner Addition (continued)

not receive a copy of the proposed final plat, nor was it presented to the Planning Commission for final. Subsequently the plat approval expired on April 20, 1984.

Since the plat expired, a new application has been submitted (May 8, 1984) for preliminary approval. Notices have been sent and the plat set for hearing before the Planning Commission on June 6, 1984. (Numerous protests were made at previous hearings and spokespersons for the protestants were also notified as requested.) Further, since this is a new application, approvals must be made again on the basis of the information submitted on May 8, 1984. New release letters will be required.

The plot plan submitted for information shows the mobile home lot layout with the private street system. This is not to be filed of record and is for information purposes. However, so that there is no confusion, the names of the streets on the interior should be followed by the word "Private". Also add the word "East" preceeding the east/west streets. The sewage disposal area should also be identified on the plot plan.

The City-County Health Department indicates by letter, dated May 22, 1984, that the plat will not be approved. Details were listed in the letter.

The Technical Advisory Committee voted (8-1-0) to recommend approval of the preliminary plat of Sooner Addition, (Health Department not approving), 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 applicable water authority prior to release of the final plat. (Rogers County Rural Water District #3).

3. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.

4. Access points shall be approved by the County Engineer.

5. It is recommended that the developer coordinate with the County Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)

6. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.

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.

Sooner Addition (continued)

8. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. *Health Department approval will not be made as per letter.

9. The owner or owners 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 the restrictive covenants.)

*Since sewage disposal is not on each individual lot, show the area reserved on the plat for sewage disposal facility and identify same.

10. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.

11. The key or location map shall be complete. (Show Owasso and Tulsa annexation "fence lines".) Correct acreage to read 40.1164 to agree with the legal.

12. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; owner-wise, only the conditions listed herein shall apply.

13. Section II of the Covenants can probably be eliminated since there are no private deed restrictions.

14. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

15. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Mr. Wilmoth advised that the applicant was not present. This submittal is the same application as was presented before. Mr. Wilmoth presented the Commission with a copy of the actual plat and site plan of the mobile home layout. Under the previous application there were problems with the sewage disposal method. Although the plat previously was approved, subject to the Health Department's approval, they never received that approval. On the second resubmittal a letter was submitted from the Health Department recommending that the application be denied (Exhibit "A-1"). There is a list of conditions which the T.A.C. reviewed. There was a motion to approve the application with an 8-1-0 vote with the no. 8 representing the utility companies and Engineering Department, and the one negative vote representing the Health Department. The utility companies have no feeling either way whether it is a mobile home park or not. Their recommendation for approval was based on their ability to serve the use.

Chairman C. Young asked the Assistant City Attorney if there are regulations that would allow the Commission to deny this application based on the Health Department recommendation for denial. Mr. Linker stated that the Commission could either approve it subject to the conditions, or deny it on the basis of the Health Department refusing to approve the plat.

Sooner Addition (continued)

It the Commission denies this plat at this stage it must be specifically stated the reason for the denial and the specific Subdivision Regulations which go against this action which is Subdivision Regulations 3.6 (4) (d) and 2.3 (3) (f) which requires Health Department approval of the subdivision plat.

Mr. Bud Byrum, 1595 South Utica Avenue, represented the Owasso Homeowners Association and gave a brief summary of the zoning background of this property. He then submitted a protest petition bearing 36 property owners' signatures (Exhibit "A-2").

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to DENY the preliminary plat of Sooner Addition and support the Health Department recommendation based on the Subdivision Regulations 3.6 (4) (d) and 2.3 (3) (f) which requires the Health Department approval of the subdivision plat.

Final Approval and Release:

Southern Woods (PUD #355) (1683) NW corner of 91st Street and Yale Avenue (CS, RS-3)

The Staff advised the Commission that all release letters have been received and that final approval and release were recommended.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the final plat of Southern Woods and release same as having met all conditions of approval.

Request to Waive Plat:

Z-5907 Suburban Highlands Addition (2692) South Union Avenue at West 48th Street (CS)

This is a request to waive plat on Lot 13 and the North 227' of Lot 3, Block 3 of the above named subdivision. Since it is already platted the Staff sees no objection to a waiver, subject to the following:

(a) Dedication of the West 25' to met the Street Plan total requirement of 50' from the centerline,
(b) grading and drainage plan approval by the City Engineer,
(c) utility easements as needed (11' on north, east and south),
(d) access control agreement subject to approval of the Traffic Engineer,
(e) relocate gas line subject to the Oklahoma Natural Gas Company's approval, and
(f) sewer main extension required.

The applicant was represented by Ken Cox.

It was also noted that the parking lot will need to be redesigned due to the additional right-of-way dedication.

Z-1507 (continued)

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5907, subject to the conditions as recommended.

Mr. Ken Cox, 4100 Bank of Oklahoma Tower, advised that he wanted to make a statement in reference to condition (e) stated above. According to his client, Gerald Snow, he has discussed this condition with the gas company who says that the line goes no where, and they are willing to cut it off. Mr. Cox stated that other than that one consideration the applicant is in agreement with all the other conditions. Mr. Wilmoth stated that the condition might be reworded.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the request to waive plat for Z-5907, subject to the conditions stated above and to change the wording of condition (e) as follows:

(e) Relocate or kill the gas line subject to the O.N.G. Co. approval.

BOA Case No. 457 (Unplatted) (2484) SW corner of 91st Street and South 193rd East Avenue (AG-R)

This is a request to waive the plat on a 2 1/2 acre (1.73 acre net) tract at the location above. Proposed use is a church. Board of Adjustment and City of Broken Arrow, which surrounds this with the annexation fence line, have approved the use, subject to a number of conditions. The Staff sees no objection to the plat waiver, since all conditions outlined by the BOA and City of Broken Arrow would also be our recommendation. The Staff notes that a requirement was dedication of right-of-way to meet the Major Street Plan. This will eventually place 18 parking spaces within the County right-of-way on 193rd East Avenue. There is adequate room on the other portions of the lot to accommodate parking, so we do not believe this is a problem. Approval was recommended subject to:

(a) Dedication of right-of-way to total 50' from the centerline on 91st Street and 60' from centerline on 193rd East Avenue,
(b) Health Department approval of septic system,
(c) grading and drainage plan approval by the County Engineer, including any drainage easements required. (Completion of rip-rap on the creek channel included.) and,
(d) access control agreement if required.

The applicant was represented by Mr. Arrington.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on BOA Case No. 457, subject to the conditions as recommended.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the request to waive the plat on BOA Case No. 457, subject to the conditions stated above.

Z-5793 Unplatted (1592) SW corner of West 21st Street and South Yukon Avenue (IM)

This is a request to waive plat on a tract of land consisting of approximately 21 acres which will be used for the Resource Recovery Plant. This tract and a large area around it on West 21st Street was zoned U-4B by Study Area #9, Ordinance #8025, dated January 4, 1957. The U-4B was subsequently remapped in 1970 as IM, but when the tract was annexed to the City it came in as "AG" so a zoning application was filed as a formality to reinstate the industrial zoning classification of IM. At no time was the property ever "subject to a plat" until this recent action. Normally, anything over 2 1/2 acres and unplatted is recommended for a plat and not a waiver. However, due to the background, zoning history and proposed use of this tract, it is recommended the request for waiver be APPROVED.

The applicant was represented by Henry Daubert at the T.A.C. meeting.

Several requirements were made by various departments or agencies. Some of these were already in progress so the applicant was aware of the conditions.

The Technical Advisory Committee voted unanimously to recommend approval of the waiver of plat on Z-5793, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Hinkle, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the waiver of plat on Z-5793, subject to the following conditions:

(a) Sewer extension or Health Department approval of disposal system,
(b) grading and drainage approval by the City Engineer. (On-site detention),
(c) access limitations subject to approval of the Traffic Engineer, and
(d) utility easements as required by utilities (perimeter easement, to go around cemetery and O.N.G. substation).

LOT SPLITS:

Lot Splits for Ratification:

L-16181	(1094)	Manoucherhr Vakilzacleh	L-16193	(2783)	Forest Park
16184	(1202)	George Burkart	16196	(783)	W. R. Goble
16186	(1293)	Nolan Gross	16194	(3104)	Sieg-Nor, Inc.
16191	(1683)	Famco	16199	(693)	2nd Presbyterian Church
16192	(593)	Colbert			

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") that the approved lot splits listed above be ratified.

There was a woman in the audience who had a protest to L-16185 being ratified. Mr. Wilmoth stated that he did not have that application before him and he was not aware that there was a problem with that lot split because it meets all of the regulations. He suggested that the Commission strike that one lot split and it will be brought back to the Commission at the next Land Division Public Hearing. This will give the woman who had a protest to the lot split a chance to contact the Staff concerning her interest in the matter.

Lot Splits for Ratification: (continued)

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") that the Commission in reconsidering the above ratification strike L-16185 at this time which will be brought back before the Commission at the next Land Division Public Hearing meeting.

Lot splits for Waiver:

L-16177 (1392) Donna Darnell NE corner of 26th Street and Boston Avenue (RS-2)

This is a request to split a 70' x 145' lot into a 69' x 70' tract and a 76.05' x 70' tract. The zoning in this area is RS-2, and a variance will be required from the Board of Adjustment in order to allow for the newly created substandard lots. A review of the area land use maps show that although the zoning is RS-2, a number of lots contain only 7,000 square feet. However, the lots being created would only be 5,323 square feet and 4,830 square feet each. There are no other lots so small and the Staff feels that a lot this small would be incompatible with the neighborhood. The Staff recommended the split be DENIED.

The applicant was represented at the meeting.

Since the Staff recommendation was for denial and the other City agencies generally were in agreement that the Regulations should not be waived, the following poll was made, noting the utilities had no comment either way.

The Staff, Water and Sewer Department, the City Engineer, the Traffic Engineer, and the Fire Department recommended DENIAL.

Oklahoma Natural Gas Company and Public Service of Oklahoma, ABSTAINED.

Mr. Curtis Maxey, 1754 South Darlington, represented Mrs. Darnell who owns the property in question. Mr. Maxey stated that he checked with the Building Inspection Department concerning the utilities for the lot and found that it would be no problem in building a realtively small house on the lot. He stated that he did not wish to set a precedent in the neighborhood for splitting lots if this lot split waiver is granted. He stated that there would be no fire hazard by building on this lot. Mr. Maxey stated that Mrs. Darnell is elderly and has trouble maintaining her lot.

There was a protest petition expressing the neighborhoods disapproval of the proposed lot split signed by 7 property owners (Exhibit "B-1").

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to DENY the request to waive the lot split requirements for L-16177, for the reasons recommended by the Staff.

L-16178 Robert Pitcock (3293) East 57th Street, between Atlanta and Birmingham Avenues (RS-2)

This is a request to split a portion of three platted lots in order to create three new lot configurations. (This will not create additional density as the total remains three.) This will require a variance from the Board of Adjustment because the street has been vacated and will not cross Joe Creek. The vacating of the street causes the lots to lose their frontage on a dedicated street and thus the waiver is required. APPROVAL is recommended by the Staff.

The applicant was represented by Mr. Mahoney.

The Engineering Department advised some storm sewer modification may be made so a PFPI will be required. Utilities will require retention of utility rights in former street.

The Technical Advisory Committee and Staff recommended APPROVAL of L-16178, subject to the conditions.

Mr. Jim Mahoney, 3049 West 57th Street, stated he talked with the City Hydrologist whose recommendation was concerning the storm sewer easement running through the lot that the easement should be shown on the map before final approval is granted.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the request to waive the lot split requirements for L-16178, subject to the following conditions:

(a) Grading and drainage plan approval by the City Engineer (PFPI for modification of storm drainage),
(b) retention of former street right-of-way for utility use, and
(c) Board of Adjustment approval.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE TULSA COUNTY ZONING CODE, SECTION 1690.1:

Chairman C. Young stated there has been a request to continue this item if the County District Attorney is not present. It was noted that the District Attorney was not present to present this matter.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to continue consideration of the Public Hearing on Proposed Amendments to the Tulsa County Zoning Code until Wednesday, June 13, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

PUD #359 Bob Latch 77th Street and South Memorial Drive (east side) (AG)

Chairman C. Young stated that there was a timely request filed with the Staff asking that this PUD be continued until June 20, 1984 (Exhibit "C-1").

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to continue consideration of PUD #359 until Wednesday, June 20, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD 179-J Present Zoning: CS, RM-T and AG
Applicant: Taylor (Century Tower)
Location: 74th Place and South Memorial Drive

Date of Application: April 12, 1984
Date of Hearing: June 6, 1984
Size of Tract: 8.58 acres

Presentation to TMAPC by: Tom Tannehill
Address: 1918 East 51st Street Phone: 749-4694

Staff Recommendation:

The subject tract is located at the northeast corner of 74th Place and South Memorial Drive. The original application included an area south of 74th Place which has been deleted from the application making the subject tract approximately 4.27 (gross) acres in size. It has a combination underlying zoning of CS and PUD #179-A. This application will be an expansion of the original PUD #179 Area "A".

The Staff has reviewed the applicant's Amended Outline Development Plan and have identified some problems with the permitted uses requested. The applicant has requested CS uses be allowed in both proposed development areas and the submitted Site Plan and Text show a drive-in bank facility in Development Area "B" and a 6-story office building in Development Area "A". The Staff cannot support any CS uses in Development Area "B", which is one of the original parts of PUD #179, and we cannot support unrestricted CS in Development Area "A". The Staff feels that commercial uses within the six-story office structure should be restricted to those identified in Section 620 of the Zoning Code as being accessory uses.

Given the above modifications the Staff finds the proposed PUD to be: (1) Consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (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, the Staff recommends APPROVAL of PUD #179-J Amended, subject to the following conditions:

(1) That the applicant's Outline Development Plan, as amended by the applicant and modified by the Staff be made a condition of approval.

(2) Development Standards:

DEVELOPMENT AREA "A"

Land Area (Gross):	3.34 acres
(Net):	2.56 acres
Permitted Uses:	Those uses permitted by right and accessory use for the OM District according to the Tulsa Zoning Code in force and effect on March 15, 1984.
Maximum Floor Area:	72,000 sq. ft.
Maximum Building Height:	6 stories
Minimum Off-Street Parking:	1 Space per 300 sq. ft. of Floor Area.
Minimum Landscaped Open Area:	23,750 sq. ft.
Minimum Building Setbacks	
From Centerline of Memorial Dr.:	300 feet
From Centerline of 74th Place:	50 feet
From East Boundary Line:	200 feet
From North Boundary Line:	75 feet

DEVELOPMENT AREA "B"

Land Area (Gross):	.93 acres
(Net):	.84 acres
Permitted Uses:	Drive-In Bank facility and accessory uses.
Maximum Floor Area:	4,397 sq. ft.
Maximum Building Height:	2 stories
Minimum Off-Street Parking Spaces:	1 Space per 200 sq. ft. of Floor Area.
Minimum Landscape Open Area:	10,928 sq. ft.
Minimum Building Setback	
From Centerline of 73rd Street:	55 feet
From East Boundary Line:	30 feet
From South Boundary Line:	150 feet
From West Boundary Line:	30 feet

(3) Sign shall meet the requirements of Section 1130.2 (b) of the Code.

(4) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.

(5) That a Detail Landscape Plan be approved by the TMAPC prior to Occupancy.

(6) That no Building Permit be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to 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, making the City of Tulsa

Application No. PUD 179-J (continued)

Applicant's Comments:

Mr. Tom Tannehill represented the owners and developers of the subject property. He stated that he was in concurrence with the Staff Recommendation with the exception of the requirement of 300' minimum building setback from the centerline of Memorial Drive. This would cause the building to be setback farther from Memorial than any other structure. The applicant has requested that the setback from the centerline of Memorial be 165', and Mr. Tannehill asked that the Commission approve the PUD including the 165' setback on Memorial Drive.

Protestants: None.

Comments:

Mr. Gardner advised that the applicant is asking for a setback less than that shown on the plot plan which is what the Staff used in determining that figure. If the applicant is not bound by the plot plan then what is he bound by. Mr. Gardner stated there is nothing magic about the number 300, but if that number is represented on the plot plan why is there so much descrepency in that figure and what the applicant is actually requesting.

Mr. Tannehill explained that a plot plan is one thing and a detail site plan which the Staff requires is something else. He stated that a concept development plan is not made in concrete by the applicant particularly as to dimension.

The Staff suggested that the minimum building setback from the east boundary line be changed from 200 feet to 240 feet and to reduce the minimum building setback from the centerline of Memorial Drive from 300 feet to 200 feet. Mr. Tannehill stated he would be in agreement to that amendment.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 5-1-0 (Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; Connery, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions setforth in the Staff Recommendation and subject to the Minimum Building Setbacks be amended as follows:

Minimum Building Setbacks:

From Centerline of Memorial Drive:	200 feet
From East Boundary Line:	240 feet

LEGAL PER NOTICE:

A Tract of Land containing 4.1872 acres, that is part of Lot 1 of Block 1 and Lot 1 of Block 2 of Woodland Hills Townhomes, an Addition in the City of Tulsa, Tulsa County, Oklahoma, and a part of East 74th Place South and also a part of Lot 3, Block 2 of El Paseo Addition, an Addition in the City of Tulsa, Tulsa County, Oklahoma, Said Tract of Land being more particularly described as follows, to wit: "Beginning at a Point" on the Northerly line of Lot 1 of Block 1 of Woodland Hills Townhomes, Said Point being 55.00' Easterly of the Northwest corner thereof; thence North 89°-59'-27" East and along the Northerly line of Said Lot 1 and also along the Southerly

line of El Paseo Addition for 475.00'; thence due North for 307.01' to a point on the Northerly line of Lot 3 of Block 2 of El Paseo Addition; thence South 65°-00'-00" East and along the Northerly line of Said Lot 3 for 33.60' to a point of curve; thence continuing Southeasterly along the Northerly line of Lot 3 and along a curve to the left, with a central angle of 13°-21'-38" and a radius of 450.72' for 105.10' to the Northeast corner of Said Lot 3; thence due South along the Easterly line of Said Lot 3 and along the Easterly line of Said Lot 1 of Woodland Hills Townhomes for 413.77' to the Southeast corner of Said Lot 1 of Block 1 of Woodland Hills Townhomes; thence South 00°-07'-32" East for 51.09' to the Northeast corner of Lot 1 of Block 2 of Woodland Hills Townhomes; thence South 78°-00'-00" West for 0.00' to a point of curve; thence Southwesterly and Westerly along a curve to the right, with a central angle of 12°-00'-00" and a radius of 150.00' for 31.42' to a point of tangency; thence due West along said tangency for 54.27' to a point of curve; thence Westerly and Southwesterly along a curve to the left, with a central angle of 45°-00'-00" and a Radius of 125.00' for 98.17' to a point of reverse curve; thence Southwesterly, Westerly and Northwesterly along a curve to the right, with a central angle of 90°-00'-00" and a radius of 175.00' for 274.89' to a point of reverse curve; thence Northwesterly and Westerly along a curve to the left, with a central angle of 45°-00'-00" and a Radius of 125.00' for 98.17' to a point of tangency; thence due West along Said Tangency for 65.31' to a point of curve; thence Westerly, Southwesterly and Southerly along a curve to the left, with a central angle of 90°-01'-10" and a Radius of 30.00' for 47.13'; thence North 00°-01'-10" West, parallel to and 115.00' Easterly of, the Westerly line of Section 12, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, for 238.23' to the "Point of Beginning" of Said Tract of Land.

LEGAL PER PLANNING COMMISSION ACTION:

A Tract of Land containing 4.1872 acres, that is part of Lot 1 of Block 1 and Lot 1 of Block 2 of Woodland Hills Townhomes, an Addition in the City of Tulsa, Tulsa County, Oklahoma, and a part of East 74th Place South and also a part of Lot 3, Block 2 of El Paseo Addition, an Addition in the City of Tulsa, Tulsa County, Oklahoma, Said Tract of Land being more particularly described as follows, to wit: "Beginning at a Point" on the Northerly line of Lot 1 of Block 1 of Woodland Hills Townhomes, Said Point being 55.00' Easterly of the Northwest corner thereof; thence North 89°-59'-27" East and along the Northerly line of Said Lot 1 and also along the Southerly line of El Paseo Addition for 475.00'; thence due North for 307.01' to a point on the Northerly line of Lot 3 of Block 2 of El Paseo Addition; thence South 65°-00'-00" East and along the Northerly line of Said Lot 3 for 33.60' to a point of curve; thence continuing Southeasterly along the Northerly line of Lot 3 and along a curve to the left, with a central angle of 13°-21'-38" & Radius of 450.72' for 105.10' to the Northeast corner of Said Lot 3; thence due South along the Easterly line of Said Lot 3 and along the Easterly line of Said Lot 1 of Woodland Hills Townhomes for 413.77' to the Southeast corner of Said Lot 1 of Block 1 of Woodland Hills Townhomes; thence South 00°-07'-32" East for 51.09' to the Northeast corner of Lot 1 of Block 2 of Woodland Hills Townhomes; thence South 78°-00'-00" West for 0.00' to a point of curve; thence Southwesterly and Westerly along a curve to the right,

Application No. PUD-J (continued)

with a central angle of 12°-00'-00" and a radius of 150.00' for 31.42' to a point of tangency; thence due West along Said Tangency for 54.27' to a point of curve; thence Westerly and Southwesterly along a curve to the left, with a central angle of 45°-00'-00" and a Radius of 125.00' for 98.17' to a point of reverse curve; thence Southwesterly, Westerly and Northwesterly along a curve to the right, with a central angle of 90°-00'-00" and a Radius of 175.00' for 274.89' to a point of reverse curve; thence Northwesterly and Westerly along a curve to the left, with a central angle of 45°-00'-00" and a Radius of 84.03' for 66.00' to a point of Tangency; thence due West along Said Tangency for 94.28' to a point of curve; thence Westerly, Southwesterly and Southerly along a curve to the left, with a central angle of 90°-01'-10" and a Radius of 30.00' for 47.13'; thence North 00°-01'-10" West, parallel to and 115.00' Easterly of, the Westerly line of Section 12, Township 18 North, Range 13 East, Tulsa County, Oklahoma, for 250.23' to the "Point of Beginning" of Said Tract of Land.

Z-5954 Johnsen (Reppe Development Company) NE corner of 101st Street and Mingo Road (AG to CS, RM-2, RS-3 and FD)

AND

PUD #364 Johnsen (Reppe Development Company) NE corner of 101st Street and Mingo Road (AG)

Chairman C. Young advised the Commission of a letter from Roy Johnsen requesting that this PUD and zoning request be continued for a period of one week (Exhibit "D-1").

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to continue consideration of Z-5954 and PUD #364 until Wednesday, June 13, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #281 -- Amended Deed of Dedication Review

Staff Recommendation:

Recent amendments to reduce the density of residential development within two blocks of this PUD required the applicant to amend the original Deed of Dedication. The Staff has reviewed the submitted revised document and find that the approved conditions have been included. Therefore, the Staff recommends APPROVAL of the Amended Deed of Dedication for Gleneagles, Blocks 4, 5, and 6, subject to the document submitted being filed of record in the County Clerk's office and a copy placed in the PUD file.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the Amended Deed of Dedication for Gleneagles, Blocks 4, 5, and 6, subject to the document submitted being filed of record in the County Clerk's office and a copy placed in the PUD file.

PUD #304 (Phase I) -- Detail Landscape Plan Review - Ground Sign "A" Review

Staff Recommendation:

The subject tract is located at the southeast corner of 71st Street and South Trenton Avenue. It has been approved for a two-phase commercial and office complex and has received Detail Site Plan approval. The applicant is now requesting approval of the Detail Landscape Plan for Phase I and one Ground Sign located at the corner of 71st Street and Trenton Avenue.

The Staff has reviewed the Landscape Plan and find that it is consistent with the approved Outline Development Plan and meets the requirements of the PUD Chapter of the Tulsa Zoning Code. In addition, the ground sign submitted meets the requirements of PUD #304.

Therefore, the Staff recommends APPROVAL of the Detail Landscape Plan (Phase I) and Ground Sign "A", subject to the plans submitted.

PUD #304 (Phase I) continued

TMAPC Action: 6 members present.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, T. Young, "absent") to approve the Detail Landscape Plan (Phase I) and Ground Sign "A", subject to the plans submitted.

There being no further business, the Chair declared the meeting adjourned at 2:40 p.m.

Date Approved 6/20/84

Chairman

ATTEST:

Secretary

6.6.84:1508(18)