

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1533
Wednesday, December 5, 1984, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

(Moved from Langenheim)

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Higgins, 2nd Vice- Chairman Kempe, Chairman Paddock, Secretary VanFossen Wilson, 1st Vice- Chairman Woodard	Draughon Rice Young	Frank Holwell Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the office of the City Auditor on Tuesday, December 4, 1984, at 10:05 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Cherry Kempe called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the Minutes of November 14, 1984 (No. 1530).

Approval for the Minutes of November 21, 1984 (No. 1531) was continued to the December 12th meeting to allow for review by the Commission.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the revised Minutes of October 31, 1984 (No. 1528), with the following corrections to page 11, motion to reconsider: the vote should read 5-0-2, with Connery and Woodard "abstaining".

CHAIRMAN'S REPORT:

Chairman Kempe advised consideration should be given as to whether or not the Planning Commission should meet on December 26 for its regular meeting. She noted the Staff would be working, but no agenda items had been received for this meeting. She further noted there would be five Wednesdays in January should an additional meeting be necessary.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to abandon the regularly scheduled meeting of December 26, 1984.

COMMITTEE REPORTS:

Comprehensive Plan Committee:

Mr. VanFossen, Chairman of the Comprehensive Plan Committee, informed there was a committee meeting scheduled for 12:00 noon, Wednesday, December 12, 1984, to review the Turkey Mountain Plan.

Rules and Regulations Committee:

Mr. Paddock, Chairman of the Rules and Regulations Committee, informed this Committee met at noon today and discussed undating the Rules of Procedure and Code of Ethics and routine committee policies. Another meeting is scheduled to be held on Wednesday, December 19th, time and place to be announced.

SUBDIVISIONS

Preliminary Approval:

West Highlands Center (382) SE corner of 61st Street and South Union Ave.
(CS)

Mr. Wilmoth advised a title search revealed a roadway dedication running diagonally at a 45° angle across the easterly 107' of this tract. Since there was no longer need for right-of-way, it has been closed by Ordinance 16172 and is in the process of a permanent closure and vacation through the District Court (Case #CJ 84-6263). This plat will include new dedications for Union and 61st to match the Major Street Plan requirements. (A 30' radius should be shown at the property line intersection.)

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of West Highlands Center, 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. 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.
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 or fee).
4. All curve data shall be shown on the final plat where applicable. (including 30' corner radii)
5. Limits of access shall be approved by the City and/or Traffic Engineer. (OK as shown)
6. 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.
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 Subdivision Regulations shall be met prior to release of the final plat.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the

West Highlands Center (continued)

preliminary plat of West Highlands Center, subject to the above conditions.

Pecan Tree Park (PUD #278) (3193) SW corner of East 55th Street and
South Lewis Avenue (OL)

Mr. Wilmoth advised the plat was processed up to preliminary approval (June 1, 1983) and some release letters for final had been received. There was a period of no activity and the plat was given an extension of the approval, to expire June 1, 1985. It has been revised to provide individual lots for each of the office buildings planned. Detailed site plan was approved by TMAPC on September 8, 1982, and sign-landscape plans on December 21, 1983. Since the original review was for only three lots, new approvals and/or releases will be required on the present redesigned plat.

The Technical Advisory Committee and the Staff recommended approval of the preliminary plat of Pecan Tree Park, subject to the following conditions:

1. All conditions of PUD #278 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 along 55th and Lewis (25' Building Line and Utility Easements). Existing easements should be tied to or related to property and/or lot lines. Provide for utility easements in the Mutual Access Easement.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
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. 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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (Required for drainage)
7. 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. (Detention on-site, as a Reserve Area.)
8. Limits of Access shall be approved by the City and/or Traffic Engineer.

Pecan Tree Park (PUD #378) continued)

9. 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.
10. 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.)
11. All Subdivision Regulations shall be met prior to release of the final plat.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the preliminary plat of Pecan Tree Park, subject to the above conditions.

State Farm Service Center (2483) South of the SE corner of 91st Street
and South Memorial Drive (CO)

Mr. Wilmoth informed this property is included within a Corridor Site Plan area (5620-SP-4). The plat and site plan were reviewed and approved by the Technical Advisory Committee on November 29, 1984. The Technical Advisory Committee and Staff recommended approval of the preliminary plat, subject to the following conditions:

1. Since the access is by a mutual access driveway parallel to the north side of this plat and no access is permitted to Memorial, show the easement in dashed lines on the face of the plat and note that access is by separate easement.
2. It is suggested that the access limit paragraph in the Covenants be switched to appear right after the easement and roadway dedication. (This will put all the corridor site-plan information in one section.)
3. All conditions of Z-5620-SP-4 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 approval date and references to Sections 800-850 of the Zoning Code, in the Covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required?)

State Farm Service Center (continued)

6. 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.
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. The site plan review, 5620-SP-4 shall be approved before the final plat is released.
9. 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.)
10. All (other) Subdivision Regulations shall be met prior to the release of the final plat.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the preliminary plat of State Farm Service Center, subject to the above conditions.

OLD BUSINESS:

Mohawk Park Addition (PUD #365) (1503) SE corner of East 39th Street North and
North Yale Avenue (RMH, RS-3)

Mr. Wilmoth informed this application was reviewed by the T.A.C. on November 15, 1984, and there were a number of details that had not been addressed, particularly the differences between the PUD requirements and the plat, and the revisions not showing any right-of-way on Yale or lack of input from the Park Department. The applicant was not present and the T.A.C. recommended the request be tabled without further action on that date. The Planning Commission also took no action on November 21, 1984, and continued the application to December 5, 1984.

The Commission, did, however, approve a request from the applicants to permit phasing the project. The plat has been divided to show the overall preliminary plan and a more detailed portion that will be the first phase final. A minor amendment may be necessary to allow a 20' building line instead of 25'. (T.A.C. had no objection).

In reviewing the latest submittal, the applicants, Carl Canizzaro and Rick Kosman, were present. There was considerable discussion regarding use of North Yale by P.S.O., and some access being provided to get to their proposed lines. Since this area was outside the boundaries of the plat, the T.A.C. had no objection at this time. Since Yale was no longer on the Major Street Plan, there were no objections to leaving it off this plat. Also, since the zoning to the south was industrial, the uses would not be compatible.

Mohawk Park Addition (PUD #365) continued)

The Park Department had no objection to the plat, but through Traffic Engineering Department, recommended that construction equipment enter the project via North Winston Avenue.

After further discussion the T.A.C. agreed to an overall preliminary approval, but will require a full T.A.C. review of each phase of the plat as it is submitted and developed.

Mr. Wilmoth informed this PUD is located near Mohawk Park and had been heard by the Planning Commission on November 21, 1984, but no action has been taken and it was continued to December 5, 1984. There will be no right-of-way shown on Yale other than the 16½' statutory right-of-way which will be shown as a utility and statutory easement. The applicant may vacate or attempt to close it. If so, the applicant must show book and page number of the vacating or Ordinance closing it. Construction traffic must use North Winston Avenue which enters from the west and north. The minimum building lines abutting a public street are 25' by PUD, but the plat shows 20'. The PUD Minutes and Staff Recommendations show 25' on the PUD. The Technical Advisory Committee and Staff recommended approval of the preliminary plat, subject to the condition that all conditions of the PUD be met and also subject to the following conditions:

1. Each phase of the plat will require formal T.A.C. review, subject to usual posted cut-off dates.
2. All conditions of PUD #363 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. (Including all provisions listed in "Note #2" below.)
3. Utility easements shall meet the approval of the utilities. Coordinate with the 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. (P.S.O. will need access to plat via North Yale Avenue.)
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for the water and sewer facilities in the Covenants.)
5. 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).
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.
8. 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

Mohawk Park Addition (continued)

9. Street names shall be approved by the City Engineer. Show on the plat as required.
10. All curve data shall be shown on the final plat where applicable. (including corner radii)
11. All adjacent streets and intersections and/or widths thereof shall be shown on the final plat. (Show dashed lines at connection to park road for reference.)
12. It is recommended that the developer coordinate with the Traffic Engineering Department during the early states 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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. 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.)
16. The restrictive covenants and deed of dedication shall be submitted for review with all preliminary plats. (Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.)
17. 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.)
18. All (other) Subdivision Regulations shall be met prior to release of the final plat.

NOTE #1: Even though Yale Avenue was removed from the Major Street Plan and will not be required dedication on this plat, the City Engineer has advised the Staff that on the final phase that includes the extreme western edge of the development, a notation and dashed line showing "16½' Statutory Right-of-Way" shall be shown along the section line within the boundaries of this plat. If it has been closed by ordinance or vacated, the applicable ordinance number or District Court case # shall be referenced also. (A 17½' standard utility easement is to be platted along this western edge of the plat as required by the utilities.)

NOTE #2: Remainder of unplatted land being developed under the PUD must be covered by separate instrument, filed of record, including all the PUD requirements. As of December 4, 1984, the plat still shows some differences from the PUD, particularly:

Mohawk Park Addition (continued)

- (a) Minimum building lines abutting a public street are 25' by PUD, where plats shows 20'; and
- (b) PUD limits square footage of structures to be 1200 square feet. The Plat shows 1100 square feet.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the preliminary plat of Mohawk Park Addition, subject to the above conditions including the Staff Notes #1 and #2.

FINAL APPROVAL AND RELEASE:

First Baptist Church, Korean Mission (1694) West of the SW corner of 24th Street and 137th East Avenue (RS-2)

Mr. Wilmoth informed approval letters have been received and the Staff recommends approval and release of the final plat. In addition, he noted, Joe Coleman, the Church and the Engineering Department have all come to an agreement in regard to the short street by the church.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the final plat of First Baptist Church, Korean Mission and release same as having met all conditions of approval.

2021 Lewis Tower (PUD #374) (893) 2021 South Lewis Avenue (CH, OL)

Mr. Wilmoth informed approval letters have been received and the Staff recommends approval and release of the final plat.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the final plat of 2021 Lewis Tower and release same as having met all conditions of approval.

Minshall Park IV (PUD #190-D) (1083) 77th Street and South Erie Ave. (RS-3)

Mr. Wilmoth informed approval letters have been received and the Staff recommends approval and release of the final plat.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the final plat of Minshall Park IV and release same as having met all conditions of approval.

ACCESS CHANGE:

Jones Trucking Center (2593) East side of South Memorial, between 47th and 48th Streets (IL)

Mr. Wilmoth informed this change is requested to re-establish an access point that was on the original plat but was vacated with a previous

Jones Trucking Center (continued)

change. The driveway actually exists and was provided for in the Memorial improvements. Both Traffic Engineer and the Staff recommend approval.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the access change for Jones Trucking Center.

Briarglen Center (2094) 11300 East 31st Street (CS)

Mr. Wilmoth advised this change of access is requested to add one additional driveway access to the shopping center and is recommended for approval by the Traffic Engineer and the Staff.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the additional access for Briarglen Center.

LOT SPLITS:

Lot Split for Waiver:

L-16317 DLN Realty (3693) West of the SW corner of 51st Street and South Memorial Drive (CS)

Mr. Wilmoth informed Mike Taylor, applicant, was present. Mr. Wilmoth noted this is a request to split a 135' x 150' lot from a five-acre tract. This 135' x 150' lot has only 135' of frontage on 51st Street, while 150' of frontage is required in the CS zoning district. A variance will be required from the City Board of Adjustment in order to permit this lot split. The Staff recommends approval, subject to the approval of the Board of Adjustment, and any utility easements that may be necessary to service the subject tract.

Mr. Wilmoth further informed the Traffic Engineer had expressed concern (but not as a condition of approval of split) about internal access and circulation for Handy Dan and had noted there might not be an acceptable location for additional access. Engineering Department had advised it had no objection to the split, but grading and drainage plans would be required in the permit process.

The Technical Advisory Committee and Staff recommended approval, subject to the following conditions:

- (a) Board of Adjustment approval of lot frontage,
- (b) sewer extension required, and
- (c) 25' utility easement parallel to 51st Street required.

Comments and Discussion:

Ms. Wilson questioned why the applicant was requesting less than the 150' of frontage. Mike Taylor, representing the owner, Shoney's, Inc., informed Shoney's has a standard site plan which it uses and this size enables them to meet parking requirements. Mr. Taylor

Lot Splits for Waiver: (continued)

also advised Shoney's is in agreement with the conditions presented.

Ms. Higgins questioned whether reducing this lot size would result in setting a precedent from the Standard Code and Mr. Linker informed anytime a lot-split variance is permitted there would be a potential problem of setting a precedent. Mr. Connery advised he could not support the request for lot-split because the location on 51st is a tenuous traffic situation and with people making left turns, it becomes a traffic nightmare.

Mr. Paddock noted he felt the Traffic Engineering Department should resolve its concern, for or against, additional access on that side of 51st Street and questioned why this is not made a condition of approval if the Traffic Engineering Department is against it. Mr. Wilmoth informed it could be made a condition but advised it had not been because the Traffic Engineering Department did not want to allow another access for Handy Dan. Ms. Kempe questioned Mr. Taylor if the applicant would have a problem if this was made a condition of approval and he advised he did not feel there would be another access point needed in the future.

Mr. Linker advised he was not sure lot-split approval was needed since this would be a lease situation; on a long-term lease it would probably be looked on as a conveyance and that is probably why it was requested. He further advised any reasonable conditions could be added.

On MOTION of HIGGINS, the Planning Commission voted 6-1-0 (Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; Connery, "nay"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the Staff Recommendation for lot split with the added condition (d) no additional access would be permitted to the Handy Dan tract on 51st Street.

Lot Splits For Discussion:

L-16326 and L-16327 Ken Cunningham (3392) SE corner of 55th Place and
37th West Avenue (RS, RS-3)

Mr. Wilmoth advised part of this property is City and part is County that, in the opinion of the Staff, the lot split meets the Subdivision and Zoning Regulations, but since the lots may be irregular in shape, notice has been given to the abutting owners so that property owners in the area may be aware of the application. The Staff recommends approval of this lot split.

Ms. Kempe asked if there were any interested parties and was advised that Mr. Cunningham was present but he did not wish to speak.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the Staff Recommendation for lot splits #16326 and #16327.

For Ratification of Prior Approval:

L-16312 (1292) James Wilson
L-16322 (3214) Victor Koenning
L-16328 (2993) Allied Const./R. G. Holcumbe
L-16329 (1282) City of Tulsa
L-16318 (3303) Pyramid Restaurant

Mr. Wilmoth informed this splits meet all regulations and the Staff recommends approval.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to approve the Staff Recommendation and ratify approval of the above listed lot splits.

OTHER BUSINESS:

PUD #148-3 Ken Williams Lots 1 and 10, Block 10, Briarglen South Addition

This was a minor amendment for a church parking lot and was withdrawn by Ken Williams at the meeting.

PUD #357-A Valley Bend Shopping Center:

Staff Recommendation: Detail Site Plan Review

The PUD is located south and east of the southeast corner of 71st Street and South Quincy Avenue. It is irregularly shaped, and has a gross area of 8.48 acres -- 5.55 acres dedicated to shopping area and 2.93 acres dedicated to office area. The subject tract has underlying zoning of CS on the north 350 feet, RM-1 on the balance, and PUD. The applicant has requested review of only the shopping area portion of this PUD at this time. It should be noted that buildings previously approved as Buildings "A" and "E" have now been combined into a new Building "A", and some changes have been made in building areas as noted below, however, total shopping area of the center remains unchanged at 51,735 square feet.

The Staff has reviewed the applicant's Detail Site Plan, underlying zoning, past PUD approvals, and find the proposal 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 Ordinance.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan for the Shopping Area (Buildings "A - D"), subject to the following conditions:

- (1) That the applicant's Plans and Text be made a condition of approval, unless modified herein.
- (2) Development Standards:

Land Area (Gross):	5.55 acres
(Net):	5.03 acres

PUD #357-A Valley Bend Shopping Center: (continued)

	<u>Approved/PUD</u>	<u>Submitted</u>
Permitted Uses:	As permitted in a CS District.	Same
Maximum Floor Area:	51,735 sq. ft.	51,735 sq. ft.
Buildings "A & E",	5,597 sq. ft.	6,616 sq. ft.
New Building "A",		8,600 sq. ft.
Building "B"/Restaurant	8,600 sq. ft.	8,600 sq. ft.
Building "C"	19,960 sq. ft.	19,960 sq. ft.
Building "D"	17,578 sq. ft.	16,559 sq. ft.
	7,488 sq. ft.,	7,485 sq. ft.,
	Restaurant	Restaurant
Maximum Building Heights:	1-story	Not stated-- 1-story Maximum Permitted.
Minimum Landscaped Open Space:	15% of Net Area	Not stated-- 15% of Net Area Required.
Minimum Building Setbacks:		
From Centerline 71st St.	125 feet	134 feet
From Centerline S. Quincy	60 feet	66 feet
From Other Boundaries	10 feet	11.5 feet min.
Parking Ratio:	1 Space Per 225 sq. ft. of Gross Floor Area of Retail; and 1 Space Per 100 sq. ft. of Gross Floor Area for Restaurant.	Same Same
Total Spaces:	319	327
Spaces by Size:*		
Standard Size	227	241
Handicapped	12	12
Compact	80	74
Spaces by Uses as Required:		
Shopping	158	158
Restaurant	161	161
Loading Berths/Buildings:		
"A" & "E" or New "A"	2	None Specified**
"B"	2	None Specified**
"C"	2	None Specified**
"D"	2	None Specified**
Other Bulk & Area Requirements:	As required within a CS District	Not Specified***

*Minimum Parking Space sizes shall be as follows:
Standard Size = 9 feet wide x 20 feet long, and
Compact Size = 7½ feet wide x 15 feet long.

**Loading Berths shall be provided per the Zoning Ordinance.

***Bulk and Area Requirements shall be in accordance with the requirements of the CS District.

PUD #357-A Valley Bend Shopping Center: (continued)

(3) Sign Standards:

Signs accessory to the shopping area uses shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

Ground Signs:

Ground signs shall be limited to one ground sign identifying the project or tenants therein located at the 71st Street entrance to the project not exceeding 20 feet in height and not exceeding a display surface area of 120 sq. ft., and one monument sign identifying the project at Quincy entrance not exceeding 6 feet in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs:

Wall or canopy signs shall be limited to 1 1/2 square feet of display surface area per lineal foot of the building wall to which affixed.

Signs accessory to the office area uses shall be limited to one monument sign identifying the project to the Quincy entrance not exceeding 4 feet in height and not exceeding a display surface area of 32 square feet.

- (4) Trash storage areas and utility areas shall be screened from the public view.
- (5) That the architectural character of the east side of Buildings "B" & "C" in the shopping area be consistent with the fronts of said buildings.
- (6) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including a screening fence shall be constructed along the exterior boundaries of the project where they abut any R District and along the Quincy frontage the required screening shall be a combination of screening fence, berms, and landscaping.
- (7) That no Building Permit shall 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 beneficiary to said Covenants.

Comments:

Mr. Randy Heckenkemper, representative of Poe and Associates advised this plan resembles the original PUD, but combines Buildings "A & E" into a new Building "A". Mr. VanFossen asked what is located on the property adjacent to Building "A" and what is the design of the back of Building "A". Mr. Heckenkemper advised it is currently vacant and the back would have similar architectural character to the front. Mr. VanFossen questioned the Staff regarding whether the back of Building "A" was in compliance with the exterior of the front so that it is not objectionable to the next property. Mr. Frank advised there is nothing in the PUD that addresses the back of Building "A", but there

PUD #357-A Valley Bend Shopping Center: (continued)

are requirements for treatment of the backs of Buildings "B" & "C". Mr. VanFossen advised this is an area of consideration in other PUD's and the Planning Commission would not approve the design if the rear of a building was not architecturally consistent with the front.

Mr. Paddock advised he shares Mr. VanFossen's concern on this matter.

Ms. Kempe advised the Planning Commission could require elevations as condition for approval. Mr. Heckenkemper advised he would request a continuance and would bring building elevations to the next meeting.

Mr. VanFossen advised that the architectural character of the rear of Buildings "B" and "C" are also considerations. He further advised he would like to see the completed rear elevations on all three buildings ("A", "B", & "C") that abut other properties.

On MOTION of VANFOSSEN, the Planning Commission voted 6-0-0 (Connery, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Rice, Young, "absent") to approve a one-week continuance to December 12, 1984.

PUD #363 Mohawk Park Addition

Staff Recommendation: Amendment to the TMAPC Minutes of May 23, 1984

The subject PUD was approved by the TMAPC on the above date for the Mohawk Park Addition which is located north and east of the northeast corner of 36th Street North and Yale Avenue. It is 25 acres in size with the west 15 acres being zoned RMH and the balance zoned RS-3. Mohawk Park is proposed as a development for manufactured homes.

At the time the preliminary plat was being reviewed by the T.A.C., it was determined that the front yard building line was established as 25 feet which is the normal setback for these particular zoning districts. The Staff Recommendations reflect a 25-foot setback in the approved "Development Standards"; however, the PUD Text, dated April 19, 1984, reflects 20 feet. No mention is made in the TMAPC Minutes of the discrepancy in the setback requirement. See enclosed copy of the minutes of the TMAPC Meeting of May 23, 1984.

The enclosed letter of request, dated November 30, 1984, was prepared by Carl Cannizzaro, dba Horizon Engineering. Mr. Cannizzaro had indicated to the Staff that although there was never any discussion of the proposed 20-foot setback, that it is important to his project that this be the established minimum front yard. The file and text materials submitted by him, do indicate that the front yard setback has been proposed as 20 feet from the outset. Please note that rear yard requirements for RS-3 and RMH are 20 feet and 10 feet, respectively.

The applicant is now asking that the front yard setback be changed from the approved 25 feet to 20 feet and that this be accomplished by amending the subject minutes. All of the discussions with Mr. Cannizzaro have suggested that this change be accomplished by a minor amendment to the PUD.

PUD #363 (continued)

The applicant was not present.

Comments:

Mr. Frank informed this is a request for clarification of front setback and Ms. Kempe inquired if this was a clarification asked by the applicant. Mr. Frank answered yes and advised that the applicant has asked the setback be clarified by way of amending the TMAPC Minutes of May 23, 1984, to indicate the setback had been approved as 20' rather than 25'. The Planning Commission approved it originally on May 23 as 25' although the materials and exhibits submitted by the applicant indicated a 20' front yard setback. All of the Staff's conditions that were approved and became part of the Minutes indicated a 25' front yard setback; however, Exhibit "G-1", indicates all plot plans were for 20'.

Ms. Wilson questioned if the exhibit was showing 20', but the Staff Recommendation support 25' and Mr. Frank informed that was correct. He also informed the applicant did not correct or modify the Staff's Recommendation for 25'. Ms. Kempe questioned if the Minutes that indicated 25' were approved and Mr. Frank answered yes.

Ms. Wilson noted that if 25' had been approved by the Commission as recommended by the Staff, 25' would have been the intent of the Commission. Mr. Frank informed the Staff had no problem with the 20' front yard setback; however, it had been suggested to the applicant that this change be accomplished by a minor amendment.

Ms. Kempe advised it appeared the intent of the Commission was clear for 25' and if the applicant wants to bring in a minor amendment at a later date, it would be considered at that time.

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Connery, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Rice, Young, "absent") to direct the Staff to send a letter to the applicant reiterating that the intent of the Staff and the Commission was for a 25' setback for the front yards.

PUD #354: Request for Clarification of Sideyard Setbacks and Distances Between Eaves for the Fox Pointe Addition

Staff Recommendation:

A letter dated November 30, 1984, to the TMAPC from Roy Johnsen, on behalf of the Fox Pointe Addition, prompted the internal memo of that same date from Irving Frank to Paula Hubbard.

The situation occurred where the Protective Inspections Department stopped construction of the residential units in Fox Pointe because the eaves extended across the zero lot line. The TMAPC Staff believes this situation is permitted under the PUD and properly addressed by the Plat.

Staff Discussion:

Mr. Frank informed there was an individual from the Building Inspection's Department present to assist the Commission with deliberations. He noted a memorandum dated November 30, 1984, which shows discussions

PUD #354: (continued)

between Protective Inspections, Mr. Linker of the Legal Department, and TMAPC Staff and informed the matter could not be resolved administratively; therefore, the Commission was requested to consider this item. He further noted in the memo that an application for a minor amendment specifically permitting a zero lot line development for detached single-family homes was approved by the TMAPC on May 16, 1984. A subdivision plat for the Fox Pointe Addition, including protective covenants, has also been approved by the TMAPC and the Tulsa City Commissioners. The question of eaves overhang is addressed in the Restrictive Covenants under "1.7. Maintenance and Construction Easements". The eaves are 16"-24" wide and extend beyond the building. The developer and architect indicated the encroachment easements were designed to provide for the eave encroachment onto the other lot and beyond the zero lot line. He advised that Protective Inspection has discussed this point with the Legal Counsel and has problems with it and asks for clarification from the TMAPC as to the intent.

Other Discussion:

Mr. Ed Rice, Chief of Combined Residential Inspections of Tulsa, advised this is the first time this problem has surfaced and he felt a building should not be allowed to cross a zero lot line. He also advised he felt this would be taking the water from the roof up to 2' onto the neighbor's property and depositing it there. It was Mr. Rice's position that this was a service easement and not an easement to build on.

Mr. Ray Green, Director of Protective Inspections, informed he recognized there were no violations of Building Codes, but he noted that allowing a house to be built overhanging someone else's property could create problems for future property owners.

Mr. Linker was questioned if this eave overhang projecting over someone else's property could raise a potential title problem and he advised there are legally other similar things such as joint driveways, condominium ownership, etc. and he would recommend making legal record of this.

Mr. Roy Johnsen, Legal Counsel for the applicant, advised this item was allowed in the Covenants and the site plan via a zero lot line that had been approved by the Planning Commission.


On MOTION of VANFOSSEN, the Planning Commission voted 5-0-1 (Connery, Kempe, Paddock, VanFossen, Woodard, "aye"; Wilson, "nay"; no "abstentions"; Draughon, Higgins, Rice, Young, "absent") to advise that the Commission understands the right to build across the zero lot line on the provided easement with the eaves being an acceptable and allowed encroachment for the Fox Pointe Addition.

There being no further business, the Chairman declared the meeting adjourned at 3:13 p.m.

Date Approved December 19, 1984

Cheryl Kempe
Chairman

ATTEST:



Secretary

PUD #354: (continued)

between Protective Inspections, Mr. Linker of the Legal Department, and TMAPC Staff and informed the matter could not be resolved administratively; therefore, the Commission was requested to consider this item. He further noted in the memo that an application for a minor amendment specifically permitting a zero lot line development for detached single-family homes was approved by the TMAPC on May 16, 1984. A subdivision plat for the Fox Pointe Addition, including protective covenants, has also been approved by the TMAPC and the Tulsa City Commissioners. The question of eaves overhang is addressed in the Restrictive Covenants under "1.7. Maintenance and Construction Easements". The eaves are 16"-24" wide and extend beyond the building. The developer and architect indicated the encroachment easements were designed to provide for the eave encroachment onto the other lot and beyond the zero lot line. He advised that Protective Inspection has discussed this point with the Legal Counsel and has problems with it and asks for clarification from the TMAPC as to the intent.

Other Discussion:

Mr. Ed Rice, Chief of Combined Residential Inspections of Tulsa, advised this is the first time this problem has surfaced and he felt a building should not be allowed to cross a zero lot line. He also advised he felt this would be taking the water from the roof up to 2' onto the neighbor's property and depositing it there. It was Mr. Rice's position that this was a service easement and not an easement to build on.

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Mr. Linker was questioned if this eave overhang projecting over someone else's property could raise a potential title problem and he advised there are legally other similar things such as joint driveways, condominium ownership, etc. and he would recommend making legal record of this.

Mr. Roy Johnsen, Legal Counsel for the applicant, advised this item was allowed in the Covenants and the site plan via a zero lot line that had been approved by the Planning Commission.

On MOTION of VANFOSSEN, the Planning Commission voted 5-1-0 (Connery, Kempe, Paddock, VanFossen, Woodard, "aye"; Wilson, "nay"; no "abstentions"; Draughton, Higgins, Rice, Young, "absent") to advise that the Commission understands the right to build across the zero lot line on the provided easement with the eaves being an acceptable and allowed encroachment for the Fox Pointe Addition.

There being no further business, the Chair declared the meeting adjourned at 3:13 p.m.

Date Approved

January 2, 1985

Cherry Kempe
Chairman

ATTEST:

RBT Paddock
Secretary