TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1585 Wednesday, **December 18, 1985**, 1:30 p.m. City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT
Carnes
Connery
Draughon
Kempe, Chairman
Paddock, Secretary
Wilson, 1st ViceChairman

MEMBERS ABSENT Doherty VanFossen Harris Young

STAFF PRESENT Brierre Frank Gardner Setters Wilmoth OTHERS PRESENT Linker, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, December 17, 1985 at 9:50 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:35 p.m.

MINUTES:

Woodard

Approval of Minutes of November 27, 1985, Meeting No. 1582:

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Minutes of November 27, 1985, Meeting No. 1582.

Approval of Corrected Minutes of June 20, 1984, Meeting No. 1510: (Page 24, pertaining to case Z-5954)

Mr. Frank explained a correction was made to show the zoning designation as RM-0, not RM-1, on the 300° wide buffer.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Corrected Minutes of June 20, 1985, Meeting No. 1510, page 24 in regard to Z-5954.

REPORTS:

Report of Receipts and Deposits:

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Report of Receipts and Deposits for the month ended November 30, 1985, as recommended by Staff.

Committee Reports:

Mr. Paddock advised a meeting of the Rules and Regulation Committee was scheduled for January 15, 1986 at noon. The items to be considered are: 1) clarification of the six month hearing rule of the TMAPC Rules and Procedures; and 2) formulate definition of what constitutes a major or minor amendment to a PUD.

Director's Report:

Mr. Rich Brierre spoke on behalf of Tulsa Metropolitan Area Transportation Study Policy Committee (TMATS) in regard to the minimum and maximum right-of-way standards for the special trafficway designation on Riverside Drive. Mr. Brierre advised the Policy Committee chose to take no additional action, but refer their original recommendation of a 100' minimum right-of-way back to TMAPC. Mr. Brierre also requested a public hearing date be set for January 22, 1986 to consider changing the Major Street and Highway Plan designation for the Riverside Expressway to a Special Trafficway designation from 1-44 north to 11th Street.

Ms. Wilson stated TMATS was wanting to use the Special Trafficway designation for Riverside north of I-44, but inquired if TMAPC should consider putting this on the Major Street and Highway Plan to be available for other areas of the City. Mr. Brierre stated the only proposal for this use is Riverside Drive north of I-44 to 11th Street. Mr. Paddock stated the Arkansas River Task Force Report references the roadway pavement width, which is different than the right-of-way width. Mr. Paddock stated he felt the Arkansas River Task Force recommendation should be considered, which is "the roadway pavement width should generally not exceed 100 feet from curb-to-curb, nor be reduced to a width less than 80 feet." Mr. Brierre stated the Policy Committee was aware of that recommendation and endorsed the Report.

In response to Mr. Draughon, Mr. Brierre further clarified that the Policy Committee endorsed the recommendation of the Special Riverside Study, which included the recommendation that the roadway width, from curb-to-curb, not exceed 100 feet. The recommendation of the Policy

Director's Report - Cont'd

Committee is in identifying a right-of-way for the Major Street and Highway Plan and that that be specified as a minimum of 100 feet, recognizing that, in addition to the roadway, there is lighting standards, sidewalks, utilities, etc. in the right-of-way.

Ms. Wilson stated she recalled a statement in the previous recommendation waiving the minimum right-of-way where practical and asked if the Policy Committee kept that in their recommendation. Mr. Brierre stated the Policy Committee did not rescind their action but left it intact.

TMAPC ACTION: 7 members present

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE January 22, 1986 as the Public Hearing date to amend the Major Street and Highway Plan in regard to Special Trafficways and consider this designation for Riverside Drive from 1-44 north to 11th Street.

Comments & Discussion:

In regard to the upcoming hearing on Special Housing, Mr. Connery asked Mr. Brierre what consideration Staff was giving to the recent Supreme Court ruling on public housing. Mr. Brierre stated the Staff was well aware of the Supreme Court decision in reference to the definition of "family" in the Zoning Code and would supply a copy of that decision to the TMAPC members before the January 8th public hearing. followed on the definition of "family" as used by the City of Tulsa in the Code. Mr. Linker stated Legal had not had time to properly analyze the new Supreme Court decision, but after review it might be necessary to modify the Code, depending on what the Planning Commission and the City Commission decide at the hearings. Mr. Connery also made mention of the fact that the Supreme Court ruling severely challenged the validity of covenants and he was curious as to what guidance the Commissioners would be given by Staff on this matter. Mr. Linker stated that covenants were usually a private matter, and as such, Legal advised the Commission to not concern themselves with matters of contract between owners of property and residents of a subdivision.

REQUESTED CONTINUANCES:

L-16573 (1793)

NW/c East 26th & South Evanston

(RS-2)

Chairman Kempe advised the applicant had requested a continuance on this Lot Split for Waiver until January 8, 1986.

On MOTION of WILSON, the Planning Commission voted 6-0-1 (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to CONTINUE Consideration of L-16573 Baumgarten until Wednesday, January 8, 1986, at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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PUD #339-1

Minor Amendment

NE/c of 101st and Sheridan

This continuance request was made by the applicant and the homeowners to be heard January 8, 1986.

On MOTION of Wilson, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to CONTINUE Consideration of the Minor Amendment for PUD #339-1 until Wednesday, January 8, 1986 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Chairman Kempe instructed Staff to place these continued items first on the January 8th agenda, as that is also the date for the Special Housing Public Hearing.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Quail Ridge Amended (PUD 221)(2894) East 44th & South 131st East Avenue

A minor amendment to the PUD has been approved (11/27/85) to permit dividing the existing duplexes down the party wall for individual sale of each side. The amendment also included a reduction in the building line to 19' on Lot 1, Block 2 due to a building encroachment. All improvements are in place and an "as-built" drawing has been furnished.

The Technical Advisory Committee (TAC) recommended APPROVAL of the Preliminary Plat of QUAIL RIDGE AMENDED, subject to the following conditions:

- 1. Covenants:
- a) Section I-A, include Cable TV; I-B, check language.
- b) Section II, 1st paragraph, 2nd line, add, after words "... was approved by the ... TMAPC and by the ..."
- c) Section II-A, date is 9/19/79, then add: ..."and as amended by TMAPC on 11/27/85"
- d) Include language for Water and Sewer facilities.
- 2. All conditions of PUD 221, as amended shall be met prior to release of final plat.
- Utility easements shall meet the approval of utilities. (Increase 10 foot easements to 11 feet where needed.)
- 4. 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 Subdivision Regulations).
- 5. All Subdivision Regulations shall be met prior to release of final plat.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Preliminary Plat for Quail Ridge, subject to the conditions as recommended by Staff.

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The Village at Woodland Hills, Block 2 (PUD 379)(283)

W/side of South Memorial at 68th Place (CS, P)

This is the second phase in an overall plan which was approved by the TMAPC and also reviewed by TAC with the first phase plat (Block 1). Staff reminded applicant that a Detailed Site Plan had not yet been submitted and reviewed for the restaurant area, which is the area covered by this plat. Site plan should be available for TAC members to review prior to release of final plat.

For the record, Traffic Engineer advised that no additional access points are recommended on South Memorial other than those shown on the adjacent plat, to be shared with this development.

The TAC voted to recommend APPROVAL of the Preliminary Plat of THE VILLAGE AT WOODLAND HILLS, BLOCK 2 subject to the following conditions:

- 1. Covenants: Page 3, para "C": City Commission date of approval is 12/4/84 and date of Ordinance #16243 is 1/8/85.
 - Page 4, item d, change to read: "The minimum building setbacks shall be 70' and 400' from the west right-of-way line of South Memorial Drive, building area to be between these lines." (Or similar wording acceptable to owners and Staff.)
- 2. Show a building line on Lot 1 that is 400' west of the right-of-way line of Memorial. (70' from west line measured at southwest corner of lot.) (PUD requirement for restaurant area.)
- Covenants or face of plat do not indicate that the two lots within this phase have access via a mutual access easement and access points approved on the surrounding plat of Block 1. Either include language in plat or on face of plat to show access to these lots, since access is restricted on Memorial.
- 4. All conditions of PUD #379 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code in the covenants.
- 5. 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.
- 6. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language for W/S facilities in covenants).
- 7. 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).
- 8. A request for creation of a Sewer improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
- 9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
- 10. Paving and drainage plans shall be approved by the Stormwater Management, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission.
- 11. A topo map shall be submitted for review by TAC (Subdivision Regulations), and submitted with drainage plans.
- 12. Limits of Access shall be approved by City and/or Traffic Engineer. (See #3 above also.)

- 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 "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 Subdivision Regulations.)
- 15. All Subdivision Regulations shall be met prior to release of final plat.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Preliminary Plat for The Village at Woodland Hills, subject to the conditions as recommended by Staff.

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Family Worship Center (1094)

N/side East 21st, East of South 152nd East Avenue (AG)

This plat had been submitted for a preliminary on the first phase and a sketch plat on the remaining land. However, since there were problems regarding street extensions, drainage, etc., the TAC and Planning Commission granted a sketch plat on Phase I ONLY and no approval on the remainder (6/13/85) and 6/19/85. A copy of the TAC minutes and conditions applicable was provided for review by TAC.

Stormwater Management and City Engineer advised that filling in a floodplain area is being done, and there are problems with a driveway crossing a proposed detention area. Due to these problems, it was deemed advisable to continue the application so applicant could confer with these two departments and comply with the necessary regulations. An approval of any kind was not recommended. Therefore, the TAC unanimously agreed to recommend Family Worship Center be continued for further review.

The applicant retained a new Engineer and this plat is resubmitted for preliminary approval on the first phase only. Since the conditions were outlined by the TAC in the sketch plat approval on 6/13/85, a copy thereof was provided, with Staff comments in the margin on those conditions applicable to the first phase.

The TAC voted to recommend APPROVAL of the PRELIMINARY PLAT OF FAMILY WORSHIP CENTER (Phase I), subject to the following conditions:

- Covenants: Omit references to the City of Tulsa as beneficiary, since this is not a PUD. Include language for Water and Sewer facilities. Include language for stormwater detention or drainageways as applicable.
- 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 final plat. (Include language for W/S facilities in 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. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Not applicable to Phase I, if on septic.)
- 6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
- 7. Paving and drainage plans shall be approved by Stormwater Management, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission.
- 8. Limits of Access shall be shown on the plat as approved by City and/or Traffic Engineer. (Show 40' standard access point on existing driveway on Phase I.)
- 9. It is recommended that the developer coordinate with 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 plat.)
- 10. If 50 feet of right-of-way is already dedicated on 21st, show book and page. Identify the additional 10 feet of right-of-way being dedicated by this plat.
- 11. 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.
- 12. 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.
- 13. All Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Draughon confirmed this application was a plat and not a PUD and inquired if they would be subject to conditions by Stormwater Management. Mr. Wilmoth replied they would be subject to those conditions.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Preliminary Plat for Family Worship Center, subject to the conditions as recommended by Staff.

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Midtown Plaza Annex (1793) East of SE/c East 21st & South Lewis (OM, OL)

This plat is submitted to satisfy a plat requirement on a part of the tract zoned OL, which was zoned by application Z-4179. The OM portion of the plat is NOT "subject to a plat", but is included to consolidate a land transaction. Not a condition for approval of plat, but applicant should take care to meet both the OL an OM zoning requirements since the approximate zoning line is the borderline between Amended Texaco Center and the remainder of Lot 31, Harters 2nd. The existing easement along this alignment is in the process of being vacated (File ENG 5-2-85-70).

The TAC voted to recommend APPROVAL of the Preliminary Plat of MIDTOWN PLAZA ANNEX, subject to the following conditions:

- 1. Covenants: Include storm sewers and cable TV in easement grant. Also include language required for water and sewer facilities, limitation of access, and dedication of right-of-way, or show book and page of dedications on face of plat.
- 2. Dimension the PSO easement in the southeast quadrant of the plat; show a distance to the lot corner.
- 3. 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.
- 4. Paving and drainage plans shall be approved by the Stormwater Management, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission.
- 5. Limits of Access shall be approved by City and/or Traffic Engineer. Include applicable language in covenants. (Location subject to Traffic Engineer release letter required.)

- 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 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 final plat.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Preliminary Plat for Midtown Plaza Annex, subject to the conditions as recommended by Staff.

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Ashley Square (1993) N/s

N/side East 41st St. @ South Wheeling

(RS-1)

This plat is being submitted as a follow-up on a lot split application and Board of Adjustment action that was denied. The TAC and Planning Commission recommended approval of lot splits on 5/23/85 and 6/5/85, (#16447) subject to Board of Adjustment approval of private street for access, utility easements, and drainage plans. There were protests at the Board of Adjustment meeting and the Board denied the application. It is now submitted as a plat, incorporating numerous private deed restrictions and the usual platting requirements, which should provide the restrictions on development desired by homeowners in the area.

The TAC voted to recommend APPROVAL of the Preliminary Plat of ASHLEY SQUARE, subject to the following conditions:

- 1. Show the 40° access easement also as a "utility easement" to conform with Section I-G of the covenants. Also, dimensions need to be shown for the sewer easement along the north portion of the plat. (Tie to a lot line, etc.) Utilities may want a general utility easement on the perimeter rather than a restrictive gas easement. Subject to approval of all utilities, especially ONG. Include Deed of Dedication for street right-of-way in covenants.
- 2. All utility easements shall meet the approval of the utilities. Coordinate with Subsurface committee if underground plant is planned. Show additional easements as needed.
- 3. Show number of lots and acres on face of plat.

- 4. Reference is made in covenants to stormwater facilities, but none are shown on face of plat. Show as directed by Stormwater Management. (See #8 and #9 below)
- 5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
- 6. 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).
- 7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
- 8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
- 9. Paving and/or drainage plans shall be approved by the Stormwater Management, including storm drainage, detention design Watershed Development Permit application subject to criteria approved by City Commission.
- 10. Limits of Access shall be approved by City and/or Traffic Engineer.
- 11. It is recommended that the developer coordinate with 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 plat.) If private street is assigned a name, show on plat indicating it is "Private" and sign accordingly.
- 12. Board of Adjustment approval will be required for frontage on a private street. Since application #13609 was denied, a new application will be required for this plat. (#13904)
- 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 "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.
- 15. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

In reply to Mr. Draughon, Mr. Wilmoth advised this was being presented as a plat and not as lot split, as done with the BOA. A plat offers more control and Stormwater Management can make requirements on a plat. Mr. Draughon further inquired if this would go back before the BOA after TMAPC action, and was told it would. Mr. Gardner advised that seven lots were, technically, being created and BOA stated this should be presented as a plat. Mr. Gardner commented on the requirements of a subdivision plat versus a lot split.

Interested Parties:

Mr. Doug Cox

Address: 4017 South Wheeling

Ms. Ellen Pettigrove

1835 East 41st

Mr. Cox requested clarification of the drainage requirements and other conditions to be met. Staff and Chair explained the conditions to be met before approval and plans which to be submitted to obtain TMAPC and City Commission for approvals.

Ms. Pettigrove objected to this application because of the large estate homes in the area between Lewis and Utica. Due to this, she would not want a development in this area.

Additional Comments & Discussion:

Mr. Gardner stated the plat does meet the RS-1 requirements, even though the homes in the area are developed greater than what the zoning requires. Mr. Wilmoth stated this is not a zoning issue, and the proposed homes are about 5,000 square feet over the minimum requirements. Mr. Draughon reminded the Interested Parties they could appear at the Board of Adjustment hearing, as well as talk with Stormwater Management about their concerns.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Preliminary Plat for Ashley Square, subject to the conditions as recommended by Staff.

WAIVER OF PLAT:

Z-6091 Summit Parks (3492) North of NE/c West 51st and South 33rd West Avenue

(CS pending)

This is a request to waive plat on Lots 14 and 15 and the south 50° of Lot 13, Block 1 of the above named plat. Since the property is already platted and required right-of-way was dedicated by plat, Staff has no objections to a waiver, subject to the following:

- 1. Grading and drainage plan approval (including detention if required) by Stormwater Management.
- 2. Access control agreement, subject to approval of Traffic Engineer.
- 3. Increase existing utility easement on the east from 5' to 11' to match the lot split approved just north of this tract.

The TAC recommended APPROVAL of the waiver of plat on Z-6091, subject to the conditions outlined above.

Comments & Discussion:

Mr. Wilmoth stated this case was pending City Commission approval on the CS designation. It was approved by TMAPC on 12/11/85 and TAC endorsed the application. Ms. Wilson asked Legal if TMAPC should waive the plat before the City Commission hears the case for CS. Mr. Linker advised Legal did not recommend waiver of plat prior to action on the zoning case. Mr. Draughon asked of this could be continued until after City Commission action. Mr. Wilmoth suggested striking this from the agenda until after City Commission action.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to STRIKE the request for Waiver of Plat on Z-6091 Summit Parks, pending City Commission action.

CHANGE OF ACCESS:

Interstate Park (PUD 131-C)(794) W/side South Garnett, South of I-44

Mr. Wilmoth advised the access change has been approved by the Traffic Engineer to add one access point and move one access point to accommodate a new Braum's Ice Cream Store. Staff is also recommending APPROVAL of this request.

Staff Recommendation - PUD #131-C Detail Site Plan

The subject tract is a part of Development Parcel No. 2 of this PUD and is approved for Use Units 12, 13, 14 and 15. A total floor area of 43,000 square feet is approved for Parcel No. 2 and 12,000 square feet has already been built. PUD 131-C-2 was approved by the TMAPC on December 19, 1984 to permit lot splitting subject to granting mutual access easements and parking agreements as needed, and subject to no additional curb cuts on Garnett Road. The applicant is proposing to build a Braums Ice Cream Store which has a floor area of 3,642 square feet with two curb cuts on South Garnett. A request for change of Limits of Access and revised Mutual Access Agreement is being processed to allow the additional curb cut and is expected to be presented for review and approval simultaneously with this Detail Site Plan by the TMAPC. Staff review of the Plan indicates that it is consistent with PUD 131-C as amended; therefore, Staff recommends APPROVAL of the Detail Site Plan subject to the following conditions:

- 1. TMAPC approval of revised Limits of No Access for an additional curb cut on South Garnett and a revised Mutual Access Agreement.
- 2. That the applicant's Detail Site Plan shall be a condition of approval, unless modified herein.

3. Development Standards:

Land Area (Net):	33,918.4 sf	.79 acres
(Gross):	41,918.4 sf	.96 acres
Permitted Uses:	Use Units 12, 13,	14 and 15

Maximum Building Height: 35'
Maximum Building Floor Area: 3,642 sq. ft.*

Minimum Off-Street Parking: 1 space/100 sf of gross floor area 56 spaces proposed

Minimum Building Setbacks:

from Centerline of South Garnett
from West Boundary
from South Boundary
from North Boundary
49'
49'

Minimum Landscaped Open Space: Not Specified**

- * Total square footage approved for Parcel No. 2 is 43,000 square feet. This application of 3,642 square feet plus 12,000 square feet previously built means that 27,358 square feet remains allocated.
- ** Landscaped open space shall include internal and external landscaped open area, parking lots islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. No minimum area is specified in the PUD.

- 4. That all trash, utility and equipment areas shall be screened from public view, and a 6' privacy screening fence shall be constructed along the west boundary.
- 5. That all parking lot lighting shall be directed downward and away from adjacent residential areas.
- 6. All signs shall be subject to Section 1130.2(b) of the PUD Chapter of the Zoning Code.
- 7. That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit.
- 8. That the curb cuts on South Garnett directly align with the parking lot drives.

Comments & Discussion:

Mr. Frank advised that Staff has received a revised Detail Site Plan that does align the parking lot drives with the curb cuts; therefore, condition #8 can be stricken as it has been met.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Access Change for PUD #131-C and the Detail Site Plan, with condition #8 being stricken as recommended by Staff.

LOT SPLITS FOR RATIFICATION:

L-16577 (182) Service Corporation

Mr. Wilmoth stated this request was in order and recommended approval.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Lot Split Ratification for L-16577 Service Corporation, as recommended by Staff.

LOT SPLITS FOR WAIVER:

L-16559 Smittle (392) NE/c Brady Street & Xenophone Avenue (RS-3)

This is a request to split a 50' \times 140' platted lot into a 60' \times 50' lot on the north and a 80' \times 50' tract on the south. The north lot,

(according to a previous Board of Adjustment case #5047, 4/13/66) contains a duplex, while the south lot contains a single-family residence. A variance will be required by the Board of Adjustment because the proposed lots will not meet the minimum bulk and area requirements in the RS-3 district. The Staff recommends denial of this request because the proposed lots are not consistent with the neighborhood or existing zoning district.

The TAC agreed with Staff, in theory, that the lots being created would be too small to meet the code.

The TAC voted to recommend DENIAL of L-16559 because the lot sizes being created are not compatible with the area and do not meet the Zoning Code or Subdivision Regulations.

Applicant's Comments:

Ms. Linda McLaughlin, 4830 Nassau Circle, Broken Arrow, stated she was the real estate agent representing the Smittles. Ms. McLaughlin advised the subject properties have been in existence and split since 1926, and had one owner until sold in 1966.

Discussion followed and Ms. McLaughlin was asked why this case was brought forward if the lots are already split. Ms. McLaughlin confirmed they have been separate legal entities but it does not show on the abstract, and this presentation is to correct the title in order to sell the property. Mr. Linker confirmed that, if split prior to 1949, a lot split approval is not required. Ms. McLaughlin again stated she was there strictly as a requirement of the attorney handling the sale, as it does not show on any record.

Mr. Carnes stated it appeared the lot split was needed only to satisfy a legal requirement as the lots were already split and made a motion to approve. Chairman Kempe agreed this could be one method and suggested a letter to the attorney advising him of the legal opinion of the City Legal Department and this Commission that it is, in fact, already a split. Ms. Wilson stated agreement with Staff for denial and would be voting against the motion. Mr. Paddock requested more detailed information for justification of denial before voting. Mr. Wilmoth advised Staff did not have the information that has been brought today, and agreed with Mr. Linker that, if the property had actually been conveyed before 1949, then this case does not need to be presented.

In reply to Mr. Carnes, Ms. McLaughlin advised there were two separate owners and the two dwellings do have separate utilities. In reply to Mr. Gardner, the applicant stated the properties have been under separate ownership since 1966. Since it was done in 1966, Mr. Linker stated they would have to have clear title and approval of the lot split. Mr. Draughon suggested taking this back to the TAC. Mr. Wilmoth stated the TAC does not get involved in any kind of legal situation, but because of

the information provided, it does appear to be a unique situation. Wilson stated the minutes reflect the applicant was not present at the TAC meeting and perhaps it might be a good idea to send it back and let the applicant explain these circumstances to that Committee. Gardner stated Staff's concern was setting a precedent, but if approved, the lot split would merely rectify an existing condition. Mr. Carnes inquired if TMAPC did approve, could the minutes reflect they were doing so to clear a past error. Mr. Gardner advised the TAC has no waiver powers as does the Planning Commission, and it appeared the applicant did not need justice, but mercy. Mr. Draughon stated he felt the TAC and applicant should get together, although he was in favor of recognizing the situation. Chairman Kempe asked what would be the next course of action, in the event of a denial of the waiver. Mr. Wilmoth advised six affirmative votes would be required, and if denied, it would have to be appealed to District Court. If approved, it would have to go to the BOA for approval also.

Mr. Carnes stated he would make a motion for approval in an effort to be merciful, but not set a precedent.

On **MOTION** of **CARNES**, the Planning Commission voted **6-0-1** (Carnes, Connery, Draughon, Kempe, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to **APPROVE** the **Waiver of Lot Split for L-16559 Smittle**. NOTE: Chairman Kempe stated for the record, this action is not in any way to set a precedent for this Commission.

* * * * * * *

L-16570 Bair (1773) West of the SW/c of 141st St. & Harvard Ave. (AG)

The applicant is requesting to split a 7.25 acre tract into three lots, a 4 acre lot, a 2 acre lot, and a 1.25 acre lot which is to be attached to the abutting tract to the east. A variance will be required from the County Board of Adjustment because the minimum bulk and area requirements in the AG district will not be met by this lot split. The applicant has agreed to a right-of-way easement for the north 50 feet of the subject tract in order to bring the roadway up to standards. The land use maps in the County Assessor's office shows that several lots in the area are comparable to the proposed split. Based on this fact, the Staff recommended approval of this request subject to the following conditions:

- 1. Approval from the City/County Health Department for passing percolation tests in order to allow septic systems on each of the lots.
- 2. Approval from the Creek County Rural Water District #2 that water service can be provided to each of the lots.

3. The 1.25 acre lot is to be tied to the eastern abutting lot by a tie contract contained on the deed of transfer.

The TAC voted to recommend APPROVAL of the L-16570 as recommended by the $Staff_{\star}$

Comments & Discussion:

Mr. Wi moth advised condition #1 should be changed to read Board of Adjustment approval instead of City/County Health Department approval.

<u>Interested Parties:</u>

Mr. Jess Bair, 3104 East 141st, advised the County Board of Adjustment approved the lot split at yesterday's meeting (December 17th).

Therefore, Mr. Wilmoth advised there would only be two conditions, as condition #1, as revised above, could be deleted.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Waiver of Lot Split for L-16570 Bair, as recommended by Staff and deleting condition #1.

OTHER BUSINESS:

PUD #281 Charles Norman

Lot 1, Block 6 of Gleneagles and Blocks 5 and 6 of Kingsridge Estates

Staff Recommendation - Gleneagles

Detail Sign Plan: The proposed entry sign will be a monument type ground identification sign that will be located between the two main entrance drives from South 91st East Avenue. The sign design includes brick columns four feet tall and $2^n \times 10^n$ beams. The Staff considers the sign tastefully done and recommends APPROVAL of the Detail Sign Plan.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Sign Plan for PUD #281, Lot 1 Block 6 of Gleneagles as recommended by Staff.

Detail Site Plan: The proposed development will be for three story multi-family structures designed with elevators for the elderly. The Plan proposes development of 144 housing units, a clubhouse and pool, some covered parking structures and 273 parking spaces. The subject tract is the product of PUD #281-4 and #281-5 and was previously referred to as Development Area "A" of Phase II.

A six foot screening fence with brick columns will be constructed on the south, east and north boundaries. The entrances to the tenant's parking area will be controlled with security gates. The western boundary of the project will be enclosed by a wrought iron fence with brick columns.

The Staff review of the Detail Site Plan indicates that it is consistent with the approved PUD as amended; therefore, the Staff recommends APPROVAL of the Detail Site Plan, subject to the following conditions:

1) That the applicant's Detail Site Plan be made a condition of approval, unless modified herein.

2) Development Standards:

Land Area (Gross):

7.5589 acres

(Net):

5.52 acres (approximate)

Permitted Uses:

Attached residential and accessory uses for

the elderly.

Maximum Building Height:

3 stories

Maximum Number of Units:

144

Minimum Off-Street Parking: 273 spaces

273 spaces (1.5 spaces/1 bedroom units, 2.0 spaces/2 or more bedrooms)

Minimum Building Setbacks:

from Centerline of South 91st

from South Boundary 3' (not specified in PUD) from East Boundary 206.1' (not specified in PUD)

from North Boundary 20'
Between Buildings 15'
Between Parking & Building 12'

Minimum Liveability Space: 3.12 acres

- That all trash, utility and equipment areas shall be screened from public view.
- 4) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit.
- 5) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

On MOTION of WOODARD, the Planning Commission voted 6-0-1 (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Site Plan for PUD #281, Lot 1 Block 6 of Gleneagles as recommended by Staff.

Detail Landscape Plan: The Plan includes detail design and specification (sizes and types) of planting materials, shrubs and trees to be placed adjacent to the apartment buildings, around the entrance sign and on the grounds which surround the development. The Staff recommends APPROVAL of the Detail Landscape Plan as submitted.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Landscape Plan for PUD #281, Lot 1 Block 6 of Gleneagles as recommended by Staff.

Staff Recommendation - Kingsridge

Detail Sign Plan: Entry signs to this development are proposed at the southwest and southeast corners of South 90th East Avenue and South 90th East Court, respectively. The signs will be supported by brick columns four feet tall with horizontal $2^n \times 10^n$ cedar rails. The Staff recommends APPROVAL of the entry signs as submitted.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Sign Plan for PUD #281, Blocks 5 & 6 Kingsridge as recommended by Staff.

Detail Site Plan: The basis for submission of this plan was TMAPC approval of PUD #281-5 on November 13, 1985, as follows:

- Conceptual approval of the revised plan (as submitted);
- 2) Bring back the Detail Site Plan and elevations of the proposed structures to the TMAPC with notice to the Burning Tree Master Association;
- 3) Required landscaping and a sprinkler system on the tract just to the west of the subject property with a water meter; and
- 4) Fencing on the south side of East 64th along the west boundary.

The Plan is for 50 housing units to be constructed as follows: single-family units; five duplexes (ten units); and five triplexes (15 units). The underlying zoning of this tract is RS-3. The single-family units are arranged along the west and south boundaries and also along East 64th Street. The south and west boundaries will be screened by a stockade fence. This fencing is also recommended to be extended along the rear yard of the triplex which backs to South 91st East Avenue (approximately 120). The other property boundaries will be fenced by wrought iron fencing with brick columns. The development also includes a pool and cabana building. Single car garages are shown on each unit and the minimum front building line setback is shown as 18' with 25' along East 64th Street. The internal street system of the development will be private streets 24° wide connecting only to East 64th Street at two locations. The subject tract will be replatted into one lot and dwelling units will be rental and are understood to be restricted to elderly Elevations submitted with the Site Plan indicate that the exterior building walls will be stone and wood and the roofs will be made from composition shingles.

The Staff review of the proposed Detail Site Plan indicates it is consistent with the approved PUD, as amended by the TMAPC. Therefore, the Staff recommends APPROVAL of the Detail Site Plan as follows:

1) That the applicant's Detail Site Plan be made a condition of approval, unless modified herein.

2) Development Standards:

Land Area (Gross):

8.427 acres

Permitted Uses:

Single-family, duplex and triplex units and accessory uses for the elderly, per the submitted Detail Site Plan.

Maximum Building Height: 2 stories

Maximum Number of Units: 50

Minimum Off-Street Parking: 2 spaces (one enclosed)

Minimum Building Setbacks:

Front yard building setback 18'
Rear yard building setback 12.5'
Between buildings 10'

Minimum Liveability Space per Unit: 2,000 sf

3) That perimeter fencing on the south and west boundaries shall be cedar stockade fencing as proposed, and said fencing shall be extended 120' along the east boundary which abuts South 91st East Avenue, which corresponds to the rear yard of the triplex unit at that location.

- 4) That a Detail Landscape Plan for the "internal area" of the development, plus an "external plan" for a tract of land along the west boundary be submitted to and approved by the TMAPC prior to issuance of an Occupancy Permit for any units in this development.
- 5) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

Mr. Charles Norman, 909 Kennedy Building, represented the applicant. Mr. Norman inquired if the Staff recommendation had been changed in regard to the screening fence. Mr. Frank confirmed it had been, and he was recommending that a screening fence also be placed on the rear of the boundary on South 91st. Mr. Norman stated disagreement with this change as the plan already showed a wrought iron fence at that location.

Mr. Carnes stated agreement with Mr. Norman as he felt that wrought iron should not be traded for wood fencing. Mr. Frank stated the purpose was for screening. Chairman Kempe asked Mr. Frank if any consideration was given to the dense landscaping in this area. Mr. Frank replied there was not. Mr. Norman stated it seemed to be a matter of design and aesthetic taste as the applicant presumed the wrought iron with masonry columns would be more attractive than a solid fence. Mr. Norman continued by stating if the applicant felt the rear yards needed to be screened for their privacy, that seemed to be something the applicant would be submitting, rather than it being imposed upon them by the Staff. Ms. Wilson asked Mr. Norman, in leaving the wrought iron fencing, if he thought the applicant might be interested in providing substantial landscaping. Mr. Norman stated he did not think there was any criticism of the landscaping plan, and generally, the Commission is not concerned about protecting people on the inside as much as screening an external Discussion followed clarifying the area location and it influence. being on a residential collector street. Mr. Norman advised that, at the time of preliminary approval, he stated he would notify the Burning Tree Master Association as to landscaping and that has been successfully concluded with the Association approving the landscape plan being submitted.

Mr. Draughon inquired if the Burning Tree Association was a part of this Never Fail project. Mr. Norman replied they were not as they are located to the west and south of this addition. Ms. Wilson asked Mr. Norman his opinion to striking out the words "said fencing" and substituting "and landscaping" in condition #3 of the Detail Site Plan. Mr. Norman replied the Detail Landscape Plan has been prepared and submitted and was designed in compliance with the wrought iron fence, and he was not sure if he could agree to a redesign. Mr. Norman asked for clarification of the intent of Ms. Wilson's suggestion and she indicated it was to add landscaping to the wrought iron fencing for screening purposes.

Mr. Carnes made a motion to accept Staff's recommendation, with the exception of removing the wrought iron fence, plus the addition of landscaping on the interior side of the fence.

On MOTION of CARNES, the Planning Commission voted 5-0-2 (Carnes, Connery, Kempe, Wilson, Woodard, "aye"; no "nays"; Draughon, Paddock, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Site Plan for PUD #281, Blocks 5 & 6 Kingsridge, amending condition #3 to read: That perimeter fencing on the south and west boundaries shall be wrought iron fencing as proposed, and interior landscaping shall be extended 120' along the east boundary which abuts South 91st East Avenue, which corresponds to the rear yard of the triplex unit at that location.

Detail Landscape Plan: A Plan for the layout and design of landscaping materials for the "interior area" of the project has been submitted. The Plan includes specifications and sizes of the various plant, shrubbery and varieties of trees to be planted adjacent to the housing units, in the yard area, around the entry signs and abutting the pool and cabana A condition of approval of PUD #281-5 was that "required landscaping and a sprinkler system on the tract just to the west (of Reserve 'B' on the Plan) of the subject property with a water meter (to The Staff considers this an "external Plan" and recommends that this item be reviewed upon submission at a later date. Therefore, the Staff recommends APPROVAL of the Detail Landscape Plan as submitted for the "internal area" of the project with an "external plan" for landscaping of the property to the west of Reserve "B" to be reviewed by the TMAPC at a later date and required to be approved by the TMAPC prior to issuance of an Occupancy Permit for any units in this development.

Comments & Discussion:

Chairman Kempe asked if, based on the amendment to the Site Plan, this Landscape Plan would be changed. Mr. Paddock inquired if Staff and applicant were in agreement on this recommendation. Mr. Norman replied he was not in agreement with the requirement that landscaping be placed on land outside the PUD, and he did not think it appropriate to impose, as a part of the record of the PUD, some requirement on property outside the PUD. Mr. Paddock stated agreement with Mr. Norman that the landscaping outside the perimeter of the PUD should not be a concern of the Planning Commission. Therefore, he could not support that part of the Staff recommendation. In response to Mr. Draughon, Mr. Gardner stated he was not sure Staff could require the applicant to do this, if it is outside the boundaries of the PUD, as set forth in the legal The portion of land in questioned was clarified by the applicant and Staff. Mr. Norman reminded the Commission that the applicant has a private agreement with the Burning Tree Association to install landscaping materials, upon receipt of a design plan from the Association. Ms. Wilson commented on the conditions stated in the November 13th TMAPC hearing of PUD #281-5 in regard to the landscaping. Mr. Norman stated that he had indicated if the applicant did not make an agreement with the Association, the TMAPC would only be giving preliminary approval to the Site Plan, and he had never intended it to be stated as a condition of approval to the PUD.

Mr. Linker inquired as to ownership of the strip of land in question. Mr. Norman stated it was not owned by the applicant. Mr. Linker advised that the TMAPC could not require landscaping on property not owned by the applicant. Mr. Carnes asked if the wording of the Landscape Plan referring to this strip of land could be stricken from the condition of approval. Mr. Linker stated this could be done. Chairman Kempe commented if this was, in fact, under other ownership and the TMAPC could not place requirements, then the condition imposed at the time of the minor amendment would possibly be invalid. Mr. Linker commented if the Burning Tree Association has an agreement with the applicant, then they have a remedy, and the Commission does not necessarily have to enforce every agreement the applicant has with the Association.

Mr. Paddock asked Legal if, when the TMAPC made this a condition of approval of the minor amendment, was it within their jurisdiction to do this on property not covered under the PUD, which appears to be the case since the property is not owned by the developer or the applicant. Mr. Linker advised this was a general question and he would require specifics. Mr. Linker continued by stating if the abutting property was owned by the same owner, but was outside the PUD, he would not have a problem. However, if it is not owned by the same owner or you do not have the consent of the owner and it is outside the PUD, then Mr. Linker advised the Commission they could not place requirements. In reply to Chairman Kempe, Mr. Norman confirmed the property in question is not owned by Never Fail and has never been part of the PUD.

Mr. Norman stated his recollection was that the Commission gave their preliminary approval, subject to the final agreement and approval by the applicant and the Burning Tree Association. Mr. Carnes suggested a motion deleting, from this Detail Landscape Plan, the reference to the condition of approval of PUD #281-5. Chairman Kempe stated it was a moot issue, since it appears to be something the Commission cannot do. Therefore, the wording referring to this condition of approval should be stricken from this Detail Landscape Plan. Mr. Gardner advised stated that, since it is in the previous minutes, the TMAPC should make a statement at this hearing that the applicant does not have to meet that, in lieu of correcting the previous minutes. Mr. Carnes rephrased his motion for approval of the Detail Landscape Plan so that the condition of approval of PUD #281-5 referencing "required landscaping and a sprinkler system, etc. (of Reserve Area 'B')" not be required. Mr. Gardner clarified it would not be required to come back for approval because the applicant must have the approval of the Association, as worked out privately. Mr. Paddock stated he would be voting on this motion, but would be doing so reluctantly.

On MOTION of CARNES, the Planning Commission voted 6-0-1 (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Landscape Plan for PUD #281, Blocks 5 & 6 of Kingsridge, amending the Plan so the applicant will not have to come back before the TMAPC in reference to the "required landscaping and a sprinkler system on the tract just to the west (of Reserve 'B' on the Plan) of the subject property with a water meter (to be installed)." This action would invalidate that portion of the Staff recommendation referencing an "external plan".

* * * * * *

PUD #392

NW/c of East 11th Street & South 123rd East Avenue

Staff Recommendation - Detail Landscape Plan for Bidgs. B-1 & B-2

The subject property is being developed in two phases for commercial and retail purposes. The east portion of the tract is the site of the first two buildings (B-1 and B-2). The PUD Text did not include landscape criteria, but a 10% minimum overall landscaped area was assigned as a condition of approval. The majority of the landscaped areas will consist of sodded areas along 11th Street, 123rd East Avenue and along the north (rear) boundary. A schedule of plantings and design layout is included in the plan for landscaped areas adjacent to the building fronts and east parking lot entrance. The "green area" provided around the buildings and site perimeter exceeds 20%. The minimum landscape buffer along the north boundary was required to be 10' and is proposed as a sodded area 14' wide with a 6' screening fence between the development and residential area to the north. Notice of the Detail Landscape Plan application and hearing has been given to the property owner on the north considering no large trees or shrubs are indicated along this boundary.

The Staff review of this Plan indicates that it is consistent with the PUD conditions; therefore, the Staff recommends APPROVAL of the Detail Landscape Plan for Buildings B-1 and B-2.

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Landscape Plan for PUD #392, as recommended by Staff.

* * * * * *

PUD #166-B & PUD #336 East of the SE/c of South Sheridan & East 91st St. So.

Staff Recommendation - Detail Landscape Plan

The subject tract is the site of a development for 290 multi-family residential units called The Courtyard. The Plan presents a detail design and schedule of the various types of trees, shrubs and plantings which will be installed along Sheridan, along walkways and adjacent to buildings, plus heavily treated courtyard areas between the buildings. Tree plantings are also indicated along the east boundary which abuts South 69th East Avenue. The Staff review of the proposed Detail Landscape Plan indicates that it is consistent with PUD Text and Concept Plans previously submitted; therefore, the Staff recommends APPROVAL of the Detail Landscape Plan as submitted.

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Detail Landscape Plan for PUD \$166-B & PUD \$336, as recommended by Staff.

* * * * * * *

PUD #208-1

SE/c of South Yale & East 71st Street

Staff Recommendation - Minor Amendment for Pylon Sign

The subject tract has been developed for a retail/office shopping center and is permitted CS development in accordance with an order of the District Court. Subsequent to the Court ordering CS restrictions, PUD #208 was approved by the City and affirmed by the Court. The sign requirements in this PUD limit ground signs along the arterials to not more than one ground sign to be a maximum of 5' tall. PUD sign restrictions in effect at the time of approval of PUD #208 would have allowed one sign within the building setback line to be a maximum of 25' tall and a display surface area of one square foot for each lineal foot of arterial frontage. The frontage of this property along 71st and Yale is 775'; the proposed sign display area is 180 square feet.

The applicant is requesting a pylon sign which would be 30' in height with the existing 5' sign at the top and "reader boards" with the names of the tenants from the ground level to the base of the logo sign. The character of signage at this intersection is such that a pylon sign of this nature would not be consistent. No other business at this intersection presently have a pylon sign. PUD #260-A was recently approved at the northeast corner of this intersection and signage was restricted to two ground monument signs not exceeding 8' in height, with a maximum display area of 64 square feet. Wall and canopy signage on the building should be adequate to identify the existing business; therefore,

the Staff recommends DENIAL of the request for a minor amendment to PUD #208 to allow one 30' pylon sign with an area of 180 square feet. If the TMAPC is supportive of this request, the Staff suggests the height be limited to a maximum of 25' to be consistent with the PUD restrictions in effect at the time of approval for PUD #208.

Comments & Discussion:

In response to Mr. Paddock, Mr. Frank explained the restrictions in effect at the time of PUD approval was the Zoning Code, which would have allowed a 25' tall sign.

Applicant's Comments:

Mr. Joe Farris, 522 South Boston, representing the applicant, submitted a layout and photos of the existing sign. Mr. Farris stated the owners of the PUD across the street are in support of this sign proposal and stressed that most of the shops in the Lighthouse Center face inward and cannot be seen from the street. Mr. Farris requested approval of this minor amendment as the proposed sign will be ground lit and will not detract from the appearance of the corner.

Ms. Wilson inquired if the proposed sign would be at the same location and angle of the existing sign. Mr. Farris replied he was not sure of the final location. Mr. Paddock asked if the same pylon sign could be used if the maximum height should be approved for 25°. Mr. Farris stated he thought some adjustments might be needed. In further response to Mr. Paddock, Mr. Farris stated he was asking for the limits of the present code. Mr. Draughon asked Mr. Farris if he understood that the Commission had recently restricted the signage for PUD #260 (site across the street) to 8° tall maximum. Mr. Farris commented he understood and had the support of the owners of that site. Mr. Connery commented at the time this project was initially approved, the Code permitted a 25° sign, but the project was only approved for a 5° sign. Mr. Connery stated this particular site is one of the highest in Tulsa and he felt a 30° sign would be detractive at this location.

Mr. Farris commented the Lighthouse Partners consented to the amendment for the Daybridge Day Care Center sign, and added the signage for the bank on the southwest corner is higher than their proposed sign. Chairman Kempe inquired of Staff as to their recollection of the circumstances surrounding the signage for the insurance agency and the Daybridge Center. Mr. Gardner stated the Daybridge Center was done with BOA approval and was not a part of the PUD for the shopping center and there may not have been a height restriction since it was zoned OM. Chairman Kempe stated a concern, if this is approved, is getting the same request from the other three corners. Ms. Wilson asked Staff if the current code allowed a sign this size and was told it would be allowed. Ms. Wilson confirmed the signs across the street dealt with restaurants, and while not having a problem with the type of sign, she did have a problem with the 30' height but would support the 25'. Mr. Carnes stated

agreement with Ms. Wilson. Mr. Connery disagreed with both as the five feet (25' to 30') did not make that much difference and suggested leaving the sign as it is now. Mr. Paddock asked Staff if there was an objection to the pylon nature of the sign as well as the height. Mr. Frank reiterated concerns about the other three corners expecting the same treatment if this is approved for 30'. Mr. Frank suggested an alternative might be consideration of 8' monument signs on both arterials. Mr. Carnes suggested a continuance to allow time to discuss alternatives, as all four corners will ultimately be affected. Mr. Farris stated agreement to a continuance. Mr. Connery, while having no objection to a continuance, reminded the TMAPC members a great deal of time has been spent in the past to reduce the clutter of signs in Tulsa.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to CONTINUE Consideration of PUD #208-1 Minor Amendment for a Sign until Wednesday, January 15, 1986 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

* * * * * *

Z-4900-SP-3-A (Johnsen)

NE/c of South Mingo & East 73rd Street South

Staff Recommendation - Minor Amendment to Sideyard Setback & Parking

The proposed use of the subject tract is for a Federal Express Building. The approved setback from the north property line is 10', which is in accordance with the Corridor Site Plan Text. However, a vehicle wash building is proposed to set only five feet from said line. The zoning of the abutting tract is CS. The Staff review of this request indicates that it is minor in nature. Therefore, the Staff recommends APPROVAL of the minor amendment to allow the vehicle wash building to setback five feet from the north boundary at its proposed location.

The parking layout on the plot plan submitted for a building permit has also been revised for a better layout and wider spaces. The impact of this is to reduce the number of spaces from 87 on the approved Corridor Site Plan to 83. The parking determination was based on 50 spaces for employees, 15 spaces for office employees and the balance (18 spaces) for customers. The applicant considers customer parking to be adequately met by the 18 space requirement and to double count parking requirements for employees at one space per 400 square feet, plus assign vehicle parking spaces inside the building would not be realistic. Therefore, the Staff considers the reduction in parking spaces from 87 to 83 minor for the sake of improved design and layout and recommends APPROVAL.

Z-4900-SP-3-A (Johnsen) - Cont'd

Comments & Discussion:

Staff clarified for Ms. Wilson the vehicle wash building would be a drive through type wash.

On MOTION of CARNES, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Doherty, Harris, VanFossen, Young, "absent") to APPROVE the Minor Amendment to Sideyard Setbacks and Parking Requirements for Z-4900-SP-3-A (Johnsen), as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 4:10 p.m.

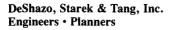
Date Approved

Chairman

ATTEST:

12.18.85:1585(29)

TRAFFIC IMPACT STUDY FOR RESOURCE SCIENCES CENTER





One Memorial Place, Suite 302 7633 E. 63rd Place • Tulsa, OK 74133 • 918/250-2621

TECHNICAL MEMORANDUM

TO:

Mr. Glen Sams

Realvest, Inc.

FROM:

DeShazo, Starek & Tang, Inc.

DATE:

December 6, 1985

SUBJECT:

Traffic Impact Study for

Resource Sciences Center J85406T

PURPOSE

This study will examine the impact of the proposed development changes at Resource Sciences Center on the surrounding street system.

SITE CONSIDERATION

Resource Sciences Center is strategically located at the northwest corner of East 68th Street and South Yale Avenue (See Figure 1). The development is located in the middle of the major employment center along Yale including office, hotel, and medical uses (See Figure 2).

Accessibility is a prime consideration in the design of office developments such as the Resource Sciences Center. Traffic operations along the adjacent streets is important to the total success and efficiency of the development.

DEVELOPMENT PLAN

Resource Sciences Center (RSC) is an office park comprising 24.7 acres and containing ll buildings of varied size, with a 15-story tower being the focal point. The first phase was developed in 1972 as a research office park. The proposed Planned Unit Development (P.U.D.) permits parcelization and two new buildings, a low-rise building on the north side of the tract and a high-rise building on the southeast corner of the site. A parking garage will be constructed to provide restricted parking for the tenants of the new high-rise building. The site plan is shown on Figure 3.

Primary access to the site will be provided by the main drive on Yale at the 6700 block. Secondary access for RSC is located on South Toledo.

CITY OF TULSA TRANSPORTATION PLAN

The street system serving the area is shown on Figure 4. The important adjacent streets are as follows:

- O Yale is a four-lane, divided primary arterial. The street is planned to be expanded to six lanes. Yale extends from 121st Street South near the Arkansas River, north to 36th Street North near the Tulsa International Airport.
- o Harvard is a two-lane, undivided secondary arterial. The roadway is planned to be expanded to four lanes, undivided standard. Harvard extends from 101st Street South, north to 36th Street North.
- o 61st Street is a two to four-lane, undivided secondary arterial. The roadway is planned to be expanded to a full four-lane undivided standard. The street extends from Riverside Drive east to beyond Tulsa County. The intersection with Yale is improved to planned standard including double left-turns from Yale Avenue.
- o 71st Street is a two-lane, undivided primary arterial. The roadway is being widened to a four-lane, divided roadway. 71st Street extends from west of U.S. 75 east to beyond Tulsa County. 71st Street will be the primary east-west roadway in South Tulsa. The intersection with Yale is improved to planned standard including double left-turns from Yale Avenue.
- o 68th and 66th Streets and Richmond Avenue are collector streets. They are developed with 36 feet of pavement. There is a traffic signal located at the intersection of 68th Street and Yale.

AREA DEVELOPMENT

The area along Yale between 61st and 71st Streets is developed with high intensity office, hotel, and medical uses. The interior area is developed residentially with major areas of apartments developed south of 66th and 68th Streets. See Figure 5.

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Directly north of the site, west of Yale, are the Shell Oil Center and the Metropolitan Life/Warren Place. East of Yale, north of the site are the William, Kelly, and Warren Professional Medical Buildings and St. Francis Hospital. East and south of the site are office and retail uses.

TRAFFIC VOLUMES

The 24-hour traffic volumes on the surrounding streets are shown on Figures 6 and 7. There have been significant increases in traffic on all of the arterial streets as shown on Figure 6. Yale Avenue has increased from 21,548 vehicles per day in 1983 to 28,600 vehicles per day in 1985 or a 32 percent increase. Yale is carrying peak hour, peak flow direction volumes of nearly 800 vehicles per hour per lane as shown on Table 1.

The local street volumes are illustrated on Figure 7. The collector streets (68th Street, 66th Street and Richmond) are carrying much less than the professionally accepted residential collector standard of 5,000 vehicles per day (Recommended Guidelines for Subdivision and Major Streets, Institute of Transportation Engineers). The installation (November, 1984) of a traffic signal at the intersection of 68th Street and Yale Avenue made a significant reduction in traffic on Richmond (400 vehicles per day and 40 vehicles in both the AM and PM peak hours).

TRIP GENERATION

The estimated vehicular trips generated by the Resource Sciences Center (RSC) Development are shown on Table 2. The Table also compares actual traffic counts with the trip generation estimated by applying the Institute of Transportation Engineering Trip Generation Manual. The actual traffic counts are adjusted to 100% occupancy. The actual numbers of trips generated by RSC are less than the national average projections due to the quality and design of the center and the nature of tenants who locate in the more prestigious office centers of the community.

TRIP PATTERNS

Under normal circumstances, the expected distribution of traffic would have 80 to 90 percent of the RSC traffic utilizing the main, front entrance on Yale. Motorists historically enter and leave an office development at the same location if there are no other influences. See Table 3. The main entrance on Yale accomodates only 72-74 percent of the entering traffic instead of the 80-90 percent. Most significantly, the rear secondary driveway accommodates 47-56 percent of the exiting traffic instead of the 10-20 percent.

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The reasons for this occurence are 1) inability of traffic to enter Yale during the peak periods 2) lack of storage lanes at the main entrance 3) no driveway on 68th Street near Yale and 4) internal roadway directed toward the west drive.

LOCAL STREET IMPACTS

The distribution of traffic to and from the west entrance is set forth in Table 4. In the AM peak hour 14 percent of the entering traffic comes from Richmond, 74 percent from 66th Street, and 12 percent from Yale. In the PM peak hour 36 percent of the existing traffic goes to Richmond, 51 percent to 66th, and 13 percent to Yale.

As illustrated in Table 5, RSC generates in the AM peak hour 15 vehicles and in the PM peak hour 66 vehicles on the traffic sensitive, collector street, Richmond. The total traffic on Richmond is much less than the professionally accepted standard for a collector street but is greater than the standard for a local residential street. RSC contributes 11 percent (AM peak hour) 34 percent (PM peak hour) of the Richmond traffic north of 66th Street.

ARTERIAL STREET CAPACITY

The traffic volumes on Yale were analyzed using methods outlined in the <u>Transportation and Traffic Engineering Handbook</u>. The volume/capacity ratios for the AM and PM peak periods for existing and anticipated development are shown on Table 6. The anticipated traffic volumes assume that 90 percent of RSC traffic utilizes Yale. The predicted volumes on Yale are below capacity even with full development and a major orientation toward Yale.

IMPROVEMENTS

There are no street improvements needed on Yale by RSC since the roadway is operating at an acceptable level of service and will continue to do so after projected building constructions.

However, to minimize the impacts of the two new buildings and the existing development on the nearby neighborhood, modifications should be made to the RSC site. The primary need for the site is to orient and make convenient the movement of traffic to Yale. The best method to increase the traffic orientation toward Yale would be to locate a traffic signal at the main entrance of RSC.

The new signal could be connected to the existing signal at 68th Street without significantly impacting Yale traffic flow. A signal located at Shell private drive could accomplish the same

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objective and also serve a collector street (66th Street) to the east although RSC would have to obtain access through the Shell tract. The potential traffic signal locations are shown on Figure 8.

The new high-rise building parking garage should access 68th Street near Yale to further reduce traffic impacts on the adjacent streets.

To further reduce the traffic impacts on Richmond and 66th Streets, the new parking garage should have access to the existing traffic signal at 68th Street. The new driveway to 68th would permit a more even distribution of access for the garage to Yale. The parking garage will be restricted to use by the tenants of the new building.

Further traffic improvements can be achieved by changes in the main internal roadway will further minimize impacts on the adjacent collector streets. See Figure 8. The internal drive should be routed around the new low-rise building to "break-up" the straight through movement to the west. In the main surface parking areas, the internal roadway should direct vehicles toward Yale.

With the additional two buildings, 100 percent occupancy of RSC, and the traffic improvements outlined above, the result will be that the front drive will carry 90 percent of the entering traffic and 90 percent of the exiting traffic of RSC. The resulting impact on Richmond is significant. Richmond will carry only 27 RSC vehicles (PM peak hour) which represents a 60 percent reduction of RSC traffic on Richmond and a 20 percent decrease in total traffic on Richmond.

CONCLUSIONS

- o The proposed development will have minimal impact on Yale Avenue and arterial streets serving the other general area.
- o The adjacent collector streets are presently operating less than their design capacities and projected traffic will still be less than design capacities.
- o Traffic on Richmond could be significantly reduced by making certain traffic improvements.

o The recommended improvements include most importantly a new traffic signal on Yale, and secondarily widening of the main entrance on Yale, provision of a driveway on 68th Street for the new parking garage, and reorientation of the internal roadway.

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TABLE 1

YALE AVENUE PEAK PERIOD TRAFFIC VOLUMES
Between 61st and 71st Streets

	Southbound	Northbound
7:00 - 8:00 AM	631 VPH	1,790 VPH
8:00 - 9:00 AM	650 VPH	979 VPH
4:00 - 5:00 PM	1,323 VPH	777 VPH
5:00 - 6:00 PM	1,470 VPH	648 VPH
TOTAL	15,142 VPD	13,454 VPD

28,596 VPD

VPH = Vehicles Per Hour
VPD = Vehicles Per Day

TABLE 2

PEAK HOUR TRIP GENERATION
(Vehicles Per Hour)

			<u>I</u>	<u>ΓΕ</u> *			ACTU	JAL**	
	Amount	<u>In</u>	NM Out	<u>In</u>	Out	In	<u>Out</u>	<u>In</u>	Out
Existing Office	359,000 Sq. Ft.	647	72	147	582	531	36	46	461
New Office	181,000 Sq. Ft.	326	<u>36</u>	<u>74</u>	<u>293</u>	<u>268</u>	<u>18</u>		232
		973	108	221	875	799	54	71	693
TOTALS	540,350 Sq. Ft.	10	081	10)96	89	53	76	54

^{*} Institute of Transportation Engineers <u>Trip Generation</u> Third Edition - 1982

^{**} Based on Actual Counts 11/7/85 Accounting for 100% Occupancy

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TABLE 3

RSC TRAFFIC COUNTS Front and Rear Entrances November 7, 1985

	Morning Traffic (7:15	AM to 8:15 AM)
Entrance	Entering	Leaving
Front Rear	276 (74%) 96 (26%)	11 (44%) 14 (56%)
TOTAL	372 (100%)	25 (100%)
	Evening Traffic (5:00	PM to 6:00 PM)
Entrance	Entering	Leaving
Front Rear	24 (72%) 9 (28%)	174 (53%) 148 (47%)
TOTAL	33 (100%)	323 (100%)

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TABLE 4

DISTRIBUTION OF TRAFFIC TO AND FROM RSC REAR ENTRANCE AT PEAK HOURS November 7, 1985

Morning (7:15 AM to 8:15 AM)

			Pass	sing
Street	Entering	Exiting	Nb	Sb
Richmond	12	3	15	7
66th	73	7	43	56
Toledo/68th/Yale	<u>11</u>	_4		
TOTALS	96	14	58	63
	1	10	12	22

Evening (5:00 PM to 6:00 PM)

			Pass	sing
Street	Entering	Exiting	Ир	Sb
Richmond	4	62	13	2
66th	4	89	56	77
Toledo/68th/Yale	_1			_
TOTALS	9	174	69	79
	13	83	14	18

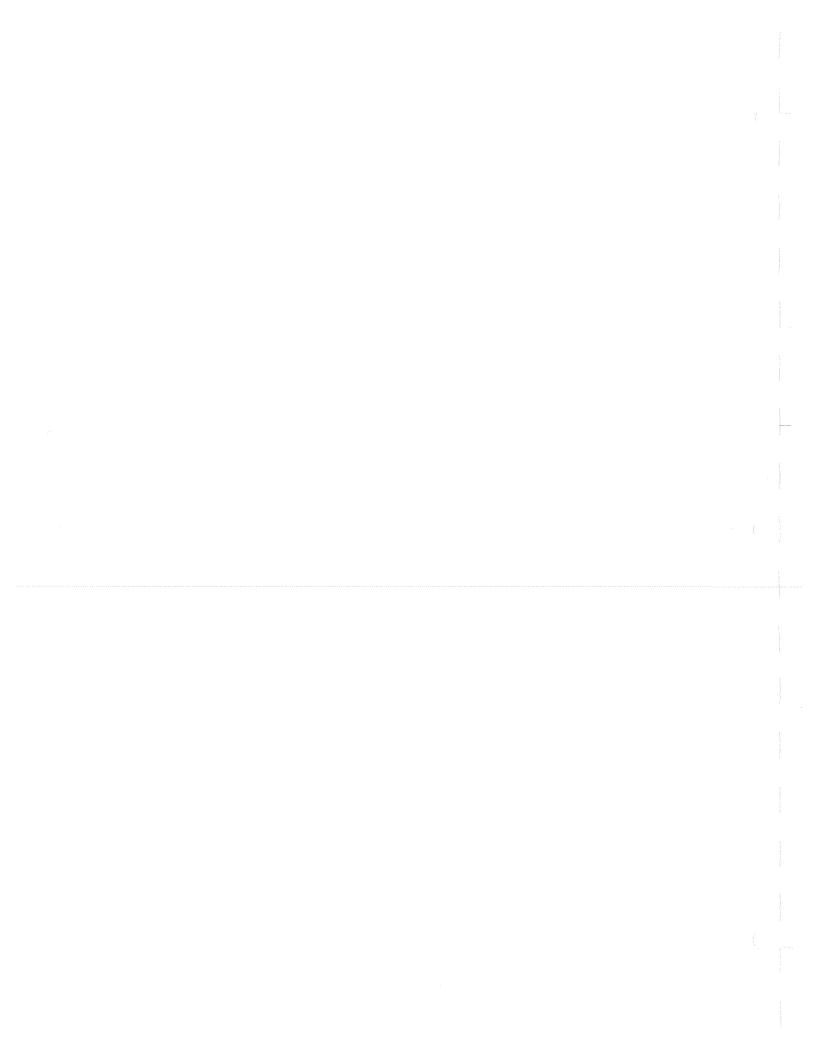


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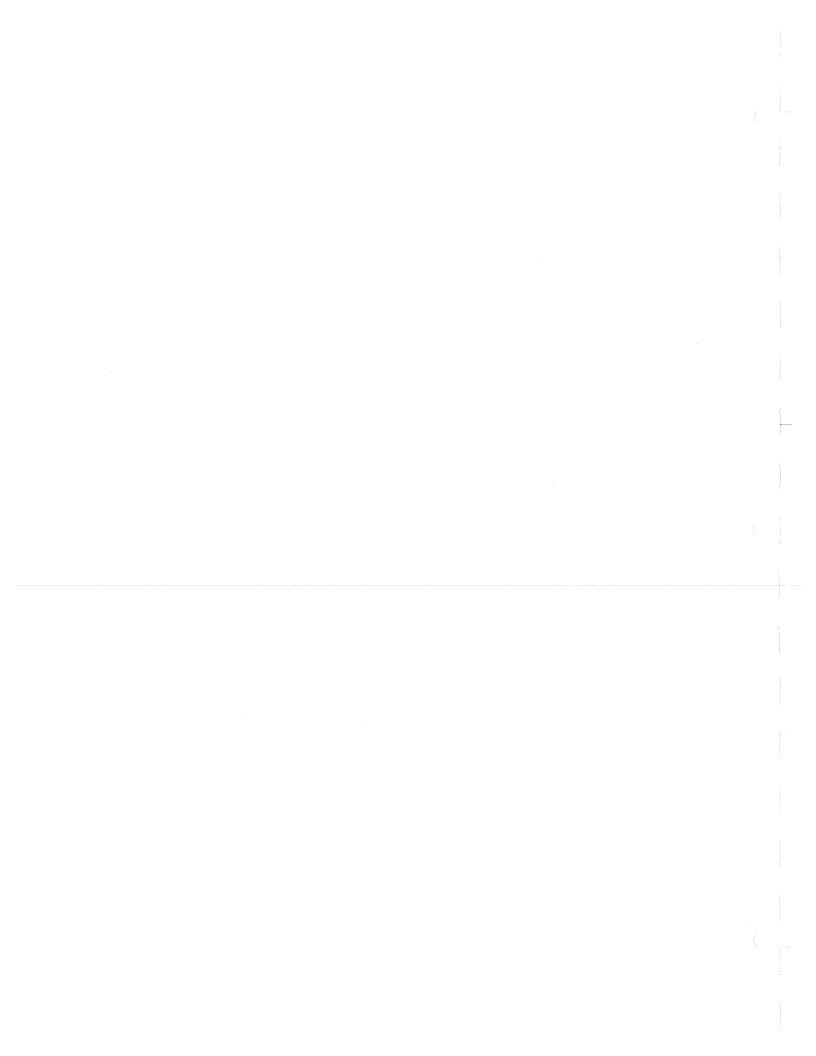


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66th	4	89	56	77
Toledo/68th/Yale	1		****	
TOTALS	9	174	69	79
	18	33	14	18

TABLE 5

RICHMOND TRAFFIC COUNT November 7, 1985

Morning (7:15 AM to 8:15 AM)

Traffic northbound o	n Richmond:	Traffic southbound o	n Richmond:	TOTAL
From RSC From 66th From Toledo From Shell	3 69 15 <u>0</u>	To RSC To 66th To Toledo To Shell	12 22 7 	15 (11%) 91 (70%) 22 (17%) 2 (2%)
Total	87	Total	43	130 (100%)

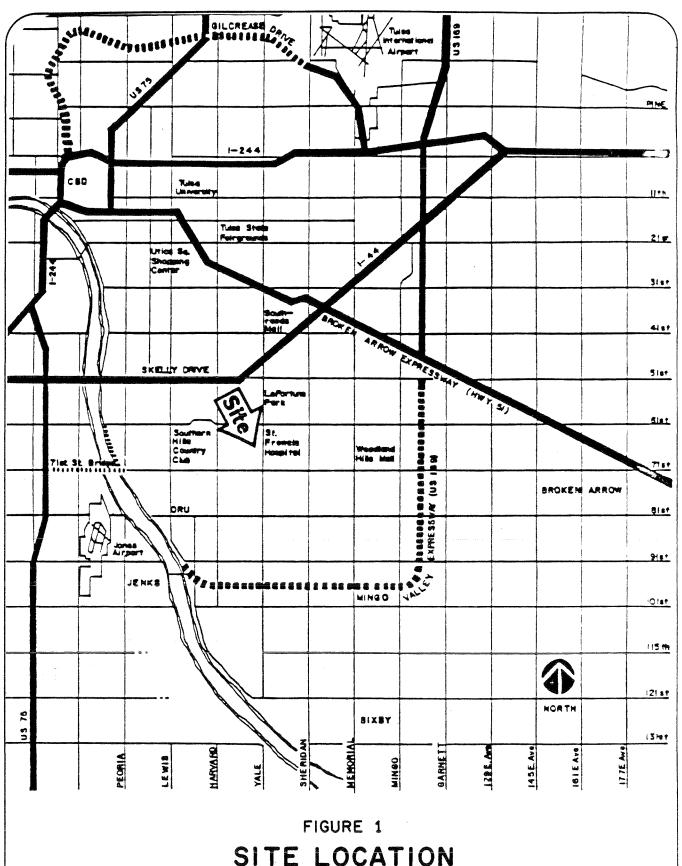
Evening (5:00 PM to 6:00 PM)

Traffic northbound o	n Richmond:	Traffic southbound	on Richmond:	TOTAL
From RSC	62	To RSC	4	66 (34%)
From 66th	40	To 66th	66	106 (54%)
From Toledo	8	To Toledo	12	20 (10%)
From Shell	_1	From Shell		3 (2%)
Total	111	Total	82	193 (100%)

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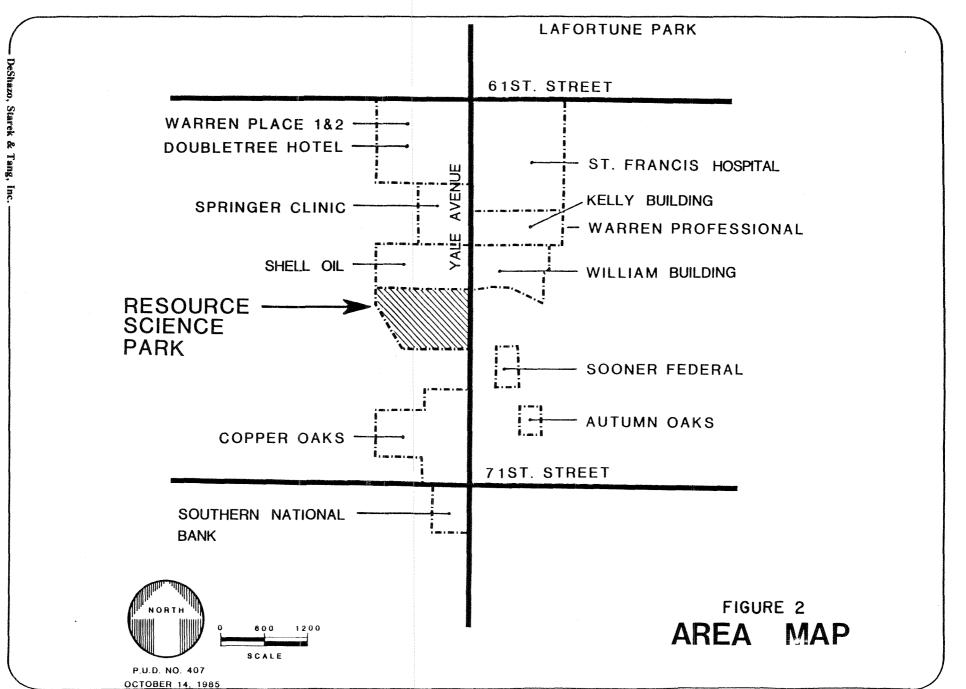
TABLE 6
VOLUME/CAPACITY RATIOS

Before Development	Volume/Capacity
AM	Nb 1790/2/1000 = .90
PM	Sb 1470/2/1000 = .74
After Development	
AM	Nb 1925/2/1000 = .96
PM	Sb 1637/2/1000 = .82

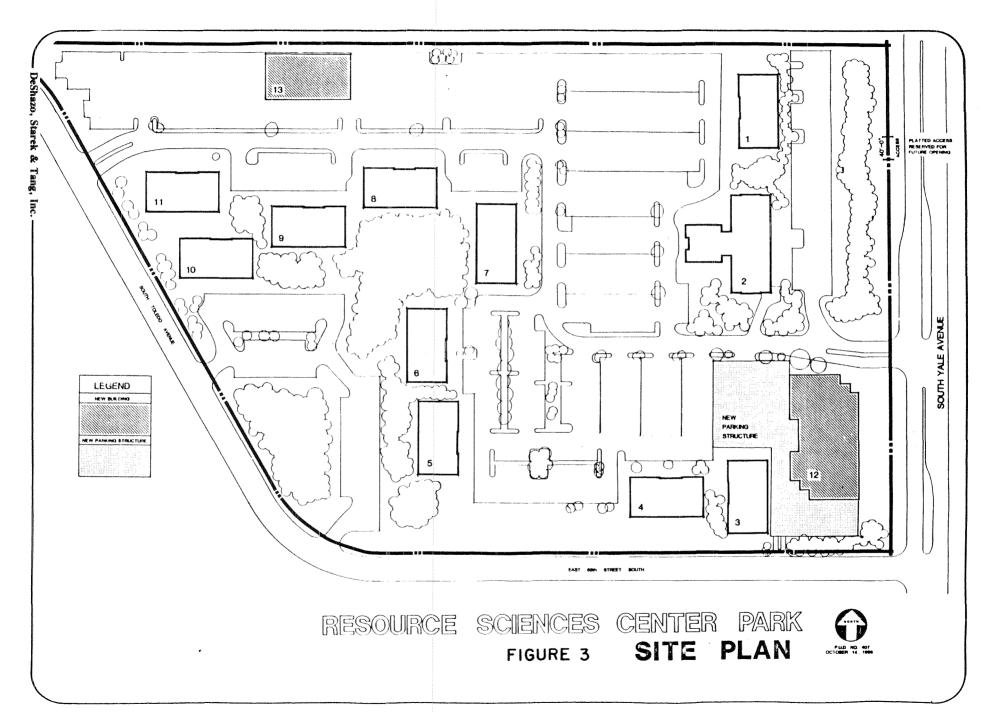


SITE LOCATION

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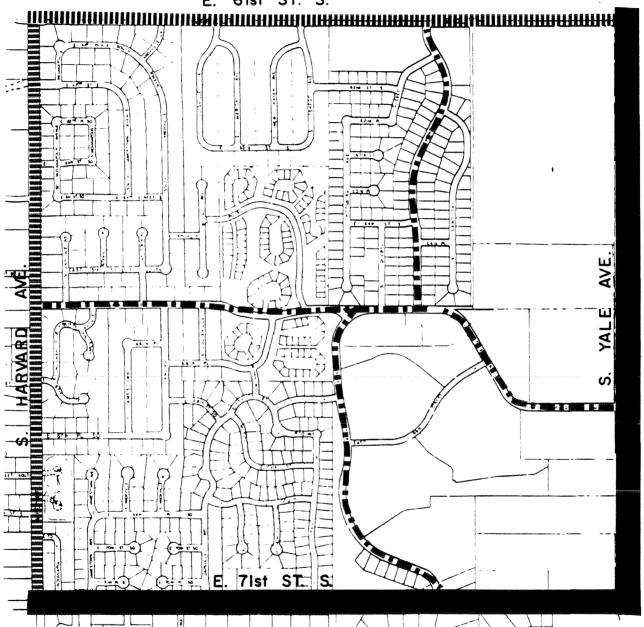


PRIMARY ARTERIAL

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COLLECTOR

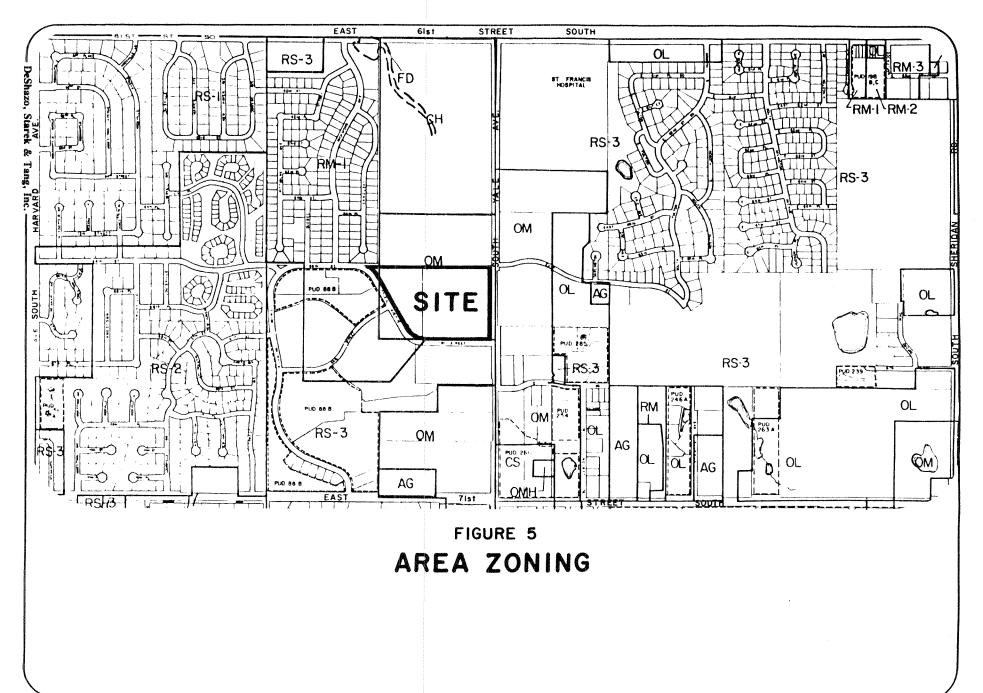
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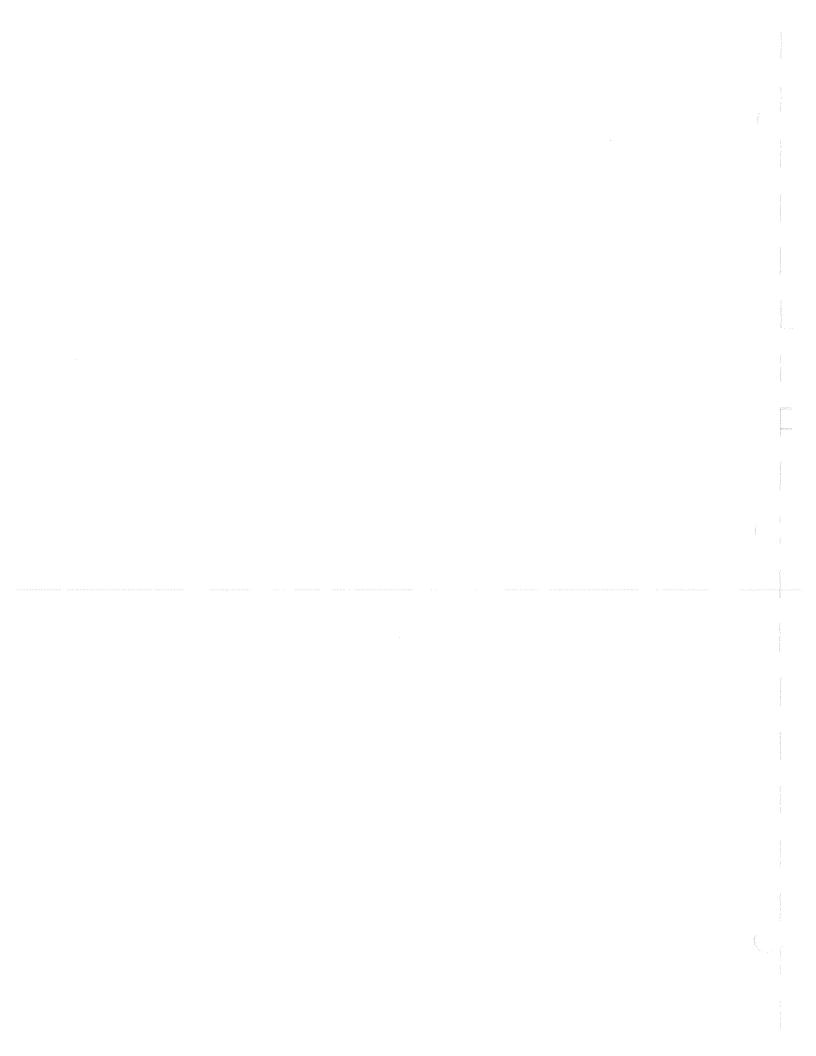


AREA STREET PLAN

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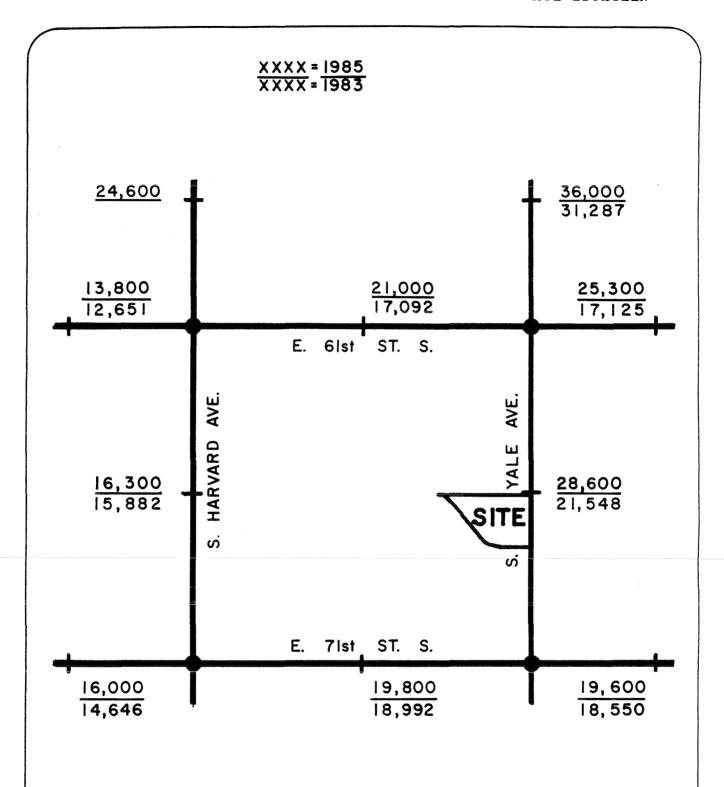
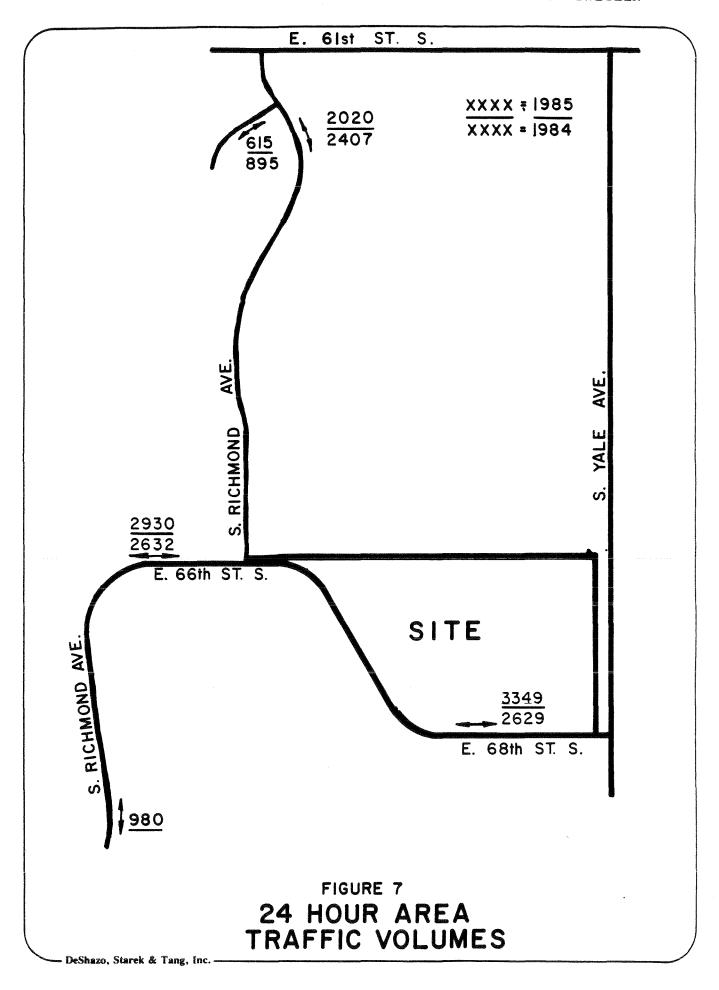


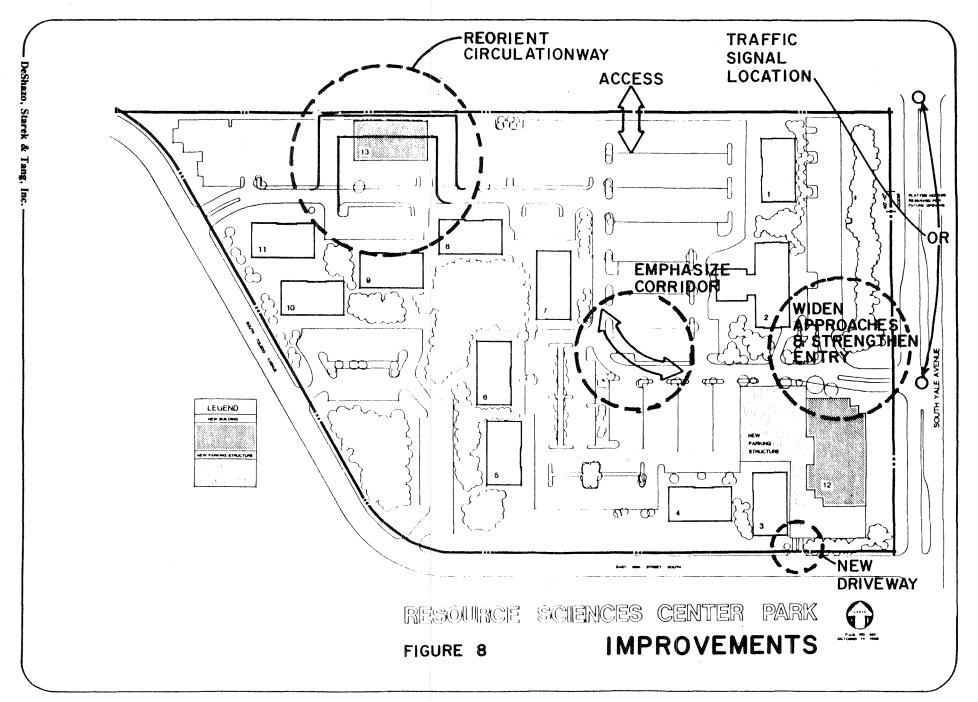
FIGURE 6
24 HOUR AREA
TRAFFIC VOLUMES

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