

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1880
Wednesday, April 15, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Midget	Gardner	Linker, Legal
Broussard	Parmeale	Hester	Counsel
Buerge	Selph	Matthews	
Carnes		Stump	
Doherty, 1st Vice Chairman			
Horner			
Neely, 2nd Vice Chairman			
Wilson, Secretary			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 14, 1992 at 1:09 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Vice Chairman Doherty called the meeting to order at 1:33 p.m.

Minutes:

Approval of the minutes of April 1, 1992, Meeting No. 1878:

On **MOTION** of **BUERGE**, the TMAPC voted **6-0-1** (Ballard, Buerge, Carnes, Doherty, Horner, Neely, "aye"; no "nays"; Broussard "abstaining"; Midget, Parmele, Selph, Wilson "absent") to **APPROVE** the minutes of the meeting of April 1, 1992 Meeting No. 1878.

REPORTS:

Report of Receipts and Deposits:

Mr. Gardner presented the Report of Receipts and Deposits and advised that all items were in order.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, Wilson "absent") to **APPROVE** the Report of Receipts and Deposits for the month ended March 31, 1992.

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Committee Reports:

Rules and Regulations Committee

Mr. Doherty announced the Rules and Regulations Committee will meet upon adjournment of the TMAPC meeting to review the Parking Study.

Director's Report:

Mr. Gardner announced the Planning Commission has the presentation of the TMAPC progress reports to the City Council this Thursday.

Ms. Matthews advised Resolution No. 1879:731 is for adoption of the amendments to the Historic Preservation Plan and will implement the action TMAPC took last week to approve this resolution.

TMAPC Action; 7 members present:

On MOTION of NEELY, the TMAPC voted 7-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, Wilson "absent") to APPROVE Resolution No. 1879:731, to adopt the amendments to the Historic Preservation Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

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SUBDIVISIONS:

WAIVER REQUEST: Section 213:

BOA-15784 & 15985 R. T. Daniel Addition (593) (PD-4) (CD-4)
101 South Lewis Avenue (CS)

This is a request to waive plat on a number of platted lots in Block 2 of the above addition. (See file for legal). It is the site of a new Post Office, which already has approval under case #15784, but an amended application is pending under case # 15985, both of which result in creating a platting requirement under Section 213 of the Code. Since the property is already platted and the development controls will be by the Board of Adjustment, Staff recommends approval of the request, subject to:

1. Grading and/or drainage plan approval by the Department of Public Works (Stormwater) through the permit process.
- *2. Access points and/or control agreement subject to approval of the Department of Public Works (Traffic). *There were conditions under BOA 15784 regarding access to the side streets.
3. Utility extensions and/or easements including perimeter easements.
4. Make sure that there are no facilities in the easement running north/south under the building. That easement should

be closed/vacated, but is not a part of the process through TMAPC. (The Department of Public Works advised that they thought this had already been done.)

The applicant was not represented.

TAC had no objections to the layout, including access, as presented.

On MOTION of MATTHEWS, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the WAIVER OF PLAT on BOA-15784 and 15985, subject to the conditions outlined by Staff and TAC.

Staff Comments

Mr. Stump advised this item was contingent on Board of Adjustment approval which was given, April 14, 1992. He advised staff recommends approval subject to conditions outlined.

The applicant was present and expressed agreement with staff recommendations.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On MOTION of NEELY, the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **APPROVE** the Waiver of Plat on BOA-15784 and 15985.

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BOA-15973 Original Town of Red Fork (2292) (PD-9)(CD-2) (IL)
2625 West 40th Place

This is a request to waive plat on Lots 1-4 Blk. 44 of the OT Red Fork. The Board of Adjustment has approved a special exception to permit a Lodge in an IL District, thus creating the plat requirement under a Use Unit #5. The property is already platted, does not abut an arterial street, and nothing would be gained by another plat. It is recommended that the request be approved, noting that the existing platted lots will satisfy the provisions of Section 213 of the Ordinance.

Staff Comments:

Mr. Stump advised staff recommends approval of the waiver with no conditions.

TMAPC Action; 8 members present:

On MOTION of NEELY, the TMAPC voted 8-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to APPROVE the Waiver of Plat on BOA-15973.

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OTHER BUSINESS:

PUD 316-1: Minor amendment to permit detached single-family development. Located east of the northeast corner of South Memorial Drive and the Mingo Valley Expressway

PUD 316 is 36.02 acres in size and is located approximately 1,320 feet east of the northeast corner of South Memorial Drive and the Mingo Valley Expressway. It has an underlying zoning of CO and RS-3 and was approved in May 1983 for both single-family and multifamily development. The applicant is requesting a minor amendment to permit only detached single-family dwelling units and related accessory uses.

After review of the applicant's submitted proposal, staff finds the request to be minor in nature and consistent with the original PUD. Staff recommends APPROVAL of minor amendment 316-1, subject to the following conditions:

Development Standards:

Land Area (Gross) 1,569,235 SF 36.0247 Acres

Permitted Uses: Detached single-family dwelling units and related accessory uses.

Maximum Number of Dwelling Units 164

Minimum Lot Width
Lots on the northern boundary of the PUD,
if they abutt 85th, 86th 87th, or 88th E. Ave.* 70'

Remainder of PUD* 58'

Maximum Building Height 35'

Minimum Building Setbacks As required in an RS-3 district except no dwelling shall be less than 10' from the exterior boundaries of the PUD.

*Amended by staff at the TMAPC meeting.

Minimum Lot Area

Lots on the northern boundary of the PUD, if they abutt 85th, 86th 87th, or 88th E. Ave.*	7,500 SF
Remainder of PUD*	6,380 SF

Minimum Livability Space per Dwelling Unit 4,000 SF

*Amended by staff at the TMAPC meeting.

Staff Comments

Mr. Stump advised this recommendation is to provide transition from the larger lots to the north to the smaller lots to the south.

Applicant's Comments

Mr. Johnsen, attorney representing the applicant, advised that the applicant is substantially reducing the density of the project and changing from a combination of multifamily and single-family to only single-family. He stated meetings have been held with residents in nearby neighborhoods and feels they are in concurrence with the concept of reducing this density and committing to a typical single-family subdivision. Mr. Johnsen gave a detailed description of the street layout of the surrounding area. He disclosed taking exception with staff recommendation requiring minimum lot widths of lots within 150' of the north boundary of the PUD and restricting them to 75' and 9,000 SF in size. He pointed out the previous approval had lots of 60' and 50' abutting the south boundary of Oak Leaf Addition. Mr. Johnsen revealed being mindful of neighborhood concerns and the latest plat indicates 70' lots where the street extends from Oak Leaf I. The first lot south from the south boundary of Oak Leaf on either side of those streets would be a 70' wide lot. Further south the lots become 60' and 58' wide. He advised this is responsive to staff considerations. Mr. Johnsen reported that staff had not seen this plat when the recommendation was written. He distributed copies of the plat to the Planning Commission for review. Mr. Johnsen noted the four stub streets exiting of Oak Leaf to the north boundary of the proposed subdivision. Mr. Johnsen explained if the lots were to be made uniform across the area they would loose lots and that would affect the economics of the projects. He feels the applicant is responsible in having some transition for Oakleaf to the proposed addition. Mr. Johnsen pointed out that Woodland Glen to the east has standard 60' lots completely and is zoned RS-3. The proposed addition is zoned RS-3 and CO, Oak Leaf is zoned RS-3. Mr. Johnsen summarized this is a single-family subdivision, it is a great diminishment in intensity from what is presently approved, and if there were no PUD 60' lots would be allowed. He added the applicant does not wish to loose lots by expanding anymore on the north boundary.

Mr. Gardner advised that none of the 58' lots would be adjacent to the subdivision to the north.

Mr. Johnsen explained two 60' lots abut to the north and the remainder are 64' or larger. He stated that staff computed a lot size based on a 75' front and a standard depth of 9,000 SF. He is seeking is 58' X 110', in the interior which is 6,380 SF as a minimum lot size. Mr. Johnsen advised the applicant would submit the plat as the detailed site plan.

Interested Parties

Jim Hatch	9116 S. 85th E. Ave	74133
Kirby Edwards	9239 S. 86th E. Ave	74133
Connie Lovell	8907 E. 93rd St.	74133
Mike Johnston	8607 E. 92nd St.	74133

The above listed individuals expressed the following:

Residents concur with the change to single-family dwellings.

Residents voiced support of rezoning to RS-3.

There were objections to street design and layout due to concerns of insufficient routing of streets to slow traffic speeds and keep traffic volume down to protect the safety of children. Of primary concern was 93rd Street.

Concerns were expressed over absence of stop signs.

It was pointed out that Sunchase apartment complex is located at 93rd Street and Memorial. Concerns were expressed that this may be used as a short cut since Mingo Valley Expressway and the Creek Turnpike come together here.

Concerns were voiced over amount of traffic flow and the issue of the amount of traffic feeding though the neighborhood with the addition of the Creek Turnpike. Difficulty accessing 91st Street from the addition and lack of traffic control for 91st Street between Memorial and the Creek Turnpike was expressed.

It was asked consideration be given to an additional street entering Oak Leaf II Addition from Memorial to help handle traffic volume.

Concerns over current heavy traffic onto 91st Street and desire that it be kept to a minimum.

TMAPC Comments and Discussion

It was the consensus of the Planning Commission the design does aid in keeping speeds down.

Mr. Doherty advised the interested parties that they may wish to meet with the applicant and Mr. Johnsen further to express their concerns. However, from the Planning Commission's perspective this is a good design. He explained it is difficult to allow adequate traffic flow and at the same time keep the speeds down.

Applicant's Rebuttal

Mr. Johnsen pointed out the developer was mindful of attempting to break up the speedways in street lay-out. Extending the street to Memorial is not appropriate since those properties are zoned CO. He asked that this be considered their outline development plan and the detail site plan will be in substantial compliance with it.

Mr. Doherty asked as to the issue of the stub street to the west, approximately 95th Street, the sketch appears any outlet coming through that alignment would be too close to the off ramp of the expressway. He asked that Mr. Johnsen check with traffic engineering on this matter.

Staff Comments

Mr. Stump advised that staff would have misgivings about another connection onto Memorial. Staff proposed to amend the staff recommendation as follows: **Minimum Lot Width** Lots on the north boundary of PUD if these lots abut 85th, 86th, 87th, or 88th East Avenue: 70', Remainder of the PUD 58', **Minimum Lot Area** Lots width required to be 70' wide would have a 7,500 SF minimum lot area and the remainder of the PUD would be 6,380 SF.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **APPROVE** the Minor Amendment for PUD 316-1 subject to amended staff recommendations with the stipulation that ultimate development be as presented today.

Ms. Wilson stated she would include the outline development plan as part of the record on exhibits so anyone reviewing the file may see what is submitted.

Mr. Horner commended the applicant on the plan, he noted there are 16 areas that slow traffic.

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PUD 284-2: Minor Amendment to increase floor area and dwelling units and decrease required parking and Detail Site Plan review. Located at the northwest corner of east 53rd Street South and South Vandalia Avenue.

PUD 284 is a 5.4 acre development with an underlying zoning of RM-1 and RM-2. The property was approved in 1982 for a 168 unit elderly, intermediate and self-care facility with 92 parking spaces. The applicant is now requesting a minor amendment to permit 8 additional apartment units over the existing built and no increase in the existing number of parking spaces.

After review of the applicant's submitted plot, staff finds the request minor in nature and consistent with the original PUD. With the proposed addition, the development will remain below the RM-1 and RM-2 density and meet all other bulk and area requirements. Since no building elevation was submitted, staff cannot determine the overall height of the proposed addition. The original PUD permitted a maximum building height of 30 feet (measured to the top plate) and staff would recommend the total proposed addition height not exceed 40 feet (measured to the highest point of the addition). Staff feels the additional 6 parking spaces required by the code are needed, unless the applicant can provide evidence to the Board of Adjustment that the present and future tenant mix would necessitate only 92 spaces.

Therefore, staff recommends **APPROVAL** of both Minor Amendment 284-2 and the Detail Site Plan subject to the Board of Adjustment's approval of the parking variance and the addition not exceeding 40' in height.

Staff Comments

Mr. Stump advised staff is in receipt of a letter from an individual who has a mother in this nursing home and expressed the view that parking is barely adequate at present.

Mr. Linker advised the legal department's opinion is that this matter is not properly before the Planning Commission; it should be considered a major amendment.

Applicant's Comments

Mr. Graber, architect representing the owner, explained that no additional square footage on the ground is being used. The proposed units will be built on top of an already existing structure.

Mr. Linker advised that just because the units go up instead of spreading out does not make this a minor amendment opposed to major.

Mr. Gardner explained key was not allowing more units than the underlying zoning would permit.

Mr. Linker pointed out the City might not have approved the application if it was without the PUD and without the limitation on the number of dwelling units. He pointed out it is not possible to take the underlying zoning and use it as the criteria because the PUD protects and does not permit as much as the underlying zoning always permits. He advised that legal believes this is clearly a change that is major in nature.

Interested Parties

Edna Smithline

5219 S. Toledo

Ms. Smithline stated her house is directly behind the turn-around and feels this is definitely a major change.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted 8-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **CONSIDER** PUD 284-2 as a Major Amendment.

In response to a question from Mr. Doherty, Mr. Linker advised it would be possible to either continue this item and readvertise or start anew.

Mr. Doherty advised the Planning Commission needs to consider expediting review of the amendments to the PUD Chapter of the Zoning Code to get rid of this problem.

Mr. Gardner suggested, that since it must be readvertised, staff will work with the applicant on this item.

Mr. Doherty declared the appropriate action on this item would be to strike this item from today's agenda and readvertise. There were no objections

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PUD 282-3 Minor amendment to reduce amount of landscaped open space - west of the southwest corner of South Lewis Avenue and East 71st Street - Kensington Galleria

The applicant is requesting to reduce the minimum required landscaped open space in the PUD from:

Phase I	16.5%
Phase II	13.6%
Service Center	25.5%

of gross land area which includes grassed street rights-of-way to 10% of net land area which does not include street rights-of-way. The change would produce a significant reduction in landscape area within the development, but would be consistent with other commercial PUD's approved in the last few years. Since the most affected area, the service center, is not near any residential areas, staff can support the reduction and does not feel it will have an adverse effect on surrounding uses. Therefore, staff recommends **APPROVAL** of PUD 282-3 as requested.

Detail Site Plan Amendment

Phase I - Kensington Galleria - The applicant is proposing to convert a large landscaped area on the north side of the Sheraton Hotel to a 72 space parking lot so that there is parking conveniently located to the hotel's entrance. The parking lot will have trees planted around it to lessen its impact. The amount of net landscaped open space in Phase I would be reduced from 11.38% to 10.81%. Because the unusual original arrangement of the parking lot did not provide any parking spaces conveniently located to the front of the hotel, staff can support this alteration if sufficient landscaping and irrigation is provided around the new parking lot. Staff recommends **APPROVAL** of the amendment to the Detail Site Plan with the conditions that all the existing trees in the present landscaped area be relocated to the remaining open space surrounding the new parking lot and approval of PUD 282-3 by TMAPC.

TMAPC Comments

Mr. Linker advised this application should not be presented as a minor amendment. He advised that converting the large open space to a 72 space parking lot is clearly a change of use and it should be approved by the City Council and the Mayor. Notice has been given for a minor amendment and is significantly less, and is not properly before the Planning Commission.

Applicant's Comments

Mr. Charles Norman, representing the applicant, advised the application with respect to the parking area is an amended detail site plan which has never required any approval by the City Council. The site plan or amendments to the site plan have been approved as part of the PUD since the process first began. Relocation of parking is a submission of an amendment to a previously approved detail site plan. The conversion of the open space requirement from a percentage of gross land area to a percentage of net land area is effectively no real change at all, except to clarify it for the purpose of the owners' calculation of requirements.

TMAPC Discussion

Mr. Linker advised if this was merely an amendment of the site plan there would be no objection, but it takes an amendment to the PUD, which was approved by the City.

Mr. Norman pointed out the number of square feet of open space is unchanged and the applicant would still exceed the requirement after approval of this amended site plan. He pointed out the real issue is one of conversion of numbers not of decrease of what was represented to anyone.

There was much discussion as to if the reduction of the landscaped open space area constituted a minor or major amendment. It was

determined this item should be continued to allow staff to further research the information.

In response to a question from Mr. Horner, Mr. Norman explained all PUDs used to have open space presented as a percentage of gross area and that meant out to the street curb. In the last four or five years the TMAPC has converted exclusively to net. This reflects landscaping within the property owned by the applicant and not property in the right-of-way.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **CONTINUE** PUD 282-3 Minor Amendment and Detail Site Plan and Landscape Plan to April 22, 1992.

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STAFF RECOMMENDATION

PUD 417-C-1 Minor Amendment to increase permitted building height in Area J and Detail Site Plan review for Area J. Located southeast corner of South Utica Avenue and East 17th Street South.

The subject tract presently contains a day care facility for St. John's Hospital and is approved to add a second story to the facility. The applicant is requesting a minor amendment to permit greater height on the second story and architectural features similar to those located on other buildings in the hospital complex. Staff is supportive of the minor amendment, finding it necessary to accommodate construction of the second floor completely above the existing structure. The amendment is also consistent with both the original PUD and existing development. The architectural features (two pediments) are 41' high and the parapet is less than 34' at its highest point. The present height limitation is 28'.

Staff recommends **APPROVAL** of Minor Amendment 417-C-1, subject to the applicant's submitted site plan and elevations.

DETAIL SITE PLAN

Staff finds the submitted detail site plan for the Child Development Center consistent with the original PUD if minor amendment PUD 417-C-1 is approved. The day care facility will contain 32,176 sq ft, which requires 33 parking spaces. Fifteen of

these spaces are to be provided on site in Area J and the remaining 18 spaces will be provided in Area K.

Applicant's Comments

Mr. Norman, attorney representing the applicant, reminded the Planning Commission that they approved a major amendment to the St. John Medical Center PUD last summer to permit the addition to the second floor of the child care center. It was also required that roof mounted air conditioning and mechanical equipment be screened. In doing the architectural work to place another full story on top of an existing building it was found to be a better solution to leave the existing roof undisturbed and leave a pocket of space between the roof of the old building and the floor of the new second story. Mr. Norman gave a detailed description of the new floor and explained why it was necessary to move the second level higher. He advised the additional footage requested is for the parapet wall, which is a wall around the roof that acts as a screen of all the equipment. By having this parapet around the exterior of the roof it saves building a screen around each of the units on the top of the roof which would be visible at ground level. The request is to take the building to a height of 31'. He explained the pediment is a free-standing wall in a triangular shape and matches the decor of several of the newer buildings at St. John. He feels this is in the same category as a belfry, steeple, cupola, or a dome which are not counted in calculating the height permitted under the zoning code. A pediment is an architectural feature or decoration in the same way a dome, steeple, or belfry is. It has no purpose or function but to decorate the roof and create a diamond pattern visible from the street. He referred to the drawings in the hand-outs. He explained the only real increase is the space between floors and proposing to have a parapet instead of individual screening around the roof mounted equipment.

Interested Party

Nell Bradshaw

1628 S Victor 74104

Ms. Bradshaw advised that she had been concerned over where the construction workers would park and advised that she had been informed parking would be made available to them in the Wheeling Parkade.

Mr. Norman advised they would continue to work with Mrs. Bradshaw to minimize the confusion and disturbance to the neighborhood during construction.

TMAPC Action; 8 members present:

On **MOTION** of **BUERGE**, the TMAPC voted **7-0-1** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Wilson "aye"; no "nays"; Neely "abstaining"; Midget, Parmele, Selph, "absent") to **APPROVE** Minor Amendment PUD 417-C-1 and the Detail Site Plan for Development Area J.

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PUD 243-9: Minor amendment of side yard and detail site plan. Located on the east side of South Knoxville, south of East 59th Street South.

PUD 243 is a 14-acre development containing 51 lots and an open space reserve area with an underlying zoning of RS-2. The applicant is requesting a minor amendment to the required 15' side yard to 10'6" on the south side and detail site plan approval for Lot 7.

After review of the applicant's submitted plot plan, it can be seen that only a portion of the proposed dwelling encroaches. This encroachment is into a 15' general utility easement of which a portion would need to be vacated or closed. The proposed encroachment should not have a negative impact on the development since it abuts 59th Street and not another lot.

Therefore, Staff recommends approval of Minor Amendment 243-9 and the Detail Site Plan for Lot 7, subject to the applicant obtaining either a vacation or closing of that portion of the general utility easement into which the building encroaches.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **APPROVE** Minor Amendment PUD 243-9 and the Detail Site Plan subject to staff recommendation.

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PUD 386: Amendment to Approved Detail Site and Landscape Plans East side of S. Memorial 1/4 mile north of E. 91st Street *Carmen Ministries*

The applicant is proposing a revised site plan which now provides for offices on a second story of the building with a resultant increase in floor area from 27,500 SF to 37,000 SF. The number of parking spaces has also been increased from 95 to 123 and the maximum height of the office portion of the building will increase from 25' to 30'. The screening fence on the south side of the PUD has also been extended.

As required previously, the screening fence on the south boundary of the PUD must be extended to within 250' of the PUD's east boundary when dwellings are developed in PUD 488. With that condition, staff recommends **APPROVAL** of the Revised Detail Site and Landscape Plans for PUD 386.

TMAPC Action; 8 members present:

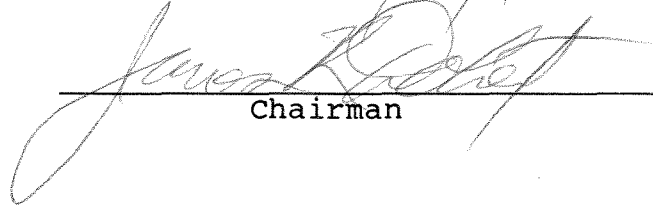
On **MOTION** of **NEELY** the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; no "abstentions"; Midget, Parmele, Selph, "absent") to **APPROVE** the Amended Detail Site Plan and Landscape Plan for PUD 386 as recommended by staff.

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Ms. Wilson announced the Budget and Work Program has a meeting scheduled for May 6, 1992, 11:30 a.m in the INCOG large conference room to review the third quarter budget and analyze the TMAPC workshop evaluation.

There being no further business, the Vice Chairman declared the meeting adjourned at 2:55 p.m.

Date Approved: 5/6/92



Chairman

ATTEST:



Secretary