

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1886
Wednesday, June 3, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Buerge 2nd Vice Chairman Carnes Doherty, Chairman Horner Midget, Mayor's Designee Neely Parmele, 1st Vice Chairman Wilson	Ballard Broussard Selph	Gardner Hester Stump Wilmoth	Linker, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, June 2, 1992 at 11:00 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:34 p.m.

Minutes:

Approval of the minutes of May 20, 1992, Meeting No. 1884:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Buerge, Carnes, Doherty, Horner, Neely, Wilson "aye"; no "nays"; Parmele "abstaining"; Ballard, Broussard, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of May 20, 1992 Meeting No. 1884.

REPORTS:

Chairman's Report

Chairman Doherty advised that today at 4:00 the City Council will meet to receive presentation of the budget and work program requests for next year. He stated this is a public meeting and any of the Planning Commissioners wishing to attend are welcome to do so.

Mr. Midget inquired of funding for the Comprehensive Plan Update in the Owasso area.

Ms. Wilson explained this request originated from the County and as such the County would need to fund it should they deem it necessary.

Mr. Midget asked if that portion of the Owasso Comprehensive Plan could be updated since it partially lies within the Tulsa city limits. He inquired if it could be taken care of in the contingency funds set up for other studies.

Ms. Wilson replied if funds earmarked for special studies are available, which have been set aside for the City Council, Mayor, and County Commissioners, then the Planning Commission could consider taking on such a project.

Mr. Parmele pointed out the project has not been deleted from the work program. This is only a suggestion from INCOG as to the proposed deletions that may occur. The Budget and Work Committee has made no recommendations on the proposed budget as yet, but it has merely been presented to the Planning Commission for information. When an exact amount of dollars has been approved by the City and County, the work program can then be finalized.

Ms. Wilson pointed out the budget was revised, and under the revision this item was removed. The Budget and Work Program is going through the budget process with the City and County, and if other monies should become available the item can be reviewed; however, at present it is not in the budget.

Chairman Doherty announced it is not his intention to bring the budget or work program to a vote until the Planning Commission is sure of the budget from the City and County. It is premature at this point to determine whether any item is either confirmed or deleted.

Ms. Wilson made mention of the article in the June Planning Magazine, *Make Peace not War*, having to do with Dane Matthews' work in the University of Tulsa area and the Kendall-Whittier area. Ms. Wilson reported Tulsa was mentioned in regard to how the City, University of Tulsa, and the neighborhood and business community worked together to have an excellent plan and the benefits derived from it.

Committee Reports:

Comprehensive Plan Committee

Mr. Neely announced the Comprehensive Plan Committee will meet upon adjournment of the TMAPC meeting to review the District 26 Comprehensive Plan as it relates to the requirement to extend Harvard Avenue as a residential collector street to 101st Street South.

Budget and Work Program Committee

Ms. Wilson reported on the meeting held June 2, 1992 at the All Souls Unitarian Church in regard to District 6 to receive input on the proposed Peoria Plan from 31st to 51st Street. Pam Deatherade, District 6 Chair, held the meeting with approximately 45 in attendance. Ms. Wilson reported the meeting lasted for over 2 hours and there appears to be much interest in Brookside.

Dane Matthews will determine what the scope of services should be and she will report back to the Budget and Work Program Committee. The Budget and Work Committee will then review this information.

Director's Report

Mr. Gardner advised that a tentative date of July 7, 1992, 7:00 P.M. to 9:00 P.M. has been set for the second training session of the Planning Commission with the Planning District Chairs and Co-Chairs.

Chairman Doherty assigned this project to the Budget and Work Program Committee. It was decided to discuss this matter at the June 17, 1992 TMAPC Committee Work Session. Chairman Doherty requested the invitation be extended to the same individuals as was extended for the April 4, 1992 Workshop. He requested that public participation be allowed to the extent that space is available.

Mr. Gardner advised of a telephone conversation with Representative Grover Campbell, Owasso Representative, regarding the update of the Comprehensive Plan in the Owasso area.

SUBDIVISIONS

PRELIMINARY PLAT

Blue Stem Acres II (1990) (PD-23) (County)

W. 41st Street and S. 262nd W. Avenue

(AG)

This plat has a sketch plat approval by TAC on 3/27/90. All roads are privately maintained by the owners. This was originally a 160 acre 10 lot subdivision, but it has been reduced in size to 80 acres with 7 lots. The County Board of Adjustment has approved a variance of frontage from 30' to zero to permit frontage on a private road. (CBOA #972, 6/19/90) Since the plat has been reduced in size, some of the previous conditions may not be applicable. A copy of the minutes of the TAC on 3/27/90 was provided with Staff comments in the margin.

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

Health Department advised that they would approve the plat, but more than 25% of the lots would have lagoon systems so a waiver of Section 411.2 (b) of the Subdivision Regulations would be required. (The lots are a minimum of 10 acres so the density and separation of houses will be much greater than usual.)

On MOTION of SILVA, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of *Blue Stem Acres II*, subject to the following conditions, including waiver of Section 411.2(b) of the Subdivision Regulations:

1. Utility easements shall meet the approval of the utilities. Show additional easements as required. Show other easements for pipelines, etc., as applicable.*

*Reference: Letter from Indian Electric dated 3/16/90.

2. Water plans shall be approved by Sand Springs Rural Water prior to release of final plat.
3. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable), subject to criteria approved by the County Commission.
4. All curve data, including corner radii, shall be shown on final plat as applicable. Show curve length and central angle on culs.
5. Recorded easement and figures on map don't agree--verify. (38th Place @ Coyote.)
6. Add to Section II, Paragraph 6 ... "*suppliers of such services and the owners of each lot shall be bound thereby*".
7. Omit Item # 2 under Section V. (Covered by I-4) Re-number remaining items.
8. Show owner's name, address and phone on face of plat.
9. It is recommended that the developer coordinate with County Engineer 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. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
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. The method of sewage disposal, and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
13. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. This information is to be included in the restrictive covenants on plat.
14. The method of water supply and plans therefore, shall be approved by the City/County Health Department.
15. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.

16. This plat has been referred to Mannford because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
17. 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.
18. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Comments

Mr. Wilmoth pointed out the waiver recommended by the Health Department of Section 411.2 (b) of the Subdivision Regulations requiring that if 25% or more of the lots in a subdivision fail percolation tests that a sewerage system must be installed. Mr. Wilmoth explained the Health Department has already approved lagoon systems on a number of these lots. The lagoons are tailor made to the size of the house and the facility on it. Mr. Wilmoth added this will comply with new standards they hope to develop. Mr. Wilmoth advised staff recommends approval subject to conditions.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of PARMELE, the TMAPC voted 6-1-0 (Ballard, Buerge, Carnes, Horner, Neely, Parmele, "aye"; Doherty "nay"; no "abstentions"; Broussard, Midget, Selph, Wilson "absent") to APPROVE the Preliminary Plat of Blue Stem Acres II subject to conditions as recommended by staff and WAIVER of Section 411.2 (B) of the Subdivision Regulations per Health Department recommendations.

* * * * *

QuikTrip No. 21 (2094) (PD-17) (CD-6) (CS)
SW/c 31st and S. 129th E. Avenue

This tract is the last unplatted portion of Z-3782 to be developed. Briarglen Heights and Dorothy Jean make up the remainder of Z-3782.

The Staff presented the plat with the applicant represented by Steve Wolfe.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY plat of Quiktrip No. 21, subject to the following conditions:

1. Show a 45° property line angle at the corner, 28' on each street. Also show access points as approved by DPW (Traffic). (Need plot plan for review.)
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required including 17-1/2' perimeter, unless other existing easements are available on the adjacent properties. Existing easements should be tied to or related to property lines and/or lot lines.
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
4. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
6. Show Book/Page references for previous dedications of right-of-way on both 31st Street and 129th E. Avenue.
7. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
8. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
9. All Subdivision Regulations shall be met prior to release of final plat.

Staff Comments

Mr. Wilmoth advised that staff recommends approval.

The applicant was present.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, "aye"; no "nays"; no "abstentions"; Broussard, Midget, Selph, Wilson "absent") to recommend APPROVAL of the Preliminary Plat of QuikTrip No. 21 subject to conditions as recommended by staff.

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WAIVER REQUEST; Section 213

BOA 15968 Unplatted (193) (PD-5) (CD-3)
415 South Memorial Drive

(RS-2)

This is a request to waive plat on a 210' x 577' tract at the northeast corner of E. 4th Place & S. Memorial Drive. There is an existing church on the front of the property and a day care center has been approved to the east (rear) of the present church in an existing building. The Board of Adjustment has imposed any necessary controls on use, hours, etc. However, since this action by BOA creates a platting process, applicant is requesting waiver.

Staff review reveals that E. 4th Place is on the Major Street Plan as a collector (60') and S. Memorial Drive as a primary arterial (120'). The south half of East 4th Place was dedicated by the Clarland Acres Plat. To complete the 60' of right-of-way an additional 30' would be required from the church property on the north. It should be noted that 4th Place is unimproved in this area but IS on the street plan. The 30' needed from the church is the last segment in this area needed for a full 60' dedication.

South Memorial Drive varies in width (from the centerline) from 35' to 65' between Admiral and 5th place. Both Clarland Acres and Toon Acres were platted with 50' from centerline.

The issues regarding these two streets will need to be resolved and recommendations made to the Planning Commission. If not dedicated, a waiver of the Subdivision Regulations requiring conformance with the Street Plan would be required.

Other requirements would include:

- (a) Paving and/or grading plan approval by the Department of Public Works through the permit process;
- (b) Utility easements as needed.

The applicant was represented by John Murphy.

Mr. Murphy provided drawings showing that stormwater facilities had been previously constructed, and that no new construction was being done for the day care center.

Traffic Engineer advised that due to existing signals and medians, no left turn access to this property would be recommended except at the intersection of 4th Place and Memorial and from a public Street.

In discussion, it was determined that dedication of right-of-way would not significantly affect any of the existing or proposed parking. The applicants had no objection to the right-of-way requirements.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the waiver of plat on BOA 15968, subject to the following conditions:

- (a) Paving and/or grading plan approval by the Department of Public Works through the permit process for any new construction.
- (b) Provide perimeter utility easements of 11' or 17-1/2' depending on clearances from existing structures.
- (c) Provide right-of-way of 10' on Memorial to total 60' from centerline and 30' on 4th Place to total 60' for the entire collector right-of-way in accordance with the Street Plan.

Staff Comments

Mr. Wilmoth explained there is an existing church at the dead-end of 4th Place where it ends at Memorial. He reported there is a platted 30' right-of-way dedicated on the old Clarland Acres plat. This portion is unplatted. The church is existing and has approval for a day care center on the back, which created the need for the platting process. In discussion with TAC, the requirement is to meet the Major Street Plan because there is much property behind this zoned OL and to the north zoned CH; staff feels there will be the need for the street eventually. The applicant is agreeable to the easements and right-of-way dedications. Staff has found the stormwater detention has probably already been completed, and there is a condition that this meet Public Works requirements.

There were no interested parties present.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; "abstentions"; Ballard, Broussard, Midget, Selph "absent") recommend **APPROVAL** of the Waiver of Plat on BOA 15968 subject to the conditions recommended by staff and TAC.

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LOTSPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17540	Havlick Trust (3692)	(PD-18)(CD2)	5532 S. Peoria	RS-3
L-17544	Ritchie (1993)	(PD 6)(CD-9)	3765 S. Xanthus	RS-2
L-17545	Rounsaville (583)	(PD-18)(CD-9)	7000 S. Columbia Ave.	RS-1
L-17546	Arch. Interiors (3094)	(PD 6)CD5)	10029 E. 44th Pl.	IL
L-17547	Wyrrick (1783)	(1783) (PD-18)(CD-2)	8919 S. Gary	RS-3
L-17549	City of Tulsa (2593)	(PD 18)(CD-7)	9123 E. 51st St.	CS
L-17552	Scammon (3483)	(PD-26)(CD-8)	Canton Ave. south of 119th St.	RS-1

Staff Comments

Mr. Wilmoth advised that staff certifies the above listed lot splits meet the zoning and subdivision regulations and recommends that they be ratified.

TMAPC Action; 7 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Midget, Selph "absent") to **RATIFY** the above listed lot splits having received prior approval per staff recommendations.

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PUD 384-A-1 Minor Amendment - East of the southeast corner of West 71st Street South and Elwood Avenue

The PUD was approved for mini-storage on the eastern portion of the tract limited to 60,950 SF of building area and a retail lawn and garden center limited to 37,100 SF on the remainder of the tract. The applicant is now ready to develop the mini-storage on the eastern portion of the PUD and has requested the following amendments to the PUD conditions:

1. Request that the north and south boundary dimensions be changed from 175.00' to 200.00' (141,992 SF). Reduce the total size of the mini-storage from 60,950 SF to 58,373 SF.
2. Due to the severity of the road-cut in front of this property, a request is made for a pole sign tall enough to be seen from 71st Street. A sign not exceeding 6' in height, as originally approved, could not be seen from the street. Also, a second pole sign is requested at the turn in from 71st Street (about 300' west of the project site).

In addition to the above, a request is also made for signs on either side (east and west sides) of the manager's quarters/office.

Due to the road-cut in front of the property, and the set-back from 71st Street (140' from the centerline), the above requested signs are necessary for the success of this business.

No signs are contemplated on the face of the buildings that front 71st Street.

3. The existing access road in front of the property will be used as-is for ingress/egress.
4. Request change in front building line from 65' to 60' (200' from center line of West 71st Street).

Since the amount of building area is being reduced, staff can support the 25' widening of the area devoted to mini-storage as being minor in nature. Also some relief from the sign restrictions seems appropriate due to the tract being so far above the grade of 71st Street. Staff feels the most appropriate signage would be a wall sign on the east and west sides of the manager's office which is allowed to be 27' tall. Since all ground signs must be at least 150' from the residential area to the west, an additional pole sign at the turn-in from 71st Street cannot be allowed. A small (3 SF or less) directional sign could be placed at this location without amendment to the PUD standards.

Since the 71st Street right-of-way is much greater than normal (280' vs. 120') in this area, staff can support reducing the front building setback to 60' from 65'. Therefore, staff recommends **APPROVAL** of minor amendment PUD 384-A-1 as requested except the sign standards would be as follows:

Mini-storage tract:

Ground signs - One ground sign may be placed on the tract containing the mini-storage development not to exceed 6' in height nor 64 SF of display surface area.

Wall signs - Wall signs shall be limited to the east and west sides of the managers building not exceeding a display surface area of 1 SF per lineal foot of building wall to which the sign is affixed.

Remainder of the PUD:

Ground signs: - One ground sign not exceeding 25' in height nor 120 SF in display surface area.

Wall signs - Signs are only allowed on the north side of any buildings and display surface area not exceed 1 SF per lineal foot of building wall to which the sign is affixed.

Staff Comments

Mr. Stump explained the uniqueness of this tract is due to the width of 71st Street in this area and the severity of the road-cut. Due to the changes in elevation between this tract and 71st Street and the width of the right-of-way, the applicant is requesting additional signage and a change in building setback from 65' to 60'. Staff feels there would be no significant impact. He advised the applicant has requested another pole sign near the entrance because of the elevation difference. The PUD requires that any ground sign be setback 150' from a residential area, and the western boundary of the PUD is a residential area. There must be spacing of 100' between ground signs. If a ground sign is used on the western side for the nursery, that precludes any ground sign that would benefit the mini-storage. Mr. Stump conveyed staff's thinking that signs of a directional nature that are 3 SF or less are allowed without being listed, and perhaps one of those could be placed at the entrance where the road turns to go to the mini-storage.

TMAPC Comments

Mr. Doherty stated that legal counsel has advised that he considers this to be a major amendment because an internal boundary is being adjusted, and in so doing, the actual use unit allowed on the 25' piece in question is changing. Therefore, he views this request to be a change of use and considers this to be a major amendment.

Applicant's Comments

Jerry Wilson

6520 S. Lewis

Mr. Wilson expressed agreement with staff recommendation with the exception of reservations regarding signage. Mr. Wilson explained because of the extremely deep road-cut on the south side of 71st Street directly in front of the mini-storage, and because it sets back to the south from 71st Street, a 6' ground sign would be invisible from 71st Street. Such a sign would assist the customers when they reach that point; however, getting them to that point is his concern. Mr. Wilson asked the Planning Commission to consider that when the project is completed, and should it be determined the buildings and signs are not visible from 71st Street, that he be able to meet with staff to figure out a means for potential customers to be aware of the mini-storage.

TMAPC Comments

Mr. Parmele acknowledged that with the steep cut and the setback it will be a problem for potential customers to be aware that a mini-storage is located there. He explained that it would be difficult for the Planning Commission and staff to visualize how much of a problem this will be until construction is complete. Mr. Doherty stated that it may be appropriate to approve the proposal before the Planning Commission today, then after construction and before installation of the signs, to return with a minor amendment to the sign standards.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Selph "absent") to APPROVE PUD 384-A-1 Minor Amendment as recommended by staff and noting the applicant has the right to apply for an amendment to the sign standards.

* * * * *

PUD 260-A-1 Minor Amendment to reduce the minimum building size - east of the northeast corner of South Yale Avenue and East 71st Street

The applicant is requesting to reduce the minimum required building floor area from 5,500 SF to 2,500 SF on Lot 3, Block 1 of Summit Pointe to allow construction of a Hardee's Mini-Restaurant. Originally the floor area minimum was imposed to preclude development of fast food restaurants on the lots designated for restaurants. Since the approval of this PUD, a QuikTrip Convenience store has been approved east of this site and a new PUD immediately north of this PUD allows fast food restaurants. Due to the changes in the permitted surrounding uses, staff can support reduction of the minimum building area requirement for this lot. Therefore, staff recommends APPROVAL of PUD 260-A-1 as requested.

and

PUD 260-A Detail Site Plan for Lot 3, Block 1 Summit Pointe Development Area B

Staff has reviewed the submitted detail site plan and found the following comparisons with the original PUD:

Land Area (Net):	46,914	
Permitted Uses:	<u>Approved</u> Restaurant and Office	<u>Submitted</u> Restaurant
Maximum Building Area:	12,000 SF	2,390 SF
Maximum Floor Area Ratio	21.6%	6.06%
Minimum Landscape Area:	10% of net	10.5%
Maximum Building Height:	35'	17'
Minimum Setback From Centerline of 71st St.:	110'	127'

Minimum Setback From North Property Line:	5'	45'
Minimum Setback From Other Internal Property Lines:	25'	90' east, 104' west
Minimum Off-Street Parking:	28 spaces	61 spaces

Therefore, staff recommends **APPROVAL** of the Detail Site Plan if Minor Amendment PUD 260-A-1 is approved.

and

PUD 260-A Detail Landscape Plan for Lot 3, Block 1 Summit
Pointe Development Area B

The submitted detail landscape plan exceeds the minimum 10% of net area requirement and adequately buffers both the building and trash area. Therefore, staff recommends **APPROVAL** of the submitted Detail Landscape Plan.

and

PUD 260-A Detail Sign Plan for Lot 3, Block 1 Summit Pointe
Development Area B

PUD 260-A permitted one ground mounted monument sign not to exceed 8' in height and with a maximum display surface area of 64 SF and two wall or canopy signs not to exceed a display surface area of 75 SF for each sign for Development Area B. The submitted sign plan and elevations meet these standards and staff would, therefore, recommend **APPROVAL** of the submitted Detail Sign Plan.

Staff Comments

Mr. Stump advised that Bennigan's restaurant which might be affected by this change, is selling the property to Hardee's and is aware of the change in compatibility.

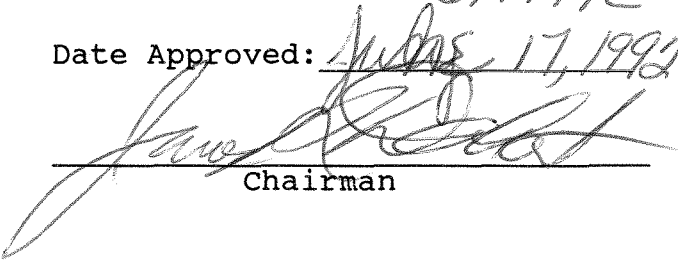
TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Selph "absent") to **APPROVE** PUD 260-A-1 Minor Amendment, Detail Site, Landscape, and Sign Plan review.

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There being no further business, the Chairman declared the meeting adjourned at 2:05 p.m.

Date Approved: ^{6/17/92} ~~June 17, 1992~~



Chairman

ATTEST:



Secretary 1st Vice