

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2067

Wednesday, May 15, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes, Chairman
Dick
Doherty, 1st Vice Chairman
Gray
Horner
Ledford
Midget, Mayor's Designee
Pace, Secretary

Members Absent

Edwards

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, May 13, 1996 at 3:04 p.m., in the office of the County Clerk at 3:04 p.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of May 1, 1996, Meeting No. 2065:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-3** (Carnes, Dick, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; Ballard, Boyle, Ledford "abstaining"; Edwards "absent") to **APPROVE** the minutes of the meeting of May 1, 1996 Meeting No. 2065.

REPORTS:

Chairman's Report:

Mr. Carnes presented a letter from Ms. Joyce Kirkwood requesting a refund on a rezoning application. Mr. Gardner informed the Commission that Staff has researched the case and forwarded their findings to Ms. Kirkwood. Mr. Carnes directed Staff to place this request on the May 22, 1996 agenda for consideration.

Mr. Carnes presented a letter from Dane Matthews in regards to an upcoming audio conference training program. Mr. Gardner informed the Commission that this audio conference will focus on redrafting the zoning ordinance and will be divided into three sessions. Mr. Carnes asked for a roll call of those who would be attending. At present, Jerry Ledford, Fran Pace, Gail Carnes, Dwain Midget and Baker Horner indicated they would attend.

Committee Reports:

Budget and Work Program Committee

Mr. Horner informed the Commission that the Mayor's office has approved the Budget and Work Program's budget for fiscal year 1997. The budget will be considered by the City Council Committee on Monday, May 20, 1996 at 4:00 p.m. Mr. Horner informed the Commission that the budget was approved in total with the exception of funding for the design positions which was officially turned down. Mr. Horner stated if any of the Commissioners feel this is an important issue, he would suggest that the Commissioners attend the meeting and state an opinion.

Mr. Baker inquired as to the procedure to consider changes in the Comprehensive Plan to include an update for the southeast portion of Tulsa County (Haskell area) for inclusion in next years Budget and Work Program. Mr. Doherty stated it would take action by the Budget and Work Program Committee to amend the work program to include it. Mr. Horner requested that this item be placed on the next Committee work session agenda.

Rules and Regulations Committee

Mr. Doherty informed the Commission that the Rules and Regulations Committee will be meeting today in room 1101, following the TMAPC meeting, to discuss outdoor advertising signs. Staff has prepared a proposal that will assist in moving forward on outdoor advertising signs.

Community Participation Committee

Ms. Gray informed the Commission that the Community Participation Committee met on May 8, 1996. Ms. Gray stated that the meeting informed participants of the ideas that are taking place in community participation. Ms. Gray stated she has received calls from different neighborhoods and interests within the community wanting to participate. Ms.

Gray informed the Commission that the next Community Participation Committee meeting is scheduled for June 12, 1996 in room 1101 at approximately 2:30 p.m. or following the TMAPC regularly-scheduled meeting.

Director's Report:

Reports of zoning, subdivision and building activity through April of current fiscal year were presented for information only.

Mr. Gardner informed the Commission that three rezoning applications and the amendments to the Tulsa Zoning Code will be heard by the City Council on May 16, 1996.

SUBDIVISIONS:

Preliminary Plat:

The Estates of Hampton Hills (773) (PD-21) (County)
South & west of the southwest corner of East 131st Street & South Lewis Avenue

TAC Comments:

Jones presented the plat with Jack Cox and Ed Schermerhorn present.

Cox stated that the street is now to be dedicated to the public and the street name has been changed to 7th Street. A new plat was submitted with the changes.

Jones stated that a waiver of the Subdivision Regulations would be required for an over-length cul-de-sac and to not provide for continuation or appropriate projection of existing streets in surrounding areas (Section 4.2.1(a)). Jones stated that a second point of access and appropriate stub streets should be provided.

Rains requested that all curve data and street radius be shown. Also, the access point to lot one be shifted away from the west property line.

French recommended that direct residential access to the arterial streets be discouraged and agreed that a second point of access and stub street be provided.

Jones pointed out that he had talked with Terry Silva and two perc tests were pending. Jones stated that he could set the preliminary plat before the TMAPC after giving 15-day notice to abutting property owners once the Health Department approval was given.

The subject property has been reviewed on two separate occasions by the TAC under a different configuration. The sketch plat for "Schermerhorn Property" was reviewed on May 18, 1995 and the preliminary plat "Lakeridge Ranches" on October 5, 1995. The plats were held for transmittal to the TMAPC, and therefore never reviewed. The Estates of Hampton Hills proposes a different street and lot configuration of a private cul-de-sac with 13 lots.

Based on the conditions listed below, Staff would recommend approval of the Sketch Plat only and transmittals to the TMAPC for review. Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit a cul-de-sac of more than 500' in length, a scale of 1" = 150', and no stub streets.
2. Building setback lines are greater than those required in the Tulsa County Zoning Code. These can only be enforced on a private basis.
3. A release letter from Creek Rural Water District #2 is required to ensure water service to the subject tract.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
5. 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 owner(s) of the lot(s).
6. 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.
7. Street names shall be approved by the County Engineer and shown on plat.
8. All curve data, including corner radii, shall be shown on final plat as applicable.
9. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
10. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
11. Limits of Access or LNA as applicable shall be shown on plat as approved by the County Engineer. Include applicable language in covenants.
12. It is recommended that the Developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. 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.

15. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
16. 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 to be included in restrictive covenants on plat.)
17. The method of water supply and plans therefore shall be approved by the City/County Health Department.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to Jenks, Bixby, and Glenpool because of its location near or inside a "fenceline" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. All other Subdivision Regulations shall be met prior to release of final plat.

On the motion of McGill, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of The Estates of Hampton Hills, subject to all conditions listed above.

Applicant's Comments:

Roy Johnsen, 201 West 5th Street, Suite 440, is representing Ed Schermerhorn who is the owner/developer of the subdivision. Mr. Johnsen presented a reduction of the proposed plat that shows the topography and stated it is the same as the one in the agenda packet, only larger for reading purposes. Mr. Johnsen stated that the developer is proposing thirteen lots, in various sizes, on this 128-acre tract. This property is located in the County, zoned AG and within the fenceline of the City of Jenks. Mr. Johnsen stated that it is his understanding that the City of Jenks is supportive of the project as submitted. Mr. Johnsen informed the Commission that through a series of meetings and revisions of this proposal, the last proposal has been reviewed by the County Engineer's office. Mr. Johnsen submitted a letter from Mr. Tom Rains, Assistant County Engineer, to Mr. Schermerhorn approving the plat as it is generally proposed. Mr. Johnsen stated that it is the intent of Mr. Schermerhorn to build to

county standards, including right-of-way and pavement of public streets. Mr. Johnsen informed the Commission that this tract is bounded by 131st Street on the north and South Lewis Avenue on the east. This area is basically undeveloped and Mr. Johnsen feels that it is unlikely that urban development will occur in the near future. Mr. Johnsen stated that along Peoria, half-way between 131st and 141st, there is a natural gas industrial use. Other than that there is no development. In regards to land-locked parcels, Mr. Johnsen is doubtful if any parcels are land-locked, due to unrecorded easements and that the law imposes access via a way of necessity. Mr. Johnsen feels that thirteen lots on 128 acres is extremely low density. Mr. Schermerhorn is trying to establish a rural setting and has already constructed a Kentucky rail fence along the arterial frontages. Mr. Johnsen stated there is a demand in the market for these types of subdivisions. Mr. Schermerhorn intends this to be a very high-quality one. Mr. Johnsen stated that Mr. Schermerhorn will impose private restrictions, including masonry requirements and floor area limitation of 3,000 square feet. Mr. Schermerhorn anticipates homes ranging above \$300,000 in value. Mr. Johnsen stated that the length of the cul-de-sac requires a waiver of the Subdivision Regulations and feels it is appropriate due to the small number of lots being served by the cul-de-sac. Mr. Johnsen pointed out that Lots 8 and 9 front Lewis Avenue and do not access the interior street. However, Lots 8 and 9 are frontage tracts on an arterial street, which is permitted. This means that only eleven lots will derive access from the interior street. As to future connections, Mr. Johnsen feels that there is not a need for a stub street. If the Commission feels this is a concern, Mr. Johnsen's client is willing to file an easement for roadway purposes that does not become effective as to actual use until adjoining property is platted and put to some form of additional intensity of use.

TMAPC Comments:

Mr. Doherty questioned whether the street name, 7th Street, was an extension of a Jenks street. Mr. Jones replied that he was not aware if this is an extension from Jenks; however, the street name was issued from the City of Tulsa house numbering office of Doris Murphy.

Mr. Doherty expressed concern for ultimate collector street development.

Mr. Carnes asked for clarification as to the location of the proposed easement for a future roadway. After discussion with Mr. Schermerhorn, Mr. Johnsen stated that his client would agree to a 30-foot future-provision easement on the southern boundary of the project.

Mr. Doherty stated that the half-section is of concern since this property does not meet the half-section line in regards to collector streets. Mr. Stump stated that if the Commission is satisfied with the development and the densities and would grant the waiver on the cul-de-sac length, he would suggest that a condition of that waiver be that no further subdividing of the lots that receive their access off the cul-de-sac be allowed unless the Planning Commission approves it. Mr. Stump further stated that with the density fixed, the east/west collector would rightfully be located at the middle of the next quarter-section to the south and not on

the half-section line, because there is no one to serve on the north side. Therefore, there would not be a need for a collector. Mr. Stump stated that a restrictive covenant in the plat would be required to allow the Planning Commission to review further subdividing of the lots. Mr. Johnsen stated that his client would accept a requirement that the lot-split require Planning Commission review for determination of efficient access.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Preliminary Plat of The Estates of Hampton Hills, subject to the conditions as recommended by TAC and waiver of subdivision regulations on cul-de-sac and scale, no second point of access and adding the condition that language be placed in the covenants to require Planning Commission review of further lot-splits to ensure adequacy of access and infrastructure subject to Legal's approval of language.

* * * * *

O'Reilly Automotive (2483)

(PD-18) (CD-8)

East of the southeast corner of East 91st Street & South Memorial Drive

TAC Comments:

Jones presented the plat with Ted Sack in attendance.

After discussion regarding a utility easement along the south and east property lines, Sack recommended an 11' utility easement by separate instrument along the outside east property line and an 11' utility easement along the south property line.

Pierce recommended a 10' utility easement along the north property line which will be on top of an existing sewer easement.

O'Reilly Automotive is a .77 acre subdivision which contains one lot. The property is zoned CO, Corridor, and corridor site plan Z-5620-SP-8 will be reviewed by the TMAPC on May 15, 1996. The proposed use of the tract is to permit 5,700 square foot building for automotive part sales. Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 20' (1" = 50' required).
2. Show building line on face of plat.

3. All conditions of Corridor site plan Z-5620-SP-8 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
6. 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 owner(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. Street names shall be approved by the Department of Public Works and shown on plat.
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
13. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
14. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
15. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
17. 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.

18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to Bixby and Broken Arrow 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.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. All other Subdivision Regulations shall be met prior to release of final plat.

Staff would recommend that this plat be scheduled for the May 15, 1996 TMAPC meeting so the plat and site plan can be heard concurrently.

On the motion of McGill, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of O'Reilly Automotive, subject to all conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Preliminary Plat of O'Reilly Automotive subject to all conditions as recommended by TAC and waiver of subdivision regulations to permit the plat to be drawn at scale of 1"-20'.

Tulsa Sterling House No. 1 (1884)

(PD-18) (CD-8)

South of the southeast corner of East 81st Street & South Mingo Road

TAC Comments:

Jones presented the Plat with Richard Quitter in attendance.

Horne stated that a 12" waterline will need to be extended along South Mingo.

Root noted that a watershed development permit is required.

Somdecerrff pointed out a difference between legal description and call on the face of the plat.

French noted that access was approved but enforcement language needed for the limits of no access.

Tulsa Sterling House No. 1 is a one-lot subdivision plat which contains 2.29 acres. The proposed use of the property is for an assisted living center with 37 bedroom living units. A corridor site plan will be reviewed by the TMAPC May 8, 1996 to consider the use and the layout.

Staff would offer the following comments and or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 30' (1" = 100' required).
2. Show general description under title.
3. Show number of lots and acres.
4. Identify existing easements with book/page information.
5. Remove names on property to the north and east and show unplatted.
6. Identify owner on face of plat.
7. Remove landscape and utility information from face of plat.
8. Staff has a concern with the configuration of the balance of the tract and should be noted to the TMAPC.
9. All conditions of Corridor site plan Z-6051-SP-1 shall be met. Include Corridor site plan approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
10. 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 shall be tied to or related to property line and/or lot lines.
11. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)

12. 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 owner(s) of the lot(s).
13. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
14. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
15. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
16. Street names shall be approved by the Department of Public Works and shown on plat.
17. All curve data, including corner radii, shall be shown on final plat as applicable.
18. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
19. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
20. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
21. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
22. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
23. 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.
24. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
25. The key or location map shall be complete.
26. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
27. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)

- 28. This plat has been referred to Bixby and Broken Arrow 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.
- 29. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
- 30. All other Subdivision Regulations shall be met prior to release of final plat.

On the motion of Nelson, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of Tulsa Sterling House No. 1, subject to all conditions listed above.

Jones reminded the applicant that the plat would be transmitted to the TMAPC for the May 15th meeting.

Applicant's Comments:

Applicant is in agreement with Staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Preliminary Plat of Tulsa Sterling House No. 1, subject to conditions as recommended by TAC, waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1"=30 and inclusion of the piece of property to the east.

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Final Approval:

4300 Brooktowne (PUD 541) (3093)
 East side of South Peoria Avenue at 43rd Street South

(PD-9) (CD-6)

Staff Comments:

Mr. Jones informed the Commission that the release letters have not been received and would request this item be continued to the May 22, 1996 meeting.

Applicant's Comments:

Roy Johnsen commented that the main delay is on the complex drainage and it has been worked out. Mr. Johnsen stated that he has received verbal notification, but has not received written notification from the Public Works Department.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **CONTINUE** the Final Approval of 4300 Brooktowne to the May 22, 1996 meeting.

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Change of Access on Recorded Plat:

Harvard Park South (3293)

(PD-18) (CD-9)

South of the southwest corner of East 51st Street & South Harvard Avenue

Staff Comments:

Mr. Jones stated that a location map was included in the agenda packet along with the new access point that will be relocated. This access point is located south of the southwest corner of 51st Street and South Harvard Avenue. Mr. Jones informed the Commission that an existing access point is being relocated to the south and the new location has been approved by Staff and Traffic Engineering.

TMAPC Comments:

Mr. Carnes stated that he attended the meetings pertaining to the change in access and that everyone seemed to be in agreement.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Change of Access on Recorded Plat of Harvard Park South subject to the drawings.

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Lot Split for Ratification of Prior Approval:

<u>L-18274 Tulsa Development Authority (2502)</u> 528 E. Reading Street	(PD-2) (CD-1) RS-4
<u>L-18283 Tanner Consulting (1994)</u> 10152 E. 31st Street	(PD-17) (CD-5) CS
<u>L-18284 Tulsa Development Authority (2502)</u> 1519 N. Detroit	(PD-2) (CD-1) RS-4
<u>L-18285 Tulsa Development Authority (2502)</u> 1607 N. Detroit	(PD-2) (CD-1) RS-4
<u>L-18286 Claude E. Donica (283)</u> 6712 S. 74th East Ave.	(PD-18) (CD-7) RS-3
<u>L-18287 City of Tulsa (1894)</u> South 39th Street and South 111th Street	(PD-17) (CD-5) CS

Staff Comments:

Mr. Jones stated these lot-splits are in order and meet Subdivision Regulations. Staff recommends approval.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Lot-splits for Ratification of Prior Approval finding them in accordance with Subdivision Regulations.

ZONING PUBLIC HEARING:

Application No.: Z-5620-SP-8 (Corridor Site Plan for auto parts store)
Applicant: Charles Norman
Location: East 91st Street & South Memorial Drive (SE/c)
Date of Hearing: May 15, 1996
Presented to TMAPC: Charles Norman

Staff Recommendation:

The Corridor Site Plan proposes a Use Unit 14 use (Shopping Goods and Services), on a 150'x285' tract which would have a maximum building floor area of 5,600 SF and a maximum height of 22'. To the north across 91st Street is a shopping center and a Wal-Mart

store. To the east and south is vacant and to the west is a Sonic drive-in restaurant. Use Unit 14 uses should be compatible with surrounding uses, but the proposed site plan does not comply with a number of requirements of the Zoning Code. This includes:

- 1) The building does not meet the minimum building setback requirements.
- 2) Primary access to the tract is from an arterial street, which is prohibited.
- 3) Many of the requirements of the Landscape Chapter are not met.
 - a) number of trees in street yard,
 - b) spacing of landscape areas in parking lots,
 - c) amount of landscape area in street yard,
 - d) irrigation system not provided;
- 4) Location of wall signs is not provided.
- 5) No access is provided to the undeveloped tract to the east.

Staff recommends **DENIAL** of this Corridor Site Plan or continuance until these deficiencies can be corrected or the Board of Adjustment varies these requirements.

NOTE: The above comments were applicable to the original Corridor Site Plan. The applicant submitted a revised site plan during the TMAPC meeting.

Staff Comments:

Mr. Stump informed the Commission that there were a number of problems with the corridor site plan which are listed in the Staff recommendations. Some of these problems were the result of misreading the location of this tract within the square mile. Mr. Stump stated that due to the location, it is close enough to the intersection to require the lesser setbacks, therefore it meets the setback requirements. This, in turn, changed the amount of street yard. The applicant has provided a revised site plan which meets all the requirements and problems that Staff had with the plan with the exception of the irrigation system. Staff feels that the area in front of the building and near the street should have an irrigation system. Mr. Stump stated that with that change, Staff recommends approval of the revised site plan.

Applicant's Comments:

Charles Norman stated that he is in agreement with Staff recommendation to approve the revised site plan dated May 14, 1996. Mr. Norman informed the Commission that the Board of Adjustment granted a waiver of the requirement that access be from an internal street. Mr. Norman stated that he does not object to the irrigation system.

TMAPC Comments:

Mr. Doherty asked if there is a mutual access agreement. Mr. Stump replied that is in the subdivision plat and that the applicant has made changes and stubbed out a concrete apron to the east.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to recommend **APPROVAL** of the Revised Corridor Site Plan for Z-5620-SP-8 subject to requiring an irrigation system being installed to serve the landscaped areas.

Legal Description for Z-5620-SP-8:

A tract of land that is part of Section 24, T-18-N, R-13-E, of the IBM according to the U.S. Government survey thereof in the City of Tulsa, Tulsa County, State of Oklahoma said tract of land being more particularly described as follows, to-wit: starting at the Northwest corner of Section 24; thence N 89°37'44" E along the Northerly line of said Section for 505.85' to the Point of Beginning of said tract of land; thence continuing along said Northerly line N 89°37'44" E for 29.15'; thence due South for 285.00'; thence S 89°37'44" W parallel with the Northerly line of Section 24 for 150.00'; thence due North along a Southerly extension of and along the Easterly line of Sonic Center, an Addition to the City of Tulsa, Tulsa County, Oklahoma for 225.00' to the Northeast corner of Sonic Center; thence N 89°37'44" E 60' Southerly of as measured perpendicularly to and parallel with the Northerly line of Section 24 for 121.24'; thence N 00°22'16" W for 60.00' to the Point of Beginning of said tract of land, and located on the south side of East 91st Street, 375' East of South Memorial Drive, Tulsa, Oklahoma.

* * * * *

Application No.: PUD-282-6(Minor Amendment to change development area and standards)
Applicant: Charles Norman
Location: SW/c East 71st Street & South Lewis Avenue
Date of Hearing: May 15, 1996
Presented to TMAPC: Charles Norman

Staff Recommendation:

The applicant is requesting approval for a Minor Amendment to:

1. Permit all of the property within the PUD (with the exception of the United Bank tract) to be considered as a single development area for the purpose of administering the planned unit development and determining the permitted floor areas and the required landscaping and off-street parking requirements.

2. Establish the landscape requirement for all of the property at 10% of the net area in accord with the standard of the Tulsa Zoning Code as amended since the approval of the planned unit development.

Staff has reviewed the request(s) and has the following comments:

The applicant states in the application that the entire PUD is under one ownership. Project-wide administration of the floor area, landscaping and parking standards can be more easily handled than separate parcel administration if the ownership remains the same. In cases where ownerships change it has been Staff's experience that the tracking and administration of PUD standards becomes complex.

Reduction of the landscaping requirement to 10% of net area for the entire PUD reduces total landscaping required by approximately .5 AC.

Based on the above, Staff recommends **APPROVAL** subject to the following:

- A) Tie agreements between all existing parcels
- B) Submittal to Staff of current floor area, parking and landscaping totals
- C) Requirement of a Minor Amendment to allocate floor area, parking and landscaping totals for any separate parcels created through a change in ownership or the creation of a new lot; and,
- D) An overall landscaping standard of 11% of net area (results in overall loss of approximately .1 AC).

Applicant's Comments:

Charles Norman stated that for simplification purposes, he agrees with Staff's recommendation. Mr. Norman stated he reluctantly agrees to the overall landscaping standard of 11% of net area.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to recommend **APPROVAL** of the Minor Amendment to change development area boundaries and standards for PUD-282-6 subject to conditions as recommended by Staff.

OTHER BUSINESS:

PUD 509 Paul Ozbun (*Site Plan for statuary sales*)
South of 5th Street between South 129th & South 130th

(PD-17) (CD-6)

Staff Recommendation:

The applicant is requesting site plan approval for concrete statuary sales.

Staff has reviewed the application and finds that the plan as submitted conforms to the setback, parking, screening and landscaped area requirements of the PUD.

Therefore, Staff recommends **APPROVAL**.

NOTE: Site Plan approval does not constitute Landscape Plan or Sign Plan approval.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the Site Plan for PUD-509 as recommended by Staff.

* * * * *

PUD 364 Steve Tessier (*Site Plan for McDonald's Restaurant*)
Northeast corner 101st Street & Mingo Road

(PD-18) (CD-8)

Staff Recommendation:

The applicant is requesting site plan approval for McDonalds.

Staff has reviewed the request and finds that it conforms to the PUD standards for access, parking, floor area, landscaped area and setbacks.

Staff recommends **APPROVAL**.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to **APPROVE** the site plan for McDonald's Restaurant - PUD-364 as recommended by Staff.

* * * * *

Discuss and Consider a request to close a portion of East 57th Place South, east of the present street barrier to 58th Place South.

Staff Comments:

Mr. Gardner presented a request from the City to close 57th Place South. Mr. Gardner informed the Commission that Mr. Piercy has purchased Block 3, the apartments, and part of Block 2, the duplexes on the north end. Mr. Piercy now owns all the property that abuts East 57th Place and is asking that the street be closed. Block 3 has an access point to the west and can access the apartment complex from there. If the request is approved, Mr. Piercy's other properties can be accessed from there also. Mr. Gardner stated that to provided another access to Peoria, Mr. Piercy is prepared to take down the fence that blocks off access to that street and make the opening all the way to Peoria.

TMAPC Comments:

Mr. Doherty stated that he has contacted the neighbors and they are aware that Mr. Piercy has purchased the property. The neighbors' concerns were outside traffic, bar traffic, and other traffic moving through. The neighbors support the permanent closing of the street and more attractive landscaping. The only objection the neighbors have is the ugly nature of the barricades that were put up on the temporary closing.

Mr. Midget informed the Commission that the City has been advised by the neighborhood group that there has not been a call for service since the barricades were put in.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Edwards "absent ") to recommend **APPROVAL** of a request to close a portion of East 57th Place South, east of the present street barrier to 58th Place South.

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There being no further business, the Chairman declared the meeting adjourned at 2:25 p.m.

Date Approved: June 5, 1996

Jill [Signature]
Chairman

ATTEST:

Francis Pace
Secretary