

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2113

Wednesday, May 28, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes	Boyle	Almy	Romig, Legal
Doherty	Dick	Gardner	Counsel
Gray		Jones	
Horner		Stump	
Jackson			
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, May 22, 1997 at 4:00 p.m., in the Office of the City Clerk at 3:32 p.m., as well as in the office of the County Clerk at 3:29 p.m.

After declaring a quorum present, 1st Vice Chairman Doherty called the meeting to order at 1:32 p.m.

Minutes:

Approval of the minutes of May 14, 1997, Meeting No. 2112:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-1** (Carnes, Doherty, Gray, Horner, Pace, Westervelt "aye"; no "nays"; Jackson "abstaining"; Boyle, Dick, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of May 14, 1997 Meeting No. 2112.

Reports:

Committee Reports:

Rules and Regulations Committee:

Mr. Doherty stated there will be a brief meeting today following the TMAPC meeting.

Director's Reports:

Mr. Gardner stated the City Council agenda has not been distributed prior to the meeting.

Mr. Gardner informed the Commission that the Public Hearing for Height Exceptions was inadvertently left off of the agenda. He stated a revised agenda was posted prior to the meeting but did not meet the 24-hour Open Meeting Act.

Mr. Gardner stated the notification for the public hearing was published and advertised to be heard at today's meeting. He stated the public hearing needs to be continued to June 4, 1997 to keep the notice alive.

Mr. Doherty asked since the public hearing was advertised for today's meeting, but not posted on the agenda, could the item be continued to next week's meeting. Mr. Romig, City Legal, stated under the Open Meeting Act no action can be taken. Mr. Doherty asked how to continue the item to next week since it was advertised for today's meeting. Mr. Romig stated he is not sure what the advertisement laws are, but feels the item would have to be readvertised.

Mr. Gardner stated the advertisement laws require a 15-day notice and that requirement as been met; therefore, he requested the item be continued to June 4, 1997.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Carnes, Doherty, Gray, Horner, Pace, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** the Zoning Text Amendment Public Hearing to consider proposed amendments to Section 208 - Height Exceptions of the Tulsa Zoning Code.

SUBDIVISIONS:

Preliminary Plat:

9300 Mingo Center (PUD-268-B) (2483) (PD-18) (CD-8)
South of the southwest corner of East 91st Street South and South Mingo Road

TAC Recommendation:

Jones presented the plat with Ted Sack present and noted that the last item on the agenda "PUD REVIEW" is a companion item and will be reviewed.

Lee noted that an 8" waterline must be extended along South Mingo Road.

French recommended that no access to East 93rd Street be permitted along the west 200' of the development.

Miller recommended a 17.5' utility easement along South Mingo.

McCormick noted that on-site detention is required and should be shown on the plat.

French stated the enforcement paragraph was missing from the limits of no access portion of the dedication.

9300 Mingo Center is a two-lot subdivision plat that permits office use under Planned Unit Development 268-B. The total property contains 7.03 acres and is divided by the continuation of East 93rd Street South.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required).
2. Show book/page information for existing South Mingo Road right-of-way.
3. Show existing utility easements on abutting residential property.
4. All conditions of PUD-268-B shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. 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.)
7. 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).
8. 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.
9. 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.

10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. 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.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. 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.
17. 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.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. 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.)
22. 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.)
23. The zoning application PUD 268-B shall be approved and the ordinance or resolution therefor published before final plat is released. (Plat shall conform to the applicable zoning approved.)
24. 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.

25. 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.)
26. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
27. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of 9300 Mingo Center, subject to all conditions and recommendations listed above.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Preliminary Plat of 9300 Mingo Center, subject to the conditions as recommended by TAC; Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'; and conformance to other PUD conditions.

Columbiacrest (PUD-559) (1884)

(PD-18) (CD-8)

East of the northeast corner of East 91st Street South and South Mingo Road

TAC Recommendation:

Jones presented the plat with Ted Sack in attendance.

French recommended that when constructed, the west 150' of East 90th Street South provide multiple turn lanes. In addition, a minimum of 12' of right-of-way be maintained behind all curbs. Any landscaped islands should be in a reserve area.

Pierce noted that several utility easements will be required along the streets but outside rights-of-way. He suggested an underground meeting and Sack agreed.

French recommended the north curve from East 88th Street to South 101st East Avenue be redesigned and not as tight.

McGill stated that Fire Department should review waterline plans to provide adequate fire protection.

Columbiacrest is a one-lot subdivision plat of Development Area "A" of Planned Unit Development 559. The plat contains 28.9 acres and has a proposed use of hospital and related activities.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 120' (1" = 100' required).
2. Identify existing right-of-way for East 91st Street South with book/page information.
3. Identify existing sanitary sewer easement with book/page information.
4. All conditions of PUD-559 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. 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.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.

14. 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.
15. All adjacent streets, intersections and/or width thereof shall be shown on plat.
16. 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.
17. 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.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. 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 record.)
22. 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.)
23. 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.
24. 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.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of McGill, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Columbiacrest, subject to all conditions and recommendations listed.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Preliminary Plat of Columbiacrest, subject to the conditions as recommended by TAC and Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 120'.

Patterned Concrete (894)

(PD-17) (CD-6)

South of the southwest corner of East 11th St. South and South 129th East Ave.

TAC Comments:

Jones presented the plat with Dan Tanner present.

McCormick pointed out existing floodplain along the south property line which should be dedicated.

Miller recommended a 10' utility easement along the north property line and Tanner agreed.

Patterned Concrete is a one-lot commercial subdivision plat that contains 1.2 acres and has an underlying zoning of CS, Commercial Shopping. The Board of Adjustment approved a special exception to permit a sales office and showroom for a Use Unit 15 use in May, 1996.

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'.
2. Add provision to Section 1.6 to allow the City to perform required maintenance and file a lien on the property.
3. Staff would recommend the standard 17.5' utility easement along the west and south property lines.
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 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.
17. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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, provided plugging records.)
20. 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.)

21. This plat has been referred to Broken Arrow and Catoosa 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.
22. 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.)
23. Applicant is advised to contact the U.S. Army Corps of Engineers in regard to Section 404 of the Clean Waters Act.
24. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Nelson, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Patterned Concrete, subject to all conditions and recommendations listed above.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** Preliminary Plat of Patterned Concrete, subject to the conditions as recommended by TAC and Waiver of Subdivision to permit the plat to be drawn at a scale of 1" = 20'.

Lincoln Village (PUD-562) (1283) (PD-18) (CD-8)

North of the northeast corner of East 81st Street South and South Memorial Drive

TAC Recommendation:

Jones presented the Plat with Dan Tanner in attendance.

In response to a request from Miller for a utility easement along Memorial, Tanner agreed but stated they are trying to regain additional right-of-way from the State.

French recommended that limits of no access be shown on East 79th Street South and the 75' access on Memorial be reduced to 50' with a median.

McCormick noted that on-site detention is required.

Lincoln Village is a one-lot subdivision plat that contains 8.76 acres and is approved by PUD-562 for multifamily use. The subject tract abuts an existing apartment complex to the north.

Staff would offer the following comments and/or recommendation:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required).
2. Standard 17.5' utility easement along the south property line.
3. All conditions of PUD-562 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements 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 and 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 the 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 the 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. Applicant is advised to contact the U.S. Army Corps of Engineers in regard to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Lincoln Village, subject to all conditions and recommendations listed above.

Interested Parties Comments:

Richard deJongh, 7523 South 85th East Place, 74133, stated he is with the Woodland Homeowners Association. He expressed concerns with the stub street, coming in from Woodland Meadows, being accessed as a through-street into the apartment complex.

Mr. deJongh stated the Association does not want the street connected due to the street being used as a shortcut through Woodland Meadows, through the apartment complex onto Memorial. He requested that the records indicate there would not be any access or connection onto the stub street.

TMAPC Comments:

Chairman Doherty informed Mr. deJongh the plat he received does not indicate any connection of the street; he deferred to Mr. Norman for comment. Mr. Norman commented the PUD does not request for or indicate any access onto the stub street.

Chairman Doherty again pointed out that the plat does not indicate any connection of the stub street. Mr. Norman replied in the affirmative.

Mr. Jones suggested that LNA be shown on the face of the plat.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Preliminary Plat of Lincoln Village, subject to the conditions as recommended by TAC and Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'.

Sunchase II (PUD-557) (2483) (PD-18) (CD-8)
Northeast corner of South Memorial Drive and U.S. Highway 169

TAC Recommendation:

Jones presented the plat with Ted Sack present.

French recommended a PFPI for a left-turn bay and Sack agreed. In addition, he recommended showing limits of no access along East 93rd as required by the PUD.

Jones discussed the 10' utility easement issue and Sack agreed to work with the various utilities for the needed easements.

Sunchase II is a two-lot replat of Sunchase which contains a total of 16.04 acres. The property is zoned corridor and PUD-557 which permits automobile sales on lot one and an apartment complex on lot 2.

Staff would offer the following comments and/or recommendation:

1. Since the property is a replat it is subject to Oklahoma Statutes Title 11, Section 42-106.

2. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required).
3. Ten-foot wide utility easement along the north, south and east property lines should be increased to the standard 17.5'.
4. All conditions of PUD-557 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. 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.)
7. 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).
8. 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.
9. 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.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. 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.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. 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.

17. 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.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. 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.)
22. 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.)
23. 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.
24. 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.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Nelson, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Sunchase II, subject to all conditions and recommendations listed above.

Staff Comments:

Mr. Gardner pointed out that Privately Financed Public Improvements (PFPI) should be discussed in the future to review the requirement for sidewalks on collector streets. He explained this is an example where the Subdivision Regulations require sidewalks on both sides of a collector street and it is not being enforced through the PFPI. Chairman Doherty requested this item be placed on the June, 1997 Work Session. Mr. Jones stated TAC would be willing to work with the Committee in resolving this item.

PUD-405-G (9100 Memorial) (2383)

(PD-18) (CD-8)

South of the southwest corner of East 93rd Street South and South Memorial Dr.

TAC Comments:

Jones presented the request with Ted Sack present.

McCormick stated that the applicant must verify that the drainage facility on lot 4 is adequately-sized to meet this lot drainage.

Sack recommended that although the major amendment is for a much larger tract, the plat waiver should be for this lot only.

Planned Unit Development 405-G is a major amendment to permit commercial use in an area originally approved for only office use. The applicant is now requesting to waive the platting requirement for lot 2, block 4 which is part of the overall tract.

Since 9100 Memorial is a recent subdivision plat dedicating all necessary easements and right-of-way, staff can see no benefit to the City in a replat.

Staff recommends approval of the plat waiver for PUD-405-G subject to the following condition:

Paving and drainage plan review by the Department of Public Works in the permit process.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-405-G, subject to all conditions and recommendations listed above.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Plat Waiver for PUD-405-G, subject to the conditions as recommended by TAC.

Lot-Split for Waiver of Subdivision Regulations:

L-18448 Warren Morris (883)

(PD-18b) (CD-2)

8448 East 75th

TAC Recommendation:

Jones presented the request with no representative present.

Shelton stated that an 8" sewer line extension would be required to tie into the existing 24" sewer line.

Lee noted that a water meter would be permitted on the street and a long private service line allowed. Additional easements will be required to serve the property.

Lot-split 18448 is a request to split Lots 9 and 10, Block 4, Lavelle Heights, forming three separate lots as indicated on the attached map. This request will go to the Board of Adjustment (case no. 17705) on May 13, 1997, for approval of a variance of the minimum lot width requirement from 100' to 81.76' on Tract I and 100' to 64' on Tract III.

Contingent upon Board of Adjustment approval of these variances, the Planning Commission is asked to consider approval of a lot containing more than three side lot lines (Tract I).

Staff can recommend approval of this request, if the Board of Adjustment approves the variances for minimum lot width.

On motion of Nelson, the Technical Advisory Committee voted unanimously to recommend approval of the Lot-split for waiver L-18448, subject to all conditions listed above.

Staff Comments:

Mr. Jones stated the Board of Adjustment approved the variances at their meeting on May 27; therefore, this meets all the bulk and area requirements.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Lot-split for waiver L-18448, subject to the conditions as recommended by TAC.

Items Metro Park South I and Metro Park South II for Final Plat Approval were heard simultaneously.

Metro Park South I (3294) and Metro Park South II (3294) (PD-18) (CD-5)
Northeast corner of East 61st Street South and South 118th East Avenue

Staff Comments:

Mr. Jones reminded the Planning Commission previously approved the final plat of Metro Park South I and II. At that time, release letters were signed by Department of Public Works stating that they felt confident that any final items could be worked out and recommended approval.

Since that time, Mr. Jones stated some significant events have come about and the plat was never filed of record. He pointed out that they are basically the same two plats except that reserve area "A" on Metro South Park I and II was substantially increased. Therefore, what the Commission previously approved is somewhat different from the final plans from Storm Water Department.

Therefore, the final plats are being brought back before the Commission for their consideration. Mr. Jones indicated staff has reviewed the plats and everything in is order.

Applicant's Comments:

Ted Sack stated he is in agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Final Plat for Metro Park South I and Metro Park South II as recommended by staff.

Midwest Agape Church (2773)

(PD-18) (CD-5)

East of the northeast corner of East 171st Street South and South Yale Avenue

Staff Comments:

Mr. Jones presented the Final Plat with the applicants present.

Mr. Jones stated this is a replat of a portion of the property and a portion of new property that was approved the Board of Adjustment for church use.

Mr. Jones stated TAC has reviewed and found no problems with the Final Plat. All release letters have been received. However, Mr. Jones stated the final wording for the Deed of Dedication and Restrictive Covenants has not been reviewed.

Therefore, staff recommends approval of the Final Plat, subject to the review of the final language of the Deed of Dedication.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Final Plat for Midwest Agape Church, subject to the review of the final language of the Deed of Dedication as recommended by staff.

Zoning Public Hearing:

Application No.: PUD-370-A

RS-2/RM-1/PUD Major Amendment

Applicant: LecAnn Fager

(PD-26) (CD-8)

Location: South and west of southwest corner East 101st Street and South Memorial Drive

(Major Amendment to allow communications tower.)

Staff Recommendation:

The applicant is requesting approval for a 100' tall telecommunications tower on the center portion of PUD-370. Elderly housing is planned on the western portion of the PUD and a church exists on the eastern portion which fronts Memorial Drive. Staff can support the additional use if it is adequately set back from planned residential and is of a monopole design.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-370-A to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-370-A subject to the following conditions:

1. All the requirements of PUD-370 shall continue to apply unless modified below.
2. Development Standards:

Permitted Uses	Uses permitted by PUD-370 and communication antennas and their supporting tower.
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Maximum Height of Communication Towers:	100'
---	------

Type of Communication Tower Permitted:	Monopole
--	----------

Minimum Setback for Communication Tower From north, south and west boundaries of Lot 1, Block 1 Trinity Addition Amended	110'
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Maximum Number of Communication Towers	1
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Applicant's Comments:

LeeAnn Fager stated she is in agreement with staff's recommendation.

Interested Parties Comments:

A. J. Solow, 10400 South Memorial, asked for clarification on the setback distance from northern and western boundaries.

Mr. Solow stated the reason he asked for clarification on the setback is due to the fact that AT&T just recently obtained approval to construct a tower north of this tract.

Mr. Solow asked if there was some type of uniformity in the TMAPC design of the setback from Memorial.

TMAPC Comments:

Chairman Doherty stated the maximum setback from the north, south and west boundaries would be 110' and that the setbacks vary from lot to lot depending on the development of the lot, building and driveway locations.

Mr. Gardner stated the policy encourages towers in commercial areas and the guidelines indicate a linear development area of 300 feet of commercial with a spreading potential of 600 feet maximum.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") recommend **APPROVAL** of Major Amendment PUD-370-A to allow a 100' telecommunications tower on the center portion of PUD-370, subject to the conditions as recommended by staff.

Legal Description for PUD-370-A:

Lot 1, Block 1, Trinity Addition Amended, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located south and west of the southwest corner of East 101st Street South and South Memorial Drive, Tulsa, Oklahoma.

* * * * *

Application No.: Z-6596

Applicant: Fred Greco

Location: Southwest corner East 46th Street North and North Mingo Road

RS-3 to IL
(PD-16) (CD-3)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity - Public Use, with Medium Intensity - No Specific Land Use surrounding the tract.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan map.

Staff Comments:

Site Analysis: The subject property is approximately 7.5 acres in size and located on the southwest corner of East 46th Street North and North Mingo Road. The property is flat, non-wooded, contains a vacant school and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by an automobile paint and repair shop, zoned IL; to the east by a small shopping center, zoned IL and CS; to the southeast is vacant property, zoned AG; to the south is vacant land and beyond that is a municipal garage and service center for City vehicles, zoned IL; and to the west is vacant land and beyond that is a church, zoned RS-3.

Zoning and BOA Historical Summary: Several rezoning cases have been approved in this area for industrial light classification.

Conclusion: Staff recognizes the subject tract as part of the transition from residential to industrial. Based on the existing zoning patterns and development in the area, staff recommends **APPROVAL** of IL zoning for Z-6596.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to recommend **APPROVAL** of IL zoning for Z-6596 as recommended by staff.

Legal Description for Z-6596:

The NE/4, NE/4, NE/4, less the West 189' of the North 418.66' thereof and less a tract described as beginning at the southeast corner of said NE/4, NE/4, NE/4, thence West a distance of 40', thence North a distance of 606.7', thence N 45°00' W a distance of 31.6', thence West a distance of 72.6', thence N a distance of 30' to a point on the North line of said NE/4, NE/4, NE/4, thence East

along said North line a distance of 135' to the Northeast corner of said NE/4, NE/4, NE/4, thence South along the East line of said NE/4, NE/4, NE/4 a distance of 659.1' to point of beginning, in Section 13, T-20-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, and located on the southwest corner of East 46th Street North and North Mingo Road, Tulsa, Oklahoma.

* * * * *

Application No.: PUD-562/Z-6594

AG to RM-1/PUD

Applicant: Charles Norman

(PD-18) (CD-8)

Location: North of northeast corner East 81st Street South and South Memorial Drive

Presented to TMAPC: Charles Norman
(Apartment complex.)

Staff Recommendation:

PUD-562:

The applicant is proposing to rezone a 8.78 acre site to RM-1 and PUD-562 to develop a 168-unit apartment complex. The tract is abutted on the east by single-family dwellings zoned RS-3, to the north by a new apartment complex zoned OL, RS-3 and PUD-456-A, to the south by vacant land zoned RM-1 and to the west across Memorial Drive by single-family dwellings zoned RS-3. The apartments would be up to three stories and 45' in height. Livability space proposed would be 800 SF, which would exceed RM-1 standards.

Because of the surrounding zoning and development and the moderate density (19.1 units/acre) of the proposed development staff can generally support the PUD.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-562 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-562 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

Land Area	
(Gross):	10.0 acres
(Net):	8.78 acres
Permitted Uses:	Multifamily dwellings and customary accessory uses.
Maximum Number of Dwelling Units:	168
Maximum Building Height:	48'
Maximum Number of Stories	3
Minimum Building Setbacks	
From east boundary of PUD	
One story buildings	25'
Two story buildings	50'
Three story buildings	150'
From north boundaries	11'*
From R/W of Memorial Drive	35'*
From south boundaries*	
One story buildings	11'
Two story buildings	20'*
Three story buildings	25'*
Minimum Livability Space per Dwelling Unit	800 SF

*Modified at the TMAPC Public Hearing

3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all building and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan shall be submitted to the TMAPC for review and approval. Installation of required landscaping shall be done in accordance with a phasing schedule approved by TMAPC and certified by a landscape architect registered in the State of Oklahoma. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.

5. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 16 feet and no free-standing lights greater than 8' in height are permitted in the east 60' of the PUD.
8. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
9. No Building Permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Z-6594:

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the west 1,000' of the subject property as Low Intensity - Linear Development and the balance as Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested RM-1 zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 8.78 acres in size and located north of the northeast corner of East 81st Street South and South Memorial Drive. The property is sloping, partially wooded, vacant and is zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north by an office complex, zoned OL/PUD-456; to the south by vacant property, zoned RM-1; and to the east and west by single-family dwellings, zoned RS-3.

Zoning and BOA Historical Summary: The most recent history of zoning actions in this area approved multifamily, office zoning and mixed use development with Planned Unit Developments.

Conclusion: The requested RM-1 zoning would be compatible with the RM-1 zoning to the south as well as the OL zoning to the north. Based on the surrounding zoning and existing development, staff recommends **APPROVAL** of RM-1 zoning for Z-6594.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, stated he is representing Lincoln Property Company and noted the project, Lincoln on Memorial, was the same type of project. He feels staff has already outlined the perimeter of the property in regard to zoning. He pointed out there are two full lots and two half lots on the east boundary, as well as the stub street, 79th East Avenue.

Mr. Norman reminded the Commission his client is not requesting any access to 79th East Avenue and is proposing to continue the eight-foot high masonry screening wall to the north as a result of negotiations with the neighborhood.

Mr. Norman stated this project and Lincoln on Memorial are planned for an up-scale multifamily market, low-density on the order of 18-1/2 to 19 dwelling units per acre. The RM-1 district immediately to the south would permit approximately 26 dwelling units per acre.

Mr. Norman pointed out that the Lincoln on Memorial project has units with 9-foot high ceilings, which are considerably higher than the typical unit, and most have covered carports or enclosed garages. The current application is on a tract less than half the size of Lincoln on Memorial, with approximately 8.6 acres and a proposed maximum of 168 dwelling units. This is a density of 19.1 dwelling units per acre.

Mr. Norman stated the proposal consists of a 25' greenbelt setback from the east boundary, as required under the recent amendments to the multifamily code. He noted that Lincoln Property Company is exploring the possibility of constructing some one-story, very large rental units. He feels there is a shortage of these type of units. If constructed, whether connected or detached, he proposes a typical residential rear yard setback of 25 feet which would preclude any parking on the east side. Two story buildings would have a minimum setback of 50' and three story buildings would have a minimum setback of 150'.

Mr. Norman stated he had discussed modifications to the staff recommendation in regard to the building setbacks with Mr. Stump. It was agreed that the following modifications would be made. The minimum building setback from north boundaries, 11'; from R/W of Memorial Drive, 35'; from south boundaries 11' for one-story buildings, 20' for two-story buildings, and 25' for three-story buildings.

Mr. Norman pointed out that this project provides the required livability space, which is approximately 50 percent more than what is required under RM-1 zoning conditions.

Mr. Norman stated the landscape plan for the east portion of the property will be submitted at a later date. The plan submitted is the one the developer has committed to, but he feels there are significant numbers of large trees on the east 25' of the property and he is asking the landscape architect to identify and preserve as many of the existing trees as possible.

In regard to lighting, Mr. Norman stated the staff recommendation is somewhat difficult from a design standpoint and with the existing tree cover, he requested a notation in the minutes that the developer may propose a different lighting standard based on the final detail plan. He stated the elevation drops approximately 30 feet from the east boundary to the Memorial side. He feels light standards higher than 16 feet on the other side of a two- or three-story building would not have any affect on property to the east. There is no objections to the light fixtures being hooded and directed downward and away from the single-family area to the east.

In closing, Mr. Norman stated this project is in the upper-scale rental market and will have the usually amenities that one would find in Lincoln Property Company projects. Therefore, Mr. Norman requested approval of the proposed project per the modified staff recommendation.

Interested Parties Comments:

Hans Scheuter, 7824 South 85th East Avenue, stated he has previously worked with Mr. Norman on PUD-466a, Lincoln on Memorial and expressed his appreciation for the cooperation Mr. Norman and developer gave to the neighborhood.

Mr. Scheuter expressed concern with the lighting that was provided by PSO on the Lincoln on Memorial project and noted the neighborhood's request for the lighting on the proposed project to be monitored very carefully. He stated PSO expressed little or no concern regarding the agreed-upon height. He stated he contacted Code Enforcement and was informed it was very difficult to enforce this type of matter.

Mr. Scheuter stated the proposed project is a great one and requested the developer to continue the eight-foot wall, between the residential area and the apartment complex, to the south boundary. He feels if the wall is continued, the neighborhood would be in support the project.

The following individuals signed up as interested parties but did not speak:

Richard deJongh, 7523 South 85th Place, 74133

Marty Scheuter, 7824 South 85th East Avenue.

Applicant's Rebuttal:

Mr. Norman stated, in regard to the eight-foot wall, it is proposed to continue the wall unless the neighbors at the east end would prefer a six-foot wall.

TMAPC Comments:

Chairman Doherty stated, in regard to contacting Code Enforcement, that Mr. Midget would look into the problem.

Ms. Pace stated she is aware of some of the problems with PSO's lighting. She believes if a property owner requests a mercury vapor light from PSO the adjacent property owner really cannot get it removed. She asked for Mr. Norman to assist in this matter and intercede in this project to discourage mercury vapor lights within the PUD. Mr. Norman replied it is his understanding the lights in question have been removed and he will follow-up on the matter. He feels mercury vapor lights cannot be shielded downward as required by the PUD. He again asked for the height of the lighting to be left open until the detail landscape, screening and lighting plan at a later date. Mr. Norman feels mercury vapor lights are inappropriate within a neighborhood.

Chairman Doherty clarified that Mr. Norman is suggesting that staff recommendation no. 7 be modified to include a phrase "unless permitted under an approved lighting plan." Mr. Norman replied the phrase or a statement that would allow the applicant to submit a modification to the height of the lighting as a part of the detail site plan.

Ms. Pace asked whether mercury vapor lights should be eliminated. Chairman Doherty replied he feels mercury vapor lights should not be specifically eliminated because these types of lights may be appropriate on the Memorial frontage.

Mr. Horner feels this is a beautiful project, since the design is put into the livability space and the number of dwelling units per acre.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to recommend **APPROVAL** of PUD-562/Z-6594, subject to the conditions as recommended by staff and modified at the Public Hearing.

Legal Description for PUD-562/Z-6594:

The North Half of the North Half of the Southwest Quarter of the Southwest Quarter, Section 12, T-18-N, R-13-E, Tulsa County, Oklahoma, and located north of the northeast corner of East 81st Street South and South Memorial Drive, Tulsa, Oklahoma.

Application No.: PUD-563 **CS/OL/AG to CS/OL/AG/PUD**
Applicant: Roy Johnsen (PD-18) (CD-2)
Location: Southeast corner East 91st Street and South Riverside
(Apartment complex.)

1st Vice Chairman Doherty informed the Commission that a timely request for continuance to June 4, 1997 had been received from Mr. Johnsen.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **CONTINUE** Zoning Public Hearing PUD-563 to June 4, 1997.

Other Business:

PUD-467/Z-6310-SP-3a David Brown

(PD-18) (CD-7)

3821 East 51st Street

(Detail Site Plan and Minor Amendment to Corridor Site Plan to locate a restaurant in Development Area 5.)

Staff Recommendation:

The applicant is requesting minor amendment approval of a corridor site plan and PUD site plan approval to locate a restaurant in Development Area 5, the western most portion of the PUD. A City Bites restaurant received corridor site plan approval within Development Area 5 in 1995, but was never built.

Staff review of the current request finds that site plan to be in conformance with the PUD standards as amended in 1994. The proposed site plan meets bulk, area, parking, circulation, landscaped area and setback requirements of the PUD-467 and Development Area 5.

Therefore, staff recommends **APPROVAL** of both the PUD and Corridor Site Plans and the Minor Amendment to the Corridor Site Plan as proposed.

NOTE: Site plan approval does not constitute landscape or sign plan approval.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Minor Amendment Z-6310-SP-3-a and PUD-467 to locate a restaurant in Development Area 5 as recommended by staff.

PUD-553 David Brown (Stillwater National Bank)

(PD-6) (CD-4)

1500 South Utica Avenue

(Detail Site Plan for an office and bank building with related parking and drive-through facilities.)

Staff Recommendation:

The applicant is requesting detailed site plan approval for a four-story, 40,878 square foot office and bank building with related parking and drive-through facilities on a 92,998 square foot lot.

Staff review of the request finds the site plan conforms to the bulk, area, parking, site screening, lighting, landscaped area, circulation, setback and access standards of the approved PUD Outlined Development Plan.

Therefore, staff recommends **APPROVAL** of the site plan as submitted.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, 74103, and David Brown, the applicant, presented a colored rendering of the building.

Mr. Norman stated the proposed building is smaller than what could have been constructed under the approved PUD. He stated the ground-breaking ceremony was held last week and a very good response was received from the neighborhood.

Mr. Norman feels this will become an outstanding facility and in accordance with the PUD requirements.

Interested Parties Comments:

Beth Persac, 1531 South Troost Avenue, 74120, expressed concerns about the project. She feels the developer is not working with the neighborhood.

Ms. Persac stated the neighborhood asked that the Troost entrance/exit be closed due to Troost being a residential street and serving the neighborhood. The street is near and was designed to accommodate business or commercial traffic. She pointed out the entrance/exits are still shown on the site plan.

Ms. Persac expressed concern with the easternmost entrance/exit on 15th Street, indicating it will have multi-directional traffic flow. She feels the entrance/exit should only be a one-way exit with no left turn due to the amount of traffic at the 15th Street/Utica intersection.

Ms. Persac stated the neighborhood had also requested that the building be no more than two stories high. She feels this building is much higher than two stories.

Ms. Persac stated her immediate concern is with the amount of noise due to the previous structures being removed. She feels the landscaping needs to be reviewed and that some type of year-round noise barrier should be provided. She suggested an eight-foot masonry wall and year-round landscaping.

Ms. Persac stated these are her concerns and have been really frustrated that she has not been able to meet with the bank representatives or their attorney to resolve them.

Lisa Blaylock, 1603 South Troost, 74120, stated her home is directly across the parking lot of the proposed bank. She stated she has two issues, landscaping and lighting, to be addressed. She feels these two issues have been the neighborhood's concern since the beginning of the project.

Ms. Blaylock stated the landscape plan for the bank is aesthetically pleasing; however, she feels it is deficient in several areas when it comes to function. She feels the landscaping around the masonry wall should effectively screen the neighborhood homes from the increased lights and noise from the high-traffic commercial area.

Ms. Blaylock stated the noise level has increased dramatically since the removal of the masonry apartment and commercial buildings. The developers have suggested the masonry wall to be constructed around the parking lot will buffer the sound. The trees that are proposed for landscape buffering are deciduous, meaning the trees will be without leaves during the winter months.

Ms. Blaylock feels the proposed screening and buffering plans impose a hardship on the existing neighborhood by bringing in more car noise and eliminating less noise than the buffer provided by the previous structures.

Ms. Blaylock requested the height of the wall be increased.

In regard to traffic, Ms. Blaylock feels the traffic has increased tremendously on 16th Street. She reminded the Commission that 16th Street is a residential street.

Stacey Bayles, 1532 South Troost Avenue, 74120, stated her main concerns are with landscaping. In regard to a homeowners association, she feels there are many different opinions within the Swan Lake Homeowner's Association depending on with whom one speaks. She feels the different opinions add to the confusion of the proposed projects.

Ms. Bayles expressed concern with the traffic due to a residential street being used for commercial access. She noted 16th Street has been closed from access to the Stillwater National Bank, but the street is consistently being used for parking by residents of the apartment complex. She stated there is no regard to the No Parking signs and certainly no enforcement of the signs.

Ms. Bayles questioned why the notice of the hearing indicated landscaping would be discussed. Chairman Doherty asked staff to comment. Mr. Stump stated a landscape plan has been received and that staff would review it. Mr. Stump stated the Commission could request the review of the landscape plan as a condition of the motion. The site plan has to provide sufficient landscape areas set aside to meet the minimal percentage that is required.

Applicant's Rebuttal:

Mr. Norman stated the access plan was included as a part of the site plan. He stated the access plan was reviewed and discussed extensively with the Swan Lake Neighborhood Association and with Traffic Engineering. Traffic Engineering commented, in regard to closing Troost, that the streets to the south of Cherry Street between Utica and Peoria are used by the neighbors and others to gain access to the different blocks, and the closing of this street would carry the traffic into another neighborhood.

In regard to the screening wall and landscaping, Mr. Norman stated a master detail landscape plan was submitted as a part of the PUD. He feels the plan was very detailed and specific. The plan included a six-foot high masonry wall on the 16th Street side up the east side of the alley, along the north boundary of the third house, then angled to the north to the driveway entrance of the parking area.

Mr. Norman stated he was contacted by Ms. Blaylock and received comments on the type of trees and wall height. He informed her the plans were already completed but she could state her preference of one material over another. He feels the consensus and approval of the neighborhood was for the plan as submitted. He pointed out that originally there was no plan for a screening wall along 16th Street, but the neighborhood requested the wall, and it was added to the plans before they were submitted to the Commission. He asked the Commission to keep in mind the drop in elevation and grade of the parking area. He feels due to the drop in elevation, the cars will not be seen.

Mr. Norman feels bound by the plans approved by the Commission, City Council and the neighborhood association. He feels the developer is bound by very specific plans that could be modified in terms of plant materials if there was consensus to do so. The landscape plan has been filed with staff and Mr. Norman does not object to review by the Commission. He stated the plan is in accordance with the PUD as approved.

TMAPC Comments:

In regard to Ms. Persac's comments on the height of the building, Chairman Doherty pointed out that the City Council did, in fact, approve a four-story building.

Chairman Doherty stated traffic issues have been reviewed by Traffic Engineering and this is the plan they support. He reminded Ms. Persac that the TMAPC suggested that the neighborhood explore the possibility of closing Troost, south of the driveway to the banking facility, to create a residential section. He feels this is still a possibility. Ms. Persac asked how this could be pursued and what the cost would be. Chairman Doherty replied it depends on the nature of the closing and suggested she contact the City.

Chairman Doherty feels the new facility, landscaping and walls will reduce the amount of noise Ms. Persac is currently experiencing. Mr. Gardner feels the masonry wall will also be a buffer for noise from the intersection.

Chairman Doherty reminded the Commission the only request before them today is the Detail Site Plan and not landscaping.

Chairman Doherty suggested that Ms. Bayles contact the Mayor's Action Center frequently in regard to the parked cars on 16th Street.

Ms. Pace asked Ms. Bayles to indicate the location of her property on the map. Ms. Bayles indicated her property was lot 8 on the detail site plan. Ms. Pace questioned if the neighborhood would support the closing of Troost. Ms. Bayles replied the closing of Troost has not been discussed thoroughly, but she feels there would be pros and cons for the closing.

Ms. Pace suggested that the masonry wall should be articulated, or off-set, to allow a visible break.

Ms. Pace requested review of the detail landscape plan.

Ms. Westervelt recognized Ms. Blaylock. Ms. Blaylock pointed out the plans calls for deciduous maples and she recommended shumard oak, which is a native plan with red leaves year-round. Chairman Doherty suggested Ms. Blaylock write a letter and have signatures of support in regard to the trees. He stated the letter would be forwarded to the City Council for their review.

Mr. Westervelt commented, in regard to the sound/noise issue, that an earth berm and walls will be sufficient to buffer the noise from the intersection. The partial closing is something that needs to be addressed by Traffic Engineering.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** the Detail Site Plan for PUD-553 as submitted and recommended by staff.

PUD-523-2 Darron Gibson

(PD-18) (CD-8)

8207 South 85th East Avenue

(Minor Amendment to reduce the required rear yard.)

Staff Recommendation:

The applicant is requesting minor amendment approval to allow the reduction of the required rear yard from 20 feet to 13 feet to accommodate the northwest corner of a proposed 2600 square foot single-family dwelling.

Staff review of the plot plan submitted as part of the application finds that the lot is of an irregular shape being 91.11 feet deep on the northeast, 192.31 feet deep on the south, 160.85 feet across the rear yard and 34.48 feet wide at the street.

The proposed structure (66-foot by 45-foot footprint) encroaches into the required rear yard at the north central portion of the lot. The encroachment is approximately two feet outside and to the south of an 11-foot utility easement. Plat restrictions require that homes in Bristol Park Addition be at least 2500 square feet.

Staff is of the opinion that the encroachment is minor in nature and does not compromise the standards of the PUD nor the rear of residential single-family lots which abut the subject property (Lots 29 and 30, Block 1). A minor amendment was approved in March for a similar request reducing a required rear yard from 20 feet to 4 feet on an irregularly-shaped lot within Development Area C (PUD-523-1).

Based on the plot plan submitted and the irregular shape of the lot, staff recommends APPROVAL of the minor amendment to reduce the required rear yard for Lot 46 from 20 feet to 13 feet to accommodate the siting of the house per the submitted plot plan.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick "absent") to **APPROVE** Minor Amendment PUD-523-2 to allow the reduction of the required rear year for Lot 46 from 20 feet to 13 feet to accommodate the siting of the house per the submitted plot plan and recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 3:10 p.m.

Date Approved: 6/10/97


Chairman

ATTEST: 
Secretary