

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1352
 Wednesday, April 1, 1981, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller	Inhofe	Alberty	Linker, Legal
Freeman	Parmele	Gardner	Department
Gardner		Howell	
Higgins		Lasker	
Holliday, Secretary		Matthews	
Kempe, 2nd Vice-		Taylor	
Chairman		Wilmoth	
Petty			
C. Young, Chairman			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, March 31, 1981, at 9:43 a.m., as well as in the Reception Area of the INCOG Offices.

MINUTES:

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Eller, Freeman, Gardner, Higgins, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; no "abstentions"; Inhofe, Parmele, T. Young "absent") to approve the Minutes of March 18, 1981 (No. 1350).

DIRECTOR'S REPORT:

Pat Connelly, Capital Improvements Section Head, presented the 17 capital projects to be reviewed by the Commission prior to the ranking and scheduling for funding. The total amount of money being requested, \$9,500,000, is somewhat lower than in previous years.

The 17 projects are made up of three requests from the Engineering Department, three from Water and Sewer, eight from Parks and Recreation, two from the River Parks Authority and one from the Tulsa City-County Health Department. The major requests are a storm drainage project on the northwest side, repairing the North Harvard line, the Bishop Tract sports fields, the addition of new exhibits at the North American Living Museum, the purchase of 185 acres of flood plain at 101st and Delaware and the expansion of the Tulsa City-County Health Department.

Noting the CIP project to repair the 36 inch main on North Harvard, by installing bell joint clamps on every joint, Commissioner T. Young questioned if this would solve the problem rather than replacing the deteriorating water main. Mr. Connelly stated that the joint leaks were the main problem and could be eliminated with the installation of the joint clamps.

Commissioner Petty advised that he considered the \$250,000 - \$350,000 request by the Park and Recreation Department to install portable concession buildings at Mohawk Zoo to be excessive.

Director's Report: (continued)

On MOTION of PETTY, the Planning Commission voted 9-0-0 (Eller, Freeman, Gardner, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Parmele "absent") to continue the Capital Improvements Projects to April 8, 1981, for further discussion, comments and recommendation.

PUBLIC HEARING:

PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE TULSA COUNTY ZONING CODE, CHAPTER 1, BY ADDING THERETO SECTION 110.3 (b) DISANNEXED TERRITORY AND CHAPTER 4, SECTION 440.6 BY MAKING THE MOBILE HOME TIME LIMITATION AND BONDING REQUIREMENT BY THE COUNTY BOARD OF ADJUSTMENT OPTIONAL, NOT MANDATORY; CONSIDERING OTHER MATTERS RELATED THERETO; REPEALING ALL CODES IN CONFLICT HEREWITH.

Bob Gardner advised that it has been determined that the Tulsa County Zoning Code makes no provision for zoning classifications for properties which have been disannexed from a municipality and are now within the jurisdiction of Tulsa County. The proposed additional language for 110.3 Jurisdiction shall read as follows: "(b) Disannexed Territory - When any territory shall be brought into the zoning jurisdiction of Tulsa County by disannexation, such territory shall be deemed to be in an AG Agriculture District. This provision shall not operate to preclude subsequent rezoning of such property by amendment in the manner set forth in Chapter 17. Property which was assigned a residential, office, commercial or industrial classification by a municipality previous to disannexation would be considered by the Board of County Commissioners for a comparable zoning classification, in accordance with the procedural requirements set out in Chapter 17, provided the owner of such property notifies the Board of County Commissioners, in writing, of the action disannexing the property in question."

Another area of concern was the one-year time limitation and removal bond required by the Tulsa County Zoning Code for mobile homes permitted in a Residential District by Board of Adjustment special exception. Mr. Gardner stated that, in his opinion, it was very important to have the Board approve such requests and the Board should have the option to impose a time limit and require a removal bond. The following language was suggested: "...In the R District, excepting RMH, the mobile home dwelling use shall comply with the lot area requirement for a single family dwelling located within the district, and further provided the Board of Adjustment may impose a time limit and require the posting of a removal bond in the granting of such exception."

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Eller, Freeman, Gardner, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Parmele "absent") to close the Public Hearing and direct the Staff to prepare a Resolution amending the Tulsa County Zoning Code, Chapter 1, by adding thereto Section 110.3 (b) Disannexed Territory and Chapter 4, Section 440.6 by making the mobile home time limitation and bonding requirement by the County Board of Adjustment optional, not mandatory; considering other matters related thereto; repealing all codes in conflict herewith as presented.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5512 Present Zoning: RS-2
Applicant: Roy Hinkle (McQuaig) Proposed Zoning: OM or
Location: East of the SE corner of 51st Street and Delaware Place. RM-2

Date of Application: February 2, 1981
Date of Hearing: April 1, 1981
Size of Tract: 1.89 acre

Presentation to TMAPC by: Roy Hinkle
Address: 7030 South Yale Avenue, Suite 600 Phone: 494-2650

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use (north 200') and Low Intensity -- Residential on the balance.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the OM and RM-2 is not in accordance with the Plan Map.

The Staff recommends APPROVAL of OM on the front 200' measured from the centerline and RM-1 on the balance, for the following reasons:

The subject property is located on the south side of 51st Street, east of Delaware Place. The property is zoned RS-2 and the applicant is requesting OM and RM-2 to accommodate office and apartment development.

The subject property is designated low intensity by the Comprehensive Plan Map; however, OM medium intensity office zoning has been approved on three sides of the subject tract. The Staff feels that the front approximately 200', which is in line with the OM Districts to the east and west, is a reasonable request based upon the surrounding zoning and land use. However, the interior portion based upon a recent City Commission approval of RM-1 zoning of a 7-acre tract, (Z-5403 - Ordinance publication pending legal description of the FD area), in the Staff's opinion, is appropriate for RM-1 zoning, but not RM-2. The subject request for RM-2 is separated from the developed RM-2 zoning to the east by Joe Creek.

For these reasons, the Staff recommends APPROVAL of OM on the front 200' measured from the centerline of 51st Street, and RM-1 on the balance.

NOTE: The Staff feels that approval of this zoning application should constitute a Planned Map amendment on the front 200' consistent with the recommended zoning pattern.

Applicant's Comments:

Roy Hinkle advised that the subject property is a narrow strip of land bounded by RD, OM, RM-2 and RM-1. He described the development to the east of the subject tract as the Cox Nursery, two houses owned by Mr. Cox, two rental properties and apartments. The traffic created by this development can be adequately carried by 51st Street which is four-lane between Lewis and Harvard.

The applicant stated that development of the subject tract will be costly since there is still a great deal of engineering work to be done due to

Z-5512 (continued)

the drainage to Joe Creek.

As a result of a 5' strip of land zoned RS adjacent to the subject tract, 52nd Street and 53rd Street cannot be used for ingress or egress to the property other than a knock-down barrier for emergency vehicles on 53rd Street. Mr. Hinkle advised that he proposes to purchase property from Mr. McQuaig and will use 60' of that narrow piece of land to build a street in order to use the RM zoned property he owns to the south of the subject tract.

Public Service Company owns two vacant lots, adjacent to the subject tract, and will build some type of facility there. The Company plans to ask the County to vacate the dedicated easement to allow access to their property; however, Mr. Hinkle pointed out that Mr. Cox built a garage on the easement and, in his opinion, it would be a lengthy court battle to clear the way for a street.

Protestants: None.

Special Discussion for the Record:

The Staff advised that the west 5' of the south 25' of the subject tract should remain in an RS category to prevent any access to 52nd Street.

Reflecting on an application in the area which was approved one week ago, Mr. Hinkle noted that Columbia Place, a City street, was available for access to that property; however, the subject tract is shut off from a City street and, therefore, he will have to provide the ingress and egress to his property.

Commissioner T. Young stated that the applicant, with the purchase of Mr. McQuaig's property, would have OL, RM-1 and RM-1 on the original tract all together and could file a PUD which would encompass all of the desired development on the tract.

Commissioner T. Young made a motion to approve OL on the front 390', RM-1 on the balance, except for the west 5' of the south 25' of the tract to remain RS-2. The Motion received a second.

Commissioner Petty advised that he favored OM on the front 200' with RM-2 on the balance of the subject tract to allow the applicant to achieve the desired density on the property. He then offered a substitute motion.

On MOTION of PETTY, the Planning Commission voted 4-4-1 (Eller, Freeman, Holliday, Petty "aye"; Gardner, Kempe, C. Young, T. Young "nay"; Higgins "abstaining"; Inhofe, Parmele "absent") to approve OM on the front 200', RM-2 on the balance except for the west 5' of the south 25' of the tract to remain RS-2. The Motion failed and the Commission then considered the original Motion.

On MOTION of T. YOUNG, the Planning Commission voted 4-4-1 (Gardner, Kempe, C. Young, T. Young "aye"; Eller, Freeman, Holliday, Petty "nay"; Higgins "abstaining"; Inhofe, Parmele "absent") to approve OL on the front 390', RM-1 on the balance, except the west 5' of the south 25' which will remain RS-2. The motion failed.

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Mrs. Higgins stated she had not heard the original motion, after which Commissioner T. Young restated the original motion and a final vote was taken.

TMAPC Action: 9 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-3-0 (Gardner, Higgins, Holliday, Kempe, C. Young, T. Young "aye"; Eller, Freeman, Petty "nay"; no "abstentions"; Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following property be rezoned OL on the the front 390', RM-1 on the balance, except for the west 5' of the south 25' of the tract to remain RS-2:

RS-2 to OL: A tract of land described as beginning at the center of existing Highway identified as 51st Street at a point intersected by an extension of east line of Villa Grove Gardens Addition; thence South along East line of said Addition 415'; thence East parallel to center of 51st Street 125'; thence North 415' to center of 51st Street; thence West along centerline of said Street 125' to point of beginning; ALL being part of the NW/4 of the NE/4 of Section 32, Township 19 North, Range 13 East of the Indian Base and Meridian. (The North 25' of said tract being a public highway) all in Tulsa County, Oklahoma, according to the U. S. Government Survey thereof.

RS-2 to RM-1: A tract of land described as beginning at a point 415' South of the center of existing highway identified as 51st Street at a point intersected by an extension of East line of Villa Grove Gardens Addition; thence South along East line of said Addition 244.5'; thence East parallel to center of 51st Street 125'; thence North 244.5' to a point; thence West 125' to point of beginning; LESS and EXCEPT the West 5' of the South 25' thereof to remain RS-2; ALL being part of the NW/4 of the NE/4 of Section 32, Township 19 North, Range 13 East of the Indian Base and Meridian.

Application No. Z-5513 Present Zoning: RS-3
Applicant: James McCarty and R. Bradley Jones Proposed Zoning: RM-T
Location: North of the NE corner of 22nd Street and Lewis Avenue

Date of Application: February 12, 1981
Date of Hearing: April 1, 1981
Size of Tract: .5 acre

Presentation to TMAPC by: Brad Jones
Address: 3223 East 31st Street, Suite 206 Phone: 749-0770

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RM-T District may be found in accordance with the Plan Map.

The Staff recommends APPROVAL of the requested RM-T zoning for the following reasons:

The subject property is located on the east side of Lewis Avenue, between 21st Street and 22nd Street. The property is zoned RS-3, contains a single family dwelling and two duplexes. The applicant is requesting RM-T Townhouse zoning.

The subject property is located between duplexes and single family low density residential development and medium intensity office development. The property has access to Lewis Avenue and is across from a private school. The duplexes are new and developed to the east end of the subject property. The Staff believes that the townhouse zoning is appropriate on the subject tract based upon the surrounding zoning and development pattern. The townhouse development would provide a transition from the nonresidential uses to the north to the low intensity residential uses to the south. The single family and duplex properties to the south back to the subject tract. Townhouse development will not adversely affect the single family neighborhood.

For these reasons, the Staff recommends APPROVAL of the requested RM-T zoning.

For the record, RM-T zoning will allow the applicant to file a townhouse plat in order to sell the four (4) existing duplex units, as well as 3 or 4 additional units permitted under the RM-T zoning.

Applicant's Comments:

Brad Jones advised that he proposes to replat the two existing duplexes and sell them as individual units. In addition, an existing single family residence will be removed and 3 or 4 new townhouses will be constructed.

Protestant: W. Roy Stockton Address: 2412 East 22nd Place

Protestant's Comments:

W. Roy Stockton, President of the South Lewis Homeowner's Association, presented a protest petition (Exhibit "A-1") bearing 19 signatures of area residents. The predominant development in the surrounding area he advised is single family residences. The residents feel that townhouse use on the subject tract would detract from the present property values. Mr. Stockton had discussed the proposed construction with some architects who advised him that three townhouses could be constructed on the subject property,

Z-5513 (continued)

but they would be extremely crowded. The protestant also noted that duplexes probably do not lend themselves to separation as townhouses and the building code would require extensive modification of the duplexes to convert them to townhouses.

Access to the subject tract is from Lewis, a very heavily traveled street. Mr. Stockton advised that anyone attempting a left turn from Lewis onto the subject property will back up traffic and create a hazard to others. The protestant urged that the rezoning application be denied and recommended, as an alternative, that the applicant be allowed to construct another duplex on the subject tract.

Instruments Submitted: Protest Petition, 19 signatures (Exhibit "A-1")
Letter - District 6 Steering Comm. (Exhibit "A-2")

Special Discussion for the Record:

Brad Jones, noting Mr. Stockton's concern of converting the duplexes into townhouses, advised that the duplexes presently have a fire wall inbetween each unit and they are easily divided. The garages are in the middle. The entire property will be replatted. Mr. Jones did not feel the traffic would become a problem with the number of units proposed.

A letter (Exhibit "A-2") from the District 6 Steering Committee carried the Committee's recommendation for approval of the subject application.

TMAPC Action: 9 members present.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Eller, Freeman, Gardner, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-T:

The North 96' of the West 300' of Lot 18 in Harter's Second Subdivision in the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5517 Present Zoning: CH and OL
Applicant: Charles E. Norman (Helmerich & Payne) Proposed Zoning: OL or P & CH
Location: North side of East 21st Street, between Utica Avenue and St. Louis

Date of Application: February 20, 1981
Date of Hearing: April 1, 1981
Size of Tract: 1 acre, more or less

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building Phone: 583-7571

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Office, Special District 1; Low-Intensity -- Office.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CH District is not in accordance with the Plan Map, and the OL or P Districts are in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of CH and P on the requested areas, for the following reasons:

The subject property is located on the north side of 21st Street, west of Utica Avenue. The property is zoned CH and OL and the applicant is requesting either OL or P and CH.

The northwest corners of the intersection of 21st Street and Utica Avenue was designated High Intensity -- Office and Special District 1, by the Comprehensive Plan. The property has developed accordingly with two high-rise office buildings and a parking garage. The applicant has the right to develop the proposed building within the area currently zoned CH, but is proposing to move the new building west of and abutting the permitted location. In order to accomplish this, the application has been filed to transfer 17,400 square feet of existing unused CH zoning to an area zoned OL and to down-zone 17,400 square feet of existing CH area to P. The Staff would be opposed to adding additional area to the CH zoning, however, in the case of an exchange as proposed, there is no additional intensity permitted. The proposal is for a specific project, will not affect any abutting properties since the approved off-street parking area will remain to the north and west. We support the parking zoning (P) over OL, since it does not permit additional intensity (floor space).

For these reasons, the Staff recommends APPROVAL of the CH and P Districts as requested.

For the record, the Special District should be amended to include all of the property west and north of the present office building; less and except the residential buffer lots along St. Louis and along 20th Street.

Chairman Carl Young announced that he would abstain from any discussion or vote on this application. He relinquished the Chair to Second Vice-Chairman, Cherry Kempe.

Z-5517 (continued)

Applicant's Comments:

Charles Norman, representing Helmerich and Payne, Inc., advised that as a part of the expansion plans, a request to remove two existing structures and construct a parking facility was presented to the Board of Adjustment in September, 1980. The parking facility was approved with strict requirements on fencing, screening and a drainage concept which requires the entire area to be drained back to the east and the north-east with any surface water from the parking area to be carried in pipes to 19th Street and connected into the existing storm sewer system. There will be no access from the parking lot to St. Louis Avenue or to 19th St.

Coleman, Ervin & Associates recommended that consideration be given to a separate free-standing structure rather than construction of an annex to the 30-year old existing building. The proposed new structure will set back further from 21st Street and will be identified as the corporate headquarters of Helmerich & Payne, Inc. The building will be 11 stories in height, be of brick construction and will be located within the area requested for rezoning to the CH zoning district. The Company proposes to add two floors to the existing parking garage. Therefore, the present plan does not call for any structural parking underneath, either subsurface or below the office building, or any structured parking to the west of the proposed building. There will be some loss of parking on the tract in order to preserve existing major trees on the property.

The application requests that an area of CH, containing 17,400 square feet, be down-zoned from CH to Parking and that the pad of the new building be rezoned from OL to CH. The square-footage within the two tracts is exactly the same. Since there is no floor area restriction within the CH District, the 150,000 sq. ft. building can be constructed on a pad containing 17,400 sq. ft., much smaller than required in an OM District. The intensity of development along 21st Street will not be increased in any way.

A letter (Exhibit "B-1") was presented from Robert Paddock, Chairman of the District 6 Steering Committee. The Committee recommended denial of the application noting that it would increase the anxiety of residents over the future use of land owned by the applicant up to the east side of South St. Louis Avenue. In addition, extension of CH zoning would increase fears of the homeowners that other than residential zoning will be granted in the future that will further encroach upon the residential neighborhood in the Swan Lake area. The applicant was asked to consider alternative office zoning that would limit the height and uses permitted.

<u>Protestants:</u>	Kevin Landergan	Addresses:	1363 East 20th Street
	Larry Young		1553 East 19th Street
	Lee Selby		1352 East 18th Street
	Jessica Stoll		1340 East 19th Street
	Jim Watson		1344 East 19th Street

Protestant's Comments:

Kevin Landergan, representative of the Swan Lake Homeowners Association, advised that the residents felt this is one in a series of steps leading to a degradation of the neighborhood through encroachment of commercial development and its spill-over affects. The homeowners view the proposed

Z-5517 (continued)

rezoning as moving the development pressures west on St. Louis Avenue with the possibility of placing the area along St. Louis Avenue under pressure to go into parking or some type of commercial use. Mr. Landergan requested some type of action which will help to preserve the neighborhood as well as the Swan Lake area.

Larry Young advised that he was very surprised when he heard of the rezoning application, since just six months ago Mr. Norman had assured the Board of Adjustment there were no plans for any additional development in the area.

The three basic objections listed by Mr. Young included the increased intensity in the area, reduction of the buffering affect which is in place and there are no assurances provided that the proposed building will be 11 stories in height. The protestant also pointed out that CH zoning has never been granted in the area and approval of this application would set a precedent.

Lee Selby, past president of the Swan Lake Homeowner's Association, stated he was opposed to the application since it diverges from prior agreements that have been made with the TMAPC, Board of Adjustment and the City Commission. Mr. Selby advised that he did not object to the requested parking before the Board of Adjustment the past September; however, at that time he was unaware that further development of the subject tract was under consideration.

Jessica Stoll pointed out that the Swan Lake area is an historic neighborhood with many of the homes in the area listed on the State Historic Register. The lake attracts tourists to the area and is also used by all ages of people. Mrs. Stoll stated that she was not as concerned about the proposed building as she was the parking garage. One of the driveways from the existing parking garage has access to 19th Street. The garage also has driveways on Utica Avenue and on 21st Street - these are the accesses which should be used. The driveway onto 19th Street has been constructed to encourage the traffic to turn right; however, this has not deterred the cars from turning left and traveling at a high rate of speed on 19th Street.

Jim Watson, officer of the Swan Lake Homeowner's Association, advised that Helmerich & Payne has not lived within the long term plan. He requested that the Commission think in terms of planning. The protestant noted that the plan, as it exists now, is marching steadily westward and the neighborhood residents are concerned that the applicant will, in the future, ask for further exceptions to the north and south of the subject tract. Mr. Watson requested that Helmerich & Payne show some of the same concerns for the area as those expressed by the residential homeowners.

Instruments Submitted: Letter District 6 (Exhibit "B-1")

Special Discussion for the Record:

In response to Mr. Young's statement concerning additional development, Mr. Norman advised that there has been no change in plans other than the erection of a free-standing building, rather than an addition to the existing structure.

Z-5517 (continued)

Addressing the traffic from the parking garage onto 19th Street, Mr. Norman advised that the existence of the 25' of residential zoning was overlooked by the Utica Bank when they constructed the existing parking garage. There is an exit onto 19th Street which leaves only the lower floor of the garage and exits to 19th Street where the bumps in the pavement are intended to restrict traffic leaving the garage to right turn movements back toward Utica Avenue. An addition of two levels of parking is proposed - this will not double the parking spaces. Structurally it would be impossible to add more than two levels of parking to the existing garage.

Mr. Norman advised that the only reason for this application is to give assurance to the TMAPC and the City Commission that the proposed building will be constructed on the specific site. He also pointed out that everything which Helmerich & Payne has constructed in the area has been of the highest quality and they have shown their concern for the neighborhood by asking the architect to design buildings which are compatible with the character of Swan Lake and the area to the west. The commitment of Helmerich & Payne to construct their corporate headquarters in a free-standing building represents the greatest stabilizing affect and influence possible in this area. This kind of improvement, permanent in nature and separated from the existing structure, does constitute a barrier and a commitment to the land use of the future.

In answer to Commissioner T. Young's question, Mr. Norman advised that OH zoning could not be considered since the parking in an OH District must be on-site and existing off-site parking situation could not be utilized. Helmerich & Payne does not own the parking site, but has a contractual right to construct two levels of parking with mutual access easements.

Bob Gardner advised that if OH zoning was utilized for this specific project, the pad site would be required to be larger than that which is proposed.

Commissioner Petty asked if the CH District would permit commercial shopping and Mr. Gardner stated that it would. Mr. Norman pointed out that Helmerich & Payne own the Utica Square Shopping Center and did not foresee any future needs for additional commercial shopping use in the area.

TMAPC Action: 7 members present.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Freeman, Gardner, Holliday, Kempe, Petty, T. Young "aye"; no "nays"; C. Young "abstaining" Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following property be rezoned CH and P:

CH to P: All that part of Lot 4, Block 27, Park Place Addition, an Addition in the City of Tulsa, Tulsa County, Oklahoma, according to the Official Recorded Plat, more particularly described as follows, to-wit: Beginning at the SW corner of said Lot 4; thence North 0°-21'-21" East along the West line of said Lot 4 a distance of 135.98'; thence due East a distance of 83.04'; thence due South a distance of 7.92'; thence due East a distance of 47.25' to a point 19.92' from the East line of said Lot 4; thence due South a distance

Z-5517 (continued)

of 128.06' to a point on the South line of said Lot 4, 19.10' from the SE corner thereof; thence due West along the South line of said Lot 4 a distance of 131.14' to the point of beginning, containing 17,400 square feet or 0.39945 acres.

OL to CH: All that part of Lot 5, Block 27, Park Place Addition, an Addition in the City of Tulsa, Tulsa County, Oklahoma, according to the Official Recorded Plat, more particularly described as follows, to-wit: Beginning at a point in the East line of said Lot 5, 78.00' from the SE corner thereof; thence due West a distance of 119.55' to a point 30.10' from the West line of said Lot 5; thence due North a distance of 145.00'; thence due East a distance of 120.45' to a point on the East line of said Lot 5; thence South $0^{\circ}-21'-21''$ West along the East line of said Lot 5 a distance of 145.00' to the point of beginning, containing 17,400 square feet or 0.39945 acres.

Application No. Z-5519
Applicant: Robert J. Nichols (Ira Crews)
Location: 55th Place, East of Lewis Avenue

Present Zoning: RS-3
Proposed Zoning: RD

Date of Application: February 20, 1981
Date of Hearing: April 1, 1981
Size of Tract: 1.3 acre

Presentation to TMAPC by: Robert J. Nichols
Address: 800 Grantson Building, 111 West 5th Street Phone: 582-3222

The applicant was present, but did not comment.

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low-Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RD District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of the requested RD District, for the following reasons:

The subject property is located on the NE corner of 55th Place and Atlanta Avenue. The property is zoned RS-3 and the applicant is requesting RD Duplex zoning.

The subject property was recently under application for RM-T Townhouse zoning which was denied and RS-3 approved. The applicant was proposing 29 townhouses at that time. The property was approved PUD #252, which limited the number of dwelling units to 22. The applicant has filed and amended the PUD application requesting 27 dwelling units. The Staff was originally opposed to the RM-T zoning on the entire property, however, with the approval of RM-T on the west property, and approval of RM-T zoning south of 55th Place, at the end of Lewis Place, RD on the subject property, in the Staff's opinion, is now a reasonable zoning request.

Accordingly the Staff recommends APPROVAL of the requested RD zoning.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RD:

The East-Half of The Vinyard Addition, an addition to the City of Tulsa, Oklahoma.

Application No. PUD #252-A
Applicant: Robert J. Nichols (Ira Crews)
Location: 55th Place, East of Lewis Avenue

Present Zoning: (RS-3)

Date of Application: February 20, 1981
Date of Hearing: April 1, 1981
Size of Tract: 1.3 acre

Presentation to TMAPC by: Robert J. Nichols
Address: 800 Granston Building, 111 West 5th Street Phone: 582-3222

Mr. Nichols was present, but did not wish to comment.

Staff Recommendation:

Planned Unit Development #252-A is located on the north side of 55th Place, on both sides of Atlanta Place. The property is zoned RM-T and RS-3 was approved under PUD #252 for 22 Townhouse units. The applicant has filed a zoning application Z-5519, to change the RS-3 to RD and the amendment to PUD #252 to request an additional 5 dwelling units.

The Staff has reviewed the applicant's Site Plan amendment and find the proposal meets the stated purposes of the PUD Chapter. Therefore, the Staff recommends that the Planning Commission approve PUD #252-A, subject to the following conditions:

1. That the applicant's Site Plan be incorporated as a condition of approval.
2. That the maximum number of dwelling units be 27 Townhouse units, single-family attached.
3. That the setbacks be as follows:
 - a) Perimeter yards (north, east and west -- 15 feet;
 - b) from Atlanta Place----- 20 feet (east side)
----- 11 feet (west side);
 - c) from 55th Place----- 25 feet; and
 - d) between buildings----- 20 feet.
4. That the minimum off-street parking spaces be two per dwelling unit.
5. That the minimum livability space (gross space) be 44,520 sq. ft.
6. That a detailed site plan showing location of buildings, parking, green space and existing trees to remain, be approved by the TMAPC prior to the request for a building permit.
7. That a subdivision plat incorporating within the restrictive covenants, the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants, be approved by the TMAPC and filed of record in the County Clerk's Office prior to the request for a building permit.

Protestants: None.

PUD #252-A (continued)

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be approved, subject to the conditions:

The Vinyard Addition, an addition to the City of Tulsa, Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-5498SP

Site Plan Approval

Applicant: Charles Norman (ORU)

Location: North and West of 81st Street and South Lewis Avenue

Date of Application: March 5, 1981

Date of Hearing: April 1, 1981

Size of Tract: 30 acres

Presentation to TMAPC by: Charles Norman

Address: 909 Kennedy Building

Phone: 583-7571

Staff Recommendation:

Phase I of the Corridor Site Plan for Z-5498 located on the west side of Lewis Avenue, north of 81st Street, has been submitted for review and recommendation. The total corridor site area is 30 acres, less the FD Floodway area, however, Phase I contains only 4.9 acres of the total tract.

The Staff has reviewed the site plan and find that the site plan meets the conditions for approval as established by Section 850.3 of the Tulsa Zoning Code, and accordingly recommend that the Planning Commission approve Phase I of the Corridor Site Plan for Z-5498, subject to the following conditions:

- 1) That the applicant's Site Plan be approved as submitted (any changes to the Site Plan will require the approval of the TMAPC).
- 2) That the remaining acres of Z-5498 is subject to the approval of a site plan to determine the development use and intensity.
- 3) That the hotel and related accessory uses be approved for the site. The existing residence will remain on the property for an indefinite period and at the termination of the residential use the property will then convert to off-street parking.
- 4) That the maximum floor area for Phase I be 165,700 square feet.
- 5) That the maximum height be 120 feet.
- 6) That the minimum parking spaces be 1 per hotel sleeping room and 1 per 225 square feet of accessory use located within the hotel.
- 7) That two ground signs be permitted, one on each arterial street frontage not to exceed 25 feet in height and 12 feet in width. Internal direction signs shall not exceed 8 feet in height. All signs shall be subject to TMAPC approval prior to the installation.
- 8) That a subdivision plat be approved by TMAPC, incorporating within the restrictive covenants the Site Plan conditions of approval, making the City of Tulsa beneficiary to said covenants, and filed of record in the County Clerk's Office.
- 9) That lighting for the parking and recreation areas be directed in a downward manner to prevent spillover on adjacent properties.

A letter (Exhibit "C-1") was presented from Gomer A. Evans, Jr., representing Mrs. Vera Spears, requesting a continuance of the application for two weeks. The requested continuance would allow time for the protestant to examine the proposed site plan.

Z-5498SP (continued)

Charles Norman, applicant, stated he was opposed to the request for a continuance.

Gomer Evans, representing Mrs. Vera Spears, stated that due to age and a hearing problem it was physically impossible for the protestant to attend and take part in the meeting. Mr. Evans advised that he had not had an opportunity to review the site plan and for that reason requested the application be continued.

Commissioner T. Young asked Mr. Evans what efforts he had made to attempt to gain access to the PUD. Mr. Evans advised that Mr. Norman had informed him that when the changes were completed he would make it available to him.

Mr. Norman stated that this is a corridor zoning detailed site plan; the corridor zoning was approved by the City Commission on March 31, 1981, over a protest filed by Mrs. Spears. He pointed out that under the corridor zoning site plan review the public hearing must be advertised. Therefore, this application was filed with the Staff on March 5, 1981, copies of the site plan were presented, and an advertising sign was posted on the subject property on March 11, 1981. Since that time Mr. Norman noted that he had not been contacted by the protestant or her representatives. The proposed project involves the construction of a hotel near the intersection of 81st and Lewis Avenue. The need for the hotel arises from the construction of the City of Faith and its planned opening late this year. Mr. Norman stated that time was of the greatest importance in this development.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele "absent") to hear application Z-5498SP at this time.

Applicant's Comments:

Charles Norman advised that the 30-acre tract was approved for corridor zoning by the City Commission, with the exception of the area on the north and west sides which are used for drainage channels and will remain in the FD District.

The site plan includes a driveway, for which an easement has been granted by ORU, coming off of Lewis Avenue and away from the left turn entrance into Maybee Center as far as possible. The University has also given the project a 45' wide easement on the west side to 81st Street. One of the design problems created by the corridor district is the 300' setback from the centerline of an adjacent arterial street; the applicant has complied with that requirement.

Mr. Norman, referring to a contractual agreement between Oral Roberts University and the Spears' family, presented at the rezoning meeting of February 25, 1981, advised that Mrs. Spears could reside in her home on the subject tract until such time as she changes her place of residence, or until her death. The Contract further provided that the buyer not construct any improvement closer than fifty feet on any side of the house. Complying with this contractual agreement excludes three-quarters acre of land from the hotel use and creates a lot for Mrs. Spears much larger than any required under the zoning districts.

Z-5498SP (continued)

A landscaped green area is proposed around Mrs. Spears' property. There are also a number of pecan trees on the tract which will provide a separation.

The proposed hotel will have 310 rooms initially and will be expanded substantially in the future if the demand generated by the City of Faith and medical clinics is realized. The hotel expansion is proposed on the northern portion and towards the creek. Any expansion will be subject to an advertised public hearing and a detailed site plan.

Protestants: Gomer Evans Address: 2406 Fourth National Bank Building

Protestant's Comments:

Gomer Evans, representing Mrs. Spears, pointed out that this is a clear infringement on her right to the peaceful use and enjoyment of her home. An eight-story hotel, a swimming pool less than 100' away, and a parking area where cars are coming and going all hours of the day and night will not provide a quiet home atmosphere for the protestant. Mr. Evans urged the Commission not to approve this application until some future time when Mrs. Spears is no longer able to use and enjoy her home.

Instruments Submitted: Letter - Request for Continuance(Exhibit "C-1")

Special Discussion for the Record:

Commissioner Petty questioned if there were restrictions placed on the operator of the hotel which would benefit Mrs. Spears. Mr. Norman advised that the hotel is limited basically to sleeping rooms - this is not a convention-type hotel. There will be no alcoholic beverages sold on these premises. The plans of the hotel are subject to Oral Roberts University.

Mr. Kempe suggested the lighting on the property be directed in such a way that it would not interfere with Mrs. Spears' use of her property.

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be approved, subject to the conditions including the condition that lighting for the parking and recreation area be directed in a downward manner to prevent spillover on adjacent properties:

The SE/4 of the SE/4, LESS and EXCEPT the SE/4 of the SE/4 of the SE/4 thereof, Section 7, Township 18 North, Range 13 East, containing 30 acres, more or less.

Application No. CZ-11 Present Zoning: AG
Applicant: J. R. Lambert (C. Gibson) Proposed Zoning: CG
Location: West of Higheay #169, South of 126th Street North

Date of Application: February 20, 1981
Date of Hearing: April 1, 1981
Size of Tract: 3.74 acres

Presentation to TMAPC by: J. R. Lambert
Address: A-1 Realtors P. O. Drawer M., Owasso Phone: 272-2225

Relationship to the Comprehensive Plan: The Owasso Comprehensive Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan, designates the subject property Rural Residential and Agricultural Uses. The CG District is not in accordance with the Plan Map.

The Owasso Planning Commission voted (3-0-0) on March 19, 1981, to recommend DENIAL of the requested CG zoning.

Staff Recommendation:

The Staff recommends DENIAL of the requested CG zoning, for the following reasons:

The subject property is located on the west side of U. S. Highway #169, between 116th Street North and 126th Street North. The property is vacant, zoned AG Agriculture, and the applicant is requesting CG General Commercial zoning to accommodate a dance hall.

Commercial zoning on the subject property represents "spot" zoning, since it bears no reasonable relationship to the surrounding zoning or uses. The surrounding zoning is agricultural and there are single-family residences to the north and south on large tracts. Commercial zoning does not exist nor is it planned along Highway #169, except at the major intersection corners of 116th Street and 126th Street North. The presence of the home occupation (beauty shop), or a nonconforming restaurant near 116th Street does not justify a departure from the adopted Plan or sound planning practice. Commercial zoning is unmerited on the subject tract and would lead to commercial stripping along the section line road if approved.

For these reasons, the Staff recommends DENIAL of the requested CG zoning.

Applicant's Comments:

Jim Lambert, a real estate broker representing the applicant, advised that there are no recreational facilities for the adult population of the area. The proposed use of the subject tract is for a community dance hall to be built by private investors in the area of 121st Street North and Highway #169. Noting the two highways in the area, Mr. Lambert stated that industrial or commercial use should abut the highways rather than residential use, then a buffer zone of apartments or duplexes and into the residential neighborhood. Mr. Lambert pointed out that the Planning Commission indicated they would like to hold all commercial use to the section line intersections; however, in his opinion, the Owasso and Collinsville area will need more commercial zoning than this would allow. Mr. Lambert also advised that in holding the commercial zoning to the corners only, the individual business owners would be shut out.

CZ-11 (continued)

A petition (Exhibit "D-1") in support of the application was presented. The petition contained 134 signatures of area residents.

<u>Protestants:</u> John Greenstreet	Addresses:	2650 East 45th Street
John Wyant		R. R. #3, Box 750, Collinsville
Shirley Henley		R. R. #3, Box 715, Collinsville
Vinita Dingman		R. R. #3, Box 758, Collinsville

Protestant's Comments:

John Greenstreet advised that he owns the property across Highway #169, within 300' of the subject tract. He pointed out that there are several residences near the subject property and the proposed rezoning would disrupt the residential pattern of growth in the area. The commercial classification is too broad and would "open the gates" for a broad variety of commercial developments. It was also Mr. Greenstreet's opinion that if a dance hall or similar project is constructed, the quality of the neighborhood will be downgraded and other undesirable establishments would be likely to follow.

Mr. Greenstreet presented a protest petition (Exhibit "D-2") with signatures of 13 area residents.

John Wyant advised that he did not own his own home, but did reside in the area of the subject tract. He stated that there is very little law enforcement in this area and expressed concern that this could become a problem with the opening of a dance hall. Also, the additional traffic generated by the commercial business could be hazardous to those residing in the area.

Shirley Henley presented a letter (Exhibit "D-3") from her husband, Michael Henley, stating his objections to the proposed rezoning application. The Henley's home abuts the subject tract on the south and they feel the proposed business would hurt the future development of the area. Mrs. Henley cited numerous accidents caused by drunk drivers coming from a bar in the vicinity and feared commercial development at this location would add to those problems. The protestant noted that the frontage of the subject tract is not very good and expressed fear that additional traffic accidents would occur if the commercial development was approved. Police response in the County is hard to get and could be a problem with the additional commercial development.

Vinita Dingman stated that her family had lived in this area for thirty years and she resented the intrusion of commercial use near their home and rural atmosphere. Additional traffic along Highway #160 and the possibility of toxic waste from potential industrial or warehouse uses were also concerns of Mrs. Dingman. The protestant advised that she had lived along South Sheridan in Tulsa, had seen the creeping commercial uses take over and did not want this to happen in her present neighborhood.

Interested Party: Charles Norton Address: R. R. #2, Box 1640, Owasso, Ok.

Interested Party's Comments:

Charles Norton, builder of the proposed dance hall, advised that Owasso does not have any type of adult recreational facilities. It was Mr. Norton's opinion that the small businessman was unable to acquire the necessary zoning and to pursue his interests in the area.

CZ-11 (continued)

Mr. Norton advised that the dance hall will be open two nights a week, five hours each night. Off-duty highway patrol officers will serve as security guards. Beer will not be served on the premises. This will be a community country-western dance hall.

A letter from the Owasso City Planner (Exhibit "D-4") stated that the Owasso Planning Commission voted 3-0-0 to recommend denial of the requested CG zoning.

Instruments Submitted: Petition in Support of Application, 134 signatures (Exhibit "D-1")
Protest Petition, 13 signatures (Exhibit "D-2")
Letter from Michael Henley (Exhibit "D-3")
Letter - Owasso City Planner (Exhibit "D-4")

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to recommend to the Board of County Commissioners that the following described property be DENIED:

The N/2 of the SE/4 of the SE/4 of the NE/4, LESS and EXCEPT the North 100 feet of the East 485 feet, Section 6, Township 21 North, Range 14 East, Tulsa County, Oklahoma.

SUBDIVISIONS:

Chimney Ridge Townhomes (1583) NW corner of 91st Street and South Sheridan Road (RM-1)

The Staff presented the plat with the applicant represented by Ted Sack.

Mr. Sack distributed copies of a preliminary Site Plan at the T.A.C. meeting and advised covenants would be made available prior to the Planning Commission meeting. A Subsurface Committee meeting was planned soon to work out utility locations.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Chimney Ridge Townhomes, subject to the conditions.

Mr. Fred Manton stated he lives on a 40-acre farm bordering the subject property to the north. He advised that when the higher density was approved for the subject property, the Board of Adjustment specified that a privacy fence be erected with the finished side to the north. Assuming that the privacy fence is still required, Mr. Manton requested that the fence be erected prior to the construction of the townhomes.

Mr. Wilmoth advised that a subdivision, Belmont Hills, now expired, had received a Board of Adjustment waiver, including the privacy fence requirement; however, those restrictions have expired and would not be applicable to this development. A screening fence is required only when there is a parking lot adjacent to a residential district. The zoning was not an issue on this plat and it is not a P.U.D.

On MOTION of ELLER, the Planning Commission voted 5-1-0 (Eller, Freeman, Holliday, Kempe, C. Young, "aye"; T. Young "nay"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the preliminary plat of Chimney Ridge Townhomes, subject to the following conditions:

1. Show adjacent streets on the east side of Sheridan Road. Show "Grand Point" Addition.
2. Board of Adjustment approval will be required if more than 40 units are planned on one lot.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (17½' x 11') Existing easements should be tied to or related to property and/or lot lines.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language in covenants for Water and Sewer Department) (Check elevation: Pressure system required over 775' elevation) (Off-site plans will be required.)
5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.

Chimney Ridge Townhomes (continued)

7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, (for drainage??).
8. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
9. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer.
10. Access points shall be approved by City and/or Traffic Engineer.
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)
13. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. (Include subsurface provisions, dedications for storm water facilities, as applicable.)
14. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
15. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Rustic Meadows Amended (PUD #250) (1183) 81st Street and South 77th East Ave.
(RS-3)

The Staff presented the plat with the applicant represented by E. C. Summers and John Moody at the Technical Advisory Committee Meeting.

The Staff noted, as of the date of preparation of the agenda (3/20/81) no restrictive covenants had been submitted for review. In the event same was not received in time for T.A.C. and Staff review, it was recommended that only "sketch plat approval" be granted since covenants are required for preliminary approval. (Later in the meeting John Moody advised covenants would be available prior to Planning Commission meeting.)

When the project was reviewed by the T.A.C. there was no discussion regarding the closing of 74th East Avenue to the north. In the review of the PUD at the Planning Commission meeting, a condition of the approval was the elimination of a connecting street to the north. This was primarily because of the protests of adjacent land owners to the north. Therefore, the design of the northwest corner of the plat was based on PUD approval and not a review by the T.A.C. This has in effect left 50 lots with only one point of access. A second point of access may be a necessity not considered by the protestants. However, the PUD was approved and the listed standard requirements shall apply.

Rustic Meadows Amended (PUD #250) (continued)

A Special Note for the Record:

The Technical Advisory Committee, and especially Traffic and City Engineering Departments did not recommend that access to the north be cut off, and object to the design as recommended in the approval of the PUD. This design restricts traffic flow and leaves 50 lots isolated with their only access a bridge on 77th East Avenue. Recommendation of approval of this plat does not mean that the T.A.C. agrees with the PUD condition (regarding streets), but since an approval was made by the Commission they will abide by that decision.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Rustic Meadows Amended, subject to the conditions; and subject to the rotation regarding 74th East Avenue.

A letter of protest (Exhibit "E-1") was received from H. A. Henderson, Administrator and Russell Human, Pastor, of the Central Church of the Nazarene. The Church members were opposed to the elimination of the extension of 74th East Avenue, since it would cut off direct access to fire, police and emergency services and would landlock a portion of the Church property.

Kathy Wilson, 7415 South 73rd East Avenue, President of the Southeast Tulsa Homeowner's Association, advised that the area residents to the north of the subject tract are opposed to any extension of 74th East Ave.

Herb Henderson, Administrator of the Central Church of the Nazarene, stated that the elimination of the extension of 74th East Avenue would landlock a considerable portion of the north 10 acres of the Church property. The Church deeded the land to D & B Venture '77 with the understanding that a street would be provided for north access for fire and police protection.

Russell Linker, Assistant City Attorney, advised that there were several problems involved with the covenants which need to be resolved.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to continue Rustic Meadows Amended to April 8, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow Traffic Engineering and Legal Departments time for review of the application.

CITGO Second Addition (1583) SW corner of 81st Street and Sheridan Road (CS)

The Staff presented the plat with the applicant represented by Jack Cox and David Simmons at the T.A.C. meeting.

The Traffic Engineer recommended the corner access points be moved back at least 24' from the corners to avoid the curb returns. There was no objection from utilities that the south easement was eliminated.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of CITGO Second Addition, subject to the listed conditions.

CITGO Second Addition (continued)

On MOTION of FREEMAN, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the preliminary plat of CITGO Second Addition, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
4. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
5. Access points shall be approved by City and/or Traffic Engineer.
6. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
7. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)
8. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
9. All Subdivision Regulations shall be met prior to release of final plat. (Staff)

Crow-Dobbs Office Park (PUD #202) (283) 61st Street and South 76th East Ave.
(CS)

Mr. Wilmoth advised that he had not received all of the letters for final approval and release of this plat. He recommended the item be tabled.

The Chair, without objection, tabled Crow-Dobbs Office Park.

Baystone (3193) South side of 58th Street, at Quincy Avenue (RM-2)

The Staff noted that all letters were in the file and final approval and release was recommended.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") for approval and release of the final plat of Baystone.

Garnett Place (3194) West side of South Garnett Road, 1/4 mile North of 61st Street (IL)

The Staff recommended this item be tabled since not all letters had been received.

The Chair, without objection, tabled Garnett Place.

Coyote Run (2590) West side of Coyote Trail, between 41st & 51st Streets (AG) (County)

All letters are in the file and the Staff recommended final approval and release of this plat.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the final plat and release of Coyote Run.

Crow-Dobbs Office Park II (1793) West of the SW corner of 21st Street and South Columbia Place (OL)

Mr. Wilmoth advised that one of the conditions on the preliminary plat was that the development would show 60' of right-of-way from the centerline of 21st Street.

Ted Sack, engineer, advised that the right-of-way on all of the property on the east to the Broken Arrow Expressway on ramp is 50'. In addition, to the west, a plat has been filed with only 50' on 21st Street and has been approved. Mr. Sack requested the Commission approve a waiver of the condition on the subject plat to 50' from the centerline of 21st Street.

On MOTION of FREEMAN, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the waiver of the Subdivision Regulations requiring conformance with the Major Street Plan to allow a 50' setback.

Grantham Addition (1393) SE corner of 21st Street and South 92nd East Avenue (CS)

The Staff recommended this item be tabled since not all of the letters had been received.

The Chair, without objection, tabled Grantham Addition.

FOR EXTENSION OF APPROVAL:

Cedar Ridge Park (2483) NW corner of 101st Street and South Mingo Road
(CS, OL and RS-3)

AND

Garnett Center (3293) SE corner of 51st Street and Garnett Road (IL)

Mr. Wilmoth recommended these plats be given an extension of approval to January 6, 1982.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to grant an extension of approval to January 6, 1982, for Cedar Ridge Park and Garnett Center.

WAIVER OF PLAT:

Z-5441 J. R. Lee (194) 18515 East Admiral Place (IL)

The Staff had not heard from the applicant, nor was the required information submitted, so the item was stricken from the agenda without objection.

Z-5482 Admiral Benbow Addition (2793) SE corner of Skelly Drive and South
Braden Avenue (OMH)

The Staff presented the request with the applicant represented by Ted Sack.

They advised that this is a request to waive plat requirement on the above subdivision, since it is already platted and nothing would be gained by a new plat. A 10-story office building is proposed for the site adjacent to the existing Smuggler's Inn. The Traffic Engineer noted some access changes may be necessary. The P.S.O. will need some easements, to be worked out in a subsurface meeting.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5482, subject to conditions.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the waiver of plat on Z-5482, subject to the following conditions:

- (a) Drainage plan approval by City Engineer in permit process;
- (b) changes in access to be approved by Traffic Engineer; and
- (c) easements as needed by utilities.

Z-5484 East 11th Street Park (494) East of the NE corner of 11th Street and
the Mingo Valley Expressway (CG)

Mr. Wilmoth advised that this is a request to waive plat on Lot 13, Block 2, of the above Addition. The front was already zoned commercial and the current application only extended it further north and changed the allowable coverage. The applicant has submitted drainage plans to the Engineering Department already. The proposed use is office/warehousing. Detention will be required.

Z-5484 (continued)

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5484, subject to one condition.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the waiver of plat on Lot 13, Block 2 of East 11th Street Park (Z-5484), subject to the following condition:

- (a) Approval of drainage plans by the City Engineer in permit process.

Z-4179 Harter's Second Addition (1793) South side of 21st Street, at Atlanta Avenue (OL)

The Staff presented the request at the T.A.C., with the applicant represented by Roger Gray.

This request is to waive plat on the west 91' of the east 147.4' of the north 150' of Lot 31, Harter's Second Addition. This is part of a zoning application that was partially platted as "Yorktown Square" in 1979. The tract now under application for waiver is the remaining part that wasn't platted with "Yorktown Square," since it was and is now under separate ownership. The applicant is requesting waiver of the Subdivision Regulations requiring conformance with the Major Street Plan, which requires 60' of right-of-way from centerline. A tapering right-of-way approximately 44'-46' is provided presently for four lanes of traffic. The Major Street Plan requirement was waived on the adjacent plat which was a part of the original zoning application Z-4179. This tract has an existing building on it which is being remodeled into an office. No other changes are proposed. The Staff suggested that additional right-of-way be obtained to match the 50' from centerline existing on the adjacent tract to the east. Since this was an existing situation, there was no objection to the request.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-4179, subject to one condition.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve the waiver of plat on the west 91' of the east 147.4' of the north 150' of Lot 31, (Z-4179) Harter's Second Addition, subject to the following condition:

- (a) Approval of drainage plans by the City Engineer in permit process. (The Staff advised this has been cleared.)

CZ-6 B. J. Smith (313) NE corner of East 116th Street North and North Yale Avenue (CS) (Pending)

The Staff advised that this is a request to waive platting requirement on a 10-acre tract, which will contain a shopping center and a clinic. The zoning application is pending hearing with the TMAPC on February 25, 1981. A detailed site plan has been submitted, which is fine, but the Staff is concerned that if the plat is waived on a 10-acre tract on one corner of this intersection, then the other three corners may want to do the same

CZ-6 (continued)

thing. As a general policy the T.A.C. and Staff do not recommend waiving plat requirements on unplatted land, particularly when it is a significant size and impact on the area. Ordinarily, only plat waivers are on land that is already platted and nothing would be gained by a new plat. The Staff and T.A.C. can not support waiver of plat on the entire tract as submitted. However, if the applicant is only intending to construct the clinic as a first phase, a consideration might be made for a minimum size lot for the clinic only and an agreement that the developer would include that in a plat of the whole shopping center at a later date. County Engineer advised that storm water detention will be required when the shopping center is developed, so that will be a part of the platting process. Health Department advises that only the clinic will be allowed on a septic system. Sewer or other approved disposal will be required in the shopping center. The Staff advised right-of-way should be obtained now on that portion that is to be developed.

Mr. Jim Davidson was in attendance at the meeting and had no objections to the conditions.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on CZ-6, subject to the conditions.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner Higgins, Inhofe, Parmele, Petty "absent") to approve the waiver of plat on CZ-6, subject to the following conditions:

1. Waiver only applicable to minimum size tract for clinic. (See #2)
2. Subject to Health Department approval of septic system for clinic.
3. Subject to dedication of right-of-way on 116th Street North on the clinic tract.
4. The clinic should be included as a part of the plat when the shopping center is developed.
5. Lot-split approval may be required if clinic site is less than 2½ acres in area.

LOT-SPLITS:

L-14970	Glenn Eberle	(2104)	L-15165	Charles McDonald	(2312)
15152	Industries for		15168	Rhodes, Heinberg	
	Tulsa, Inc.	(3194)		and Loehr	(383)
15163	N. D. Henshaw	(2593)	15169	Tom Claiborne &	
15164	Douglas A. &			Humberto Salazar	(2293)
	Renee E. Lee	(1993)			

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15149 Ed Myers (1614) 13700 Block of East 100th Street North (RE) (County)

The Staff advised that the subject tract had failed the percolation test and recommended the item be stricken from the agenda.

L-15149 (continued)

The item was stricken from the agenda without objection.

L-15154 Safeway Stores, Inc. (1093) NE corner of 21st Street and Sheridan Rd.
(CS)

Mr. Wilmoth advised that this application did not require a waiver and he recommended it be stricken.

Without objection, L-15154 was stricken from the agenda.

L-15158 and L-15159 Hall, Howell, Gemini, et al (3193) NW corner of 60th St.,
and South Rockford Ave. (RS-3)

The Staff advised that these splits are to create separate ownerships of existing duplexes. Nothing is being changed except the method of ownership. (This is commonly done anyway by condominiums.) Lots being created run from 45' to 50' in width by 100' deep. Approval will be subject to Board of Adjustment approval of lot frontage and area.

The Water Department advised the two end lots would not abut the sewer, so care should be taken in writing the agreements for maintenance of common walls and plumbing.

The Technical Advisory Committee and Staff recommended approval of L-15158 and 15159, subject to one condition.

On MOTION Eller, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve L-15158 and 15159, subject to the following condition:

- (a) Approval of Board of Adjustment, waiver of bulk and area requirements and minor variance.

L-15160 S. P. Frances, et al (803) SE corner of East 49th Street North and
North Lewis Avenue (RS-3)

The Staff made the following report:

This request is to waive the Subdivision Regulations requiring conformance with the Major Street Plan for North Lewis Avenue. An additional 20' would normally be needed to comply with a 50-foot from centerline distance. However, applicant has informed the Staff that an existing house or structure is 60' from the centerline and the additional dedication would only leave 10' between the house and property line. The Staff notes that under today's zoning, the house would need to be 85' from the centerline, but these are existing structures built long before zoning requirements. These existing houses have septic systems and lot-split approval is being sought only in order to clear title and separate the two houses on one lot each. The Staff recommended approval, subject to Health Department approval of the existing septic systems. However, the Traffic and City Engineers advised that other structures to the south may be even closer to the property line so they could not in good faith, recommend waiver of the Major Street Plan requirements.

The Technical Advisory Committee and Staff recommended denial of L-15160 as not meeting the Subdivision Regulations requiring conformance with the Major Street Plan.

L-15160 (continued)

Fred Pottorf, attorney for the applicant, advised that the house was built in the 1940's. Lewis Avenue has already been widened and curbed and guttered to a four-lane street. Mr. Pottorf noted that it would be unfair to ask the property owner to dedicate all but the 10' closest to his house to the public.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to waive the Subdivision Regulations requiring conformance with the Major Street Plan for North Lewis Avenue.

L-15166 Willis B. Austin (1323) North side of East 156th Street North, 990'
West of North Mingo Road (AG) (County)

The Staff advised the T.A.C. that this request is to split the W/2, SW/4, SE/4, SE/4 of Section 13, Township 22 North, Range 13 East, into the west and east halves. Each tract will then be 165' x 610' (net) which will require waiver of the frontage requirement of 200'. Applicant had indicated no objection to dedication of right-of-way to meet the Major Street Plan. An existing house is on the W/2 and a new home is planned on the E/2. (Both tracts will be subject to Board of Adjustment approval and Health Department approval of septic systems.)

The Technical Advisory Committee and Staff recommended approval of L-15166, subject to the following conditions.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve L-15166, the W/2, SW/4, SE/4, SE/4 of Section 13, Township 22 North, Range 13 East, into the west and east halves, subject to the following conditions:

- (a) Approval of County Board of Adjustment waiver of frontage; and
- (b) approval of City-County Health Department.

L-15167 John E. Imel (3113) 1406 East 76th Street North (RS-2)

The Staff made the following report:

This is a request to clear title by lot-split on a tract being the west 70' of Lot 5, Block 2, Golden Hill Addition. There are existing houses on both tracts, which will be 70' x 290' and 140' x 290'. The only requirement the applicant cannot meet is the 75' frontage in the RS-2 District. The Staff notes that there are many other lots in the area with less than 75' of frontage, some being only fifty feet. Approval of this existing situation would not be incompatible with the neighborhood.

The Technical Advisory Committee and Staff recommended approval of L-15167, subject to the listed conditions.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, Parmele, Petty "absent") to approve L-15167 on Lot 5, Block 2, Golden Hill Addition, subject to the following conditions:

L-15167 (continued)

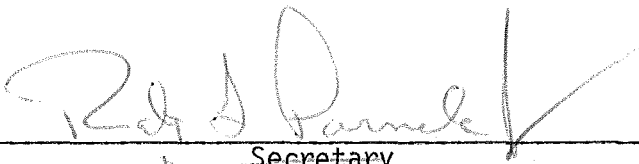
- (a) Approval of 70' frontage by Board of Adjustment on a minor variance; and
- (b) verification that the tract is served by sanitary sewer.

There being no further business, the Chair adjourned the meeting at 5:15 p.m.

Date Approved April 15, 1981


Chairman

ATTEST:


Secretary
1st Vice-Chairman