

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1378  
Wednesday, October 7, 1981, 1:30 p.m.  
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller Freeman Higgins Holliday, Secretary Kempe, 2nd Vice-Chairman Petty C. Young, Chairman T. Young	Gardner Parmele Inhofe	Lasker Chisum Compton Wilmoth	Alan Jackere, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, the 6th day of October, 1981, at 10:35 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Carl Young called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6 -0-0 (Eller, Freeman, Kempe, Holliday, Petty, C. Young "aye"; no "nays"; no "abstentions"; Higgins, Gardner, Parmele, T. Young, Inhofe "absent") to approve the Minutes of September 23, 1981 (No. 1376).

REPORTS:

Chairman's Report:

C. Young advised a continuance has been requested on the matter of rehearing the Plat waiver for Z-5517, Charles Norman (Helmerich & Payne, Inc.), north side of East 21st Street, between Utica and St. Louis Avenues, for one week.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Freeman, Kempe, Holliday, Petty, C. Young "aye"; no "nays"; no "abstentions"; Higgins, Gardner, Parmele, T. Young, Inhofe "absent") to continue rehearing the Plat waiver of Z-5517 to October 14, 1981, 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Later in the meeting, Charles Norman appeared and stated it is his understanding the matter has been resolved. Helmerich and Payne has entered into an agreement with the City which resolves the differences and Helmerich and Payne is contributing the right-of-way and easement that has been requested as a gesture of their interest in improving traffic in the area. If the Commission wants confirmation from the City, then Mr. Norman agrees with the continuance.

MOTION stands.

Reports: (continued)

Comprehensive Plan Committee Report:

Petty advised that a report will be made on October 21, when the Park Plan is brought before the Board for public hearing.

Director's Report:

Jerry Lasker introduced Steve Compton, Development Coordination Chief, who will be doing the zoning and subdivision work.

C. Young advised that he was served a subpoena in the downzoning case at 38th Street and Birmingham Avenue. The defendants are the City of Tulsa, the Planning Commission and the City Building Inspections. C. Young was served summons as Chairman of the Planning Commission and he will relinquish the summons to the City Legal Department. The answer date is November 4, 1981.

CONTINUED ZONING PUBLIC HEARING:

Z-5605 John Moody (Spann)

A letter was presented (Exhibit "A-1") from John Moody requesting a continuance of this zoning case. No protestants or interested parties were present.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Eller, Freeman, Kempe, Holliday, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Gardner, Parmele, T. Young, Inhofe, "absent") to continue the public hearing for Z-5605 to November 25, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5518 Present Zoning: RS-2  
Applicant: Swanson (Rogers) Proposed Zoning: RM-T  
Location: SE corner of East 51st Street and South Columbia Place

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Application No. Z-5518-A Present Zoning: RS-2  
Applicant: George Goswick Proposed Zoning: RM-1,  
RM-2 and RM-T  
Location: SE corner of 51st Street and South Columbia Place

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Date of Applications: March 25, 1981  
Date of Hearings: October 7, 1981  
Sizes of Tracts: 1.92 acres and 1.78 acres, respectively  
Phone: 583-7571 Phone: 743-3562  
Presentation to TMAPC by: Charles Norman (Z-5518) and George Goswick Z-5518-A  
Addresses: Kennedy Building, Suite 1100 & 5121 S. Columbia Place,  
respectively

Relationship to the Comprehensive Plan & Staff Recommendation for both Cases:

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 RM-2 District is not in accordance with the Plan Map. The RM-1 and RM-T may be found in accordance.

Staff Recommendation:

The Staff recommends APPROVAL of RM-T on the north 175', APPROVAL of RD on the remaining area north of 52nd Street and DENIAL of RM-T on the balance for the following reasons:

The TMAPC recently approved a combination of OL and RM-T zoning on the area north of 52nd Street. The Staff recommendation at that time was for approval of the OM only to line up with the OM zoning to the east. The TMAPC recommendation was forwarded to the City Commission for their action. The City Commission, after reviewing the TMAPC recommendation and hearing from all interested parties, directed that the application be referred back to the TMAPC "with a request of less density and modification of the PUD with office development to stay within the 399-foot line, and for re-evaluating an appropriate residential buffer on the south end." The TMAPC at a subsequent meeting recommended approval of OM zoning on the north 225' bordering on 51st Street, addressing in part the concern of the City Commission. We are now faced with deciding the appropriate zoning for the balance of the application. The Goswick property is adjacent to the recently approved OM zoning to the north and RM-2, RM-1, RS-2 zoning to the east and RS-2 zoning to the west and southwest. The Staff believes the abutting zoning patterns support RM-T and RD zoning, but do not support RM-2 or RM-1. The TMAPC as previously stated, recently recommended approval of OL and RM-T (under a PUD with access controls); however, the Goswick property was not properly advertised to consider RM-T zoning. The Staff feels that the RM-T would be in conformance with the Comprehensive Plan, would provide a transition between the future office building to the north and the apartments to the east. The recommended RD zoning would provide an additional density transition for the single family homes to the south. The Staff would also recommend RD zoning on the north 125' of the Rogers' property in that our thinking is that if the land to the west for some reason was considered for redevelopment (e.g. the church was to be relocated, etc.) we could expect the whole area east of the single family homes and north of 52nd Street to come in for rezoning. In our

Z-5518 and Z-5518-A (continued)

opinion, 52nd Street becomes an appropriate termination point for higher than single family density. The difference in dwelling units, under a PUD, between the requested zoning north of 52nd Street and the Staff Recommendation is approximately 3 dwelling units. We feel the RD zoning meets the concerns of the City Commission as far as a residential buffer on the south end of the property.

Therefore, based on the zoning and land use pattern in the area, the Staff recommends APPROVAL of RM-T and RD zoning.

Petty asked why the Staff in the recommendation went beyond the zoning boundaries established on the properties to the east. Properties would be zoned under this recommendation other than residential beyond the line established by the properties to the east. It has been the Commission's practice in the past to draw a line and not go beyond that.

Jerry Lasker stated he had looked at the previous Staff Recommendation, which recommended RM-T and does not think RD south of the RM-T is inconsistent with the residential zoning in that area, since RM-1 is directly to the east. If that property comes in for rezoning, you would be looking for some kind of transition from the RM-1 to the RS-2.

Applicant's Comments (Z-5518-A)

G. T. Goswick stated he owns the three tracts under Z-5518-A. He explained that, actually, it is one piece of property. In 1966, he received permission to divide it into three lots, but they were never built on. He has applied for RM-1, RM-2 and RM-T. His reasoning is that this north portion (99-foot lot) should be RM-2 to correspond with abutting property and it also abuts RM zoning on the north. The next 75' x 304' lot should be RM-1. He is asking for RM-T on the balance, which is a 75' x 304' lot. Mr. Goswick remarked he has been in the construction business as a workman, contractor and inspector in both residential and commercial construction.

This application was heard on March 25, 1981, under a request for OM zoning. At that meeting, OL zoning was recommended on the north 174' of this property and RM-T on the remainder. At the same time, the adjoining 125' to the south was recommended RM-T. On September 2, 1981, the property to the north was recommended OM zoning. This property to the north will be occupied by a four-story office building. The property to the east is zoned RM-1 and RM-2 and is occupied by two-story apartment buildings. He believes his application for RM-T, RM-1 and RM-2 should be approved because of the zoning and use of the adjoining properties to the north and east. RM-T on the entire property would suffice. Mr. Goswick would like to develop this as one piece of property with townhouses and can see the need for a transition from RM-T to RD, then to RS; however, for his purposes it would be better to have RM-T on the full amount and believes it would make a better use of the property. The townhouses he plans to build will be of frame and masonry construction. The townhouses will not front on Columbia Place, but will come in from the middle and face on either side of a 50-foot street. The parking, also, will be off Columbia Place. Mr. Goswick noted that construction has changed and houses are no longer put on big lots.

C. Young asked the Staff the difference in density between RD and RM-T. Charles Norman answered that the difference between the two is RD requires 4,200 square feet of land area per dwelling unit and is 3,600 square feet in the RM-T. Mr. Lasker remarked that on that particular property the RM-T

### Applicant's Comments (Z-5518-A) Continued

would give 22 units if zoned duplexes, there would be 20 units, and under RM-T on the first two and RD on the third lot, there would be 21 units.

### Applicant's Comments (Z-5518) (Rogers)

Charles Norman was present to represent Mr. and Mrs. Rogers under Z-5518. This is the tract located 125' north of the north line of what would be 52nd Street. They own a 50' x 304' tract to the south of that which is vacated (52nd Street). To the south of that they own another lot. Mr. Norman did not represent the Rogers' in the March Planning Commission meeting when the recommendation was RM-T zoning on the north 125' of the Rogers' property. The Rogers' home is located on the property, as well as a house in poor condition. When the request was heard by the City Commission, and again before the Planning Commission, he requested that the north 125' of the property be rezoned RM-T and the remainder be left in the RS-2 District as recommended by the Planning Commission in March. The neighborhood spokesman approved and supported RM-T on all of the Goswick property, but did not support RM-T on the Rogers' property in the rehearing before the Planning Commission in September. The only major dispute between the applicant and protestants was not on the Goswick property, but the Rogers'. A petition is on file with the Planning Commission, obtained by Mrs. Rogers' containing approximately 50 names from the general neighborhood indicating they had no objection to the rezoning of the Rogers' property on the north 125' to RM-T. He concurs with Mr. Goswick that it is a disservice to the property owner and inappropriate for the Commission to divide his property into more than one zoning category. It is a matter of dwelling types permitted. If the north part is zoned RM-T and the south part RD, Mr. Goswick must submit a PUD in order to have any kind of coordinated development on the property. Because of the narrow frontage and extreme depth, there is no way to plat the south lot, or for that matter, the north part of the Rogers' property for duplex lots. Mr. Norman would make the same request on behalf of the Rogers: That all the Goswick property be zoned RM-T and the north 125' of the Rogers' property the same. He calculates that RM-T would permit 11.4 dwelling units on the north lot of the Rogers' property and 4.7 units on the RS-2 remainder. That would permit the development of the Rogers' property with an internal cul-de-sac and subject to a PUD for 16 townhouses. If the Commission does not feel the Rogers' north lot should be zoned RM-T, then he requests all the property be rezoned RD. This would be an appropriate land use pattern, but there is no way to use RD on the Rogers' property at this time. They could not plat lots with frontage on a public street. If all the Rogers' property were zoned RD, then a cul-de-sac could be dedicated and plat duplex lots around the cul-de-sac. The problem is the same for both owners. The property should be zoned, if not according to the earlier request, then in a pattern that permits conventional development. There would be, in his opinion, no adverse affect to permit duplex development on lots that are deep such as these and permit conventional duplex lots considering what is happening and is likely to happen to the north. The use of duplexes and townhouses will not have an adverse affect on properties across the street and can be easily justified under the Comprehensive Plan. He disagrees with the recommendation that the Rogers' property and the south part of the Goswick property should be in a duplex district and asked that the Commission reaffirm the recommendation made in March, which was to zone the Goswick property south of what was in office for RM-T and the north 125' of the Rogers' property. If not, then Mr. Norman asked that all of the Rogers' property be rezoned to RD duplex. The City Commission was concerned about the extent of the office development into the neighborhood



Protestant's Comments: (continued)

Petty asked for clarification on what Mr. Selman thought was appropriate south of the Goswick property. It was Mr. Selman's feeling that nothing was appropriate south of the 399-foot line. If this application is approved, the Commission would be committed to more. Straight zoning is the concern, rather than a developed project.

Dave Madden, resident in the area, stated that a number of the residents south of the proposed rezoning was present. Mr. and Mrs. Hunter asked Mr. Madden to speak on their behalf. They are strongly opposed to the rezoning, which is directly across from their property, because their property was bought as a residence and do not want to redevelop. They already have pressure from the north and south and this would put pressure on them from the east. At this time, whatever the church does is speculative and should not impose a criteria upon the present application. He was concerned with the impact of the density on traffic, sewers, drainage and other support services that the City will have to provide. These services do not exist at this time and he feels these should be considered. The individuals living in the area now are not there for speculative purposes and he asked that the Commissioners consider this fact in their decision. Mr. Madden agreed with Mr. Selman's presentation.

Nelson Little, State Representative, stated that he has received numerous calls from residents in the area and all have been for single family residences with no intrusion as far as they are asking.

Mr. Goswick made comments on the protestants' objection to the rezoning. This is the fifth time the application has been heard and on previous occasions the protestants have concentrated on the increase in traffic and the Hunter property across the street. He stated that Mr. Madden and Mr. Selman had asked him to agree to build only 14 townhouses rather than the 22 that would be permitted if the application was approved, and to submit plans to them for approval.

Because of the remarks made concerning the protestants, Petty requested they speak again. C. Young stated the Chair would entertain that because some of the negotiations that went on between the citizens and Mr. Goswick would not be admissible in court. The comments would be heard after Charles Norman presented his case.

Z-5518

Charles Norman, representing Mr. and Mrs. Rogers, was pleased that Mrs. Connors was present to express her feelings and that she recognized the impact the church has on her property. The neighborhood has change a great deal by the things that have happened on 51st Street and other approvals that have been given. The Hunters are in the position that one-half of their property would qualify for OM zoning with the existence of the church and other conditions. Their opposition to Mr. Goswick's rezoning is not relevant to the physical facts of the neighborhood when that property could appropriately be considered for zoning to a higher intensity land use. Mr. Norman address the fact Mr. Selman mentioned concerning the major tract of RM-1 zoning, which has been approved by the PUD for access over a fairly narrow tract onto 51st Street. P.S.O. owns lots for a future substation. C. Young mentioned that the Planning Commission heard a case next to the property owned by P.S.O. and recommended an opening onto 52nd Street. Mr. Norman was not certain if an application had been filed, but

Z-5518 (continued)

P.S.O. was considering vacation of 52nd Street to join the two parcels they own. Mr. Norman has been informed by Mrs. Rogers that neither of the property owners that about the Rogers' property have filed a protest to these applications. He is considering what is the most appropriate residential use on the Goswick and Rogers' properties. The Comprehensive Plan recognizes either RD, RM-T or RM-1 in accordance with the low intensity designation that has been given to the entire area. The Rogers' are not intending to inject commercial or office traffic. The issue is the intensity in the types of uses that could be permitted. RM-T zoning requires that the land be platted and the lots be designed for individual, single family ownership of the lot and the dwelling unit and the intent as expressed in the Zoning Code. RM-T zoning forces that kind of development of the Goswick property according to a private street pattern that would be submitted and approved by the Commission. Mr. Norman suggested that the Rogers' property be permitted residential development, single family in the case of RM-T or a duplex zoning on the entire property, which would permit conventional platting around a cul-de-sac and individual duplex lots. Mr. Goswick's home and the rental property on the Rogers' land are not economically feasible structures for long time maintenance as a single family dwelling. Redevelopment is going to occur in the area under application. The basic difference between duplex and townhouse combination on the Rogers' property is a PUD requirement in order to effectively use the property. Duplex zoning would provide the opportunity to do a PUD, but would give the opportunity to develop conventionally if the owner chose not to come back to the Commission. The Rogers' are not developers, merely residents in the area who saw changes occurring. They are asking approval of an appropriate use on their property that will not create an adverse affect on their neighbors or an unexceptable land use relationship to this Commission.

Petty asked why Mr. Norman was requesting that Mr. Goswick's property not be divided into different zoning classifications. Mr. Norman replied that Mr. Goswick's property is a good size tract for redevelopment and should be developed under one set of standards. RM-T could be developed without a PUD by simply preparing a townhouse plat, but if it is zoned in different categories, it will probably require both a PUD and plat. He feels the Staff was advertising all of the districts so that the Commission would have a full range of alternatives.

Jerry Lasker answered T. Young's question by stating that with RM-2, RM-1 and RM-T zoning, there would be 38 dwelling units. If RM-T was approved on the whole property, there would be a possible 22 dwelling units. With the Staff Recommendation, there would be a possible 21 units with a PUD.

Mr. Madden and Mr. Selman were given a change to respond to Mr. Goswick's comments. Mr. Madden responded by stating they have talked with various people in the neighborhood and have tried to effect a compromise to this zoning. They have come up with various plans and have proposed those to Mr. Norman, Mr. Goswick and Mr. Moody. He stated he has nothing to gain from this and is fighting for his home.

Mr. Selman said he and Mr. Madden made no guarantees or possible indications that they could offer Mr. Goswick anything other than support if he came along with unit development that had some controls on it that they could see before the matter came before the Commission.



Z-5518 (continued)

T. Young agreed with Mr. Selman's presentation and was impressed with the original PUD and limitation of access on Columbia Place. Since the original PUD has been changed, he does not agree with the RM-T concept being put back into place without the continuity relating to the overall plan.

MOTION was made by T. Young to approve RD on the first 2 lots of Mr. Goswick's property and denial of the balance. MOTION died for lack of a second.

MOTION was made by Higgins, Second by Holliday, for approval of RM-T on all three lots, Case No. Z-5518-A.

Petty favored the Staff Recommendation for RM-T on the two northern lots and RD on the southern lot because by putting the RD in there, it will stop the encroachment into the rest of the neighborhood. If RM-T is approved on all three lots, there is a very good case to get RM-T farther and farther south. With the RD, the dwelling units permitted would be reduced by only one.

Higgins felt RM-T the way it was presented by the Staff, meant only one additional unit and Mr. Goswick should be able to develop the property the way he plans without the PUD. There is only one street from a cul-de-sac and Mrs. Higgins does not see that a PUD is needed. By going RD on the other Rogers' property would be a sufficient buffer. The RM-T on the Goswick property and the RD on the Rogers' property would be a good pattern.

SUBSTITUTE MOTION was made by PETTY, SECOND by FREEMAN, to approve RM-T on the northern 2 lots, RD on the balance, per Staff Recommendation, on Z-5518-A.

Freeman asked if the Staff Recommendation will require a PUD. Petty answered that it was not required, but would be expected to be able to spread the density over the three lots. Jerry Lasker responded that a PUD is good for both sides giving the developer more flexibility and more protection in the neighborhood by giving them a say in setbacks and height limitations, etc.

On SUBSTITUTE MOTION of PETTY, the Planning Commission voted 4-4-0 (Eller, Freeman, Petty, C. Young, "aye"; Higgins, Holliday, Kempe, T. Young "nay"; no "abstentions"; Gardner, Parmele, Inhofe "absent") to recommend to the Board of City Commissioners that Z-5518-A be approved RM-T on the 2 northern lots and RD on the balance, per Staff Recommendation.

On MOTION of HIGGINS, the Planning Commission voted 4-4-0 (Higgins, Holliday, Kempe, C. Young "aye"; Eller, Freeman, Petty, T. Young "nay"; no "abstentions"; Gardner, Parmele, Inhofe "absent") to recommend to the Board of City Commissioners that Z-5518-A be approved RM-T.

T. Young remembered the original zoning case when the three applicants were together and the Planning Commission approved a zoning pattern that would accommodate an office development on the Moody property with RM-T below. The reasoning was that the office would be used during the day only, and would be spread out over a large area on the PUD with access to 51st Street only. While it was a high intensity use, it would be only during the day and traffic would be directed away and there would be a few units of RM-T built on the south end that would not have generated

Z-5518 & Z-5518-A (continued)

more than 14 units proposed by Mr. Selman. If RM-T or a combination of RM-T and RD on the first tract were approved, there would be a greater amount of density and traffic than would have occurred in the original PUD.

Petty recognized Charles Norman, who brought up the fact that the PUD approved in March included 49,000 square feet of office space and 21 townhouse units and came down to the north side of the Rogers' property. That was the reason why the north 125' of the Rogers' property was zoned RM-T.

Petty commented that the Staff Recommendation would permit only the 21 units. Higgins stated that RM-T would be individual ownership and it is the only way that families in the future are going to be able to buy their first house because of cost. She feels that RD on the Rogers' property is a compromise to the neighborhood and a good buffer to RM-T on the Goswick property.

Petty asked Higgins why she would not support the RD on the southern lot of Mr. Goswick, which changes the density by only one unit. Higgins replied that Mr. Goswick wants to develop his property a certain way and does not feel the Commission should change his plans for one unit. Since he is a resident in the neighborhood, he will be looking after his neighborhood and did not want to impose any more rules and regulations.

Petty recognized Mr. Selman who stated the obvious concern of the public in the difference between RM-T and RD is not a legal one, but a visual one. The RD does offer some detachment.

On MOTION of PETTY, the Planning Commission voted 4-4-0 (Eller, Freeman, C. Young, Petty "aye"; Higgins, Kempe, Holliday, T. Young, "nay"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to recommend to the Board of City Commissioners that the two northern lots on Z-5518-A be rezoned RM-T and the third lot be rezoned RD. The Planning Commission transmits this case to the Board of City Commissioners with no recommendation.

MOTION was made by T. YOUNG to approve RD on the two northern lots and denial of the balance. MOTION died for lack of a second.

MOTION was made by HIGGINS to approve RM-T on Z-5518-A. MOTION died for lack of a second.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-2-0 (Eller, Freeman, Higgins, Holliday, Kempe, C. Young, "aye"; Petty, T. Young, "nay"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RD:

Legal (Z-5518):

The South 125' of Lots 3 and 4, with the North 25' vacated to the street adjacent on the South and Lot 5 with the South 25' vacated to the street adjacent on the North by Bethel Union Heights, in the City of Tulsa, Tulsa County, Oklahoma.

SUBDIVISIONS:

Coventry Addition (1794) SW corner of East 28th Street and South 129th E. Ave.  
(RM-1)

The engineer was present earlier in the meeting and Murrel Wilmoth stated the engineer had no objection to the conditions. A plot plan was submitted showing the building layout. The Traffic Engineer asked him to make some changes, specifically a 150' offset in the intersection of 28th St., and 129th East Avenue. One building will be 30 feet from the property line rather than 35 feet. The Staff has no objection for that one building. The rest will be the normal 35-foot building line and will not conflict with anything. Therefore, Wilmoth requested a 17th condition that the Staff would have no objection to the waiver of the building line to 30 feet on the south portion of the tract at 28th Street, subject to the Board of Adjustment.

The Technical Advisory Committee recommended APPROVAL of the preliminary plat of Coventry Addition, subject to the conditions.

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe "absent") to approve the Preliminary Plat of Coventry 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. (Include language in covenants relating to water and sewer.)
3. 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).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
6. 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.
7. Street names shall be approved by City Engineer. Show on plat as required.
8. Access points shall be approved by City and/or Traffic Engineer. Move south access away from 28th Place intersection.
9. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)

Coventry Addition (continued)

10. 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.
11. The key or location map shall be complete. (Subdivision north access)
12. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged.)
13. Show Book and Page number for dedications by separate instrument.
14. Identify land to the north as "unplatted."
15. 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.)
16. All (other) Subdivision Regulations shall be met prior to release of final plat.
17. The Staff has no objection to the waiver of building line to 30 feet on the south portion of the tract at 28th Street, subject to the Board of Adjustment approval.

Oak Haven Addition (3191) West 56th Place and South 167th West Ave. (AG-County)

The Staff presented the plat with the applicant represented by Lynn Calton who had no objection to the conditions.

The Staff advised that this plat has a sketch plat approval, subject to conditions.

There was no objection from the T.A.C. to the developer filing a 1st phase final on the south part of the plat. Care should be taken that the full cul-de-sac and street are dedicated, (58th Place).

The Technical Advisory Committee recommended APPROVAL of the Preliminary Plat of Oak Haven Addition, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve the Preliminary Plat of Oak Haven Addition, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the 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. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to the criteria approved by County Commission.

Oak Haven Addition (continued)

3. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
4. The method of water supply and plans therefore, shall be approved by the City County Health Department.
5. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged.)
6. All (other) Subdivision Regulations shall be met prior to release of final plat.

Warrenton West Addition (383) 66th Street and South Darlington Avenue (RS-3)

The Staff presented the plat. Adrian Smith, engineer on the project agrees with the conditions.

The Technical Advisory Committee recommended approval of the Preliminary Plat of Warrenton West, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve the Preliminary Plat for Warrenton West Addition, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the 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. (Include language in covenants relating to water and sewer.)
3. 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).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (May need to show minimum pad elevation.)
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
6. 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.
7. A topo map shall be submitted for review by T.A.C. (Subdivision Regulations) (Submit with drainage plans)
8. Street names shall be approved by City Engineer. Show on plat as required.

Warrenton West Addition (continued)

9. All curve data shall be shown on final plat where applicable. (Including corner radii.)
10. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. The key or location map shall be complete. (updated?)
13. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. (Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.)
14. The Ordinance for (Z-5592) shall be published before final plat is released.
15. Define in covenants, the purpose, etc., of the "Reserve" area.
16. Tie down curve data on 66th Street as per City Engineer.
17. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
18. All (other) Subdivision Regulations shall be met prior to release of final plat.

South Lewis Office Park (3293) NE corner of East 56th Place South and South  
Lewis Avenue (OL)

The Staff presented the plat with the applicant represented by Ted Sack who had no objections to the conditions.

The Technical Advisory Committee recommended approval of the Preliminary Plat of South Lewis Office Park, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve the Preliminary Plat for South Lewis Office Park, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required, (front easement for P.S.O.).
2. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat, (if required).

South Lewis Office Park (continued)

3. 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 the City Commission.
4. Access point shall be approved by City and/or Traffic Engineer.
5. 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.
6. Show tie dimension or identify 1/4 section corner.
7. Show 20' restricted water line easement parallel to South Lewis Ave.
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 (other) Subdivision Regulations shall be met prior to release of the final plat.

Blackwell-Crockett (3293) NE corner of 57th Street South and South Lewis Ave.  
(OL)

The Staff presented the plat with the applicant represented by Ted Sack who had no objections to the conditions.

The Technical Advisory Committee recommended approval of the Preliminary Plat of Blackwell-Crockett Addition, subject to the conditions.

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve the Preliminary Plat for Blackwell-Crockett Addition, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required, (front easement for P.S.O.). Existing easements should be tied to, or related to property and/or lot lines.
2. 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 the City Commission.
3. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer.
4. Access point shall be approved by City and/or Traffic Engineer.

Blackwell-Crockett (continued)

5. 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.
6. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on plat on any wells not officially plugged.)
7. Show 20' restricted water line easement parallel to South Lewis Ave.
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 the final plat.

Rim Rock Estates (2090) West 41st Street and Rim Rock Road (AG-R)

Tower Estates (29,30, & 3290) West 51st Street and South 257 West Ave. (AG-R & AG)

The Staff advised the Commission that percolation tests for septic systems were still in progress and that a continuance would be necessary to allow for the tests to be completed.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Kempe, Holliday, C. Young, Petty, "aye"; no "nays"; no "abstentions"; Higgins, Gardner, Parmele, T. Young, Inhofe, "absent") to continue consideration of Preliminary Plats for Rim Rock Estates and Tower Estates to October 21, 1981, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

FOR EXTENSION OF APPROVAL:

Lawton Industrial Park (3592) 5400 Block of South Lawton Avenue (IL)

Wilmoth advised this is not ready for release, but will expire the 15th of October so the Staff requests extension of approval until December 31, 1981.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to extend the preliminary approval of the Plat for Lawton Industrial Park to December 31, 1981.

REQUEST TO WAIVE PLAT:

Z-5500 Robert Parker (2103) SW corner of East 29th Street North and North Toledo Avenue (IL)

This request is to waive plat on lots 20 and 21, Mohawk Heights 4th Addition, since it is already platted. Right-of-way dedications were made by plat on the north, west and east sides of these lots.



Z-5500 (continued)

There was some discussion in the T.A.C. meeting on whether the project would be on a septic system, or a sewer main would be extended to the property. Mr. Crook indicated he would check with both the Health Department and the Water and Sewer Department regarding sewage disposal.

The Technical Advisory Committee had no objections to the waiver.

The Technical Advisory Committee recommended approval of the Waiver of Plat on Z-5500, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve Waiver of Plat on Z-5500, subject to the following conditions:

- (a) Approval of the Health Department if on a septic system; OR
- (b) approval of Water and Sewer Department if a sewer main is extended.

LOT-SPLITS:

For Ratification of Prior Approval:

L-15216	William I. Pedersen	(1873)
15297	Admiral Square, Inc.	( 293)
15300	Fifty-Nine Hundred Harvard, Inc.	(2993)
15301	T.U.R.A.	(192)
15303	Est. of Addie M. Humbyrd, Dec.	(1683)
15304	Thelma W. Wells, et al	(2183)
15305	T.U.R.A.	(1492)
15308	T.U.R.A.	(3602)
15309	Prestige Properties	(2683)
15310	Invesco, Inc.	(3693)
15311	Dubois, State Highway Department	(1192)
15313	Earl and Oma Stamps	( 193)
15314	T.U.R.A.	(2502)
15315	W. H. & Evelyn Martin	( 693)
15316	Kirberger Construction Company	( 283)
15318	Roy Hinkle	(3483)
15319	Alvin Parker, State Highway Dept.	( 193)
15320	Cross, Christman and Sharp	( 192)

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe "absent") to approve ratification of Prior Approval on the above Lot-Splits.

Lot-Split For Waiver of Conditions:

L-15288 Michael Whitworth (2993) SE of the SE corner of 47th Place and South Birmingham Avenue (RS-1)

The Staff advised that this split is similar to a split processed on Lot 7 to the north. The T.A.C. had recommended that the split be denied, because it did not meet the Major Street Plan requirement of an additional 25' of dedication. In a lengthy Planning Commission review the split was eventually approved, waiving the right-of-way requirement. (The Staff notes that the Commission cannot require right-of-way as a condition of approval, but can deny the applicant if it does not meet the regulations.) (In the previous split the decision was made to waive the requirements.) Since the Planning Commission has set the precedent on applications on

L-15288 (continued)

this particular section of Birmingham, it would appear that the same action could be expected on this split. Therefore, the Staff sees this as a trend that would not lead to the eventual opening of Birmingham as a public street from 47th Place on south. It might benefit the residents and property owners that abut the half-street dedication on Birmingham Avenue to create a private street system for their use only, and vacate the existing half-street on the west side of the centerline. (That would take the approval of the owners in THE OAKS Addition also.) Provisions would have to be made for water and sewer services and other utilities, so this may prove to be a problem. Board of Adjustment approvals would be required since frontage on a private street could not meet the Zoning Code.

The Water and Sewer Department had advised that if the property were split as submitted, the front (east) lot would be cut off from the sewer and the west lot would be cut off from water. This problem would have to be resolved regardless of an approval or denial of the application.

The T.A.C. felt that in the interest of consistency this lot was identical to the adjacent lot to the north. Denial was recommended on that split because it did not meet the Subdivision Regulations requiring conformance with the Major Street Plan.

The Technical Advisory Committee recommended denial of L-15288, since the application did not meet the Subdivision Regulations requiring conformance with the Major Street Plan.

Charles Norman was present, representing the Whitworths, owners of the property (Lot 8). Originally, the owner of Lot 7 was requested to dedicate 25 feet off of the west side as a part of the lot-split application. At that time, the Whitworths indicated they were willing to dedicate the 25' off of their property to make the full 50' right-of-way width on Birmingham. Mr. Meredith represented the lot owner (Lot 7) and did not agree to dedicate the 25'. The Planning Commission waived the requirement and approved the lot-split. Now the Whitworth's are requesting approval of the split of Lot 8, but there is no longer a necessity for the west 25' to be dedicated, since the north lot did not. He understands the Technical Advisory Committee recommendation is a matter of consistency, but asked approval of this waiver on the same basis as the lot immediately to the north. Additionally, Mr. Meredith appeared before the Board of Adjustment and obtained a reduction in the front yard for a house on Lot 7. Mr. Norman appeared at the meeting to object, but the application was approved. His client preferred to have the full width street, but since that is not possible on the lot to the north, he does not see any reason to do so on the Whitworth's lot.

On MOTION of FREEMAN, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve the lot-split, waiving the Subdivision Regulations requiring conformance with the Major Street Plan.

L-15296 Phyllis Cameron (492) SW corner of West 5th Street and South 48th  
West Avenue (RM-1)

This is a request to split a 50' x 131.5' lot into two lots, each with an existing house. The lots being created would only be 3,000 square feet and 3,575 square feet respectively, which will not meet the 6,900 square-foot minimum for single family in this zoning. Also, the easterly lot would be cut off from the sewer line which is west of the lot in the vacated alley. The land use map in this area does not show any ownerships this small, as most of the lots are in use as platted, being about 50' x 132' averages. The Staff recommended DENIAL, and the Technical Advisory Committee concurred. (P.S.O. advised the T.A.C. that they needed a 5-foot easement across the south side regardless of whether the split was approved or denied.)

The Technical Advisory Committee recommended denial of L-15296, since it did not meet the minimum zoning requirements and the easterly lot would be cut off from the sewer.

On MOTION of FREEMAN, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Parmele, Inhofe, "absent") to DENY this request for Lot-Split L-15296.

L-15298 Carolyn Haney (1893) 2500 Block of South St. Louis Avenue (RS-2)

This is a request to create two lots out of portions of four platted lots. The applicant has requested creation of an 85' lot and a 70' lot. The 70' lot would require a waiver of the frontage by the Board of Adjustment, since it does not meet the 75' minimum. The Staff would suggest that the south lot be made 75' and eliminate the need to go to the Board of Adjustment, since all zoning and subdivision requirements would be met. However, the Staff also notes that the platted lots in this subdivision run from 55' to 75' frontages, so this split would not be incompatible with the area. The existing 8' east/west easements were in the process of being vacated and at this point no one needed them. However, since only a 4' easement was platted across the rear of the lots, additional easements would be needed to cover existing facilities. Since there is a garage close to the rear line, only 8' (including the original 4') is requested on the north lot, but since the south lot is vacant, the standard 11' easement is requested on that half.

The Technical Advisory Committee recommended approval of L-15298 as submitted, including the request for easements to cover existing facilities.

T. Young stated it appeared Lot 17 immediately to the south would be reduced to a 40-foot lot. Mr. Wilmoth replied this was a possibility unless Lot 16 had been split. The only thing submitted to the Staff was the ownership on the two lots. For instance, a piece of Lot 20 would be left over that would have to go to Lot 21. He is unsure how much goes with Lot 17. C. Young brought up the fact that this is an older addition and Mr. Wilmoth stated that there are houses on all these except one vacant lot to the south. C. Young stated there is a large house in the area of Lots 15, 16 and 17 and knows they have two or three lots that may be combined. Mr. Wilmoth stated the map submitted in the agenda shows only the platted lots of record. C. Young requested this be checked so that there will not be a 40-foot or a 20-foot lot left.

L-15298 (continued)

On Motion of FREEMAN, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve this lot-split for waiver of conditions, subject to reporting back in the meeting of October 14, 1981, concerning the details on the size of the adjoining lots.

L-15299 01en Taylor (492) West side of 41st West Avenue, South of West 4th St.  
(RM-1)

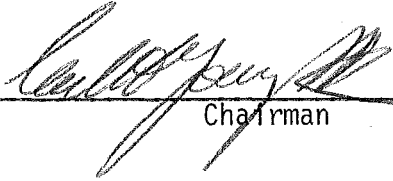
The applicant is asking for a simple east-half, west-half split to allow separate ownership of the two existing structures on this property. Water and sewer lines are in place. The Staff sees no objections. (Note that all lots were platted as 50' so this is compatible with the area.) A standard "back-to-back" 11' easement is needed to cover existing facilities.

The Technical Advisory Committee recommended approval of L-15299, including the necessary utility easement.

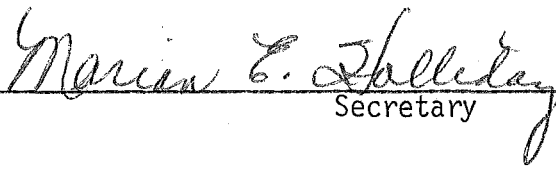
On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Eller, Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Parmele, Inhofe, "absent") to approve Lot-Split for Waiver of Conditions on L-15299.

There being no further business to come before the Commission, the Chair adjourned the meeting at 3:30 p.m.

Date Approved October 28, 1981

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary