

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1411
Wednesday, June 16, 1982, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner Hennage, 2nd Vice/Chair Higgins Hinkle Kempe, 1st Vice/Chair Parmele, Chairman Petty, Secretary	Freeman Rice Young Inhofe	Chisum Compton Garbacz Lasker Matthews	Linker, Legal Department

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, June 15, 1982, at 10:18 as well as in the Reception Area of the INCOG Offices.

Chairman Parmele called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Rice, Young, Inhofe, "absent") to approve the minutes of May 26, 1982 (No. 1408) and June 2, 1982 (No. 1409).

REPORTS:

Report of Receipts and Deposits:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Rice, Young, Inhofe, "absent") to approve the Report of Receipts and Deposits for the month ending May 31, 1982.

Director's Report:

Dane Matthews of the INCOG Staff presented quarterly amendments reviewed for conformance to the Comprehensive Plan. The area involved lies between 7th Street and 11th Street and Denver and Houston Avenues. Urban Renewal is only changing their own land use designations from a blanket office, institutional and residential to separate designations for each one. Vacant land was projected to how it will be used. This is basically a bookkeeping change and is in accord with the District I Plan.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions" Freeman, Rice, Young, "absent") to adopt the following resolution:

RESOLUTION FINDING THAT AMENDMENTS TO THE
DOWNTOWN NORTHWEST URBAN RENEWAL PLAN ARE
IN CONFORMANCE WITH THE COMPREHENSIVE PLAN
OF THE CITY OF TULSA.

WHEREAS, the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma, on August 2, 1960, and August 9, 1960, respectively, adopted a Comprehensive Plan for the orderly development of the City and County of Tulsa, Oklahoma, with subsequent amendments to date; and,

WHEREAS, said Comprehensive Plan contains a section dealing with the needs and desirability of an Urban Renewal Program; and,

WHEREAS, on November 17, 1959, the City of Tulsa appointed the Tulsa Urban Renewal Authority in accordance with House Bill No. 602, Twenty-Seventh Oklahoma Legislature (1959) now cited as the Urban Redevelopment Act, Title 11, Oklahoma Statutes, Section 1601 et seq.; and,

WHEREAS, said Urban Redevelopment Act requires that the Tulsa Metropolitan Area Planning Commission review any proposed Urban Renewal Plan, and/or modifications or amendments to an adopted Urban Renewal Plan to determine that the Urban Renewal Plan or amendments conform to the Comprehensive Plan of the City of Tulsa; and,

WHEREAS, on September 20, 1964, the Tulsa Metropolitan Area Planning Commission approved a Downtown General Neighborhood Renewal Plan submitted by the Tulsa Urban Renewal Authority, said Plan containing the Downtown Northwest Urban Renewal Plan; and,

WHEREAS, modifications to the Downtown Northwest Urban Renewal Plan have been submitted to the Tulsa Metropolitan Area Planning Commission in accordance with the said Urban Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

1. The proposed Amendments to the Downtown Northwest Urban Renewal Plan, specifically:

The Development Type Area Office-Institutional-Residential (OIR(a)) is deleted in its entirety from the Downtown Northwest Urban Renewal Project Land Use Plan, URP-1, together with related land use controls and restrictions and all land formerly designated as OIR(a) changed as shown on the attached URP-1 Land Use Map.

are hereby found to be in conformity with the Comprehensive Plan for the City of Tulsa.

2. Certified copies of this Resolution should be forwarded to the Board of Commissioners of the City of Tulsa.

APPROVED and ADOPTED this 16th day of June, 1982, by the Tulsa Metropolitan Area Planning Commission.

Director's Report: (continued)

Edgar Moore with the City Development Department presented a resolution from the Tulsa Urban Renewal Authority. This resolution is a minor modification to the Kenosha and Lansing Sectors within the NDP area to establish a 50-foot building line which is presently designated as an industrial development area. TURA has been requesting that anyone who locates in these sectors to build within the 50-foot building line. Jerry Lasker advised that the INCOG Staff has reviewed this resolution and recommends approval.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to adopt the following Resolution:

RESOLUTION NO. 1411:562

RESOLUTION FINDING THAT MINOR MODIFICATION TO THE URBAN RENEWAL PLAN FOR THE LANSING AND KENOSHA SECTORS WITHIN THE NEIGHBORHOOD DEVELOPMENT PROGRAM AREA IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN OF THE CITY OF TULSA.

WHEREAS, the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma, on August 2, 1960, and August 9, 1960, respectively, adopted a Comprehensive Plan for the orderly development of the City and County of Tulsa, Oklahoma, with subsequent amendments to date; and,

WHEREAS, said Comprehensive Plan contains sections dealing with the needs and desirability of Urban Renewal Programs; and, WHEREAS, on November 17, 1959, the City of Tulsa appointed the Tulsa Urban Renewal Authority in accordance with House Bill No. 602, Twenty-Seventh Oklahoma Legislature (1959) now cited as the Urban Redevelopment Act, Title 11, Oklahoma Statutes, Sec. 1601 et seq.; and,

WHEREAS, said Urban Redevelopment Act requires that the Tulsa Metropolitan Area Planning Commission certify to the City of Tulsa as to conformity of any proposed Urban Renewal Plans and/or Plan Amendments to the Comprehensive Plan of the City of Tulsa; and,

WHEREAS, the Tulsa Urban Renewal Authority has proposed a minor modification to the Urban Renewal Plan for the Lansing and Kenosha Sectors within the Neighborhood Development Program Area, with the City of Tulsa; and,

WHEREAS, said Kenosha and Lansing Sector's plans for the area have been submitted to the Tulsa Metropolitan Area Planning Commission for review in accordance with the Urban Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

1. The proposed Urban Renewal Plan Minor Modification for the Neighborhood Development Program Area Project, specifically:

Resolution No. 1411:562 (continued)

Modifies the Urban Renewal Plans for the Lansing and Kenosha Sectors in the Neighborhood Development Program Area by establishing a 50-foot building line along Lansing Avenue from King Place to Pine Street, except for that portion located within the Cherokee Expressway right-of-way.

Is hereby found to be in conformance with the Comprehensive Plan for the City of Tulsa.

2. Certified copies of this Resolution shall be forwarded to the Board of Commissioners of the City of Tulsa.

APPROVED and ADOPTED this 16th day of June, 1982, by the Tulsa Metropolitan Area Planning Commission.

Mr. Lasker advised the Commissioners that INCOG is in the budgeting process. The City has approved the budget requests, but the County has cut it by about \$95,000. Basically, this was in the Zoning and Land Divisions because County applications in these areas amount to approximately 20% of the total applications, which is the figure the County is using to derive the \$95,000 cut. The City will be meeting with the County to discuss this issue. Mr. Lasker is looking at various alternatives to offset this deficit. One possibility is to modify the fee schedules for zoning, subdivisions and lot-split applications, which were last set in 1974. The Planning Commission will be included in any changes that are made. The County has advised that if the funds are appropriated during the year, this budget could be increased, but INCOG cannot count on any help.

CONTINUED ZONING PUBLIC HEARINGS:

PUD #236-A Johnsen (Basta) 7500 Block of South Memorial Drive (RS-3, OL)

A Letter was submitted from Roy Johnsen requesting this application be continued to June 23, 1982.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Rice, Young, "absent") to continue consideration of PUD 236-A to June 23, 1982, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

For Preliminary Approval:

One Summit Plaza (PUD #274) (3293) South Lewis Avenue at 59th Street (OM, and RS-2)

The Chair, without objection, tabled this item.

The Staff presented the plat with the applicant not represented.

Note: This is the 3rd phase of an overall plan previously approved by the T.A.C. and Planning Commission.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Fox Meadows Estates 3rd Addition, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Kempe, Young, Inhofe, "absent") to approve the preliminary plat of Fox Meadow Estates 3rd Addition, subject to the following conditions:

1. In covenants, paragraph 4, change "telephone" to "communications" or specifically list Cable Television. Items 11 and 12 should not be included with the private deed restrictions which have an expiration date. Either specifically indicate that the time limit does not apply to these items or move these two paragraphs up under the deed of dedication for streets and easements. (The Staff prefers that they be included with the Deed of Dedication language.)
2. 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.
3. Water plans shall be approved by the applicable water authority or (WCRWD #3) prior to release of the final plat.
4. 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 criteria approved by the County Commission. (Check with the County Engineer regarding designation of easements on Lot 2, Block 2, and Lot 2, Block 3.)
5. Street names shall be approved by the County Engineer. Show on plat as required.
6. It is recommended that the developer coordinate with the County 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 the plat.)
7. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
8. Correct identification of plat to the east as "Fox Meadow Estates 2nd."
9. 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.

Fox Meadow Estates 3rd Addition (continued)

10. 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 the plat on any wells not officially plugged.)
11. 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.)
12. All Subdivision Regulations shall be met prior to release of the final plat.

Ives Addition (3194) East side of South Mingo Road, North of 59th Street (IL)

The Staff presented the plat with the applicant not represented.

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

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the preliminary plat for Ives 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 City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
3. Access points shall be approved by the City and/or Traffic Engineer. (Tentative O.K.)
4. Omit last paragraph in covenants regarding time-limit, since there are no private restrictions.
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 "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Include documents required under Section 3.6 (5) of the Subdivision Regulations.)
7. All Subdivision Regulations shall be met prior to release of the final plat.

Pecan Tree Place (PUD #278) (3193) SW corner of 55th Street and Lewis Avenue
(OL)

The Staff presented the plat at the T.A.C. with the applicant represented by Ted Sack and Gloria Huckaby. There was some discussion in the T.A.C.

Pecan Tree Place (PUD #278) continued)

meeting regarding a new water line on 55th Street, but details were to be worked out with the Water Department. A 5-foot water line easement was recommended on 55th Street.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Pecan Tree Place, subject to the conditions. Charles Norman was present for the applicant at the Planning Commission meeting.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the preliminary plat of Pecan Tree Place Addition, subject to the following conditions:

1. All conditions of PUD #278 shall be met prior to release of the final plat, including any applicable provisions in the covenants, or on the face of the plat. Show PUD number on the face of the plat.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. (5' water line easement) Existing easements should be tied to, or related to property and/or lot lines.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (if required?)
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (if required?)
5. 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.
6. Access points shall be approved by the City and/or Traffic Engineer. (O.K.)
7. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
8. A 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.)
9. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
10. All Subdivision Regulations shall be met prior to release of the final plat.

Mill Creek Pond Extended (continued)

16. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
17. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Eight Acres (PUD #288) (1793) 27th Place and South Birmingham Place (RS-1)

The Staff presented the plat with the applicant represented by Charles Norman, who agreed with the conditions.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Eight Acres Addition, subject to the following conditions.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the preliminary plat of Eight Acres Addition, subject to the following conditions:

1. The designation of some easements as "Easement and Building Line" may be confusing because the PUD only requires "setbacks as per RS-1, except for a 30-foot front building line". Until a house is proposed on an individual lot some of them might face either street and the "Building Line and Easement" as shown, may not meet the rear yard requirement of RS-1, (25'). Recommend omitting those that might be confusing, since RS-1 zoning will prevail.
2. Covenants should be clarified and the standard deed of dedication used for utility grant. It is suggested that all utility and street dedications be separated from PUD requirements and private deed restrictions. There should be no time limits on easements.
3. All conditions of PUD #288 shall be met prior to release of the final plat, including any applicable provisions in the covenants, or on the face of the plat. Show PUD number on face of the plat.
4. 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.
5. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
6. 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).
7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required)

Eight Acres (PUD #288) (continued)

9. 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.
10. Street names shall be approved by the City Engineer. Show on plat as required, followed by wording "private".
11. All adjacent streets and/or width thereof, should be shown on the final plat.
12. It is recommended that the developer coordinate with the 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 the plat.)
13. 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.
14. The PUD Application #288 shall be approved by the City Commission before final plat is released.
15. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the 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 the final plat.

Ridge Park II (PUD #190) (1083) 77th Street and South Yale Avenue (RS-3)

The Staff presented the plat with the applicant not represented. This plat has a Sketch Plat approval, subject to conditions. Mr. Compton advised that a Detail Site Plan review was approved by the Planning Commission on June 9, 1982.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Ridge Park II Addition, subject to the conditions.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the preliminary plat for Ridge Park II Addition, subject to the following conditions:

1. All conditions of PUD #190 shall be met prior to release of the final plat.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. 11' on east by separate instrument. Existing easements should be tied to, or related to property and/or lot lines.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Part of the tract is on secondary system.)

Ridge Park II (PUD #190) continued

4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be born by the owner of the lot(s). (if applicable).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if applicable?)
7. 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.
8. Access points shall be approved by the City and/or Traffic Engineer. Show the access point as "52' with a median" - Location is O.K.
9. Include date of amendment to PUD in covenants on page 1.
10. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
11. All Subdivision Regulations shall be met prior to release of the final plat.

C H & I Industrial Park (3214) NE corner of 66th Street North and North Mingo
Valley Expressway (IM)

The Chair, without objection, tabled this item pending Health Department approval.

Oller Ranch Estates (3190) NE corner of West 55th Street and Tower Road (AG)

The Staff presented the plat with the applicant not represented.

Note: This plat has been previously reviewed and approved as a sketch plat on October 29, 1981 and as a preliminary plat on January 20, 1982. However, due to problems with obtaining satisfactory percolation tests, the applicant withdrew the plat on March 17, 1982. Now the plat has been redesigned slightly, with the street pattern essentially the same as before, but with much larger lots. It is resubmitted for preliminary because of the official withdrawal. This must be treated as a completely new application.

Since the Health Department was not represented at the meeting, the T.A.C. recommended the plat be reviewed, but not transmitted to the Planning Commission until the Health Department advises the Staff of any specific recommendations.

Mr. Wilmoth advised that approval has been received from the Health Department and the applicant has increased the lot sizes so it will have approved septic systems on each lot. Therefore, the Technical Advisory Committee and Staff recommends approval of the preliminary plat of Oller Ranch Estates, subject to the conditions.

Oller Ranch Estates (continued)

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennege, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the preliminary plat of Oller Ranch Estates, subject to the following conditions:

1. If the roadway easements have already been dedicated and/or recorded, show book and page references. Show solid line for street right-of-way as on the previous plat. Include street names as approved by the County Engineer.
2. 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.
3. Water plans shall be approved by the applicable water authority or RWD prior to release of final plat.
4. 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 criteria approved by County Commission.
5. Access points shall be approved by County Engineer. (Regarding lots facing Tower Road)
6. It is recommended that the developer coordinate with County 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 the plat.)
7. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
8. 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.
9. 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 the plat on any wells not officially plugged.)
10. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
11. All (other) Subdivision Regulations shall be met prior to release of the final plat.

For Final Approval and Release:

Spring Valley (2393) 98th Street and South 72nd East Avenue (RS-3)
and

Raintree (182) 6700 Block of South Peoria Avenue (CS & RM-2)

The Staff advised that all release letters had been received and recommended approval.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the final plats of Spring Valley Addition and Raintree Addition and release same as having met all conditions of approval.

Newman Brothers Subdivision (2603) NW corner of Virgin Street and North 69th East Avenue (IL)

The Staff advised that all release letters had been received and recommended approval.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the final plat of Newman Brothers Subdivision and release same as having met all conditions of approval.

Request for Change of Access:

Diversified Industrial Park (3094) SE corner of Broken Arrow Expressway and Mingo Road (IL)

This is a request to add an access point on the plat to cover an existing driveway. Since the driveway is already there, the Traffic Engineer has approved the request, it is recommended that the Planning Commission concur and approve the request.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the access change for Diversified Industrial Park.

LOT SPLITS:

For Ratification of Prior Approval:

L-15491 (874)	Daniel Leroy Eiler, Jr.	L-15499 (3394)	Fluid Components, Inc.
15492 (2502)	Etha P. Fortner, et al	15501 (2993)	Wm. H. Batten, Jr. & Leora
15493 (1413)	Myrtle Richburg	15502 (983)	Joe M. & Beverly A. Yost
15494 (793)	Daniel R. Howell	15503 (293)	Elmera Elizabeth Kelley
15495 (3292)	Floyd R. Hardesty	15504 (692)	Clyde R. Morris
15496 (1893)	J. Dovel Moore	15505 (994)	Edith Syverson

For Ratification of Prior Approval: (continued)

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") that the approved lot-splits listed above be ratified.

Lot-Splits for Waiver:

L-15469 A. Perrault, Jr. (1192) The SE corner of West 14th Place and
South Frisco Avenue (RM-2)

The applicant is asking for a waiver of the frontage and area requirement to allow 2,400 square-foot and 6,600 square-foot lots (total original lot size 9,000 sq. ft.) to be created. The property has an existing residence that will remain, and proposes to build a multi-family townhouse on the 6,600 sq. ft. lot. The applicant has also been informed that the land use map shows that there are not any lots in the area smaller than 7,500 sq. ft., and that the Staff feels because of the fact that the lot being created is only a fraction of the required amount of area, we could not recommend approval.

The Water and Sewer Department has indicated extensions would be required if the lot is split. The Staff advised that there probably were other ways to provide separate ownership, such as a condominium under the "Unit Ownership Act."

Since the tract doesn't conform with the zoning and no similar splits have been made in the immediate area, the T.A.C. could not recommend approval; therefore, the Technical Advisory Committee and Staff recommended DENIAL of L-15469, for the reasons stated in the review.

Mr. Mike Freeman, 1612 South Cincinnati, represented the applicant and presented two (2) pictures of the subject lot (Exhibit "B-1"), as well as displaying an architect's rendering of the proposal. Originally, the structure on the east was servant's quarters and a garage. It is a well-maintained, well-built structure in part of the historic section of Tulsa. The structure contains about 1,300 square feet of living space with a separate drive. It has been rented in the past as a duplex and the applicant wishes to make it a single-family dwelling. The utilities have been recently updated and is now self-sufficient with separate access to utilities. There are no other structures on the lot because the large, original house was completely destroyed by fire. Unless the waiver is granted, the structure would have to be attached in some manner to another modern structure or involved in a condominium arrangement that does not have any practical basis because of the separate access to utilities. More density would be allowed if this structure were torn down, but the owner feels it should remain as an historical part of Tulsa. This building is as large as many new townhouses in the area and by allowing the lot-split would produce more lot area and green area due to its separation.

Mr. Wilmoth had not seen the plot plan Mr. Freeman displayed and noticed that there is a reverse parking situation not allowed by the City. The City would not allow one continual curb cut. Mr. Freeman commented this is a drawing of what the other units would be and if the garage situation changed, the units would be less dense.

Lot-Splits for Waiver: (continued)

MOTION was made by GARDNER to approve this lot-split. Motion died for lack of a second.

Commissioner Petty asked if the condominium idea could be used and Mr. Freeman stated the owner would not completely reject the concept, but this is a unique situation where the house burned and a well-defined and attractive structure is left.

On MOTION of HENNAGE, the Planning Commission voted 5-2-0 (Hennage, Higgins, Hinkle, Kempe, Petty, "aye"; Gardner, Parmele, "nay"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to DENY L-15469 per Staff Recommendation.

L-15458 Dollie R. Hall (2484) North side of East 101st Street South, 1/2 mile
East of South 177th East Avenue (AG)

This is a request to waive the Subdivision Regulations requiring conformance with the Major Street Plan. The split is to separate a 1-acre tract from a 101-acre parcel and add it to a previously approved lot-split of approximately 2 acres. (#14091) The frontages and areas being created meet the AG requirements, so the only question is the right-of-way requirement on the 1-acre being split from the 101-acre tract, which is a parcel of right-of-way approximately 35' x 122.7'. Right-of-way was dedicated on the adjacent tract when it was split in 1977, (60' is required from the centerline.) The Broken Arrow Planning Staff had also reviewed the split and advised that this is in a rapidly developing area and right-of-way will be needed for widening 101st Street. They were not in favor of waiver of the Major Street Plan.

The Technical Advisory Committee and Staff recommended denial of L-15458, since it did not meet the Major Street Plan requirements, which recommendation is consistent with previous similar lot-splits.

Mr. Delbert Freeze, 106 North Main, Broken Arrow, represented Mr. & Mrs. Troy Coper, who are the purchasers of the property. There was a previous, 3-acre tract to the west that was split 2 acres and 1-acre in 1977. Mrs. Louise McConnel, the owner at that time, dedicated the south 50' of the entire 3 acres, but the dedication was never filed of record. The applicants are the third purchasers of the 2-acre tract since 1977 and the last 2 buyers were not aware of the dedication. The acre in question is being bought from a tract that will leave a balance of 101 acres. Broken Arrow City Officials say the widening of 101st Street will not be done in the near future. Also, the Broken Arrow Technical Advisory Committee did not review this application and the letter from Broken Arrow is the planner's personal opinion. A 50-foot right-of-way on the 3-acre tract would be quite expensive. He questions the validity of the requirement to dedicate the land in the event 101st Street is widened and the issue can be addressed when the improvements are begun.

Mr. Linker advised that the only reason this cannot be approved is because it does not meet the Major Street and Highway Plan. If they want to bring it into compliance, they have the power to do so.

Mr. Freeze advised the land is vacant but plans are to build a house. He owns property about 200 yards away and he has never dedicated an

L-15458 (continued)

easement and none of the property owners he has talked to have ever dedicated any easements.

MOTION was made by PETTY, SECOND by HENNAGE to deny this application.

Special Discussion for the Record:

Chairman Parmele felt this issue is the same as the right-of-way for the expressway where it is taken without compensation for future development. Commissioner Higgins did not feel it was fair to penalize this property owner when others in the area have not dedicated right-of-way easements.

On MOTION of PETTY, the Planning Commission voted 2-5-0 (Hennage, Petty, "aye"; Gardner, Higgins, Hinkle, Kempe, Parmele, "nay"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to deny L-15458.

On MOTION of HIGGINS, the Planning Commission voted 5-1-1 (Gardner, Higgins, Hinkle, Kempe, Parmele, "aye"; Petty, "nay"; Hennage "abstaining"; Freeman, Rice, Young, Inhofe, "absent") to approve L-15458 and waive the Subdivision Regulations requiring conformance with the Major Street and Highway Plan.

L-15499 Cliff Stewart (3092) West side of South 69th West Avenue and
North of West 49th Street South (AG)

This is a request to create two, 2.5 acre tracts with 165' lot width out of a 5-acre tract, which requires a waiver. Also required is the Health Department's approval of the septic systems. Additional right-of-way by dedication or easement, approved by the County Engineer was required. Review of the area land use map shows that there are other lots with 165' lot width. (Because of the dedication for street right-of-way, the resulting lots will be 2.4 acres each.)

The Technical Advisory Committee and Staff recommended approval of L-15489, subject to the conditions.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve L-15489, subject to the following conditions:

- (a) Board of Adjustment approval of the width, and
- (b) Health Department approval of septic systems.

L-15490 Park Plaza East, Ltd. (2194) East side of South 131st East Avenue,
and South of East 39th Street South (RS-3)

The applicant is asking for a waiver of the bulk and area requirements to allow a lot-split of an existing duplex to create separate ownership of each unit. The applicant is aware of the requirement of separate utilities to each unit, and also the Board of Adjustment approval will be needed. No legals have been provided, or no mutual agreement for the easements. The applicant wishes to go for review, before he invests in another survey, or hires an attorney to write an agreement.

L-15490 (continued)

The Technical Advisory Committee and Staff recommended approval of L-15490, subject to the condition.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve L-15490, subject to the following condition:

- (a) Board of Adjustment approval.

L-15464 Joseph M. St. Ville (583) West side of South Harvard Avenue
and South of E. 65th Street So. (RS-1)

This is a request for a waiver of the frontage requirement to allow access off of South Gary Avenue for tracts "A" & "B". All lots exceed the RS-1 zoning bulk and area requirements. Actual access to tracts "A & B" is assured through a combination of access easements (South Gary Avenue) and mutual access easements (to tracts "A & B"). Charles Norman was present. The Water Department advised that a water line extension is required. P.S.O. requested an 11' utility easement along the south property line.

The Technical Advisory Committee and Staff recommended approval of L-15464, subject to the conditions.

Mr. Norman agreed with the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve L-15464, subject to the following conditions:

- (a) Board of Adjustment approval of frontage for Tracts "A & B",
- (b) water line extension, and
- (c) 11' utility easements on the south property line.

OTHER BUSINESS:

PUD #282 - Charles Norman (Kensington Center) SW corner of East 71st Street
and Lewis Avenue

Staff Recommendation - Minor Amendment

Planned Unit Development No. 282 is located at the southwest corner of Lewis Avenue and East 71st Street South. It is approximately 47 acres in size and contains an existing service center. It was approved by the TMAPC on March 17, 1982, and by the Mayor and Board of Commissioners on April 20, 1982, as a three (3) phase development project. The service center would be an existing phase, which would be followed by Phase I and Phase II of new construction.

The applicant submitted and was granted 1,020,000 square feet of floor area to be on the total tract. Through a mathematical error 6,000 square feet of expansion to the existing bank in Phase I was not included in the original Development Text. The underlying zoning is CS and the estimated acreage of the total tract will support the additional

PUD #282 (continued)

6,000 square feet, therefore, the Staff considers this a minor amendment and recommends APPROVAL.

On MOTION of HENNAGE, the Planning Commission voted 6-1-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; Gardner "nay"; no "abstentions"; Freeman, Rice, Young, Inhofe, "absent") to approve the minor amendment for PUD #282.

HOUSING SURVEY:

Jerry Lasker explained that a Housing Survey has been done each year looking at occupancy rates and where plats are being filed. This is the first year the private sector has been involved in order to come up with a survey beneficial to the private sector and the public.

Ginger Garbacz of the INCOG Staff presented copies of the completed Housing Survey. This year's survey was expanded to include condominiums, apartments, platting survey and the survey done by the Post Office on housing vacancy rates. She briefly detailed all of these reports. Mr. Lasker explained that as the demand for houses increases rental rates increase.

The Development Guidelines limit multifamily to wrap-around. Mobile homes have been mentioned as a more favorable alternative. Mr. Compton commented that, based on the Development Guidelines, there is simply not enough land available to be zoned for higher densities and a possible alternative might be to re-evaluate the Development Guidelines.

Mr. Lasker informed the Commission that the law pertaining to mobile homes before the legislature has been sent to a committee for study, but he thought the City Ordinances would be in conformance with the law.

There being no further business, the meeting adjourned at 2:45 p.m.

Date Approved _____

July 7, 1982

[Signature]

Chairman

ATTEST:

Cherry A. Kempe
Secretary