

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1450
Wednesday, April 6, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Benjamin Draughon Higgins Kempe, Chairman Miller Petty, 2nd Vice- Chairman C. Young, 1st Vice Chairman	Gardner Hinkle T. Young Inhofe	Chisum Compton Gardner Lastinger	Linker, Legal Department

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, at 11:50 a.m., as well as in the Reception Area of the INCOG Offices.

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

MINUTES:

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Benjamin, Draughon, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Hinkle, T. Young, Inhofe, "absent") to approve the minutes of March 23, 1983 (No. 1448).

The Chair, without objection, tabled the minutes of March 30, 1983 (No. 1449).

REPORTS:

Chairman's Report:

Chairman Kempe presented the Commission with biographical data on three nominations for appointment to the River Parks Authority. The Commission had an opportunity to read these resumes and voted on the nominations as follows:

Mr. Clyde Wyant - 2
Mrs. Mary Anne Lewis - 1
Mrs. Catherine Keating - 4

Chairman Kempe advised the Commission that Mrs. Catherine Keating has been appointed by the TMAPC to serve a 3-year term on the River Parks Authority Board.

Comprehensive Plan Committee

Commissioner C. Young reported that the Comprehensive Plan Committee met prior to this meeting in order to discuss the changes to the Comprehensive Plan during the past year and he will give a recommendation for the committee at the end of the public hearing scheduled later in this meeting.

Chairman's Report (continued)

Rules and Regulations Committee:

Commissioner Higgins, as chairman of the Rules and Regulations Committee, advised there will be a meeting next week prior to the regular Commission meeting.

Director's Report:

Mr. Gardner wanted to know if the Commission had any questions about or additions to the work program for the next year and if there were any comments about the work session held last week. The Commissioners had no questions, but Chairman Kempe wished to commend the Staff on an excellent presentation during the work session.

At the previous Planning Commission meeting, it was requested the Staff review the procedures for prior approval on lot splits. Some discussion has taken place and the Staff feels it would be difficult to change the language so that regular shaped lots meeting the Subdivision Regulations may receive prior approval. This would be difficult to handle. If prior approvals were alleviated, the processing time would be set back considerably causing problems with real estate closings where a lot split is required a day or two before the closing because the attorney's did not discover the need for one until this time. If it meets all the Subdivision Regulations, it can be given prior approval and the closing can proceed. The Commission merely needs to ratify the action.

The Legal Department's concern is with the reversal of a Staff determination for prior approval. The Board seems to be concerned with lots that would not meet the normal frontage requirements. The Staff could study the definition of "width of lot". A flag-lot or an odd shaped lot would meet the average width but would not meet the actual width. The exception would be an odd shaped lot being approved as a part of a plat.

The Planning Commission could adopt the following policy, "Until further notice, our policy is all lots shall have absolute width as required by the Ordinance and those not meeting this requirement shall come before the Planning Commission for lot split approval without the prior approval consideration". The Staff will then study the Subdivision Regulations; and, if it is decided an amendment is required, it could be made by possibly amending the Zoning Code definition of "width". The lot split that precipitated this request was unique and is the only time this situation has occurred since 1953. The present procedure seems to be good except there may be a rare instance such as this one; however, it might not be practical to change the Regulations because of this unusual circumstance.

Commissioner C. Young agreed with Mr. Gardner and felt the unique cases will come to the Planning Commission's attention without changing the Regulations. It may never happen again and Commissioner C. Young did not want the Commission to have to hear a lot of needless cases.

Mr. Linker explained that the prior approval procedure is merely delegating the Planning Commission's authority to approve lot splits to the Staff. The only way this can be delegated is with specific

Director's Report: (continued)

guidelines. If a lot split application meets those guidelines, it should not be within the power of the Planning Commission to draw the lot split back and pass on it again. If this is delegated to the Staff, they need to be able to give the approval because the deed goes out of the Planning Commission's control. He agrees with Mr. Gardner that the Planning Commission could adopt a policy of looking at lots that might have odd shapes. The Planning Commission will have to live with the adopted guidelines.

Commissioner Higgins felt the Court decision on these lot splits could give the Planning Commission some guidance.

Commissioner C. Young recommended the Planning Commission continue with the present format, but send the questions to the Rules and Regulations Committee with instructions for a recommendation within a month.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions" Gardner, Hinkle, T. Young, Inhofe, "absent") to forward the matter of prior approval on lot splits and all contingencies be referred to the Rules and Regulations Committee with a recommendation to be presented to the Planning Commission within a month.

PUBLIC HEARING:

PUBLIC HEARING TO CONSIDER AMENDING DISTRICTS 5, 9, 10 AND 18 PLAN MAP, A PART OF THE OFFICIAL COMPREHENSIVE MASTER PLAN FOR DEVELOPMENT OF THE TULSA METROPOLITAN AREA.

Mr. Gardner presented maps of Districts 5, 9, 10 and 18 depicting the changes that have been made in the districts by specific zoning changes which were approved and are in conflict with the Comprehensive Plan. The Plans must be amended in order to indicate these changes.

In District 5, there is one instance on either side of 21st Street to the east of Memorial where the zoning was changed from OL to Commercial on the south side of 21st Street. Commissioner C. Young had commented that 85th East Avenue should be the stopping point for commercial. However, there was a problem with the property to the north and what it should be zoned, since it would be directly across from the abutting commercial zoning. In this particular instance the Plan needs to be amended to include the property on the north side of 21st Street, directly across from the property which was approved for commercial.

On the west side of 33rd West Avenue, north of 51st Street, in District 9, an entire block was rezoned CS on the east side of the street and the Staff is suggesting the area be designated for potential commercial with a buffer on 50th Street for office to keep the commercial from spreading north.

The change in District 10 is to correct an error in the Plan where high intensity "creeped" over the expressway from the Central Business District and should have been designated as "Medium Intensity -- Residential". In discovering this error, 3rd Street needed commercial designation on both sides instead of on the north side only.

Public Hearing: Continued)

All other corrections to these Districts are just on each subject tract and are due to zoning changes approved by the City Commission, but were in conflict with the District Plans.

Chairman Kempe reminded the Commission of the recommendation made earlier by the Comprehensive Plan Steering Committee to approve these amendments to the Comprehensive Plan Maps.

There were no interested parties present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to close the public hearing and to instruct the Staff to prepare resolutions reflecting these amendments to the District 5, 9, 10 and 18 Plan Maps.

PUBLIC HEARING TO CONSIDER AMENDING DISTRICT 8 PLAN TEXT AND MAP, A PART OF THE OFFICIAL COMPREHENSIVE MASTER PLAN FOR DEVELOPMENT OF THE TULSA METROPOLITAN AREA.

Chairman Kempe explained this public hearing needs to be continued until May 25, 1983. The Staff is working with the District 8 Steering Committee to resolve some of the problems.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to continue the Public Hearing to consider amending the District 8 Plan Text and Map until Wednesday, May 25, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

For Sketch Plat Approval:

Sycamore Meadows (PUD #306) (2093) SE corner of 91st Street and South
(Revision) College Place (RS-3, RS-2, RM-1, RM-2)

The Staff presented the plat with the applicant represented by Henry Daubert.

The Staff advised the T.A.C. that this plat was reviewed as a PUD on January 13, 1983 for concept only. The main concern at that time was, since this plat sets right in the middle of the junction of the Riverside, Mingo Valley and Creek Expressways, this conflict with the Major Street Plan must be resolved before proceeding any further. Hopefully, this will also be discussed in the zoning and PUD hearings before the TMAPC and the City Commission. It has been the policy of the T.A.C. not to recommend approval of waiver of the Subdivision Regulations requiring conformance with the Major Street Plan. (This is the fourth plat within the expressway right-of-way in the area between the River and Sheridan.)

On January 27, 1983, the first phase of the project was submitted (Development Area "A") for a sketch plat. Since all of it was outside the expressway and creek alignment it was routinely approved by the T.A.C. with no waivers involved.

The revised sketch plat submitted for T.A.C. on this date (3/24/83) now includes all the area north of the creek alignment and portions that would lie in the Expressway Interchange according to the present Major Street and Highway Plan. The position of the T.A.C. regarding waiver of the Major Street Plan has been evident since the first review of this project, so it is recommended that the sketch plat, as revised, be forwarded to the Planning Commission for review and waivers of the Subdivision Regulations requiring conformance with the Street Plan. (This not only includes the expressway alignments, but South Harvard as well. Harvard still shown on the Street Plan from 96th to 91st as a secondary arterial with 100' of right-of-way.) ("Block length" waiver is also necessary.)

The Technical Advisory Committee and Staff recommended conditions for the sketch plat if the Planning Commission should approve the requested waivers.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the sketch plat and the requested waivers, subject to the following conditions: ***

1. Identify all streets. Show South Florence Place and South College Avenue in dashed lines for reference. Show a tie dimension to the NE corner of section at Harvard Avenue. Show lot and block number of lots and acres on face of the plat. Show PUD number on the face of the plat. Identify adjacent lands as "unplatted".
2. All conditions of PUD #306 shall be met prior to release of the final plat, including any applicable provisions in the covenants,

Sycamore Meadows (PUD #306) (continued)

- or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
3. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements of 17½ feet on all sides. Existing easements should be tied to, or related to property and/or lot lines.
 4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
 5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
 6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
 7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (Check - PFPI #91) (?)
 8. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (100-year flood to Arkansas River)
 9. Street names shall be approved by the City Engineer. Show on the plat as required.
 10. All adjacent streets and/or widths thereof should be shown on the final plat.
 11. All curve data shall be shown on the final plat where applicable. (Including corner radii.)
 12. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted, or other bearings as directed by the City Engineer.
 13. Access points shall be approved by the City and/or Traffic Engineer. (Show on plat on 91st Street) At least 100' - 125' of separation is needed between the existing drive and the proposed street to the west.
 14. 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.)
 15. 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.
 16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

Sycamore Meadows (PUD #306) (continued)

17. 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.)
18. The restrictive covenants and deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.)
19. The Zoning Application Z-5787 shall be approved before the final plat is released.
20. Show 60' of right-of-way from the centerline of Delaware Avenue. (Primary arterial) Show applicable building lines. (Area "E" north, 95' from the centerline and Area "E" south, 110' from the centerline)
21. Show lot and block numbers. (Engineer has drawn platted lot lines in accordance with the zoning and PUD approvals. They may be further subdivided with additional platting.)
22. 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.)
23. All (other) Subdivision Regulations shall be met prior to release of the final plat.

***Later in the meeting, Mr. Compton stated that he and Mr. Linker have been discussing the possibility of indicating on plats to show where the proposed expressway crosses the tract. This would show that there is no dedicated right-of-way, but an expressway is proposed. The public would therefore be aware of the possibility these expressways might be built. This might come as an amendment to the Subdivision Regulations at a later date.

Mr. Gardner explained this requirement would not be placed on this sketch plat, but might be a requirement on the Preliminary or Final Plat. Mr. Linker noted this would be merely a notation on a plat and could include a comment that this is not a dedication and is for informational purposes only. The public could not complain later that a subdivision plat was approved with no notification.

Commissioner Higgins suggested the Staff present information for the Rules and Regulations Committee during the meeting next Wednesday. Mr. Gardner agreed.

For Preliminary Approval:

Cedar Ridge Park (2483) 97th Street and South Mingo Road (RS-3) (Revision)

The Staff presented the plat with the applicant represented by Gene Myers.

Cedar Ridge Park (continued)

This plat has a preliminary approval, subject to conditions. A copy of the minutes of March 3, 1983 was provided with Staff comments as applicable.

Although the plat has a preliminary approval, it has been redesigned with smaller lots and some changes to the street pattern. All lots still meet the RS-3 zoning and this is not a PUD. The Staff sees no objection to a "revised preliminary approval", but would further recommend that the applicant make the recommended changes and/or corrections and furnish the T.A.C. and Staff with updated copies. A subsurface coordination meeting should be held also before any release letters are submitted.

The Technical Advisory Committee and Staff recommended approval of the Revised Preliminary Plat of Cedar Ridge Park Addition, subject to the conditions.

Mr. Gene Myers, engineer for the project, has been working with Darryl French of the Traffic Engineering Department. One of the conditions required by the T.A.C. was to eliminate a four-way intersection, which has been worked out. Mr. French suggested that Mr. Myers ask the Planning Commission to waive the maximum distance between intersections. One of the streets is about 100 feet longer than the 1,500 feet maximum allowed.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Cedar Ridge Park Addition, subject to the following conditions as required by the T.A.C., with an additional condition #20, as requested by the engineer:

1. In accordance with directive, dated January 18, 1982, from the Regional Metropolitan Utility Authority (RMUA) sewer plans for this subdivision will be subject to the approval of RMUA, since it is in the Haikey Creek Sewage Treatment Plant area. Final plat shall not be approved or released until RMUA acknowledges that there is sufficient capacity available to treat the additional sewage in accordance with effluent limitations established by the EPA.

The following language shall be included in covenants in accordance with directive from RMUA dated February 28, 1983.

"The approval and filing of this plat does not guarantee that connections will be permitted to the Haikey Creek Wastewater Treatment Plant. The owner of each lot is responsible for obtaining from the (Superintendent of Waterworks and Sewerage in Tulsa), (City Engineer of Broken Arrow), a connection contract and/or connection permit, certifying to capacity. If capacity is not available, connection of the lot will not be permitted."

2. Show all utility easements as 17½' next to unplatted land and 11' back-to-back for a total of 22' in accordance with the Subdivision Regulation's policies. Utility easements shall meet the approval of the utility companies. Coordinate with Subsurface

Cedar Ridge Park (continued)

Committee if underground plant is planned. Show additional easements as required. (Some easements may be needed across park areas.) (May need 3' for fencing.)

3. If park and/or open space is to be dedicated to the City, then approval of the Park Department will be required. If privately owned, include provisions of its maintenance. (It should also be in covenants on the plat.)
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include required language in covenants for water and sewer services.)
5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (See condition #1)
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
8. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (In covenants include language for the drainage facilities.) Show all drainageways as recommended by the City Engineer.
9. Show "LNA" on expressway right-of-way. Access points shall be approved by the City and/or Traffic Engineer. Include access relinquishment in covenants.
10. Provide an access point for Storm Water Detention Area. Assign Lot number or "Reserve".
11. Show Broken Arrow City Limits and/or Bixby City Limits as applicable.
12. The key or location map shall be complete. (Show city limits of adjacent towns.)
13. 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.)
14. Include explanation of park and recreation uses in covenants. Also, if any improvements and/or facilities are planned in the park areas, Board of Adjustment approval will be required.
15. New covenants were not submitted with this plat. Covenants should be updated in accordance with previous recommendations, plus, the additional language required in Condition #1.

Cedar Ridge Park (continued)

Covenants should include:

- (a) Access relinquishment,
 - (b) indication that time-limit doesn't apply to paragraphs, B, L, and M,
 - (c) provisions for park area, and
 - (d) provisions for fence area as shown on plat.
16. Redesign of lot sizes and street pattern has resulted in a four-way intersection at 99th Street and South 92nd East Avenue. This should be reviewed by the Traffic Engineering Department and re-designed if necessary, upon recommendation of the Traffic Engineer.
 17. On final plat omit centerlines on interior streets. Darken property lines for clarity.
 18. 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.
 19. All Subdivision Regulations shall be met prior to release of the final plat.
 20. That a waiver be approved of the maximum block length distance between intersections from 1500 feet to 1600 feet.

Sebring Grand Prix (PUD #314) (3492) SW corner of I-44 and South Union Ave.
(CG)

The Staff presented the plat with the applicant represented by Mike Taylor.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Sebring Grand Prix, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Sebring Grand Prix, subject to the following conditions:

1. Show all building lines in accordance with the PUD Text. Revise covenants to reflect all PUD conditions. Show PUD #314 on the face of the plat. Identify adjacent land to the south as "unplatted".
2. All conditions of PUD #314 shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
3. 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.

Sebring Grand Prix (PUD #314) (continued)

4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, (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. Show drainage easements. Include language in covenants as needed.
6. Access points shall be approved by the City and/or Traffic Engineer. (LNA as recommended by the Traffic Engineer on the service road and South Union Avenue) (Release letter required.)
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. The PUD Application (#314) shall be approved by the City Commission before the final plat is released.
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 (other) Subdivision Regulations shall be met prior to release of the final plat.

Blake Hills (1483) SE corner of 81st Street and South Yale Avenue (RM-1)

The Staff presented the plat with the applicant represented by Marion Blake.

This plat has a Sketch Plat approval, subject to conditions.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Blake Hills, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Blake Hills 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. (17½' on both Yale and 81st)
2. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (secondary pressure system)
3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall

LOT SPLITS:

For Ratification of Prior Approval:

L-15722 (1794) F. L. Swanson

On MOTION of HIGGINS, the Planning Commission voted 6-0-1 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, "aye"; no "nays"; C. Young, "abstaining"; Gardner, Hinkle, T. Young, Inhofe, "absent") that the approved lot split listed above be ratified.

L-15738	(1093)	Ralph D. Jones	L-15762	(1683)	Design Properties, Inc.
15751	(1482)	Duane Anderson	15763	(2883)	John Westby
15752	(1192)	T.U.R.A.	15767	(3263)	Roy Shaw
15753	(1183)	81-M	15768	(1793)	Mary Ann Jacobs
15755	(883)	C. J. B. Invest- ments, Inc.	15769	(2003)	Mohammad Qureshi
15759	(1392)	William H. Morris	15771	(383)	Williford/Rizzotti
15760	(2183)	Angela Puma	15772	(983)	Paul Hinch
			15773	(3602)	T.U.R.A.

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

For Waiver of Conditions:

L-15730 Charles Lunsford (1382) East side of Elwood, South of 71st St.
(AG)

This is a request to split two, one-acre tracts from a 7.5 acre tract. Tract A will require Board of Adjustment approval of a variance in lot area from 2 acres to one-acre and a variance in lot width from 200' to 135'. Tract B will require Board of Adjustment approval of a variance of lot width from 200' to 150', lot frontage from 30' to 15' and lot area from 2 acres to one-acre. Both lots will require Health Department approval of septic tanks and both lots should be served with water from Creek County Rural Water District #2. The remainder is over 2½ acres and does not require lot-split approval; but, it is recommended it be included in Board of Adjustment application, since it will only have a frontage of 15'. The applicant has not requested waiver of the Major Street Plan right-of-way on Elwood Avenue. Utility easements will be needed to serve the back lots.

The Technical Advisory Committee and Staff recommended approval of L-15730, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the request for waiver on L-15730, subject to the following conditions:

- (a) Board of Adjustment approval of size and frontages,
- (b) Health Department approval of septic system, and
- (c) south 17½' for utility easement.

(a) Board of Adjustment approval and

(b) Health Department approval.

L-15741 Carl J. Harp (1290) North side of S. H. #51, West of 177th
West Avenue (AG) (County)

This is the remainder of L-15639 recently processed and is a request to create a 1.36+ acre tract and a .99-acre tract from a 2.35+ acre tract. Tract 1 (the smaller tract) will have no frontage on a public street and will require Board of Adjustment approval of 0' frontage. Some access for the lot should also be provided. Both lots will require Board of Adjustment approval of the lot area. Approval of the lot split would be subject to the Health Department's approval. Consistent with other lots being approved and processed, the Staff recommends that an ownership "handle" be provided for access to the highway. This should also be a utility easement for their access to the back lot. (30' width is desirable, but if this is not possible, a minimum of 15'.)

The Technical Advisory Committee and Staff recommended approval of the L-15741, subject to the following conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the request for waiver on L-15741, subject to the following conditions:

- (a) Board of Adjustment approval,
- (b) approval of the City-County Health Department, and
- (c) access ownership "handle" to highway with utility easement.

L-15742 Stephen Earl (1863) West side of South Lewis Avenue, North of
211th Street South (AG) (County)

This is a request to split a 1.5 acre tract from a 40-acre tract. The 1.5-acre tract meets lot width requirements in the AG zone, but a variance of the lot area will require approval of the Board of Adjustment. The lot will have an east/west dimension of only 208.7'. When the right-of-way is deducted for South Lewis, this only leaves a lot depth of 158.7' and a net lot area only 1.1 acre. The rear setback in an AG zone is 40' and the front setback is 35', leaving 83.7' for improvement. Another similar piece was split from the 40-acre tract at an earlier date. Approval of the lot split would be subject to the Health Department's approval, also. The Staff would recommend approval only on the basis that the adjacent lot has also been split. Due to the small size the applicant is being made aware of the restrictions caused by building lines and setbacks. The applicant is not requesting waiver of the Major Street Plan requirements. (The applicant was present and aware of the recommendations.)

The Technical Advisory Committee and Staff recommended approval of L-15742, subject to the conditions. However, the Health Department's approval has been received and only the Board of Adjustment approval of the lot size is needed.

On MOTION of BENJAMIN, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the requested waiver for L-15742, subject to the following condition:

L-15742 (continued)

(a) Board of Adjustment approval of lot size.

L-15745 Ron Tracy (3103) 2309-2311 East Haskell Avenue (RM-1)

This is a request to split 2 lots containing 3 existing duplexes into 3 lots, each containing 1 duplex. Tract B is the only one of the 3 tracts which meets the Zoning Code. Tracts A and C will require Board of Adjustment approval of waiver of the bulk and area requirements. The applicant has been working with the Water and Sewer Department to provide each lot with the proper access to both water and sewer and this accounts for the odd shape of Tract C. The duplexes are existing and the physical appearance and overall density will remain the same.

The Technical Advisory Committee had no objections or requirements. The applicant was represented.

The Technical Advisory Committee and Staff recommended approval of L-15745, subject to the condition.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the request for waiver on L-15745, subject to the following condition:

(a) Board of Adjustment approval.

L-15748 Rosezella Brazeal (1824) 10825 East 156th Street North (AG)

This is a request to split a 7.7 acre tract into 3 pieces. Tract 1 will be .5 acre, Tract 2 will be 2.3 acres and Tract 3 will be in excess of 2.5 acres. Tract 1 will require Board of Adjustment approval of a variance of lot area from 2.0 acres to .5 acre. There are 2 other .5 acre tracts in the same quarter section. Approval of the request would be subject to the Health Departments' approval. The Staff notes that Tract 3 is outside our jurisdiction (over 2 1/2 acres) and it does not appear to have frontage on a dedicated street. The applicant should be aware that he may be creating his own problems by not retaining an "ownership handle" or other access to 156th Street North. The applicant has not requested waiver of the Major Street Plan requirements.

The applicant was present in the T.A.C. meeting and advised that some dedicated right-of-way exists along the west side of Tract 3, so it does have access. He also had been working with the Health Department on their requirements.

Since the T.A.C. meeting, it has been determined that the large tract has access via North 107th East Avenue. (This street did not appear on the original map and the maps have now been updated.)

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the request to waive the lot split requirements for L-15748, subject to the following conditions:

(a) Board of Adjustment approval and 4.6.83:1450(20)

(b) Health Department approval

L-15750 Jimmy Lacy (1272) West side of Peoria Avenue, South of 131st East Avenue (AG) (County)

This is a request to split a 2-acre tract into 2 equal portions. Tract 1 will have a lot width of 158.11' and a lot area of 1-acre. Tract 2 will have a lot width of 188.11' and a lot area of 1-acre. Both lots will require Board of Adjustment approval of variances in lot width and lot area. These lots have been previously split as such by the Courts and it is only for clarification that they are under application now. Approval of this lot split would be subject to Board of Adjustment and Health Department approvals. The applicants are aware that additional dedication on Peoria is part of the Major Street Plan and waiver is not requested. The applicant was represented.

The Technical Advisory Committee and Staff recommended approval of L-15750, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the requested waiver on L-15750, subject to the following conditions:

- (a) Health Department approval, and
- (b) Board of Adjustment approval.

L-15720 Richard Hall (3193) North of 60th Street and South Quincy Ave. (RS-3)

This is a request to split an existing duplex down the common party wall. One lot will be 54.7' wide with 5,798 square feet. The other will be 45.3' wide with 4,244 square feet. Both lots will require Board of Adjustment approval of the lot width and lot area as RS-3 requires 60' of width and 6,900 square feet of lot area. The north lot will no longer have ownership adjacent to the sewer and a handle may be required to provide such ownership. Upon approval of the Water and Sewer Department and the Board of Adjustment, the Staff has no objection to the split, as the physical appearance and density will not change. An instrument relating to maintenance of commonly used utilities and improvements is required to be filed of record.

The Technical Advisory Committee and Staff recommended approval of L-15720, subject to the conditions.

Note: In processing this split, the Staff noted on the applicant's survey that a swimming pool and pump house have been constructed at the end of the cul-de-sac on Quincy Place. The improvements encroach on the City Right-of-Way, a utility easement, and two other lots. Although the lot split by itself does not pose any problems and approval is recommended, the Staff feels it must advise the applicant and the Planning Commission that we do not condone the encroachments as shown on the survey. It appears that to clear this matter the applicant would need to seek closure of the utility easements and execute a removal contract with the City for the part on street right-of-way. The applicant has been advised to seek the necessary legal advice from his attorney to remove this cloud on title.

L-15720 (continued)

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the requested waiver for L-15720, subject to the following conditions:

- (a) Board of Adjustment approval,
- (b) filed instrument relating to commonly owned and maintained facilities, and
- (c) approval of Water and Sewer Department relating to access to sewer.

L-15703 Jimmy Hamm (1763) South of 201st Street and South Lewis Avenue
(AG) (County)

This is an application to split a 5-acre, more or less, tract into two tracts. The south tract will be 3 acres, more or less, with a width of 198' and the north tract will be 2 acres, more or less, with a width of 132'. Since this is zoned AG, the applicant is requesting a waiver of the bulk and area requirements of 200' of lot width. The Staff approval would be based upon approval of the existing lagoon system by the City-County Health Department and County Board of Adjustment approvals of the waiver of lot width.

The percolation test failed the Health Department's requirement, so the Technical Advisory Committee tabled this split until the applicant resubmits it with a passing test.

The applicant has resubmitted the lot split with the original tract split exactly in half. Each lot has 165' of frontage. The Health Department has now given approval of the percolation test. Therefore, this request was not resubmitted to the T.A.C. because the recommendations would be the same. The Staff recommends approval, subject to the Board of Adjustment's approval of variance of the frontage.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the waiver requested for L-15703, subject to the following condition:

- (a) Board of Adjustment approval of variance of the frontage requirements.

CONTINUED ZONING PUBLIC HEARINGS:

Z-5803 Johnsen (Carroll) SW corner of 53rd Street and Memorial Drive
OL to CS

AND

PUD 318 Johnsen (Carroll) SW corner of 53rd Street and Memorial Drive (OL)

Mr. Roy Johnsen, attorney for the applicant, stated these cases were scheduled for today after being continued from earlier meetings. Late Monday of this week, Mr. Johnsen discovered an error in the Legal Description that was used in the mailing of notices to property owners within 300 feet of the subject tract and submitted a letter advising the Staff of the error and requesting continuance (Exhibit "A-1"). The notice in the Legal News and the posting on the property is correct. When this error was discovered, Mr. Johnsen notified the Staff that a continuance would be requested because the notice is a jurisdictional requirement for a valid public hearing or amendment of the Zoning Ordinance. There are protestants and interested parties in this matter; and, in recognition of this, Mr. Johnsen's office notified all the lot owners abutting the property and the protestants who identified themselves at the previous meetings. Seven of the eight property owners were reached sometime Tuesday and advised them of the request for continuance. Mr. Johnsen requested the two cases be continued until April 27 because the Ordinance requires a 20-day notice. The correct names have been obtained and the notices will be mailed today if the Commission approves the request for continuance. There is no intent on the applicant's part to cause the neighborhood any inconvenience.

Interested Party:

A gentleman from the neighborhood was present, but had no comments on the request for continuance.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to continue consideration of Z-5803 and PUD #318 until Wednesday, April 27, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center, in order to correct a notice error.

OTHER BUSINESS:

PUD #215, Area "C", or Creekwood, Block 1, Lots 1, 2 and 3

Staff Recommendation -- Detail Site Plan Review:

Development Area "C" of Planned Unit Development #215 is located south and west of the intersection of 81st Street and South Memorial Drive and is approved for single-family, duplex and multifamily uses. The applicant is now requesting approval of the Detail Site Plans for Creekwood, Blocks 1, 2 and 3, which are sub-areas of Development Area "C".

The Staff in its research identified that a mistake had been made in the resulting calculations for a minor amendment approved September 30, 1981. This amendment was for the deletion of 4.4 acres from Development Area "C", which would result in a reduction of 23 units from the approved maximum number of units. At the time the total units approved was 750 units not 700, therefore, the final results of that approved minor amendment should have been to reduce the total units from 750 to 727 units. The three site plans, however, total only 657 units with all developable areas being utilized; therefore, no more units can be assigned to this area because of the 20-acre requirement for floodplain and recreation areas.

In its review the Staff found the following:

Item	Approved	Block 1 Lot 3	Block 1 Lot 2	Block 1 Lot 1	Remainder
Gross Area:	42 acres	13.8 ac.	13.9 ac.	8.1 ac.	6.2 acres
Permitted Uses:	Single-family, Duplex & Multi-family	Multi-family & Accessory Uses	Multi-family & Accessory Uses	Multi-family & Accessory Uses	Floodplain and Recreational Uses
Maximum Units:	727	264	276	117 (Total 657)	none
Floodplain, Detention & Recreation Areas:	*20 ac.	5.3 ac.	4.5 ac.	3.8 ac.	6.2 ac.

*19.8 acres is the amount of acreage provided by the proposals; however, with the 4.4 acres deleted from the PUD, the Staff feels this difference is minor.

Also, we found that the floodplain has been determined as required by the PUD conditions.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan for Development Area "C", or Creekwood, Block 1, Lots 1, 2 & 3, subject to the Site Plans submitted; and, the following conditions have been made a part of the Creekwood Plan now in process.

1. Within Lot One (1), Block One (1), Creekwood, the following Development Standards and Restrictions shall apply:
 - (a) Townhouses, clustered patio homes and garden apartments, and customary accessory uses, including clubhouses, swimming pools, tennis courts and similar recreational facilities

- and laundry facilities shall be the only uses permitted.
- (b) A maximum of 117 dwelling units shall be permitted.
 - (c) The maximum building height shall be 39 feet.
 - (d) A minimum of 600 sq. ft. of livability space, as defined in the Tulsa Zoning Code, as the same existed on September 27, 1978, shall be provided for each dwelling unit.
 - (e) Building yards shall be provided as required in the RM-1 Residential Multifamily Zoning District under the Tulsa Zoning Code as the same existed on September 27, 1978 (20' rear yard, 10' and 5' exterior side yards, 25' and 35' front yard).
 - (f) Off-Street parking spaces for each dwelling unit shall be provided as required for Use Unit 8 under the Tulsa Zoning Code as the same existed on September 27, 1978 (1-1/2 spaces per 1 bedroom and 2 spaces per 2 or more bedrooms).
 - (g) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy, including sign location and design.
2. Within Lot Two (2), Block One (1), Creekwood, the following Development Standards and Restrictions shall apply:
- (a) Townhouses, clustered patio homes and garden apartments, and customary accessory uses, including clubhouses, swimming pools, tennis courts and similar recreational facilities and laundry facilities shall be the only uses permitted.
 - (b) A maximum of 276 dwelling units shall be permitted.
 - (c) The maximum building height shall be 30' and 2 stories within the west 115' and 35' in the remaining areas.
 - (d) A minimum of 600 sq. ft. of livability space, as defined in the Tulsa Zoning Code, as the same existed on September 27, 1978, shall be provided for each dwelling unit.
 - (e) Building yards shall be provided as required in the RM-1 Residential Multifamily Zoning District under the Tulsa Zoning Code as the same existed on September 27, 1978 (20' rear yard, 5' and 10' exterior side yards, 25' and 35' front yards).
 - (f) Off-street parking spaces for each dwelling unit shall be provided as required for Use Unit 8 under the Tulsa Zoning Code as the same existed on September 27, 1978 (1 space per 1 bedroom unit and 2 spaces per 2 or more bedrooms).
 - (g) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy, including a specific design of the screening fence and landscape buffer along the west property and a sign location and design. Substantial landscaping materials and special attention should be given to the perimeter boundaries where a building faces west toward the single-family homes.

PUD #215 (continued)

3. Within Lot Three (3), Block One (1), Creekwood, the following Development Standards and Restrictions shall apply:
 - (a) Townhouses, clustered patio homes and garden apartments, and customary accessory uses, including clubhouses, swimming pools, tennis courts and similar recreational facilities and laundry facilities shall be the only uses permitted.
 - (b) A maximum of 204 dwelling units shall be permitted.
 - (c) The maximum building height shall be 30' and 2 stories within the west 115' and 35' in the remaining area.
 - (d) A minimum of 600 square feet of livability space, as defined in the Tulsa Zoning Code, as the same existed on September 27, 1978, shall be provided for each dwelling unit.
 - (e) Building yards shall be provided as required in the RM-1 Residential Multifamily Zoning District under the Tulsa Zoning Code as the same existed on September 27, 1978 (20' rear yard, 5' and 10' exterior side yards, 25' and 35' front yard).
 - (f) Off-street parking spaces for each dwelling unit shall be provided as required for Use Unit 8 under the Tulsa Zoning Code as the same existed on September 27, 1978 (1 space per 1 bedroom and 2 spaces per 2 or more bedrooms).
 - (g) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy, including a specific design of the screening fence and landscape buffer along the west and south property and a sign location and design. Substantial landscaping materials and special attention should be given to the perimeter boundaries where a building faces west toward the single-family lots.

In addition to the above cited conditions the Staff would note that; in Block 1, Lot 1 there should be a revised Site Plan submitted showing the new entry road design and the Site Plan shows (adjacent to the clubhouse) an encroachment into an easement that may require the Engineering Department's approval; in Block 1, Lot 2 there are two buildings that will require minor adjustments to meet the RM-1 rear yard requirement from the west property line; and in Block 1, Lot 3 there is one building that will require a minor adjustment to meet the RM-1 rear yard requirement from the south property line.

Applicant's Comments:

Chairman Kempe asked the applicant if he had any comments and he agreed with the Staff Recommendation. Mr. Compton asked if the applicant represented all of the developable land and he does not. Mr. Gardner explained that the 6 acres owned by another party is floodplain and is not developable under this arrangement, but potentially might be if they can get it out of the floodplain. That would require an amendment to the PUD. The Staff wanted the Commission to know there are no units left to be developed in that area because this will take all of the developable property without changing the floodplain dimensions.

PUD #215 (continued)

Mr. Linker wondered how many plats will be submitted and Mr. Compton answered that for this development there will be one plat with three lots.

Mr. Gardner explained that the PUD requires 20 acres of open space because there are 20 acres of floodplain. If the 6 acres can be pulled out of the floodplain, then it could be developed and the required open space would be lowered.

Mr. Linker felt the Commission might get in trouble if units are allocated on a piece-meal basis for large PUDs. It is his opinion that all owners on a PUD should be notified and present when the allocations are made because it is a valuable property right.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the Detail Site Plan for PUD #215, Development Area "C", Block 1, Lots 2 and 3; and, to approve the Detail Site Plan for PUD #215, Development Area "C", Block 1, Lot 1, subject to the conditions and modifications as set out in the Staff Recommendation.

PUD #271 Tony Dark, Sheridan Pond, SE corner of 81st Street and Sheridan Rd.

Staff Recommendation - Detail Site Plan Review:

Planned Unit Development No. 271 is located south and west of the southwest corner of East 81st Street and South Sheridan Road. It is approximately 20 acres in size and was approved for 202 dwelling units. The applicant has now divided his project into 10 phases and is now requesting Detail Site Plan approval on Phase 7.

The Staff has reviewed the original PUD Outline Development Plan and Conditions, the Amended Development Plan and Conditions, and the submitted Detail Plan for Phase 7 and find the following:

Item	Approved	Previously Submitted	Presently Submitted	Remaining
Land Area (Net):	20.02 ac.	2.33 ac.	1.26 ac.	16.43 ac.
Maximum Dwelling Units:	202 units	34 units	0	168 units
Maximum Building Height:	26 feet	Same	Same	Same
Permitted Uses:	Multifamily Residential & Accessory Uses	Same	Accessory Recreational Uses	Same
Minimum Off-Street Parking:	Per Code	Per Code	9 spaces	Per Code
Minimum Building Setback:				
From Perimeter Boundary	20 ft.	20 ft.	Exceeds	Same
Between Buildings	20 ft.	20 ft.	Exceeds	Same
Minimum Livability Space:	1,755 sq. ft./Unit Average, or 8.14 acres	1.22 ac.	1.26 ac.	5.66 ac.
Signs:	Section 420.2(d)(2)	None	None	NA

Based upon the above review, the Staff can recommend APPROVAL of the Detail Site Plan for PUD #271, Phase 7, per plans submitted, subject to a Detail Landscape Plan being submitted to and approved by the TMAPC prior to occupancy of any units.

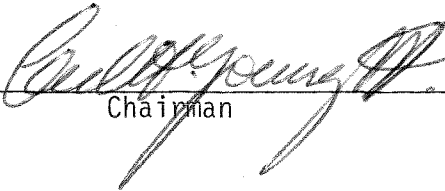
PUD #271 (continued)

TMAPC Action: 7 members present.


On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Kempe, Miller, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Gardner, Hinkle, T. Young, Inhofe, "absent") to approve the Detail Site Plan for PUD #271, Phase 7, per plans submitted, subject to a Detail Landscape Plan being submitted to and approved by the TMAPC prior to occupancy of any units.

There being no further business, the Chair adjourned the meeting at 2:55 p.m.

Date Approved April 20, 1983


Chairman

ATTEST:


Secretary