

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1474  
Wednesday, September 21, 1983, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Flick Hinkle, Secretary Kempe, Chairman Woodard C. Young, 1st Vice- Chairman	Beckstrom Higgins T. Young Inhofe	Compton Gardner Lasker Martin	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on September 20, 1983, at 10:15 a.m., as well as in the Reception Area of the INCOG offices.

Chairman Kempe called the meeting to order at 1:47 p.m.

MINUTES:

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the minutes of September 7, 1983 (No. 1472).

REPORTS:

Chairman's Report:

Chairman Kempe reminded the Commission of the Third Annual Zoning Institute in Chicago on October 2-4, 1983. Any Commission member interested in attending was urged to inform the Staff today to allow time to make the necessary arrangements.

Director's Report:

Mr. Lasker advised the NDP Amendment Resolution needs to be tabled for one week.

The Chair, without objection, tabled the NDP Amendment Resolution.

PUBLIC HEARING:

Open Hearing Regarding Minor Amendments Concerning Variances and Encroachments to Bulk and Area Requirements and PUDs.

Mr. Gardner advised the Planning Commission and Board of Adjustment has received several applications regarding minor amendments concerning variances and encroachments to bulk and area requirements in PUDs after the fact. After limited discussion by the Building Inspector's office and Planning Commission, two suggestions were drawn up for consideration. One suggestion was that the Building Inspection's Department look more closely when inspection of the slab is made and if encroachment has occurred a stop order would then be issued.

The second solution is if the builders are taking this Board for granted and assuming that minor amendments would be routinely granted, the most effective solution would be to treat the encroachments after the fact as fully advertised major amendments, which would include a full months delay and could prove very costly to the applicant. This procedure has not yet been instituted, but could be started November 1, 1983. This practice would require that the applicant pay specific attention to the building when laid out to assure that the setbacks are being adhered to. If the builder is unable to meet the request he should make application and receive approval of the Planning Commission or Board of Adjustment before construction begins.

Paula Hubbard, Building Inspector, submitted a letter to the Commission members with two tables enclosed reflecting the number of building permits issued for a two-year period beginning July 1, 1981, and ending June 30, 1983 (Exhibit "A-1").

Chairman Kempe asked if there were any interested parties present who wished to speak on the issue and there were none.

Mr. Gardner suggested that the Commission adopt a policy that a full public hearing is in order when construction has begun that encroaches into a setback if it is what would normally be considered a minor variance, plus being after the fact.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to close public hearing and to instruct the Staff to prepare a policy statement for the Commission members to review concerning variance and encroachments on PUDs.

Open Hearing Regarding the Delineation of Future Freeway Rights-of-Way on the Face of Subdivision Plats Located Within the Path of Such Planned Facilities:

Mr. Gardner advised the Staff and Legal Department have agreed that on property being platted within the path of proposed expressways on major streets and highways delineation should be made on the face of subdivision plats as opposed to placing it in the legend or area map at the top of the plat on a real small scale.

An open hearing was held on September 7, 1983, at which time several spoke against the Staff's & Legal Department's recommendation. The Planning Commission must determine if the delineation as set forth in the Subdivision Regulations be adhered to, or to devise an alternative.

The Staff asked if the Commission was prepared to make a decision at this point because there have been some recent appointments to the Commission and not all of the Commission members present today were in attendance at the September 7, 1983, hearing.

There was limited discussion whether this issue should be heard today or continued to allow more time to prepare for the hearing. Mr. Linker, Legal Department, suggested that the Commission must be very careful in reaching a decision because some of the alternatives suggested would affect more lots than necessary and could cause some confusion to neighboring property owners. He felt this decision should be given a tremendous amount of time and consideration.

TMAPC Action: 7 members present.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to continue consideration of open hearing regarding the delineation of future freeway rights-of-way on the face of subdivision plats until September 28, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.



SUBDIVISIONS:

PRELIMINARY PLAT:

Hall Brothers (194) NE corner of Admiral Place and 177th East Avenue (CS)

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

P.S.O. advised they have a pole line 33' from the east property line. Show easement to cover or relocate line. O.N.G. advised they have a 24" H. P. Gas line on Lynn Lane, (show right-of-way). Since Lot 3 doesn't have direct access, show mutual access easements as needed. Applicants advised Commission that only 2 lots may be shown instead of 3 due to the Health Department requirements.

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

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Hall Brothers, subject to the following conditions:

1. Lot 2 is shown with only 50' frontage, whereas 150' is required in the CS District. The applicant has requested Board of Adjustment approval of the 50' frontage, as well as permission to use the property for related automotive uses, Use Unit #17 for sales and service of off-road vehicles. (#12785) Approval of the plat is subject to the Board of Adjustment approval of the 50-foot frontage.
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. Existing easements should be tied to, or related to property and/or lot lines. (17½' perimeter)
3. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
4. Access points shall be approved by the City and/or Traffic Engineer. (Show LNA on I-44)
5. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
6. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
7. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type size, and general location. (This information to be included in the restrictive covenants.)

Hall Brothers Addition (continued)

8. The key or location map shall be complete. Show the dimension on the face of the plat to section corner.
9. 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.)
10. The Zoning Application (Z-5854) shall be approved before final plat is released, or if not approved for CS, a revised plan(s) should be submitted conforming to the applicable zone.
11. Covenants should be rewritten, Sections 1.1 and 1.2 are repetitive and could be combined. The City of Tulsa is mentioned as beneficiary as if this is a PUD. Check? None of the Health Department requirements are included. (See 7 above.)
12. 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.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Waterbridge Addition (3593) SW corner of 53rd Street and South Memorial Drive (OL)

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

A PUD and zoning application were filed on this tract, but the request was denied. (Z-5803 and PUD #318). Therefore, this is being processed as an ordinary OL zoned plat except that Lots 8-12 inclusive, will require the Board of Adjustment's approval of "zero frontage" since access is by private street. Final plat should not be released without the Board of Adjustment's approval.

Utilities were concerned about the fountains and/or improvements between buildings where a 22' easement is required. Details would be worked out in coordination meetings.

The Traffic Engineering Department recommended the south access be eliminated and the main access on Memorial align with existing median opening.

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

Mr. Wilmoth advised the project is an office complex with a landscaped area in the center. The Technical Advisory Committee reviewed the project and suggested that there be no structures such as the fountains placed on the utility easements that would interfere with the utility use. The Staff recommended approval, subject to Board of Adjustment approval on frontage on lots 8-12 in the back.

Waterbridge Addition (continued)

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Waterbridge, subject to the following conditions and subject to the Board of Adjustment's approval on the frontage of the lots in the back:

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. (sanitary sewer location)
2. Water plans shall be approved by the Water and Sewer Department prior to the release of the final plat.
3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to the release of the final plat.
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. Street names shall be approved by the City Engineer. Show on the plat as required. (If names are used, follow name with "Private".)
7. Access points shall be approved by City and/or Traffic Engineer. (Release letter required.)
8. 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 the release of the plat.)
9. Covenants: Since this is not a PUD some references to the "City of Tulsa" could be omitted. Check language in Sections 1.1.4 and 1.2.4. (??) Provide detail information regarding the private access, such as who maintains it and if utilities can use it.
10. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

Waterbridge Addition (continued)

11. The key or location map shall be complete.
12. 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.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Woodside Village III Addition (PUD #306) (2093) 9300 Block South College Pl.  
(RS-2, RS-3)

The Staff presented the plat at the Technical Advisory Committee meeting with the applicant represented by Mike Taylor.

(This plat was tabled at the Planning Commission meeting on September 7, 1983, pending further review of the preliminary plat and site plan by the T.A.C. Also, the decision on whether to show the proposed expressway on the face of the plat is still pending the Planning Commission's decision.)

Condition #1 referencing the proposed expressway is included in the requirements as of this date. This may be subject to change depending on what the Planning Commission does on the final plat. The developer has made his objections to this requirement on this plat and Woodside Village II and I, and that has been made a part of the official TMAPC Minutes of September 7, 1983.

A plot plan was submitted, but T.A.C. had not had time to completely review it. Numerous easements will be required. The watercourses and swimming pool must not encroach on any easements.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Woodside Village III Addition, subject to the conditions.

Mr. Wilmoth advised that Mr. William Jones expressed his concerns on Woodside Village I and II at the September 7, 1983 Planning Commission meeting. At that meeting he expressed his opposition to the condition that proposed expressways on location maps and the plat should be shown because a decision whether to show the proposed expressway on the face of the plat is still pending.

Mr. Ted Sack was present and suggested that the watercourses and swimming pool encroachments be handled by the various utility companies. Mr. Wilmoth advised the Staff and applicant would settle that matter prior to the Commission's review for final approval.

On MOTION of DRAUGHON, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Preliminary Plat for Woodside Village III, with Mr. Jones' objections duly noted, and subject to the following conditions:

1. Show the proposed expressway on the face of the plat by a dashed line with the following notation:



Woodside Village III Addition (continued)

"Approximate right-of-way lines for future expressway. This is not a dedication, but is shown for information purposes only. (Subdivision Regulations 3.6g and p)"

Also show the expressway on the location map. This requirement is in accordance with policy established by the Planning Commission on April 27, 1983.

2. All conditions of PUD #306 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.
  - (a) PUD conditions require bulk and area standards for the RM-1 District in this Development Area "D". No building lines are shown on the plat. Show building line in accordance with the PUD requirements.
  - (b) Show PUD number on the face of the plat.
3. Covenants should include language for drainageways as directed by the City Engineer. All PUD conditions should also be included, with references to building lines that correspond with those approved in the PUD.
4. The utility easements shall meet the approval of utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required.
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. Locate existing sanitary sewer within easement (verify)
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (PFPI #91)
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. (100-year flood to Arkansas River)
10. 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.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

Woodside Village III Addition (continued)

12. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
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 the plat on any wells not officially plugged.)
14. 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.)
15. All (other) Subdivision Regulations shall be met prior to release of the final plat.

FINAL APPROVAL AND RELEASE:

Sperry State Bank (1312) East side of Highway #11, at Atoka Street.

Mr. Wilmoth advised the requested final plat for Sperry State Bank should be stricken.

The Chair, without objection, struck consideration of Sperry State Bank from the agenda.

Cedar Ridge Heights (1984) 101st Street and South 106th East Ave. (RS-3)

Ashwood Addition (1694) North of the NE corner of 31st Street and South  
129th East Avenue (RM-1)

Methodist Manor Amended (PUD #197) (2193) 31st Street and South Pittsburg  
Avenue (RM-2)

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Final Plats of Cedar Ridge Heights, Ashwood Addition and Methodist Manor Addition Amended (PUD #197) and release same as having met all conditions of approval.

PLAT WAIVER:

Z-5248 (Unplatted) (594) 950 South 129th East Avenue (CS)

This is a request to waive a plat on approximately 9/10ths of an acre at the above address. The tract contains an existing building to eventually be removed and a new commercial building to be constructed, as per plot plan. The Staff has no objection to the request, subject to the following conditions:

- (a) Grading and drainage plans approval through the permit process,

Z-5248 (continued)

- (b) approval of access as shown, or as recommended by the Traffic Engineering Department (access agreement may be required)--one access point was recommended,
- (c) dedication of additional 25.25' to total 50' of right-of-way from centerline to meet the Major Street Plan, and
- (d) dedication of utility easements as required by utilities (11' on north, west and south).

The Traffic Engineer advised that the access may eventually be "right-turn-only" due to future median construction.

(The applicant was reminded that the building setback from the centerline of 129th East Avenue is 100 feet. Any deviation would require Board of Adjustment approval.)

The applicant was represented by Carol Paulson and Bob Tennison.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5248, subject to the conditions as outlined by the Staff; conditions a,b,c & d.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Z-5248, subject to the completion of the conditions listed above.

Z-5844 (Unplatted) (1503) West of the NW corner of East 36th Street  
North & North Sheridan Road (RS-3 to IL pending)

This is a request to waive a plat on a triangular tract lying between the railroad tracks on the north, 46th Street on the south, and the Zoo entrance on the west. The applicant informed the Staff that no buildings are planned and that the land will be used for equipment storage. No other information was submitted. The Health Department advised that they had had fill problems and trash problems on the tract in the past. The Traffic Engineering Department advised that access control will be required. There is no water and sewer service to the property. Since no definite plans and/or use of the property was detailed, the Staff felt the application for waiver was premature since very little information was furnished for review.

The Technical Advisory Committee voted unanimously to recommend DENIAL of the waiver of the plat on Z-5844.

Chairman Kempe advised the applicant has requested a 30-day continuance on Z-5844 to waive the plat.

Mr. Wilmoth advised he just became aware that the applicant lost the zoning at the City and this item should not be on the agenda. He, therefore, suggested the matter be tabled and advised the Staff would bring the matter before the Commission should the zoning be approved through a district court action.

Z-5844 (continued)

The Chair, without objection, tabled the request to waive the plat for Z-5844, and since the applicant had left the meeting the Chair instructed the Staff to explain the Commission's action to Mr. Baker, (the applicant).

LOT-SPLITS:

For Ratification of Prior Approval:

L-15794 ( 794)	Southern Development	L-15976 (3214)	Grimm
15967 (2194)	McCholl/Case	15980 (1272)	Connie Lacy
15969 (1194)	Lou Kelso	15981 (2393)	Landmark Land Co.
15970 (2484)	LeMaster/Call	15982 (2393)	Landmark Land Co.
15971 ( 294)	Webb/Stacy	15983 (2393)	Landmark Land Co.
15974 ( 483)	Crews/Fame	15984 (1283)	Greatskate, Inc.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") that the approved lot-splits listed above be ratified.

Lot-Splits For Waiver:

L-15945 Patrick O'Brien (2993) SE corner of 47th Street and South  
Columbia Place (RS-1)

This is a request to create two lots from 154.5' x 151.6' tract. One tract would be an "L" shaped lot with 76' width and frontage on Columbia Place and a 15' "handle" to 47th Street for access to sewer. The corner lot would be 75.6' x 139.5' as proposed by the applicant. At first the Staff had no objection to the split, and still does not object to the concept. However, further study and research indicates that in order to meet the Major Street Plan requirements, an additional 5' of right-of-way was dedicated previously and recorded in Book 29.5, Page 550. This reduces the net size of the lots, particularly the corner lot. Air photos and land use maps indicate that there are no other lots in this area that do not meet the minimum RS-1 standards. The corner lot would only contain 9,849 square feet and the "L" shaped lot would only contain 12,801 square feet, whereas the minimum lot size for the RS-1 is 13,500 square feet with 100' lot width. The applicant is seeking a variance of these Bulk and Area requirements. Even though the Staff supports the concept of the split, we cannot support a variance of this much deviation from the existing lot sizes in the neighborhood.

The applicant was not represented.

The Water and Sewer Department advised that access to the sewer may be a problem even if the "handle concept" is applied. They would also like to see additional easement along the north side if the split is approved.

Since the utilities, including Water and Sewer had no preference regarding the zoning requirements or sizes of the lots, no motion was made for either approval or denial. The Staff maintained its recommendation of denial for the reasons previously stated.

Woodside Village III Addition (continued)

"Approximate right-of-way lines for future expressway. This is not a dedication, but is shown for information purposes only. (Subdivision Regulations 3.6g and p)"

Also show the expressway on the location map. This requirement is in accordance with policy established by the Planning Commission on April 27, 1983.

2. All conditions of PUD #306 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.
  - (a) PUD conditions require bulk and area standards for the RM-1 District in this Development Area "D". No building lines are shown on the plat. Show building line in accordance with the PUD requirements.
  - (b) Show PUD number on the face of the plat.
3. Covenants should include language for drainageways as directed by the City Engineer. All PUD conditions should also be included, with references to building lines that correspond with those approved in the PUD.
4. The utility easements shall meet the approval of utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required.
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. Locate existing sanitary sewer within easement (verify)
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (PFPI #91)
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. (100-year flood to Arkansas River)
10. 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.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

Woodside Village III Addition (continued)

12. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
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 the plat on any wells not officially plugged.)
14. 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.)
15. All (other) Subdivision Regulations shall be met prior to release of the final plat.

FINAL APPROVAL AND RELEASE:

Sperry State Bank (1312) East side of Highway #11, at Atoka Street.

Mr. Wilmoth advised the requested final plat for Sperry State Bank should be stricken.

The Chair, without objection, struck consideration of Sperry State Bank from the agenda.

Cedar Ridge Heights (1984) 101st Street and South 106th East Ave. (RS-3)

Ashwood Addition (1694) North of the NE corner of 31st Street and South  
129th East Avenue (RM-1)

Methodist Manor Amended (PUD #197) (2193) 31st Street and South Pittsburg  
Avenue (RM-2)

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Final Plats of Cedar Ridge Heights, Ashwood Addition and Methodist Manor Addition Amended (PUD #197) and release same as having met all conditions of approval.

PLAT WAIVER:

Z-5248 (Unplatted) (594) 950 South 129th East Avenue (CS)

This is a request to waive a plat on approximately 9/10ths of an acre at the above address. The tract contains an existing building to eventually be removed and a new commercial building to be constructed, as per plot plan. The Staff has no objection to the request, subject to the following conditions:

- (a) Grading and drainage plans approval through the permit process,

Z-5248 (continued)

- (b) approval of access as shown, or as recommended by the Traffic Engineering Department (access agreement may be required)--one access point was recommended,
- (c) dedication of additional 25.25' to total 50' of right-of-way from centerline to meet the Major Street Plan, and
- (d) dedication of utility easements as required by utilities (11' on north, west and south).

The Traffic Engineer advised that the access may eventually be "right-turn-only" due to future median construction.

(The applicant was reminded that the building setback from the centerline of 129th East Avenue is 100 feet. Any deviation would require Board of Adjustment approval.)

The applicant was represented by Carol Paulson and Bob Tennison.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5248, subject to the conditions as outlined by the Staff; conditions a,b,c & d.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Z-5248, subject to the completion of the conditions listed above.

Z-5844 (Unplatted) (1503) West of the NW corner of East 36th Street  
North & North Sheridan Road (RS-3 to IL pending)

This is a request to waive a plat on a triangular tract lying between the railroad tracks on the north, 46th Street on the south, and the Zoo entrance on the west. The applicant informed the Staff that no buildings are planned and that the land will be used for equipment storage. No other information was submitted. The Health Department advised that they had had fill problems and trash problems on the tract in the past. The Traffic Engineering Department advised that access control will be required. There is no water and sewer service to the property. Since no definite plans and/or use of the property was detailed, the Staff felt the application for waiver was premature since very little information was furnished for review.

The Technical Advisory Committee voted unanimously to recommend DENIAL of the waiver of the plat on Z-5844.

Chairman Kempe advised the applicant has requested a 30-day continuance on Z-5844 to waive the plat.

Mr. Wilmoth advised he just became aware that the applicant lost the zoning at the City and this item should not be on the agenda. He, therefore, suggested the matter be tabled and advised the Staff would bring the matter before the Commission should the zoning be approved through a district court action.

Z-5844 (continued)

The Chair, without objection, tabled the request to waive the plat for Z-5844, and since the applicant had left the meeting the Chair instructed the Staff to explain the Commission's action to Mr. Baker, (the applicant).

LOT-SPLITS:

For Ratification of Prior Approval:

L-15794 ( 794)	Southern Development	L-15976 (3214)	Grimm
15967 (2194)	McCholl/Case	15980 (1272)	Connie Lacy
15969 (1194)	Lou Kelso	15981 (2393)	Landmark Land Co.
15970 (2484)	LeMaster/Call	15982 (2393)	Landmark Land Co.
15971 ( 294)	Webb/Stacy	15983 (2393)	Landmark Land Co.
15974 ( 483)	Crews/Fame	15984 (1283)	Greatskate, Inc.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") that the approved lot-splits listed above be ratified.

Lot-Splits For Waiver:

L-15945 Patrick O'Brien (2993) SE corner of 47th Street and South  
Columbia Place (RS-1)

This is a request to create two lots from 154.5' x 151.6' tract. One tract would be an "L" shaped lot with 76' width and frontage on Columbia Place and a 15' "handle" to 47th Street for access to sewer. The corner lot would be 75.6' x 139.5' as proposed by the applicant. At first the Staff had no objection to the split, and still does not object to the concept. However, further study and research indicates that in order to meet the Major Street Plan requirements, an additional 5' of right-of-way was dedicated previously and recorded in Book 29.5, Page 550. This reduces the net size of the lots, particularly the corner lot. Air photos and land use maps indicate that there are no other lots in this area that do not meet the minimum RS-1 standards. The corner lot would only contain 9,849 square feet and the "L" shaped lot would only contain 12,801 square feet, whereas the minimum lot size for the RS-1 is 13,500 square feet with 100' lot width. The applicant is seeking a variance of these Bulk and Area requirements. Even though the Staff supports the concept of the split, we cannot support a variance of this much deviation from the existing lot sizes in the neighborhood.

The applicant was not represented.

The Water and Sewer Department advised that access to the sewer may be a problem even if the "handle concept" is applied. They would also like to see additional easement along the north side if the split is approved.

Since the utilities, including Water and Sewer had no preference regarding the zoning requirements or sizes of the lots, no motion was made for either approval or denial. The Staff maintained its recommendation of denial for the reasons previously stated.



L-15945 (continued)

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to DENY the requested waiver of the lot-split requirements for L-15945.

L-15947 Marvin Lloyd (2194) SE corner of 39th Street and South 130th East Avenue (RM-1)

This is a request to split an existing duplex down the common party wall. The subject tract measures 125' x 114.13' and the request is to split this lot into the north 60', and the south 65' of the 125' side. This request will require approval from the Board of Adjustment for a variance of the side yard setback from 10' to 0'. Also a recommendation of approval would be subject to the filing of a utility and common party wall maintenance agreement.

The applicant was not represented.

The Technical Advisory Committee and Staff recommended APPROVAL of L-15947, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the requested waiver of the lot-split requirements for L-15947, subject to the following conditions:

- (a) Maintenance agreement, and
- (b) additional 2½' utility easement on the south to total 17½'.

CONTINUED ZONING PUBLIC HEARING:

PUD #339 Barnett (Barnett Range) North side of East 101st Street, east side of Sheridan Road (CS and RM-1)

Chairman Kempe advised a letter was submitted from William B. Jones, attorney representing the applicant, who has requested that the matter be continued to September 28, 1983 (Exhibit "B-1").

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to continue consideration of PUD #339 until September 28, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #187-8 Brumble 7803-05 East 68th Street, Lot 1, Block 21, Shadow Mountain Amended Addition

Staff Recommendation - Minor Amendment

The subject tract is located at the NE corner of 78th East Avenue and 68th Street South. It is one lot in size, vacant and approved for duplexes fronting onto 78th East Avenue. It is surrounded on the north, west and south sides by the same duplex development and is abutted on the east by an office/commercial PUD. The applicant is now requesting to (a) front one of the duplex units south onto 68th Street and (b) reduce two of the yard setback requirements.

The lot located to the south of the subject tract was allowed to front units on 68th Street because 68th is a dead-end street, which will serve no more than four units. The applicant is requesting to front only one of his units on 68th Street, therefore, the maximum number of units facing 68th will be three. This is still supportable by the Staff.

Secondly, the applicant is requesting to reduce the setback from 68th Street from 25' to 15'. Since (a) this is a corner lot, (b) the 25-foot setback along 78th East Avenue is being maintained as the front yard and the yard along 68th Street could be considered a side yard, and (c) a reduction to 18 feet was granted on the lot south of this tract, the Staff can support a 15-foot setback except for the garage which needs to be setback at least 18 feet to allow the parking of a car on the subject property and not on the right-of-way.

Finally, the applicant is requesting to reduce his rear yard requirement. In this case, the applicant has the option to choose which yard is to be the rear yard. The Staff, however, sees the 8.17 foot setback from the abutting lot on the north as a side yard and would consider the 15-foot setback from the abutting PUD to the east as a rear yard per the Code. This yard actually functions more as a side yard and would be adjacent to future office/commercial uses. Given these facts, the Staff can support the reduction of this yard from 20 feet to 15 feet.

Therefore, the Staff recommends APPROVAL of the following conditions, subject to the plan submitted:

- (1) One unit of the duplex fronting 68th Street.
- (2) A 15-foot building setback from the 68th Street right-of-way, except for the garage which shall be setback a minimum of 18 feet.
- (3) A 15-foot setback from the east property line.

For the record, the hardship the Staff sees on this tract is the fact that it is a small corner lot with double street setbacks making it almost impossible to develop a marketable duplex without encroaching into setbacks.

PUD #187-8 (continued)

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the requested Minor amendments to PUD #187-8, subject to the plan submitted and the conditions set out in the Staff Recommendation.

PUD #297

Staff Recommendation - Detail Site Plan Review

The subject tract is located just west of the northwest corner of 67th Street and South Utica Avenue. It is slightly less than 8 acres in size and has been approved for 86 detached single-family dwellings on individual lots.

The Staff has reviewed the minutes of approval and the submitted Plan and documentation and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	347,680 sq. ft.	347,680 sq. ft.
(Net):	336,678 sq. ft.	336,678 sq. ft.
Permitted Uses:	Single-family Detached	Single-family Detached
Maximum No. of Units:	86 units	86 units
Minimum Lot Width:	30 feet	30 feet
Minimum Lot Area:	2,250 sq. ft.	Exceeds
Maximum Building Height:	35 feet	35 feet
*Minimum Livability Space:		
Total,	119,970 sq. ft.	133,751 sq. ft.
per lot.	1,000 sq. ft.	Exceeds
**Minimum Off-Street Parking:	2 spaces per unit	2 spaces per unit
Minimum Setbacks:		
Front (from property line),	12 feet	12 feet
(from back of curbs).	18 feet	18 feet
Rear:	10 feet	10 feet
One side:	0 feet	0 feet
Other side:	5 feet	5 feet

\*Documentation has been submitted and checked for meeting the livability space requirements. The Staff would note that livability minimums for the total tract have been met, however, it appears that a few individual lots are very close to the 1,000 square-foot per lot requirement which if not met would not allow a building permit be issued for that structure.

\*\*The Staff would note that off-street parking spaces are shown to be 8 feet by 18 feet which is smaller than a typical space and that street and drive widths restrict normal on-street parking.

PUD #297 (continued)

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan for PUD #297, subject to the plan and documentation submitted.

Mr. Gardner advised the site plan is the affordable housing project previously heard by the Planning Commission which consists of small lots containing single-family detached units. The Mayor and Board of Commissioners adopted a resolution stating this project is strictly experimental. The purpose of the project is to reduce the cost of housing and building houses in Tulsa and 14 other selected cities on an experimental bases. Because of the narrowness of the lot there is no on-street parking area provided, the frontage requirements have been reduced and all the utilities are being placed in the same ditch which is a trial basis.

Mr. C. Young was concerned that the process is experimental and wanted to be assured that it would not become a precedent. Mr. Gardner assured the Commission that a resolution had been passed stating the project is experimental in nature.

Mr. Linker, Legal Counsel, stated the Legal Department has been advised to prepare a disclaimer and protection to be filed of record in connection with this matter. He felt the same consideration should be taken with any action by the Planning Commission to serve as a protection while this experiment is being conducted.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-1 (Connery, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; Draughon, "abstaining"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Detail Site Plan based on the Staff Recommendation and based on the fact that the Mayor and Board of Commissioners have adopted a resolution stating this project is experimental.

PUD #304

Staff Recommendation - Detail Site Plan Review

Planned Unit Development No. 304 is located at the southeast corner of 71st Street and South Trenton Avenue. It is 5.1 acres in size and approved for a restricted commercial and office center.

The Staff has reviewed the Site Plan submitted and compared it to the PUD conditions of approval and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	5.159 acres	5.159 acres
(Net):	4.282 acres	4.282 acres
Permitted Uses: Principal and related accessory uses permitted under Use Units 11, 12, 13 and 14.		Same
Maximum Floor Area:		
Office,	53,050 sq. ft.	41,285 sq. ft.
Retail Commercial,	37,050 sq. ft.	37,050 sq. ft.
TOTAL.	90,100 sq. ft.	78,335 sq. ft.

PUD #304 (continued)

Maximum Building Height:	35 feet	35 feet
Minimum Building Setbacks:		
From centerline of 71st St.,	100 feet	150 feet
from centerline of Trenton		
Avenue,	65 feet	90 feet
from South property line,	10 feet	60 feet
from East property line.	25 feet	50 feet
Minimum Off-Street Parking:		
Office,	1 per 300 sq. ft.	Same
Commercial.	1 per 225 sq. ft.	Same
Minimum Open Area:	18,652 sq. ft.	Exceeds

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan, subject to the Plans submitted and the three southernmost suites in Phase I being restricted to uses allowed in Use Unit 11 only, until such time that the Phase 2 office structure is built. At that time any uses permitted under the PUD would be allowed.

Mr. Compton advised the restrictions on the approval is to insure that until such time the office building as the buffer to the south is built the last three suites would be considered the buffer to the south.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent") to approve the Detail Site Plan, subject to the Plan submitted and the conditions set out in the Staff Recommendation.

PUD #190 (Lot 24, Block 1, Minshall Park I)

Staff Recommendation - Minor Amendment

The subject tract is located within a developing single-family subdivision at 7429 South Maplewood Avenue. There have been several requests and approvals granted in this subdivision for encroachments into the 25-foot rear yard setback. These encroachments have been granted because the PUD condition on the Final Plat (Filed of Record) had a typographical error that shows the rear yard setback to be 15 feet instead of the approved 25 feet. For several years building permits were granted based upon the 15 feet shown on the plat. However, in the last few years the specific PUD conditions have been enforced resulting in several minor amendment requests.

The Staff can support the request as being minor because it falls within the guidelines used by the Board of Adjustment for minor variances and because of the error in the Plat. Therefore, the Staff recommends APPROVAL of a 21-foot rear yard on Lot 24, Block 1, Minshall Park I, subject to the Plan submitted.

TMAPC Action: 7 members present.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays";

PUD #190 (continued)

no "abstentions"; Beckstrom, Higgins, T. Young, Inhofe, "absent")  
to approve the requested Minor Amendment to PUD #190, subject to  
the Plan submitted.

There being no further business, the Chair adjourned the meeting at 2:50 p.m.

Date Approved October 5, 1983

Cheryl Kempe  
Chairman

ATTEST:

Marilyn L. Smith  
Secretary