

TULSA METROPOLITAN AREA PLANNING COMMISSION  
 MINUTES of Meeting No. 1514  
 Wednesday, July 25, 1984, 1:30 p.m.  
 Langenheim Auditorium, City Hall  
 Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Higgins Hinkle, Secretary Rice Wilson Woodard C. Young, Chairman T. Young	Beckstrom Kempe	Compton Gardner Lasker Martin Matthews Pendergrass Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, July 24, 1984, at 11:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Young called the meeting to order at 1:32 p.m.

MINUTES:

The Staff advised that the July 11, 1984, Minutes are ready for approval. At this time the Commission needs to consider one correction to be made in connection with Z-5959 heard on June 27, 1984. The Minutes show there was a unanimous vote, however, Mayor Young voted against that application. The Minutes should be changed to reflect that correction.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, T. Young, "absent") to correct the Minutes of June 27, 1984, concerning Z-5959 to reflect that Mayor Young voted against the application.

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, T. Young, "absent") to approve the Minutes of July 11, 1984, (No. 1512).

CHAIRMAN'S REPORT:

Chairman Young advised that a proposed policy concerning minor amendments had been submitted to him. He felt that the policy should be considered and directed that proposal for the Rules and Regulations Committee to consider. He requested that they discuss the proposal and report back to the full Commission in two weeks.

DIRECTOR'S REPORT:

Mr. Lasker advised the Commission of the 4th Annual Zoning Institute to be held in New York on September 23-25 and encouraged the Commission members to attend.

SUBDIVISIONS:

Preliminary Approval:

Union Building (784) South side of East 71st Street, east of South 103rd  
East Avenue (CS)

Mr. Wilmoth advised that this item should be withdrawn at this time because approval from the Health Department is needed before the Planning Commission can make a decision.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to withdraw consideration of the preliminary approval of Union Building.

Lausen Park (403) SE corner of East 66th Street North and U. S. Highway #75  
(IM and FD)

The Staff presented the plat with the applicant represented by Joe DeVasher at the T.A.C. meeting.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of June 14, 1984, was provided, with Staff comments as applicable.

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

Mr. Wilmoth advised that since the T.A.C. meeting the applicant and his engineer have met and have all the release letters that have met all conditions. The Staff is, therefore, recommending preliminary and final approval having met all conditions.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") that the Preliminary Plat and Final Plat of Lausen Park be approved.

Cavalier Park 1st Addition, Block 2 (2203) SW of East 30th Street North  
and North Sheridan Road (RMH)

The Staff presented the plat with the applicant represented by Carl Canizzaro at the Technical Advisory Committee meeting.

This is the second phase in the overall plan for this mobile home park. Access is provided through the first block already platted to the west and owned by the same parties. Additional 2nd point of access is provided through Zebco tract. (The Staff requested a copy of the access agreement for the file.)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Cavalier Park 1st Addition, Block 2, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") that

Cavalier Park 1st Addition, Block 2 (continued)

the Preliminary Plat of Cavalier Park 1st Addition, Block 2 be approved, subject to the following conditions:

1. Show on face of plat:
  - (a) Number of acres,
  - (b) include words "BLOCK 2" above title, and
  - (c) show 25' utility easement on East 30th Street North also as a "building line".
2. Show "Limits-of-No-Access" along south boundary and include language in covenants. (Planning Commission requirement) (Identify East 28th Street North.)
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in covenants.)
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer 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.
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.
9. A topo map shall be submitted for review by T.A.C. (Sub. Reg's.) (Submit with drainage plans)
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 developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. The Zoning Ordinance for Z-5947 shall be published prior to release of the final plat.

Cavalier Park 1st Addition, Block 2 (continued)

13. 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.)
14. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Lansing Industrial Park II Addition (3602) SW corner of Pine Street and North Lansing Avenue (CH, CS and IL)

The Staff presented the plat with the applicant represented by Bob Bruton at the T.A.C. meeting.

NOTE: This is a TURA project, the second phase in the industrial plan. The Staff reminds applicant(s) that the first phase (LANSING INDUSTRIAL PARK I) has been released and has final approval, but has not yet been filed. It will expire August 17, 1984, unless extended. Since this is a TURA project, it is recommended the fees be waived for the plat. Also, for the record, the Engineering Department advised that Subdivision Regulations require 80' right-of-way for an industrial street. Lansing Avenue does not meet this criteria, but is being improved in accordance with the approved Urban Renewal Plan.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Lansing Industrial Park II Addition, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") that the Preliminary Plat of Lansing Industrial Park II be approved, subject to the following conditions:

1. The Staff has been advised by T.U.R.A. that procedures to vacate the underlying existing plat has been initiated. If underlying plat has been vacated prior to filing this plat, then include under the title that this is a subdivision in the NE/4 of Section 30, Township 20 North, Range 12 East, etc. If not vacated, then indicate that it is a subdivision of Rosedale Addition, etc.
2. Show on face of plat:
  - (a) Number of lots,
  - (b) identify remaining portion of Rosedale,
  - (c) show 50' building line on Lot 2 in accord with CS zoning, and
  - (d) show widths of Pine Street and Lansing Avenue.
3. Not a condition of approval of the plat, but for information. (The 50-foot building line on Lansing is volunteered.) Zoning will permit a 25-foot setback. Lot 1 is zoned CH and does not require any setback since the Major Street Plan requirements have been met.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is

Lansing Industrial Park II Addition (continued)

planned. Show additional easements as required. (11' x 11') Existing easements should be tied to or related to property and/or lot lines.

5. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. Include language for water and sewer facilities in the covenants.
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
9. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
10. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in the covenants. (applies to Pine Street)
11. 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.)
12. 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.
13. 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.)
14. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Fairway Park Addition (PUD #347) (382) 6500 Block of South 28th West Ave.  
(RS-3)

The Staff presented the plat with the applicant represented by Mr. Smith at the T.A.C. meeting.

This is another submittal of this plat, which only has a sketch plat approval, subject to a number of conditions. Some of these conditions

Fairway Park Addition (PUD #347) Continued

have been met and others remain to be resolved. A copy of the Minutes of the last formal review by the T.A.C. on May 24, 1984, was provided, with the Staff comments as applicable. The problems with street curves, design and emergency access had been solved. The only other discussion regarded two "eyebrows" off the dedicated street. A review of the paving design is required also, and a subsurface meeting was recommended for the utility layout.

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

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") that the Preliminary Plat of Fairway Park Addition be approved, subject to the following conditions:

1. All conditions of PUD #347 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.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines. Standard easement widths (22' total back to back or 17' & 1/2' on perimeters) should be shown as directed by utilities. (Width subject to review by the Subsurface Committee.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the covenants.)
4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (Locate existing sewer with easements.)
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
7. Show drainageways as required by the City Engineer. Also include applicable language in the covenants for drainageways.
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. (Also required that approval of the Park Department be included in this item.)

Fairway Park Addition (PUD #347) Continued

9. Street names shall be approved by the City Engineer. On those streets that are private, indicate same on the plat with name (if any) assigned by the City Engineer, followed by the word "Private". (The applicant should be aware that standards for private streets do not exist now, but there may be guidelines adopted in the near future.)
10. All curve data shall be shown on the final plat where applicable, (including corner radii).
11. All adjacent streets and/or widths thereof should be shown on the final plat. Identify West 64th Place and South 28th West Avenue in the adjacent plat of Golf Estates II Amended.
12. It is recommended that the developer coordinate with the Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. Check and verify width of O.N.G. easement. Locate gas line within easement.
16. Covenants should reflect original approval dates of the PUD and City Commission and amendments thereto. (There is some duplication in covenants.)
17. COVENANTS:
  - Section I, 1.3 - L.N.A.? Where? Omit if now shown on the plat.
  - Section II - Private streets - may need more detail in this section.
  - Section III - Specify reserves by letter or number in covenants and on the face of the plat.
  - Section V - The Staff suggests that reference be made to homeowners association to maintain all reserves and private streets. Details should be by separate instrument, thereby eliminating much written details on the plat.
  - Include language for drainageways if same is required by the City Engineer.
  - Number of lots referenced in covenants doesn't agree with the plat. (149, 141???)

Fairway Park Addition (PUD #347) Continued

18. Reserve areas should be identified by letter, ("A", "B", etc.) for each separate tract. Utilities require that it also be designated an easement for their use, as well as any requirements City Engineer may have to show drainage easements.
19. Identify the triangle of land adjacent to Lot 17, Block 9. This appears to be a "landlocked" parcel. (Check?)
20. Show number of lots and acres on the face of the plat. (Make sure that number of lots and blocks and acres agrees with written portion of covenants.)
21. Show the emergency accessway connecting across the open space.
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.

For Final Approval and Release:

Lake Shore Food (194) NE corner of Admiral Place and 183rd East Ave. (IL)

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

On MOTION of RICE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "ab-sent") to approve the final plat of Lake Shore Food and release same as having met all conditions of approval.



WAIVER OF PLAT:

Z-5915 (Unplatted) (1903) North and west of the NW corner of Apache Street  
and North Utica Avenue (IL and FD)

This is a request to waive plat on approximately 26 acres of unplatted land north and west of Apache Street and North Utica Avenue. It is an expansion of the business on Apache. Background research on this area reveals the following:

- December 15, 1972 - Small tract zoned on Apache, just west of Utica, "Subject to plat" (Z-4315)
- January 3, 1973 - Tract zoned under Z-4315 was processed and platted as "Apache Square".
- May 17, 1983 - Tract at the immediate NW corner of Apache and Utica was zoned "IL" subject to a plat. (Z-5811) (A tract less than 2 1/2 acres.)
- July 14, 1983 - Applicant requested waiver of plat on Z-5811 and review was made by the T.A.C. The T.A.C. recommended DENIAL of waiver as there were a number of problems and requirements better taken care of by the plat.
- July 20, 1983 - Planning Commission reviewed the request for waiver and approved applicant's application. However, there were a number of conditions including:
  - (a) Locate sewer in relation to corner of building;
  - (b) dedicate additional right-of-way on North Utica and Apache to meet the Major Street Plan;
  - (c) grading and drainage plan approval subject to the City Engineer; and
  - (d) additional easements for sewage relocation (if necessary).

(Files for Z-5811 were not available at this time, so the Staff does not know whether the applicant followed up on the conditions of the waiver.)

March 13, 1984 - The current request for zoning was approved on the 26-acre tract. (IL, FD)

A great deal of the land within the current request is in the floodplain and will require legal descriptions of the "FD". Based on current criteria of a plat being required when the acreage is over 2 1/2 and the land has never been platted, as well as the floodways and/or easements and/or storm water detention to be provided, and consistent with previous recommendations of the T.A.C., the Staff is recommending the request for waiver be DENIED. (The applicant was advised even before the application for waiver was made that the Staff Recommendation would be for a plat.)

The applicant was represented by Henry Daubert and Carol Vanschoyt.

There was considerable discussion (at the T.A.C. meeting) regarding the merit of platting or waiver. Concern was also shown by the T.A.C. regarding the building setbacks from abutting residential zoned land. Mr. Daubert advised that the owner did not wish to plat, since the whole tract was a

Z-5915 (continued)

single ownership and they did not intend to sell or subdivide. For the record, even if the plat requirement was waived a PFPI will be required, an access agreement made, and right-of-way dedications required. However, the general concensus of the T.A.C. was that the needs of the City, utilities and drainageway could more accurately be done by plat.

The Technical Advisory Committee and Staff recommended DENIAL of Waiver of Plat on Z-5915 for the reasons outlined by the Staff.

Mr. Henry Daubert represented the applicant, American Beauty Products Co., which is of great concern for the residents living on the north side of the City as this company needs to be expanded. The plans have met all the standards and requirements needed from each City Department. There is no change of ownership but merely an expansion of the existing facilities. He stated that the rights-of-way where necessary will be given by separate instrument, easements that are in existence which are not necessary will be vacated and new easements will be granted by separate instrument also. The applicant would also be in agreement with making an access control agreement with the City.

Mayor Young expressed concerns with the drainage plan for the property and suggested that the Commission consider a berm that would run on the back lot lines of the lots on the west side of this tract all the way to the expressway, to afford additional protection to those residents. In addition to the small detention or channeling facility proposed, he suggested that the Commission include those two conditions in waiving the platting requirements if the Commission so decided.

Mr. Wilmoth suggested that since the building which is located in the south-west portion of the property is the Commission's primary interest, that partial waiver of the plat pertaining to where the applicant constructs the building would be in order. This might alleviate some concerns of the Staff. Mr. Gardner suggested that the plat waiver be subject to the drainage plans that have been submitted and reviewed by the Hydrology Department at this time including and in addition to having a berm along the western boundary of the property and specify that there be a minimum height of 1' above the 100-year water level.

On MOTION of T. YOUNG, the Planning Commission voted 7-2-0 (Draughon, Higgins, Hinkle, Rice, Woodard, C. Young, T. Young, "aye"; Connery, Wilson, "nay"; no "abstentions"; Beckstrom, Kempe, "absent") to approve the request to waive plat for Z-5915 on that portion of the property west and south of the channel and that the berming would run along the western boundary of the tract, and subject to a, b, c, & d outlined by the Staff.

Z-4818 Easton Heights 2nd Addition (392) East of the SE corner of West Edison  
Street and North 27th West Avenue (OL and RS-3)

This is a companion application with lot split #16217 for Bernard Hecht. The tract is already platted as Lots 5 and 6, Block 1 of the above named plat. Lot 6 will be split to create a 45' x 133.2' lot with the remaining 15' of this lot to be attached to Lot 5, creating a 75' x 133.2' lot which meets the OL minimums. The westerly lot (Lot 5 and East 15' of Lot 6) contains an existing structure to remain. The east lot (the East 45' of Lot 5) will be used for parking for the adjacent bank. If the east lot is attached by rider to GILCREASE HILLS FINANCIAL CENTER, the bank property,

Z-4818 (continued)

then no Board of Adjustment approval is required. If the 45' to be separately conveyed and owned, the BOA will be required since it has less than the required 75' front. If any grading is to be done, grading and drainage plans will be required by the City Engineer. An access control agreement may be required by the Traffic Engineering Department. (Access to Easton Court is already prohibited by the 5-foot strip of RS-3 zoning.) An additional 10-foot of right-of-way will be required on West Edison to meet the Major Street Plan. Approval of both L-16217 and the waiver of plat is recommended, subject to the above conditions.

The applicant furnished a survey (too late to mail to T.A.C. members) which shows the building on the west side of the property encroaching into the adjacent lot. The split line as applied for will correct this encroachment and is in line with the information furnished to the Staff.

The applicant was not represented.

In discussion, it was noted that parking on the east lot is also parking for the Vet. Clinic on the west lot. Applicant's Board of Adjustment application may need to include provisions for mutual parking agreements unless additional parking is provided on the west lot.

The Technical Advisory Committee and Staff recommended approval of L-16217 and waiver of plat on Z-4818, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to approve the request to waive the platting requirements for Z-4818, subject to the following conditions:

- (a) Board of Adjustment approval if east 45' not attached;
- (b) additional 10' dedication on Edison per Major Street Plan;
- (c) grading and drainage plan approval by the City Engineer;
- (d) access control agreement, if required; and
- (e) parking agreement as per discussion by the T.A.C.

LOT SPLITS:

For Ratification:

L-16232 (2993) A. D. Conley  
16234 (2004) Freeman Property Management  
16235 (1693) Heritage Homes, Inc.  
16248 (3194) CHF Investment

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") that the approved lot splits listed above be ratified.

Lot Splits for Waiver:

L-16216 Reese Brooks (1294) North and East of East 21st Street and South  
177th East Avenue (RS-1)

This is a request for approval of a previously split 2 1/2 acre lot from a 15-acre tract. This was done by the applicant who thought a

L-16216 (continued)

lot split is only required on lots under 2 1/2 acres. State Statutes reflect that a lot split is required on all lots "2 1/2 acres or less". This 2 1/2 acre tract has no frontage on a dedicated street, the only access is by a private road easement to the south. The north 2/3rds of the 2 1/2 acres is in a flood zone, water service would need to be extended to serve the tract or approval from the Health Department for a well. A variance from the Board of Adjustment will be required because of the frontage problem. Although his tract meets the lot area minimum for this zoning, the Staff feels that this lot split may be premature for the area.

The applicant was represented by Reese Brooks.

In discussion, the Staff advised the Health Department had approved the split. PSO requested an east-west easement along the south line. (Tract would be on well and septic) No recommendation would be made on splits in this area less than 2 1/2 acres until streets and utilities are available. (This tract is an even 2 1/2 acres.)

The Technical Advisory Committee and Staff recommended APPROVAL of L-16216, subject to the conditions.

Mayor Young was concerned about access to the property and suggested that there be a condition placed on the approval that access be recorded and filed of record with the Staff.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to approve the request to waive the lot split requirements for L-16216, subject to the following conditions:

- (a) Board of Adjustment approval;
- (b) utility easement along the south line; and
- (c) that there be an approved recorded access and a document filed with the Staff.

L-16217 Bernard Hecht (392) South side of West Edison Street, East of  
North 27th West Avenue (OL)

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to approve lot split L-16217, subject to the conditions outlined for plat waiver, Z-4818.

L-16218 and L-16219 Dennis Hall (2792) South of the SW corner of 46th Street  
and Union Avenue (RS-3)

This is a request to split four duplexes for individual ownership. Each lot contains one duplex, and each lot measures 60' x 144' before the split. After the split, there will be four lots that are 31' x 144', and four lots that are 28' x 144'. Based on the facts that there is no increase in density, and there will be no change in appearance, the Staff recommends approval of this request, subject to a common wall and maintenance agreement and approval of the Board of Adjustment for the variances required

L-16218 and L-16219 (continued)

because of the substandard lots. Major Street Plan indicates that a total of 50' from centerline is required on Union Avenue and 25' from centerline on Vancouver Avenue. (The applicant has not requested waiver of these requirements as of July 10, 1984.) (A standard 11' utility easement was requested.)

The applicant was not represented.

The Technical Advisory Committee and Staff recommended approval of L-16218 and L-16219, subject to the conditions.

On MOTION of RICE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to approve the request to waive the lot split requirements for L-16218 and L-16219, subject to the following conditions:

- (a) Board of Adjustment approval;
- (b) 11' back to back easements; and
- (c) separate sewer and water and other utility connections and/or maintenance agreement.

PUBLIC HEARING:

Consider Adoption of Regional Industrial Plan: Year 2000

Mrs. Dane Matthews stated that the Regional Industrial Plan has been in preparation for well over a year and a half. The Planning Commission approved Bob Parmele to serve on the Technical Advisory Committee and Bob has been a very active committee member. The Technical Advisory Committee is made up of approximately 23 individuals. This group has spent the last year and a half coming up with a product which is now before the Planning Commission. The Plan consists of every aspect of industrial land use with some economical aspect to the actual development expected, impacts on environment, transportation... Mrs. Matthews then introduced Mr. Bob Pendergrass of the INCOG Staff who is the project planner for this plan.

Mr. Pendergrass stated he would discuss the Plan as proposed and briefly discussed the Plan Map which is being considered for adoption along with the Plan. The Industrial Land Use Plan: Year 2000 was developed in 3 phases. The first phase examines the existing economic, physical and industrial goals and policies in the INCOG region. Phase II examines existing land use, population and economic trends, employment projections, future industrial land use, examines zoning and platting activities for the last 13 years and natural and manmade opportunities and constraints. The third phase consists of pulling Phase I and II together into the following set of goals, objectives and policies which is the Committee's recommendation for adoption. The following Plan Text is recommended by the Staff and T.A.C. for the Regional Industrial Plan for adoption:

The Industrial Land Use Plan is graphically represented on Map I-1. Development Guidelines are presented at four levels. First level Guidelines are general, comprehensive planning policies which are directly related to industrial land use dealing with overall economic and physical development. The general goal is the broadest and most general statement of the result or purpose of our activities. The

## Public Hearing (continued)

second level guidelines are termed goals, representing a narrowing of focus within economic development and physical development. Third level guidelines are termed objective, and these too are even a further narrowing of scope; that is each individual objective deals with a more specific facet or aspect of a goal. All of these objectives are quantitatively measurable. The final set of guidelines are those which deal specifically with industrial land use, and have been termed industrial land use policies.

### General Goal

Settlement patterns and environments which foster and support human potential and a high quality of life.

#### 1. Economic

Goal:

An economic structure which satisfies the material and socio-economic needs and preferences of the region's current and prospective residents, institutions, and businesses.

Objectives:

- A. Provide the region's labor force with a choice of occupations, jobs, and establishments for employment. (industrial diversification)
- B. An economic structure which is reasonably free of seasonal and cyclical fluctuations. (economic stability)
- C. An economic structure which provides adequate compensation. (income)
- D. Provide the region's labor force with a choice of locations within which to work. (locational choice)
- E. An economic structure which utilizes the regions' labor force intensively. (full employment)

#### 2. Physical Development

Goal:

A spatial/physical environment or structure which supports and satisfies the needs and preferences of the region's current and prospective residents, institutions, and businesses.

Objectives:

- A. Encourage activities occur in sites/locations which are free of natural hazards.
- B. Encourage adjacent activities are environmentally compatible.
- C. Encourage activities occur in locations which are aesthetically pleasing.

Public Hearing: (continued)

- D. Encourage an adequate supply of land to satisfy land needs for various activities.
- E. Encourage leisure, working, shopping, and residential activities are linked effectively and efficiently.
- F. Encourage the economic vitality and social, governmental, and physical identity of outlying communities.
- G. Encourage the utilization of the existing infrastructure.

3. Industrial Land Use

The following policies and strategies deal specifically with industrial land use. Following these policies will contribute to the achievement of the physical and economic goals presented above.

- A. An adequate supply of buildable land for industrial activities.
- B. An adequate variety of sites for industrial activities.
- C. Industrial activities are to be effectively and efficiently linked to labor sources, markets, and supplies/materials.
- D. Industrial activities are to be adequately served by water, sewer, natural gas, electricity, and other utilities.
- E. Industrial areas are to be free of unrelated and nonsupportive activities.
- F. Seek and attract establishments engaged in a wide variety of industrial activities, including those generally viewed as "high-tech".
- G. Industrial activities are to be grouped together in areas and districts planned for industrial development.
- H. Industrial areas and districts are to be dispersed throughout the region.
- I. Industrial areas are to have minimal adverse affects on surrounding residential, commercial, and agricultural areas.
- J. Industrial activities are encouraged to convert or adapt obsolete industrial areas and districts and obsolete industrial buildings.
- K. Industrial areas/districts are to be located adjacent to one or more primary arterials or freeways.
- L. Industrial areas/districts are to be developed following these general guidelines.
  - 1. Access to arterial streets should be kept at a minimum, with at least 600 feet between access points, and should allow for the free flow of car and truck traffic.

## Public Hearing (continued)

2. Internal streets should provide for the free flow of truck traffic within minimum interference with rail freight switching.
3. Rail service should be provided in a manner minimizing interruptions to vehicular traffic.
4. Areas subject to flooding in designated floodplains are excluded from consideration and soils identified as being unsuitable for industrial development (due to such conditions as high depth to bedrock or high shrink-swell potential) must be given special attention if they are to be developed.

### 4. Other Actions

In addition to the adoption and consequent use of the goals, objectives, policies and standards previously discussed in decision-making, a number of other activities are required to be employed in order to achieve the goals and objectives in the long run, and to make significant progress towards them in the short run.

- A. Initiate an examination of the zoning, subdivision, and permitting process to determine what changes need to be instituted to minimize processing time.
- B. Initiate a feasibility study of employing performance standards for industrial zoning.
- C. Review the zoning ordinance examining its capacity to satisfy "high tech", research park industrial needs and, if needed, enhance it through a revision of the IR district or the creation of a new zoning class.
- D. Establish on a permanent ongoing basis, a regional information system directly related to industrial land use, building upon components already in use and upon those developed during this planning venture.
- E. Establish an Annual Plan Review procedure, utilizing the information generated in D. above to directly evaluate progress in goal and objective achievement, and to provide an early warning of opportunities or problems.
- F. Continue, or intensify, the efforts to secure additional reliable raw water sources at the earliest possible time.
- G. Continue the current efforts to improve the water quality in the region and to enlarge sewage treatment plants, especially in the Bird Creek drainage basin.
- H. Initiate an examination of financial and other forms of incentives to encourage new industrial development and the reuse of obsolete industrial areas and buildings.



Public Hearing (continued)

- I. Initiate an examination of the effects on industrial development of altering policy on sewage treatment lagoons versus requiring all industrial users to connect to the sewerage system.
- J. Continue the current efforts to improve the region's air quality, particularly those efforts focused on ozone and hydrocarbons.

Mayor Young suggested that there be a statement in the plan which seeks an assessment of industrial development in the floodplain and a strategy for relocating them. Mrs. Wilson suggested that under the heading "2. Physical Development", Objective A that the word "Encourage" be changed to a stronger word. Mr. Pendergrass suggested that the objective be changed to read as follows:

- A. That the plan recommend activities occur in sites/locations which are free of natural hazards.

Mr. Jim Robinson, 240 East Apache Street, stated that he served as a member of the Technical Advisory Committee for the Regional Industrial Plan and he wished to commend the INCOG Staff in the work which was done and the task force and the opportunity to allow citizens to add input for the Tulsa region.

TMAPC Action: 9 members present.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to close the public hearing.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to approve the Regional Industrial Land Use Plan: Year 2000 Text and Plan Map as presented, except for the following changes and additions:

2. Physical Development

- A. That the Plan recommend activities occur in sites/locations which are free of natural hazards.

The following statement should be added under "4. Other Actions":

- K) Initiate an examination of floodplains as they relate to areas identified in this Plan as sites of existing or future industrial development in order to develop strategies for the location or relocation of industry in such areas.

Chairman C. Young then directed the Staff to prepare a Resolution for the Regional Industrial Plan and that the Staff report back to the Commission on the cost factors for Items A and K under Other Actions.

CONTINUED ZONING PUBLIC HEARING:

Application No. PUD 368 and Z-5950	Present Zoning: OL
Applicant: Union Properties (Richardson, Dryden)	Proposed Zoning: IL
Location: North of 61st Street, West of South 99th East Avenue	

---

Date of Application: April 9, 1984  
Date of Hearing: July 25, 1984  
Size of Tract: 1 acre, more or less

Presentation to TMAPC by: Rusty Richardson  
Address: 12221 East 51st Street - 74146  
Phone: 250-9632

Staff Recommendation: PUD #368

The subject tract is located at the northwest corner of 61st Street and South 99th East Avenue. It is approximately 1-acre in size, vacant, and the applicant is requesting a combination of IL and OL underlying zoning.

The Staff has reviewed the applicant's original Development Plan and found that property protection had not been given the surrounding residential area. The Staff recognizes that the Comprehensive Plan designates this area to transition from residential to industrial use, however, good planning requires that this transition be made as smooth as possible and take into consideration the existing single-family neighborhood. Because of this, the Staff requested that the applicant redesign his Site Plan to provide for no interior access onto 99th East Avenue and additional screening and landscaping along the 99th East Avenue frontage.

Given the above review and modifications, the Staff finds the proposal to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter.

Therefore, the Staff recommends APPROVAL of PUD #368, subject to the following conditions:

- (1) That the applicant's revised Outline Development Plan be made a condition of approval, except as modified herein.
- (2) Development Standards:
  - Land Area (Gross): 1.02 acres
  - Permitted Uses: All uses permitted as a matter of right in an IL District and the following uses permitted by exception:
    - Use Unit 2 - Permitted Uses  
Post Office
    - Use Unit 12 - Permitted Uses  
Cafeteria; Restaurant; Delicatessen;  
Coffee Shop
    - Use Unit 14 - Permitted Uses  
Automobile parts and accessories  
store; business and office machine  
sales establishment; camera and  
photographic supply store; garden  
supply store; hardware store;

appliances, china, glassware and metalware, draperies, curtains, upholstery, floor coverings, furniture, medical, dental, and orthopedic appliances and supply store; office furnishing establishment; office supplies store; paint store, radio and TV sales; shoe repair shop; tailor shop; wall paper store; electrical supply; plumbing fixtures; gun smith; household appliance repair; interior decorating, with retail sales; self-service laundromat, coin operated; lock smith; photofinishing; radio and television repair.

Maximum Building Coverage: 30.36 Percent  
Maximum Building Height: 35 feet/1 story  
Minimum Building Setbacks:  
From Centerline 99th E. Ave: 35 feet  
From Centerline 61st Street: 100 feet  
From West Property Line: 25 feet  
From North Property Line: 55 feet  
Minimum Off-Street Parking: Per Code

- (3) That signs shall comply with Section 1130.2 (b) of the Zoning Code.
- (4) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including screening fences along the west, north, and east property lines and significant landscaping along 99th East Avenue frontage.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

STAFF RECOMMENDATION:

Relationship to the Comprehensive Plan: Z-5950

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District-- Industrial Development Encouraged.

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

Z-5950 and PUD #368 (continued)

Staff Recommendation: Z-5950

Site Analysis -- The subject tract is approximately 1-acre in size and located on the northwest corner of 61st Street and 99th East Avenue. It is non-wooded, flat, vacant, and zoned OL.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling zoned RS-3, on the east by single-family dwellings zoned RS-3, on the south by a church and vacant lot zoned RS-3, and on the west by a children's day care center zoned RS-3.

Zoning and BOA Historical Summary -- Recent TMAPC action has allowed IL zoning on several tracts located in the immediate area.

Conclusion -- Based on the Comprehensive Plan and existing zoning patterns in the area, the Staff can support IL zoning and recommend APPROVAL as requested.

Applicant's Comments:

Mr. Richardson stated that he is one of the owners of the tract and has worked very closely with the Staff and tried to please the neighborhood on the proposed project. Mr. Richardson presented the Commission with an architectural rendering of the proposed building which faces 61st Street. There is a berm proposed on the east side with a 6' screening fence, and the property will be nicely landscaped on South 99th East Avenue.

<u>Protestants:</u>	Pat Kelley	Addresses:	5928 S. 99th E. Ave.
	Mr. Barnes		5932 S. 99th E. Ave.
	Donald Nigh		9723 E. 61st St.
	Mary Barnes		5932 S. 99th E. Ave.
	Darrell Hicks		5945 S. 99th E. Ave.
	Charles Kelley		5928 S. 99th E. Ave.
	Karen Hicks		5945 S. 99th E. Ave.

Protestant's Comments:

Mrs. Pat Kelley stated she is opposed to the proposed change of zoning on the subject property. There is a noise factor which this warehouse facility will cause. This property also adjoins a busy school zone and leads into a busy intersection which will develop into many problems. She stated she does not want to live in the back alley of a warehouse. Mrs. Kelley was fearful that if the IL is approved it would set a precedent in this area.

Mr. Barnes stated he was opposed to the zoning and PUD because of the water problems which would be increased with this project. He felt that all of the water from the subject property would end up on the day care property and will run across his property and one of the other properties in the area. Mr. Barnes stated he had talked with the hydrologist who advised him there would be a detention center on the property which will be built on a 4-foot retaining wall. The land will have to be graded 4 feet from 61st Street back toward his property. He felt that this project will increase the flow of water on these two lots about 3 cubic feet a minute. He summarized his statements and advised that this area does not need any more

Z-5950 and PUD #368 (continued)

water and asked that the Commission deny the zoning and PUD requests.

Mr. Nigh stated that he owns the day care center and he, too, was concerned with the drainage from the subject property.

Mrs. Barnes felt that the proposed IL zoning would not be compatible with the existing residential neighborhood. She felt that if the building is located as permitted under the IL zoning it would be too close to the setback lines and would extend 23' farther on South 99th East Avenue than any residence on that block. She stated that a building located within an IL zoning would be permitted to operate 24 hours a day, seven days a week which would not be compatible with the residential area. She did not feel that the applicant has acted in good faith and did not feel that an automobile repair should be permitted in this area.

Mr. Hicks stated that he lives directly across the street from the proposed project. The applicant informed the residents that there would be no access on South 99th East Avenue, but the plans show a 23' drive coming out of that business onto 99th East Avenue. The Staff's recommendation was that there be no entrance or exits off of South 99th East Avenue, and Mr. Hicks requested that the condition be imposed. Mr. Hicks then directed some questions to the Staff concerning the recommendation. If the warehouse facility is permitted this would include large semi-trucks parked in the area and would not be consistent with the surrounding area.

Mr. Gardner attempted to answer some of Mr. Hicks questions and advised that there are 15 single-family houses which are isolated in this entire square mile. He advised the Commission of the surrounding zoning and advised that the subject tract and the house to the east are the only two properties that are not zoned commercial or industrial along 61st Street. The long-range plan for this area is industrial, and the Staff felt that IL zoning would be appropriate for this area at this time. Mr. Gardner also advised that there would be a detention facility on the site so any increase in the rate of runoff would be detained by the owner whether it would be office or commercial.

Mr. Kelley stated that he was opposed to the proposed zoning and PUD and stated that he and several representatives from the neighborhood have protested several zoning applications in the past.

Mrs. Hicks stated that she was opposed to the project and did not feel that the applicant was acting in good faith toward the neighborhood.

Applicant's Rebuttal:

Mr. Richardson stated that he had worked with the neighborhood, but there was no compromise which could be established. There is one proposed tenant for the project which is Metro Auto Repair who handles fleet vehicles but no heavy trucks.

Mr. Steve Fulps, the contractor and part owner of the subject property, addressed the water problems on the property. The applicant is not trying to do anything that will increase the water or traffic

Z-5950 and PUD #368 (continued)

problems in the area. The applicant will retain the west property line and the back with high walls, and all the water will be taken out to 61st Street. The applicant does not intend to make the water flow onto the property where the day care center is located. There is no storm sewer in the area, but the applicant is trying to eliminate any water problems on the property.

Mrs. Wilson stated she could not support the IL zoning or the PUD. She stated she agreed with the Staff Recommendation on the surrounding area analysis that there is RS-3 zoning and felt that to take a 90' x 90' tract inside OL to zone it IL would be an inappropriate use by this Commission.

Mayor Young stated that a zoning change might be appropriate when there is a demand for redevelopment in the area as the Plan anticipates redevelopment. At that time he felt the zoning change would be appropriate. Mr. Connery stated that he, too, could not support the zoning or the PUD. Commissioner Rice stated that he agreed with the Mayor's statement.

TMAPC Action: 9 members present.

On MOTION of WILSON, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to DENY the request for IL zoning on the following described property:

Lots 6 and 7, Block 1 of the Guy Cook Subdivision, an Addition to the City of Tulsa, Oklahoma.

On MOTION of WILSON, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to DENY the Planned Unit Development on the following described property:

Lots 6 and 7, Block 1, Guy Cook Subdivision, an Addition to the City of Tulsa, Oklahoma.

Application No. Z-5975 and PUD #371 Present Zoning: RS-1  
Applicant: Brasselton (Chon Investment Co.) Proposed Zoning: RS-3  
Location: North of East 71st Street, between Harvard and Yale Avenues

---

Date of Application: June 7, 1984  
Date of Hearing: July 25, 1984  
Size of Tract: 3.9 acres

Presentation to TMAPC by: Rick Brasselton  
Address: 1901 South Xanthus Avenue Phone: 749-9748

Relationship to the Comprehensive Plan: Z-5975

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3 District is in accordance with the Plan Map.

Staff Recommendation: Z-5975

Site Analysis -- The subject tract is approximately 3.9 acres in size and located halfway between Harvard Avenue and Yale Avenue on the north side of 71st Street. It is partially wooded, sloping, contains one single-family dwelling and zoned RS-1.

Surrounding Area Analysis -- The tract is abutted on the north, east and west by a developed single-family neighborhood zoned RS-2 and on the south by a developed single-family area zoned RS-1.

Zoning and BOA Historical Summary -- Past zoning actions have maintained this tract as well as the surrounding area as low intensity residential.

Conclusion -- The subject tract is surrounded by existing RS-1 and RS-2 zoning patterns and developed at a maximum of 3 units per acre (south of the subject tract is developed less dense than 3 units per acre). The RS-3 and companion PUD would allow the tract to be developed at a density as high as 5.2 units per acre, which the Staff feels is inconsistent with what is existing or expected to develop in the area. In addition, the tract has a creek bisecting it and creating a potential for flooding. The Staff feels that drainage is also a good reason not to "bump" the density.

Therefore, the Staff recommends DENIAL of RS-3 and APPROVAL of RS-2, except any portion designated as a floodway.

The Staff would note that the tract was not advertised for FD Floodway zoning; however, Public Notice could be advertised for the hearing before the City Commission August 14, 1984, and any necessary FD zoning could be approved at that time.

STAFF RECOMMENDATION: PUD #371 (Amended)

The applicant has revised his Site Plan and Text to reflect the Staff's initial recommendation for only 16 single-family lots to be developed on the subject tract.

The Staff has reviewed the Amended PUD #371 and recommended APPROVAL, subject to the following conditions:

PUD #371 and Z-5975 (continued)

1. That the applicant's Amended Outlined Development Plan be made a condition of approval.
2. Development Standards:

Land Area (Gross):	3.99 acres
Permitted Uses:	Single-family detached and accessory
Maximum No. of Lots:	16 lots
Maximum Building Height:	35 feet
Minimum Livability Space:	80,000 square feet
Minimum Off-Street Parking:	2 enclosed spaces
Minimum Building Setbacks:	
From Centerline of 71st Street:	95 feet*
From Edge of Private Street:	
Garage Openings:	20 feet
Other Walls:	15 feet
From Side Lot Lines:	5 feet
From Rear Lot Lines:	20 feet**
3. That the private street shall be a minimum width of 22 feet.
4. That signage shall meet the requirements of Section 1130.2 (b) of the Code.
5. That TMAPC approval of the Final Plat shall satisfy the requirement of a Detail Site Plan.
6. That a Detail Landscape Plan be approved by the TMAPC prior to occupancy of any dwellings including a solid screening fence 6' in height along the north, east, and north 100 feet of the west property lines; a solid masonry fence 6' in height along the south 170' of the west property; and a masonry and wrought iron fence 6' in height along the south property line with a controlled access gate at each of the two entries. Plus, significant landscaping shall be provided along the south property line.\*\*\*

\*Lots 13 and 16 may be allowed down to a 75-foot setback for side lot setbacks if approved as a minor amendment.

\*\*Lots 5, 8 and 9 may be allowed down to a 15-foot rear yard setback if approved as a minor amendment.

\*\*\*Fencing shall also be coordinated and approved by the City Hydrology Dept.



PUD #371 (Amended) continued

7. That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

There was some discussion as to whether the Commission should consider the zoning and PUD because the property was not advertised for FD zoning. It was noted that public notice could be given before the matter is heard by the City Commission, and any land determined to be located within the floodway would then be zoned FD. The applicant requested that the matter be considered at this time. Mr. Brasselton stated that it was his understanding that the maps were not complete past 71st Street to the north for the Commission to determine the FD area. Mr. Brasselton's civil engineer has worked with the City concerning the subject property.

Mr. Linker stated that the Commission could hear the request concerning the portion as requested by the applicant excluding that portion that falls under the FD zoning. The Commission must decide if they want to go ahead and consider the matter today excluding that portion determined to be in the floodway or to give both notices at the same time so the Commission can place the FD and other appropriate zoning determined by the Commission.

On MOTION of RICE, the Planning Commission voted 6-2-0 (Connery, Draughon, Higgins, Hinkle, Rice, Woodard, "aye"; Wilson, C. Young, "nay"; no "abstentions"; Beckstrom, Kempe, "absent") to consider the zoning and PUD at this time.

Mr. Brasselton advised that the four-acre subject tract will be platted into 16 lots. The project is being developed very close to RS-2 guidelines, but RS-3 zoning is being requested because of the potential FD zoning. If the FD zoning is considered it would reduce the density, and the project would not be feasible if developed under RS-2 standards. Mr. Brasselton stated that it is his intent to preserve the trees which are presently located on the property.

The Staff advised that under the Ordinance any portion of property zoned FD does not count toward the density so the applicant would not have 4 acres of RS-2 if any is zoned FD.

There were 2 letters of protest submitted (Exhibit "A-1").

<u>Protestants:</u>	Jerry Delashaw	Addresses:	3758 E. 71st Street
	Harold Koons		3774 E. 71st Street
	Mary C. Kenney		3877 E. 72nd Street
	Charles Buffington		6976 South Oswego Avenue
	Ray Penzell		Unknown

Z-5975 and PUD #371 (Amended) continued

Protestants' Comments:

Mr. Delashaw stated that he lives to the south immediately across from the proposed project. He stated that last year he participated in many meetings relating to the Capital Improvements Financial Plan. Mr. Delashaw referred to that plan concerning the Master Drainage Plans and the cost of solving the existing plans and the attempt to alleviate any future problems. He felt that the plan indicates that there should not be any new development and should have no zoning changes in the area until studies of drainage in the area were conducted. There was also a reference to the traffic facility improvements. He felt that with the completion of the 71st Street Bridge the volume of traffic has increased considerably since the 1981 traffic count was conducted. He reviewed the planning in the past which indicates that there should be no new development in this area until there is adequate studies of drainage problems in the area. If the Commission increases the intensity of development in the area by changing the zoning it will merely compound the problems that already exist. He felt that the timing of the requested zoning is not appropriate at this time.

Mr. Koons stated that he shared the same concerns of Mr. Delashaw.

Mrs. Kenney stated there has been a lot of flooding problems on 72nd Street. She stated that most of the houses in the area are constructed on larger lots and the neighborhood wants this development to be in keeping with that pattern.

Mr. Buffington stated that the map shown to the Commission does not fully show Fred Creek which goes through the subject property and Mr. Buffington's property. He expressed a real concern with flooding in the area because the water cannot get underneath the 71st Street Bridge which creates tremendous water problems in the area.

Mr. Penyell stated that he represents his parents who live across the street from the subject property. He asked the width of the street which would be leading into the subject property. He stated there is only 26' between his parents' property line and the creek, and he was concerned that a street might not be feasible at that location.

Applicant's Rebuttal:

Mr. Brasselton addressed Mr. Penyell's concern and advised that a 22' wide street which will be privately maintained would be constructed which leads into the subject property. Based on their survey of the property there would be adequate room to place the street at that location. He stated that he is only asking for a maximum of 16 units on the property. He also advised that a hydrology study is being conducted in the area and he would abide by those findings. He requested that the Commission approve the RS-3 zoning and PUD.

There was some discussion as to the density allowed under RS-1, RS-2 and RS-3 zoning and the possible density if the FD zoning is considered under each category. Mr. Gardner advised that the Commission should be concerned with the density of the proposed zoning change; however, the applicant is proposing detached single-family units which is presently located in the subject area. He felt that RS-2 zoning is appropriate for the area, less and except the area determined to be in the floodway, since the subject property is surrounded by 3 sides zoned RS-2. The drainage problems will have to be resolved before the project is constructed.

Z-5975 and PUD #371 (Amended) continued

Mrs. Wilson stated that she was extremely concerned with density of the property and the topography of the land. She stated she could not support increasing the density. Mr. Draughon stated he was concerned with the detention on the property and felt that action should be taken to alleviate any water problems on the property before construction begins. Commissioner Rice felt that RS-2 zoning would be the proper zoning for the property because the surrounding property is zoned under the same category.

Instruments Submitted: 2 Letters of Protest (Exhibit "A-1")

TMAPC Action: 8 members present. (Z-5975)

On MOTION of RICE, the Planning Commission voted 7-1-0 (Connery, Draughon, Higgins, Hinkle, Rice, Woodard, C. Young, "aye"; Wilson, "nay"; no "abstentions"; Beckstrom, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-2, LESS and EXCEPT any portion determined to be floodway would be left in its present RS-1 category:

Z-5975 Legal: The SW/4 of the SE/4 of the SE/4 of the SW/4 and the East 198.0' of the SE/4 of the SW/4 of the SE/4 of the SW/4 of Section 4, Township 18 North, Range 13 East, Tulsa County, Oklahoma, according to the Recorded Plan thereof, containing 3.973 acres, more or less.

TMAPC Action: 8 members present. (PUD #371)

On MOTION of RICE, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, "absent") to DENY the Planned Unit Development on the following described property:

PUD #371 Legal: The SW/4 of the SE/4 of the SE/4 of the SW/4 and the East 198.0' of the SE/4 of the SW/4 of the SE/4 of the SW/4 of Section 4, Township 18 North, Range 13 East, Tulsa County, Oklahoma, according to the Recorded Plan thereof, containing 3.973 acres, more or less.

OTHER BUSINESS:

Z-4900-SP2-A (Cedar Glade)

Staff Recommendation - Minor Amendment

The subject tract is located approximately 1/4 mile south of the southeast corner of 71st Street and South Mingo Road. It is zoned Corridor and has an approved Detail Site Plan for an apartment complex. The applicant is now requesting to be allowed to convert two downstairs three bedroom apartments into a day care center.

The Staff has reviewed the request and find that the proposed location of the facility would be on the northern edge of the complex adjacent to a second apartment complex and that the use is identified by the Code as a Use Unit 5, which would be allowed in a Corridor District.

We feel that this use is an appropriate nonresidential accessory use within a multifamily complex and that its proposed location is consistent with good land use relationships. Therefore, we recommend APPROVAL, subject to the following conditions:

- (1) That enrollment be restricted to children that reside in this complex only.
- (2) That the size of the center be no greater than the two residential units shown on the submitted plans.
- (3) That it be located as shown on the submitted plan
- (4) That it be a licensed day care facility with approved instructors.
- (5) That advertising be limited to the apartment complex identifying that it provides this service to its residents.
- (6) \*That its hours of operation be limited to the period from 7:00 a.m. to 6:00 p.m.
- (7) That signage be limited to one door sign no more than 6 square feet of display surface area in size and non-illuminated.
- (8) That all plans and text submitted by the applicant be made a condition of approval, unless modified herein.

\*The applicant has requested that they would like to offer an evening babysitting service. The Staff recognizes the potential need for this service but is concerned about the conflict that could occur between this facility and adjacent dwelling units both within Cedar Glade and also the neighboring apartment complex. We feel that the principal use is residential and that the primary time that residents are in their dwellings is 6:00 p.m. to 7:00 a.m. daily. Because of this, we have recommended for this facility as well as others that their hours be restricted to standard daytime working hours. As stated, the Staff recognizes that child care may be needed during the evening or night, but we do not feel that this is the appropriate location for a facility to serve that need.

Z-4900-SP2-A (Cedar Glade) continued)

Mr. Connery suggested that the first condition be changed to provide that primary enrollment be restricted to children that reside in the complex only rather than completely restricted to those children in the complex.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, C. Young, T. Young, "absent") to approve the minor amendment to Z-4900-SP2-A, subject to the above stated conditions and that the first condition be changed to read as follows:

- (1) Primary enrollment be restricted to children that reside in this complex only.

PUD #236-B (Development Area II)

Staff Recommendation - Detail Site Plan Review

The subject tract is located on the north side of 76th Street approximately 1/4 mile east of Memorial Drive. It is 7.36 acres in size and approved for a church use. The applicant is now requesting Detail Site Plan approval.

The Staff has reviewed the approved PUD conditions and compared them to the submitted site plan and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area:	7.36 acres	7.36 acres
Permitted Use:	Church use & customary accessory uses	Same
Maximum Floor Area:		
Fellowship Hall	23,732 sq. ft.	21,662 sq. ft.
Sanctuary Building	31,000 sq. ft.	31,000 sq. ft.
Sanctuary:	NA	10,500 sq. ft.
Maximum Building Height:	2 stories	2 stories
Minimum Off-Street Parking:	1 space per 40 sq. ft. of sanctuary (263)	440 spaces
Minimum Building Setbacks:		
From North Boundary Line:	80 feet	80 feet
From West Boundary Line:	150 feet	150 feet
From South Boundary Line:	200 feet	270 feet
From East Boundary Line:	80 feet*	80 feet

\*Changed by minor amendment from 100 feet to 80 feet.

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan for PUD #236-B, subject to the plans submitted.

The Staff would note that the Site Plan shows the setback from the South Boundary Line to be from the south line of the platted area. The PUD required that a church be set back a minimum of 200 feet from the boundary line of Area II which is the north right-of-way

PUD #236-B (Development Area II) continued)

line of 76th Street. The applicant has more than met this requirement, but the building line should be shown properly on the plat.

Mike Taylor, 5259 South Sheridan Road, stated that he was in agreement with the Staff Recommendation, and the plat has been printed with the changes requested by the Staff.

Mr. Compton stated that there needs to be an additional condition of approval. The access into this tract is 76th Street and at this point with the Detail Site Plan being approved the only access would be through the residential area. It was suggested that an additional condition be added that there be the dedication and filing of 76th Street by separate instrument and construction of 76th Street to Memorial be assured in order to provide the access to the church site.

Mr. Taylor advised that the applicant is aware of the PUD conditions as amended. Mr. Gardner suggested that the Commission impose one more condition that the applicant cannot use or occupy the church facility unless the street is improved and tied in with Memorial.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, C. Young, T. Young, "absent") to approve the Detail Site Plan, subject to the plans submitted and that there be a dedication and filing of 76th Street and construction of 76th Street to Memorial to provide access to the church site and that the applicant not be permitted to use or occupy the church facility unless the street is improved and tied in with Memorial Drive.

PUD #234

Staff Recommendation - Final Covenants Review

The subject tract is located at the northeast corner of 15th Street and Evanston Avenue. A requirement of the PUD approval was that an amended Covenant to Lots 25 through 32 (inclusive), Block 7, Rosemont Heights Addition be filed of record in the County Clerk's office reflecting the PUD conditions of approval and making the City of Tulsa beneficiary to said Covenants, prior to the issuance of a Building Permit.

The Staff has reviewed the final Covenant submitted by the applicant and find that it is consistent with the approved PUD conditions. Therefore, we recommend APPROVAL subject to the Covenant being filed of record and a copy placed in our files.

PUD #234 (Development Areas "A and B")

Staff Recommendation - Detail Site Plan Review

The subject tract is located at the northeast corner of 15th Street and Evanston Avenue. It is approximately .64 acre in size; zoned a combination of CH, OL and RS-3; and has been approved for an automotive body repair and accessory storage use. The applicant is now requesting Detail Site Plan approval.

The Staff has reviewed the approved PUD conditions and compared them to the submitted plan and find the following:

PUD #234 (continued)

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area:		
Area "A" (Gross):	27,225 sq. ft.	27,225 sq. ft.
(Net):	19,600 sq. ft.	19,600 sq. ft.
Area "B" (Gross):	9,900 sq. ft.	9,900 sq. ft.
(Net):	8,400 sq. ft.	8,400 sq. ft.
Permitted Uses:		
Area "A": Those permitted by right in CH District		Same
Area "B": Screened Off-Street Parking and equipment storage		Same
Maximum Floor Area:		
Area "A":	11,200 sq. ft.	11,200 sq. ft.
Area "B":	None	None
Maximum Building Height:	1-story	1-story
Minimum Off-Street Parking:	23 spaces	30 spaces

In addition, the applicant has provided screening fences and landscaping as required by the PUD conditions.

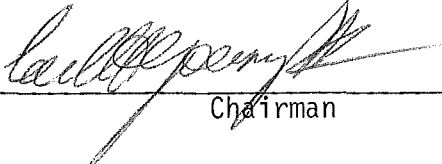
Based upon the above review the Staff recommends APPROVAL of the Detail Site Plan for PUD #234 -- Development Areas "A and B", subject to the plans submitted.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, C. Young, T. Young, "absent") to approve the Final Covenants, subject to the Covenant being filed of record and a copy placed in our files.

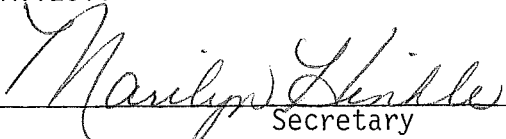
On MOTION of RICE, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Rice, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, C. Young, T. Young, "absent") to approve the Detail Site Plan for PUD #234 - Development Areas "A" and "B", subject to the plan submitted.

There being no further business, the Chair declared the meeting adjourned at 4:40 p.m.

Date Approved August 8, 1984

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary

( )

( )

( )