

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1660  
Wednesday, August 5, 1987, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes Doherty, 2nd Vice- Chairman Draughon Paddock, 1st Vice- Chairman Parmele, Chairman VanFossen, Secretary Wilson Woodard	Crawford Kempe Rice	Frank Gardner Setters Wilmoth	Linker, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 4, 1987 at 11:00 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:33 p.m.

**MINUTES:**

**Approval of Minutes of July 22, 1987, Meeting #1658:**

On **MOTION** of **DOHERTY**, the Planning Commission voted **6-0-2** (Carnes, Doherty, Draughon, Parmele, VanFossen, Woodard, "aye"; no "nays"; Paddock, Wilson, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Minutes of July 22, 1987, Meeting #1658.**

**REPORTS:**

**Chairman's Report:**

Chairman Parmele advised receipt of the following:

- (1) Appeal on the Veltman (L-16825) lot split denial. Mr. Wilmoth stated the applicant was considering a resubmittal, and the appeal would reserve time for them;
- (2) Reply from Mr. & Mrs. Ray Cosby stating they were "cautiously in favor" of the Linear Development Areas proposed in the Development Guidelines amendments for District 5;
- (3) Request from Mr. David Brown, District 17 Chairman (to be discussed during the public hearing portion of this meeting);
- (4) Reply from Mr. Jerry Lasker (INCOG) to the Oklahoma Department of Transportation regarding INCOG/TMAPC support of the proposal for reconstruction of South Yale Avenue, from I-44 to 71st Street, to a six-lane facility.

Committee Reports:

Mr. Paddock stated the Rules & Regulations Committee would be meeting on August 19, 1987 in regard to Sign Code items; the time and agenda to be announced later. Chairman Parmele commented that Mr. Jackere, Legal Department, would be giving a briefing to the TMAPC next week on the recent court ruling regarding portable sign regulations.

Director's Report:

Mr. Gardner submitted copies of the "Land Development and Land Division Procedures for Tulsa and Tulsa County" document for the Commission's information.

ZONING PUBLIC HEARING:

Application No.: Z-6171

Applicant: Boyce

Location: North of the NW/c East Admiral Place & North 91st East Avenue

Size of Tract: .49 acres, approximate

Date of Hearing: August 5, 1987

Presentation to TMAPC by: Mr. John Boyce, 46 North 91st East Ave. (835-0692)

Present Zoning: IL

Proposed Zoning: RS-3

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - Corridor.

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:

**Site Analysis:** The subject tract is approximately .49 acres in size and is located north of the northwest corner of East Admiral Place and North 91st East Avenue. It is partially wooded, flat, contains a single-family dwelling, and is zoned IL.

**Surrounding Area Analysis:** The tract is abutted on the north by the Crosstown Expressway (I-244), zoned RS-3; on the east across North 91st East Avenue by a single-family dwelling, zoned RS-3; on the south by a single-family dwelling, zoned IL; and on the west by a single-family dwelling zoned RS-3.

Z-6171 Boyce - Cont'd

**Zoning and BOA Historical Summary:** A mixture of rezonings has occurred in the area permitting both industrial and commercial zonings. The subject tract itself was rezoned to IL in 1973.

**Conclusion:** The applicant is seeking to rezone his property from IL to RS-3 in order to meet a requirement for a residential mortgage. Although the subject tract is located within an area of transition from residential to nonresidential, Staff believes it is important to protect the remaining single-family residences and let the transition occur in an orderly manner. If the subject tract is not ready for industrial development, then the existing single-family dwelling should be entitled to the zoning code protections within that district. Staff can support the RS-3 zoning request due to the lack of actual industrial development on the interior of the subject area.

Therefore, Staff recommends **APPROVAL** of the RS-3 zoning for Z-6171 as requested.

**NOTE:** This applicant has requested early transmittal of this case to the City Commission in order to expedite processing of the pending refinancing.

Comments & Discussion:

In reply to Chairman Parmele, the applicant confirmed agreement to the Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** Z-6171 Boyce for RS-3, as recommended by Staff, and to **APPROVE** early transmittal of this case to the City Commission.

Legal Description:

Lot 22, Block 2, Moses Subdivision, City of Tulsa, Tulsa County, State of Oklahoma.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Fairway Park (Amended) (PUD 347-2) (382) W. 65th & S. 27th W. Ave. (RS-3, RMT)

This plat is being amended to provide fewer lots of a larger size for detached single-family use. It has been reviewed by the TAC, TMAPC and the City Commission. The following review dates were provided for information with copies attached to the agenda:

TAC: 5/14/87	No action - Tabled by TAC.
TAC: 5/28/87	Discussion regarding dedication of private street system and building lines. No action taken by TAC.
TAC: 6/11/87	Review by TAC for the purpose of requesting waiver of street width (right-of-way) and curve radii. TAC voted 3-0-3 to NOT recommend waiver of Subdivision Regulations.
TMAPC: 6/24/87	Approved minor amendment, including setbacks and street widths, subject to forwarding to City Commission and their review of the request.
City Commission 7/2/87	Approved minor amendment, permitting dedication of former private streets per the TMAPC.

The plat being reviewed by the TAC this date (7/30/87) is basically in compliance with the PUD and with all the other Subdivision Regulations. Staff reminded the TAC that the City Engineer had advised the Commission, by letter, of the conditions of acceptance of the former private streets. Those conditions are:

- a) Remove the existing islands and pave the island areas in a proper manner.
- b) Provide a 25' garage setback as a minimum on each lot.

The plat therefore, in accordance with the PUD and the conditions set forth by the City Engineer shall show a uniform 20' minimum building line on all streets and with a provision in the restrictions that garages must be setback a minimum of 25' on the former private streets. Staff further reminded TAC that the actual waiver of the Subdivision Regulations has been done by the Planning and City Commissions on 6/24/87 and 7/2/87.

Department of Stormwater Management advised that as of today they would not accept the drainageway easements as shown. A change in policy will be to require dedication of the easements and revision of the language in the covenants. They would not be recommending approval today.

The TAC voted 8-1-0 (Staff, PSO, SWB, H.D. W/S, TE, CE, ONG "aye"; DSM "nay"; no "abstentions") to recommend **approval** of the PRELIMINARY plat of Fairway Park Amended, subject to the following conditions:

Fairway Park - Cont'd

1. Show title of plat as "Amended Fairway Park". Written portion already makes this correction.
2. Scale of plat is 1" = 50' whereas in a plat of this size the standard is 1" = 100'. Due to the detail required, Staff has no objection to scale and recommends waiver.
3. Show PUD 347-2 on face of plat. Identify adjacent land as "Page Belcher Golf Course", "Golf Estates II", as applicable. Show adjacent street connection in dashed lines in Golf Estates II for information. Identify the triangle of land adjacent to Lots 99 & 100, Block 1. Correct building lines to correspond with PUD approval (20').
4. Any easements on the original plat that conflict with the lot lines on the amended plat should be properly closed or vacated. This may not be necessary since this is the same owner replatting. Check with legal counsel if necessary. Advisory, not a condition of approval on plat at this time.
5. Covenants:
  - Page 1: 2nd line. "Amended Fairway Park"
  - Page 5: Section II, 2.1.2; correct TMAPC date is June 24, 1987 on 5th line.  
Section II, 2.2.1 (B), show 20' not 18'
  - Page 6: Section II, 2.2.1; minimum lot area is "4,500 square feet overall average"  
Include provision for pavement and/or landscape repair within easements. (See #6 below.) Add a section for roadway and utility easement. Also revise storm water dedication language.
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
7. All conditions of PUD 347-2 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
8. 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 lines and/or lot lines.
9. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. If fire hydrants are to be moved, the applicant will be required to do so at his own expense.
10. A request to abandon a portion of a sanitary sewer shall be submitted to the Water and Sewer Department prior to release of final plat.

## Fairway Park - Cont'd

11. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Remove islands in accordance with City Engineering Department requirements. (PFPI already existing.)
13. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
14. Street names shall be approved by City Engineer and shown on plat.
15. All curve data, including corner radii, shall be shown on final plat as applicable.
16. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by as City Engineer.
17. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
18. It is recommended that the developer coordinate with Traffic Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
19. 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.
20. Show increased building lines on two lots in Block 2 for specific sight distance requirements made by Traffic Engineer.
21. Retain and show on plat, the emergency access easements between cul-de-sac(s) in vicinity of Lots 33 and 58 in Block 1.
22. If PUD allowed for one more unit than shown on plat, provide language in covenants allowing for a future lot split on Lot 100, Block 1. (Release of some easements may be necessary.)
23. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
24. All (other) Subdivision Regulations shall be met prior to release of final plat.

### Comments & Discussion:

In reply to Chairman Parmele, the applicant confirmed agreement to the conditions of the TAC and Staff recommendation. Mr. Wilmoth clarified condition #22, as requested by Ms. Wilson. Mr. Draughon voiced concern as to the number of conditions placed on this application. Mr. Wilmoth explained it was not unusual for a preliminary plat to have numerous conditions.

Fairway Park - Cont'd

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-1-0** (Carnes, Doherty, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; Draughon, "nay"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Preliminary Plat for Fairway Park (Amended)**, subject to the conditions as recommended by the TAC and Staff.

FINAL PLAT APPROVAL & RELEASE:

Brookside Center (2592) SW/c of 45th Place and South Peoria (CS)

Summer Place (2783) 10333 South Yale (RS-1)

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Final Plat of Brookside Center and Summer Place** and release same as having met all conditions of approval.

REQUEST FOR WAIVER (Section 260):

Z-6164 Golden Valley (3194) 5624 South 107th East Avenue (IL)

This is a request to waive plat requirement on approximately the east half of Lot 2, Block 2 of the above subdivision. Remaining land in the approximate west half has been purchased for expressway right-of-way. Proposed use of this tract is for an industrial building, 60' x 90' for helicopter repair and service, as per plot plan submitted. Since the property is already platted and nothing would be gained by a replat of a single lot, Staff had no objections to the request. Paving and drainage plans will be required by Department of Stormwater Management through the Permit process. Case review by DSM date 6/18/87 indicates that currently on-site detention is required. However, DSM anticipates acceptance of fees-in-lieu-of detention with the adoption of the upper Mingo Master Drainage Plan within six months. Any additional easements needed for utility services will be determined by applicable companies/departments. Staff notes that **this waiver request also covers BOA case #14568** which is for a helicopter landing pad and related activities. All conditions relating to the zoning waiver shall apply to this Board case also.

Fairway Park - Cont'd

11. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Remove islands in accordance with City Engineering Department requirements. (PFPI already existing.)
13. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
14. Street names shall be approved by City Engineer and shown on plat.
15. All curve data, including corner radii, shall be shown on final plat as applicable.
16. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by as City Engineer.
17. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
18. It is recommended that the developer coordinate with Traffic Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
19. 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.
20. Show increased building lines on two lots in Block 2 for specific sight distance requirements made by Traffic Engineer.
21. Retain and show on plat, the emergency access easements between cul-de-sac(s) in vicinity of Lots 33 and 58 in Block 1.
22. If PUD allowed for one more unit than shown on plat, provide language in covenants allowing for a future lot split on Lot 100, Block 1. (Release of some easements may be necessary.)
23. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
24. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

In reply to Chairman Parmele, the applicant confirmed agreement to the conditions of the TAC and Staff recommendation. Mr. Wilmoth clarified condition #22, as requested by Ms. Wilson. Mr. Draughon voiced concern as to the number of conditions placed on this application. Mr. Wilmoth explained it was not unusual for a preliminary plat to have numerous conditions.



Fairway Park - Cont'd

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-1-0** (Carnes, Doherty, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; Draughon, "nay"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Preliminary Plat for Fairway Park (Amended)**, subject to the conditions as recommended by the TAC and Staff.

FINAL PLAT APPROVAL & RELEASE:

Brookside Center (2592) SW/c of 45th Place and South Peoria (CS)

Summer Place (2783) 10333 South Yale (RS-1)

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Final Plat of Brookside Center and Summer Place** and release same as having met all conditions of approval.

REQUEST FOR WAIVER (Section 260):

Z-6164 Golden Valley (3194) 5624 South 107th East Avenue (IL)

This is a request to waive plat requirement on approximately the east half of Lot 2, Block 2 of the above subdivision. Remaining land in the approximate west half has been purchased for expressway right-of-way. Proposed use of this tract is for an industrial building, 60' x 90' for helicopter repair and service, as per plot plan submitted. Since the property is already platted and nothing would be gained by a replat of a single lot, Staff had no objections to the request. Paving and drainage plans will be required by Department of Stormwater Management through the Permit process. Case review by DSM date 6/18/87 indicates that currently on-site detention is required. However, DSM anticipates acceptance of fees-in-lieu-of detention with the adoption of the upper Mingo Master Drainage Plan within six months. Any additional easements needed for utility services will be determined by applicable companies/departments. Staff notes that **this waiver request also covers BOA case #14568** which is for a helicopter landing pad and related activities. All conditions relating to the zoning waiver shall apply to this Board case also.

**Z-6164 Golden Valley - Cont'd**

In discussion, Traffic Engineering advised that, for the record, it should be noted that this general area has only one point of access (107th East Avenue). Water and Sewer Department advised that is why they installed a larger line (10") on 107th East Avenue. Some additional right-of-way and easements will be required as per the following motion.

The TAC voted unanimously to recommend **approval** of the request, noting Section 260 will be met upon completion the following conditions:

- (a) Grading and drainage plans approval by Department of Stormwater Management through the permit process.
- (b) Dedicate an additional 5' of right-of-way on 107th East Avenue to total 30' from the centerline. (Industrial street policy of the Subdivision Regulations requires 40' from the centerline.)
- (c) Dedicate 17-1/2' utility easement parallel to 107th East Avenue.

**TMAPC ACTION: 8 members present**

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-1** (Carnes, Doherty, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Waiver Request for Z-6164 Golden Valley**, subject to the conditions as recommended by the TAC and Staff.

\* \* \* \* \*

**Z-6158 Stonebraker Heights (1292)**

252 West 16th Street

(OM)

This is a request to waive plat on the west 78.2' of Lot 16, Block 6 of the above named subdivision. A plot plan has been submitted showing not only the property within this application, but the adjacent lot which is also owned by the applicant. A tie between the buildings will be part of a remodel of the building on the corner. Since South Denver in this location is on the Street Plan for 100' and only 60' exists; a waiver is requested for any additional right-of-way requirements. Staff notes that other waivers have been granted on this section of South Denver, and the buildings involved are existing. Any additional paving will require approval of Department of Stormwater Management in the permit process.

Consistent with previous recommendation, the TAC did not choose to recommend waiver of the Major Street Plan requirements, but did note that the TMAPC had not required additional right-of-way on Denver on previous requests. Water and Sewer Department advised that the tract had no direct access to the sewer which is in the alley. Since the tract under application is to be owned and used by the owner of the lot to the south, a "tie contract" was recommended.

**Z-6158 Stonebraker Heights - Cont'd**

The TAC voted unanimously to recommend **approval** of the request, noting the comment regarding Street Plan subject to the following conditions:

- (a) Dedicate additional right-of-way for South Denver. (Applicant requesting waiver of this.)
- (b) Grading and paving plan approval, if required, by Department of Stormwater Management in the permit process.
- (c) Provide "tie contract" between this tract and lot to the south.

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the Planning Commission voted **7-1-0** (Carnes, Doherty, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; Draughon, "nay"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Waiver Request for Z-6158 Stonebraker Heights**, subject only to conditions b and c, above.

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**Z-6161 Interurban Addition (2392)**

4015 South Union Avenue

(CS)

This is a request to waive plat on Lot 14, Block 6, less the south 10' of the west 150' thereof. The zoning application included additional land to the north of this lot, but it is NOT included in this waiver request. Any proposals on that lot would be submitted separately. Applicant is proposing only one new building to house a food concession. Existing single family house, carport, garage and storage building are to remain and be used as single family. Additional parking is being provided to meet the requirements of the additional building. The existing storage building may be used in the future for space for video games. The additional parking being provided includes this possibility. Several setback and use waivers are pending at the Board of Adjustment (case #14571 - 8/6/87). Only one Subdivision Regulation waiver is requested. Major Street Plan requires an additional dedication of 25' to total 50' from centerline. The front of the existing house is 49.9' from the centerline. Union is presently improved to four lanes, with no parking in this area. Staff and TAC did not wish to go on record as recommending a waiver of the Street Plan, consistent with past actions by this committee. In the event some dedication is required, several parking spaces may be within the right-of-way and would require a license agreement with the City if parking is on City right-of-way. The current Board of Adjustment application includes parking in the front as shown on the plan, which is partly within the Street Plan setback. Approval would also be subject to drainage plan approval of the Department of Stormwater Management through the permit process. Access will be through the existing driveway and no changes are planned.

## Z-6161 Interurban Addition - Cont'd

Traffic Engineer advised that additional right-of-way had been obtained on several spots on South Union. The west side of Union opposite this tract appears to have 35' from centerline. The TAC was not in favor of waiver of right-of-way requirements. Utilities requested a 17-1/2' utility easement parallel to Union. Since the house is so close to the centerline (49.9'), it was expected that applicant would request a waiver.

The TAC voted unanimously to recommend **approval** of the request except as noted on the Street Plan requirement subject to the following conditions:

- (a) Dedicate additional right-of-way for South Union to meet the Street Plan. (Applicant requesting waiver of this.)
- (b) Drainage plan approval by Department of Stormwater Management in the permit process.
- (c) Dedicate a 17-1/2' utility easement parallel to South Union.

### Comments & Discussion:

After review of the application by Mr. Wilmoth, discussion focused on the right-of-way issue. In reply to Mr. Paddock, Mr. Wilmoth advised that approximately 25' of right-of-way has been dedicated both north and south of the subject tract, and he felt a compromise could be reached for this application.

### Applicant's Comments:

Mr. Terry Young (PO Box 3351, Tulsa) reviewed the plot plan and reiterated the request for waiver of the Major Street Plan and utility easements. He suggested this be conditioned upon the existing structure remaining on the premises, and should the house ever be demolished, the waiver would become null and void. Mr. Young pointed out the applicant intended to continue to reside in the existing structure, and there would only be one new building on the subject tract.

Discussion followed on the suggested compromise, with Mr. Wilmoth confirming the Commission has done this previously. Mr. Linker reviewed an application for BOK in which a condition was placed that, should the existing structure be removed, more dedication would be required. However, as long as the existing structure remained, he saw no problem with the waiver request for less than 50'. Mr. Gardner raised the issue of placing a limit on square footage for the new building and discussion followed on this topic. Mr. Linker suggested placing the dedication requirement to meet that across the street from the subject tract (35').

### TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-1** (Carnes, Doherty, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Waiver Request for Z-6161 Interurban Addition**, subject to condition b, above, and delete the Major Street and Highway Plan requirement, but dedicate a 10' utility easement parallel to South Union.

LOT SPLITS FOR WAIVER:

L-16887 Bradley (1893)

2116 East 24th Street

(RS-2)

This is a request to split a one foot strip from the east side of a platted lot (Lot 9), and attach it to the abutting lot to the west (Lot 8) because the driveway of Lot 8 encroaches onto the eastern lot (Lot 9).

The Staff considers this lot split to be minor in nature, because of the size of the original platted lots (50'), and only the one foot strip being removed from one lot and tied to the abutting lot. Therefore, Staff recommends APPROVAL of this request, subject to the condition that language be placed on the deed of Lot 8 which ties Lot 8 to the eastern one foot of Lot 9.

The TAC voted unanimously to recommend APPROVAL of L-16887 Bradley, as recommended by Staff.

TMAPC ACTION: 8 members present

On MOTION of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to APPROVE the Lot Split Waiver for L-16887 Bradley, subject to the condition of a tie contract as recommended by the TAC and Staff.

LOT SPLITS FOR DISCUSSION:

L-16900 Sharon

SE/c of East 28th Place & South 130th East Place

(RS-3)

In the opinion of the Staff, the lot split(s) listed below meet the Subdivision and Zoning Regulations, but all residential lot split applications which contain a lot having more than three side lot lines cannot be processed as a prior approval lot split. Such lot splits shall require a five day written notice to the abutting owner(s). Deeds for such lot splits shall not be stamped or released until the TMAPC has approved said lot split in a public hearing. APPROVAL is recommended.

TMAPC ACTION: 8 members present

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to APPROVE L-16900 Sharon, as recommended by Staff.

**LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-16903 ( 703) Biffle/Yarbough  
L-16904 (1193) Olzawski/Guaranty  
L-16905 ( 292) Spencer/by Owner

L-16907 (1714) Spears  
L-16909 ( 683) Baker

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification, as recommended by Staff.

**OTHER BUSINESS:**

**PUD 313-1:** North of the NE/c West 64th Street and South 28th West Avenue, being Lots 16 and 17, Block 2 Amended Golf Estates II

**Staff Recommendation: Minor Amendment & L-16906 to Allow a Lot Split**

This is a request to reduce the lot width of Lot 16 from 44' to 41' because Lot 17 has a 16" roof overhang that encroaches into that lot. The applicant wishes to split off the south 3' of Lot 16 and attach it to Lot 17.

The original PUD 313 was approved by the TMAPC on 2/23/83, and allows a total of 126 single-family, detached dwellings and associated uses on 24.6 acres that is located on either side of 28th West Avenue, south of West 61st Street.

After review of the applicant's submitted plot plan, the Staff finds this request to be minor in nature recognizing it is necessary to resolve an existing condition. Staff recommends **APPROVAL** of the request as represented in the applicant's plot plan, subject to the following conditions:

- (1) That tie language be placed on the face of the deed tying the south 3' of Lot 16 to Lot 17.
- (2) This lot split does not change any easements of record, all which still apply, and any easement vacations or relocation of existing service lines would be at the property owner's expense.
- (3) That this application meet all other requirements of PUD 313 unless revised herein and be in compliance with all applicable codes of the City of Tulsa including, but not limited to, the Building Code.
- (4) That Detail Site Plan approval is required from the TMAPC prior to issuance of a Building Permit on Lot 16.

Comments & Discussion:

Mr. Doherty and Mr. VanFossen commented as to the small lot sizes in this subdivision. Mr. Paddock inquired as to the 16" roof overhang. Staff advised that, due to the lot configuration, they were recommending Detail Site Plan approval prior to issuance of a Building Permit on Lot 16 (condition #4).

Ms. Wilson suggested, due to the absence of the applicant, that a letter be transmitted stating the Commission's concern as to how the house will be built on Lot 16. Mr. Frank advised that Staff would send the applicant a copy of the approved Site Plan, highlighting the requirements and note that they only have 41 feet on the lot.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the **Minor Amendment and L-16906 for PUD 313-1**, as recommended by Staff.

RESOLUTIONS:

**Resolution No. 1658:630** Amending the Comprehensive Plan of the Tulsa Metropolitan Area by adding thereto new and additional provisions pertaining to the Metropolitan Development Guidelines and the Zoning Matrix.

**Resolution No. 1658:631** Amending the Comprehensive Plan of the Tulsa Metropolitan Area for the District 18 Plan Map and Text by adding thereto Linear Development Areas for Low and Medium Intensity and creating a Special District for the Arkansas River Corridor.

Comments & Discussion:

Staff reviewed the above mentioned resolutions and briefed the Commission as to the information provided in the exhibits. (Copies of the resolutions and exhibits are attached hereto and made a part of the record of these minutes.) Mr. Paddock clarified that reference to Section 863.7 should be consistent throughout the resolution, and Staff commented this would be corrected.

RESOLUTIONS - Cont'd

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **6-1-1** (Carnes, Doherty, Paddock, Parmele, VanFossen, Woodard, "aye"; Draughon, "nay"; Wilson, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE Resolution No. 1658:630**, Amending the Comprehensive Plan of the Tulsa Metropolitan Area by adding thereto new and additional provisions pertaining to the Metropolitan Development Guidelines and the Zoning Matrix.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted **6-1-1** (Carnes, Doherty, Paddock, Parmele, VanFossen, Woodard, "aye"; Draughon, "nay"; Wilson, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE Resolution No. 1658:631**, Amending the Comprehensive Plan of the Tulsa Metropolitan Area for the District 18 Plan Map and Text by adding thereto Linear Development Areas for Low and Medium Intensity and creating a Special District for the Arkansas River Corridor.

PUBLIC HEARING:

(continued from July 22, 1987)

PUBLIC HEARING TO CONSIDER APPROVAL OF AMENDMENTS TO PARTS OF THE COMPREHENSIVE PLAN, BEING THE DISTRICT PLAN MAP AND/OR TEXT FOR DISTRICTS 8 AND 17, PERTAINING TO ESTABLISHMENT OF LINEAR DEVELOPMENT AREAS FOR LOW AND MEDIUM INTENSITY DEVELOPMENT, AND RELATED MATTERS.

Comments & Discussion: District 8 Plan Map & Text

Staff reviewed the Linear Development Areas (LDA's) under consideration for District 8. Mr. Paddock clarified that 71st Street was West (not East) 71st between US Highway 75 and the Arkansas River. As requested by Ms. Wilson, Mr. Gardner reviewed the time frame as to upcoming studies conducted by Staff, especially a study on impact fees. Mr. Frank commented that a 15 acre Node would be identified on the Plan Map at the northeast and southeast corners of the Okmulgee Beeline, in accordance with the Development Guidelines.

**Mr. John Farris** (Box 3245, Tulsa), District 8 Chairman, advised the Citizen Planning Team had met and reviewed the proposed changes and had no objections except with item 2.a, which references a possible impact fee for widening of West 71st Street. Mr. Farris stated he understood that this was an oversight, and Staff confirmed 2.a should be omitted. After discussion with Staff and the TMAPC, Mr. Farris had no objection to the deletion of paragraph 2.a, and retaining paragraphs b and c, so as to be consistent with the plan amendments adopted in District 18 for an LDA.



**PUBLIC HEARING - Cont'd**

Mr. Carnes moved for adoption of the District 8 Plan Map and Text amendments, as revised in paragraph 2. Ms. Wilson advised she would be voting against the motion.

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the Planning Commission voted **6-1-1** (Carnes, Doherty, Paddock, Parmele, VanFossen, Woodard, "aye"; Wilson, "nay"; Draughon, "abstaining"; Crawford, Kempe, Rice, "absent") to **APPROVE** the Amendments to the **District 8 Plan Text and Map** relating to establishment of a Medium Intensity Linear Development Areas, as revised, and subject to ratification of the Development Guidelines by the City and County Commissions.

**Comments & Discussion: District 17 Plan Map & Text**

Mr. Frank reviewed the proposed amendments for establishment of LDA's in District 17. Mr. Paddock inquired as to the difference in the PUD verbiage, i.e. requiring PUD's versus encouraging PUD's. Mr. Gardner reviewed a LDA that had an existing Special District in their District Plan that required PUD's. He added that there were some areas where the physical facts did not support the requirement for a PUD filing.

**Mr. David Brown** (2728 South 117th East Avenue), District 17 Chairman, reviewed the letter he submitted to the TMAPC with a suggested modification of the low intensity LDA along 51st between 129th East Avenue and 145th East Avenue. Mr. Brown stated that it was felt among the District that "if major development is limited to a depth of 330', no large company could locate in this area". In response to Mr. Brown, Mr. Gardner clarified that nothing in the 177th - 193rd East Avenues area would change. It was also stated that the LDA originally proposed along the west side of 193rd East Avenue had been deleted.

Staff reviewed the Plan revision for an existing paragraph 3.1.4 which could be added or deleted from the Plan amendments. Mr. Brown requested that, based on Staff's comments, this section be deleted. After discussion of this item and Staff's recommendation, Mr. Doherty moved that paragraph 3.1.4 be deleted.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the Deletion of Paragraph 3.1.4 from the District 17 Plan amendments, as recommended by Staff and requested by the District Chairman.

Continuing with his discussion regarding the 51st Street area (between 133rd and 143rd East Avenues), Mr. Brown pointed out there were only two property owners in this particular area. He reviewed the large companies located in this Industrial area and the attractiveness of this site for future development of this type. For these reasons, he requested an extension of the IR Special District zoning designation from 133rd East Avenue to 143rd East Avenue along the north side of 51st Street. Mr. Gardner suggested an alternative solution might be to increase the depth of the LDA beyond 330' based on the physical facts. One alternative would be to increase the depth to the north boundary of CS (approximately 660') and then spread this through the use of PUD. Another alternative would be to utilize the existing RM-1 line by extending it over to the IR and designating this the low intensity LDA, which would still keep a 330' buffer on the north and require a PUD if spread any farther. Mr. Gardner stated he would not be in favor of creating a special district based on unknowns, i.e. anticipated growth. He advised that Staff's recommendations would permit the existing uses, with the exception of the research company, and would permit the planned growth, i.e. Metropolitan Life, State Farm, etc.

**Mr. Charles Norman**, representing the owner of the 30 acre tract immediately east of the Dowell property, stated he had no objection to the proposal of Mr. Brown or Staff's suggestion. However, he would object to more restrictive IR provisions in the District Plan.

Discussion followed between Staff, Commission and the Interested Parties as to the mentioned alternatives for this specific area. Mr. VanFossen moved that the low intensity LDA be amended to a depth of 660'. Mr. Linker registered an objection as this was not in accordance with the criteria for a low intensity LDA. Mr. Gardner stated this was not a violation, and had been done in District 18, as the Development Guidelines state that the existing physical facts of the zoning patterns must be recognized, and they offered flexibility for this recognition. Based on Legal's objection and comments, Mr. VanFossen withdrew his motion.

**Mr. Clem ReInkemeyer** (4032 East 111th), a property owner in this area, stated he would not be in favor of District 17's proposed amendment, as he felt it would present a problem for him on future PUD filings on his property.

Mr. Paddock commented the LDA concept should be used as a planning tool, not for zoning, and the Commission should wait until an application was presented before making a decision to go beyond established guidelines of 330'. Mr. Doherty agreed that this should be a planning function and the Commission should proceed with caution so as to avoid pushing development further and further out toward Wagoner County. Mr. Doherty pointed out that Staff, District 17 and the property owners have all indicated that they did not foresee residential development in the area under question

PUBLIC HEARING - Cont'd

(51st between 133rd and 143rd East Avenues). Further, he felt it would be to the City's advantage to start planning now for facilities such as State Farm, etc. to go along this area. Therefore, he moved to extend the LDA to 990' (approximate) to align with the existing RM-1 zoning.

Mr. VanFossen advised he would be voting against the motion, as he felt the Commission would give proper consideration to applications in this area without changing the proposed LDA, as the physical facts would dictate the actions needed. Mr. Linker stated the problem he had was with the Commission adopting rigid guidelines dealing with the LDA's, and then proceeding with trying to "squeeze" something in the development district that did not really fit.

Mr. Brown agreed with statements by Mr. Paddock in that it was not necessary to do anything at all right now, and he felt the LDA could be excluded. Mr. Doherty asked, if this is not shown on the Plan Maps, then how would this be designated to a prospective developer as being a good area for development. Ms. Wilson stated she did not feel it was up to the TMAPC to do this type of thing, as the market should force this.

Mr. Paddock stated he would not be in favor of the motion and again suggested excluding this area from consideration, and he was not swayed by the argument that the Commission had to have this "tacked" down now.

Mr. Doherty commented that unless something was done in this area, then all the Commission had to go on was the Zoning Matrix, which he felt might be an impediment, and the existing physical facts should be recognized. Discussion continued as to the pros and cons of various designations for this area.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DOHERTY**, the Planning Commission voted **3-5-0** (Carnes, Doherty, Parmele, "aye"; Draughon, Paddock, VanFossen, Wilson, Woodard, "nay"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **APPROVE** the extension of the Low Intensity Linear Development Area to 990' (approximate) to align with the existing RM-1 zoning, along 51st Street between 133rd East Avenue and 143rd East Avenue.

**Additional Comments and Discussion:**

Mr. Paddock moved to exclude this particular area from consideration as an LDA. There was discussion on the motion with Mr. VanFossen suggesting a two week continuance. The Commission split in a 4-4-0 vote on Mr. Paddock's motion for exclusion of this area as an LDA. Mr. Gardner commented that an alternative would be to continue just the item involving the 51st Street area, but proceed with the remainder of the items for District 17, holding the resolution until the entire matter was resolved. After continued discussions on the District 17 Plan and the suggested amendments, Mr. VanFossen moved to continue for two weeks.

Ms. Pat Fisher (9650 East 27th Street), Co-Chairman for District 17, addressed run-off problems in the Mingo Creek Basin. She submitted petitions stating opposition to all development in this area.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Rice, "absent") to **CONTINUE Consideration of the amendments to the District 17 Plan Map & Text** until Wednesday, **August 19, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

\* \* \* \* \*

Mr. Paddock opened discussions regarding the TMAPC approval of resolutions after adoption of an issue. He stated he felt the Commission members should take a united stand when voting on a resolution, as the resolution is just the formalizing of the subject matter which has been previously debated and voted on by the Commission. Mr. Draughon and Ms. Wilson stated their intent to vote against the resolution if they had voted against the adoption of the issue. Mr. Linker stated that when a vote is taken at the public hearing, that this vote, technically, adopts the issue or subject matter. The resolution is the instrument ratifying the adoption, and as the TMAPC still has control of the resolution until signed, he guessed the Commission could possibly reconsider the issue. Mr. Linker added that, should the resolution not be ratified and the Commission chose to reconsider the subject matter, then notice to the public would again have to be made for a rehearing of the issue. However, he felt the Commission would want to avoid this happening.

There being no further business, the Chairman declared the meeting adjourned at 4:12 p.m.

Date Approved 8-19-87  
[Signature]  
Chairman

ATTEST:  
[Signature]  
Secretary