

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1670
Wednesday, October 21, 1987, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Rice	Gardner	Counsel
Draughon	VanFossen	Lasker	
Kempe		Matthews	
Paddock, 1st Vice- Chairman		Setters	
Parmelee, Chairman		Wilmoth	
Rice			
Selph, Designee			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 20, 1987 at 9:29 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmelee called the meeting to order at 1:35 p.m.

MINUTES:

Approval of Minutes of October 7, 1987, Meeting #1668:

On **MOTION** of **CARNES**, the TMAPC voted **5-0-3** (Carnes, Doherty, Parmelee, Wilson, Woodard, "aye"; no "nays"; Draughon, Kempe, Paddock, "abstaining"; Crawford, Rice, Selph, VanFossen, "absent") to **APPROVE** the **Minutes of October 7, 1987, Meeting #1668**.

REPORTS:

Report of Receipts & Deposits for the Month Ended September 30, 1987:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmelee, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, Selph, VanFossen, "absent") to **APPROVE** the **Report of Receipts & Deposits for the Month Ended September 30, 1987**, as confirmed by Staff to be in order.

REPORTS - Cont'd

Chairman's Report:

Chairman Parmele turned the meeting over to Commissioner Selph, who explained that he had attended the Oklahoma Chapter of the American Planning Association conference, and had accepted an award for the 1987 Outstanding Citizen Planner on behalf of Planning Commissioner Jim Doherty. Commissioner Selph read the statement on the plaque acknowledging Mr. Doherty's "exemplary service and furtherance of community planning", and presented the plaque to Mr. Doherty. Commissioner Selph further stated that he was very impressed by the work done by this particular Planning Commission, and he commended each member of the TMAPC for their participation in community planning.

Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** would be meeting November 18, 1987 to review the final draft of the Historic Preservation Ordinance and the related Design Guidelines.

Mr. Gardner announced that Staff was ready to present a draft of amendments to the Sign Ordinance relating to standards for backlit signs, electric awnings, and portable/promotional business signs. A Committee meeting was scheduled for October 28th to discuss this matter.

Director's Report:

Mr. Jerry Lasker informed the Commission that the Oklahoma Turnpike Authority study being conducted in regard to the proposed Creek Expressway had been started. He stated the proposed scheduling indicated alternate routes would be announced by February 1988, with a final decision being made by June.

SUBDIVISIONS:

PRELIMINARY PLAT:

St. James United Methodist Church (3483) East of 111th St. & South Yale (AG)

This plat was reviewed by the TAC on 1/15/87, but due to numerous problems with format, sewage disposal and setbacks, the plat was tabled without any action by the TAC or TMAPC. The Board of Adjustment (BOA), after two hearings on 1/8/87 and 2/5/87 (Case #14343) approved church use on three acres plus an additional 40', or the north 400' of the west 400' of the N/2, NW/4, NW/4, Section 3483. Subsequently, due to problems in locating the facilities at the corner of the intersection, it was decided to move the buildings further east. A new BOA application was filed (#14553) and revisions were approved, including a conceptual master plan, and a first phase plan. The current plat represents the first phase development which will be subject to the listed conditions.

Also, the Staff reminded the applicant that they had withdrawn the request to park within the building line setback (85' from the centerline of 111th), so the conceptual plot plan submitted to the TAC on 9/21/87 should be adjusted to conform with the master plan dated 8/6/87 (BOA Exhibit C-1), which shows the parking lot starting 85' from centerline as required by the Code. (This is not a condition of approval of the plat since parking lots are not shown on the face of the plat, and number and location required by the zoning code.)

Most of the discussion on this plat concerned how the covenants should be written to cover future sanitary sewer main extensions and pro-rating the costs thereof. The exact language still must be worked out, but there was no objection from anyone to a preliminary approval. The final language to be used and the approval of same is covered by condition 1(a) below.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of St. James United Methodist Church, subject to the following conditions:

1. Covenants:
 - (a) Section I-C; language in this section shall meet the approval of the Health Department and Water and Sewer Department. (Fill in amount in paragraph 3 using criteria outlined by Health Department.)
 - (b) Add: (In Section I) "G" - LANDSCAPING: The owner shall be responsible for the repair and replacement of any landscaping and paving located within the utility easements in the event it is necessary to repair any underground water or sewer mains, electric, natural gas, communications or telephone service.
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 or related to property lines and/or lot lines. (Show 17.5' utility easement parallel to 111th Street.)

St. James United Methodist Church - Cont'd

3. 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). See 1(b) above.
4. Paving and 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.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, if required.
6. 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.
7. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval. Special conditions required by Health Department and Water and Sewer Department shall apply, as per details in Section I-C of the covenants. See 1(a) above.
8. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
9. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
10. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Preliminary Plat for St. James United Methodist Church**, subject to the conditions as recommended by the TAC and Staff.

REQUEST FOR WAIVER (Section 260):

Z-4919 (Unplatted)(294)

16719 East Admiral Place

(IL)

This is the remainder of an application to waiver plat on the above zoning file. On 7/21/82 the TMAPC waived the plat on the west 125' of the tract leaving the east 175' still subject to a plat. An existing building on this tract is being expanded, so completion of the waiver process on the remainder has been filed. Staff has no objection, based upon the previous actions of the Commission, subject to the following conditions:

- (a) Grading and drainage plan approval required through the permit process, through Department of Stormwater Management.
- (b) Dedication of any additional right-of-way on Admiral Place to total 50' from centerline.
- (c) Health Department approval of septic system.
- (d) Access control agreement as required by Traffic Engineering.
- (e) Utility easements and/or extensions as required by utilities. (17' utility easement parallel to East Admiral Place)

The TAC voted unanimously to recommend **approval** of the request subject to the conditions outlined by Staff, noting that upon completion of these conditions Section 260 provisions will be met.

TMAPC ACTION: 9 members present

On **MOTION** of **WOODARD**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Waiver Request for Z-4919 Unplatted**, subject to the conditions as recommended by the TAC and Staff.

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BOA 14643 Chandler-Frates 3rd (1302)

3709 North Hartford Avenue

(RS-3)

This is a request to waive plat on Lot 10, Block 1 of the above subdivision. A day-care (preschool) center was to have been approved by the BOA on 10/15/87. However, the BOA meeting was canceled due to lack of quorum and rescheduled for 10/22/87. Since the property is already platted in an existing single-family development, nothing would be gained by replatting. Staff recommends **APPROVAL** as submitted, subject to BOA approval and notes that all necessary use controls will be imposed by the BOA.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Waiver Request for BOA 14643 Chandler-Frates 3rd**, subject to BOA approval as recommended by Staff.

LOT SPLITS FOR WAIVER:

L-16936 Brown (2782) North of West 111th Street & 33rd West Avenue (AG)

This is a request to split a five acre tract into two lots having 128' and 138' of lot width. This action will require approval from the County Board of Adjustment for a variance of the Bulk and Area Requirements because the proposed lots are substandard to the 200' minimum lot width allowed in the AG District.

Staff notes that there are at least ten lots in the immediate area which are comparable to the proposed lot size and, therefore, recommends APPROVAL of this request subject to the following conditions:

- 1) Approval from the County Board of Adjustment (Case #770) for a variance of Bulk and Area Requirements.
- 2) Approval from the City-County Health Department for a percolation test on both of the subject tracts in order to permit septic systems.
- 3) Approval from the Creek County Rural Water District for access to their water line.
- 4) Road right-of-way that may be needed as noted on the Major Street and Highway Plan. (50' from the centerline of 33rd West Avenue.)
- 5) Any additional utility easements that may be necessary in order to service the subject tracts. (17.5' utility easement parallel to South 33rd West Avenue)

The TAC voted unanimously to recommend **approval** of the L-16936 subject to the conditions outlined by Staff.

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Lot Split Waiver for L-16936 Brown**, subject to the conditions as recommended by the TAC and Staff.

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L-16937 Due (3573) NW/c of East 181st Street & South Memorial Drive (AG)

This is a request to split out a one acre lot (130' x 335.08') from the southeast corner of a ten acre tract. This lot split will require a variance of the Bulk and Area Requirements in the AG zoning District because there is a 2.2 acre lot size minimum and a 200 foot lot width minimum that cannot be met by the proposed lot split.

For the record, Staff has found one other lot in the area comparable to the proposed lot split in area, and there are six tracts 165' x 1,320' adjacent to the west.

L-16937 Due - Cont'd

The TAC recommended approval subject to the following conditions:

- 1) Approval from the County Board of Adjustment (Case #771) for a variance of Bulk and Area Requirements.
- 2) Approval from the City-County Health Department for a percolation test on both of the subject tracts in order to permit septic systems.
- 3) Approval from the Okmulgee County Rural Water District # 6 for access to their water line.
- 4) Any road right-of-way that may be needed as noted on the Major Street and Highway Plan.
- 5) Any additional utility easements that may be necessary in order to service the subject tracts. 17.5' utility easement parallel to 181st Street.

The Oklahoma Gas Co. (Lee Miller) advised they had a border station across the street, with a large main running north and east. Due to the offset in the section lines, it was determined that the lot split would not be affected.

The TAC voted unanimously to recommend **approval** of L-16937 subject to the conditions outlined by Staff.

Comments & Discussion:

In response to Mr. Paddock, Staff clarified the Bixby city limits as relates to this application.

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Lot Split Waiver for L-16937 Due**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR DISCUSSION:

L-16946 Needum/Lassiter (1994) East of So. 100th East Ave. & East 41st (RS-3)

In the opinion of the Staff, the lot split(s) listed above meets 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 on this application.

Surrounding Area Analysis: The tract is abutted on the north, across East 49th Street South, and west by single-family dwellings zoned RS-3; on the east, across South Peoria Avenue, by various commercial businesses zoned CS; and on the south by a single-family dwelling zoned OL.

Zoning and BOA Historical Summary: Property south of the subject tract has been approved for OL zoning.

Conclusion: The subject tract is one of two lots along South Peoria Avenue that remain zoned in the residential category. Although the Comprehensive Plan designates the tract as residential, based on the existing zoning and development in the immediate area, light office zoning would be more consistent with adjacent zoning and development patterns and would provide an appropriate buffer for residential uses to the west from South Peoria.

Therefore, Staff recommends **APPROVAL** of OL zoning for Z-6176 as requested.

NOTE: If the rezoning application is approved, Staff would recommend an amendment to the Comprehensive Plan to reflect the change. Staff would also support early transmittal of this case to the City Commission recognizing that the initial hearing date was October 14, 1987.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-1** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Crawford, Rice, VanFossen, "absent") to **APPROVE Z-6176 Dasher (C.K. Inspection Co.) for OL zoning**, and early transmittal of these minutes to the City Commission, as recommended by Staff.

Legal Description:

OL Zoning: Lot 1, Block 15, Riverview Village Addition to the City of Tulsa, Tulsa County, Oklahoma.

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Application No.: PUD 418	Present Zoning: CS & OL
Applicant: Jones (Williams)	Proposed Zoning: Unchanged
Location: West of the SW/c of East 91st Street & South Delaware	
Size of Tract: 23.14 acres, more or less	
Date of Hearing: October 21, 1987	
Presented to TMAPC by: Mr. Bill Jones, 3800 First National Tower (581-8200)	

Comments & Discussion:

Chairman Parmele advised a letter had been submitted by the applicant requesting withdrawal of this PUD, as well as a request for refund of fees.

PUD 418 Jones (Williams) - Cont'd

Mr. Bill Jones, representing the applicant, confirmed the withdrawal request due to the delay and uncertainty of the path of the Riverside Parkway extension. Mr. Jones reiterated the request for a refund of the filing fees.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-1** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Selph, "abstaining"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Withdrawal of PUD 418 and a refund of the filing fees**, as requested by the applicant.

CONTINUED PUBLIC HEARING:

PUBLIC HEARING TO AMEND THE CITY OF TULSA ZONING CODE TO INCLUDE ESTABLISHMENT OF A HISTORIC PRESERVATION (HP) ZONING DISTRICT AND RELATED MATTERS.

(Request to continue to November 18, 1987)

TMAPC ACTION: 9 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **CONTINUE Consideration of the Public Hearing** as relates to a **Historic Preservation Zoning District** until Wednesday, **November 18, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 350-2: 9219 South Erie Avenue, Lot 3, Block 3, Darlington South Addition

Staff Recommendation: Minor Amendment for Side Yard Setback

The subject tract is located at 9219 South Erie and is described as Lot 3, Block 3, Darlington South Addition. PUD 350 has underlying zoning of RS-3. The applicant is requesting approval of a minor amendment to reduce one side yard from 5' to 4.5' for an existing single-family residence to clear title. All other building setback lines will be met. Notice of this request has been given to the abutting property owners.

PUD 350-2 Minor Amendment - Cont'd

Staff recommends APPROVAL of PUD 350-2 per the submitted survey to reduce one side yard from 5' to 4.5'.

TMAPC ACTION: 9 members present

On MOTION of PADDOCK, the TMAPC voted 9-0-0 (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to APPROVE the Minor Amendment to PUD 350-2, as recommended by Staff.

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PUD 430-1: East of the NE/c of East 35th Street & South Peoria

Staff Recommendation: Minor Amendment to Permitted Uses

The subject tract is located east of the northeast corner of East 35th Street and South Peoria. PUD 430 has underlying zoning of OL/P and allows those Use Unit 11 uses permitted by right in an OL District, excluding funeral homes, medical and dental offices, clinics and laboratories. Staff's recommendation to exclude medical and dental uses was not based on incompatibility of land use relationships, but based on a concern for adequate parking. The approved Outline Development Plan indicated that a maximum of 13 spaces would be provided. The parking ratio for the proposed 3,600 square feet (sf) of building floor area for general office uses would be one space for each 300 sf. A parking ratio of one space for each 250 sf (as required for medical/dental) would have required 15 spaces. The applicant is requesting that medical/dental office be permitted in this development. Notice of this request has been given to abutting property owners.

Considering that the requested uses were not excluded on the basis of land use compatibility, recognizing that dental offices have been permitted by a use variance from the Board of Adjustment to the west, Staff is supportive of the requested change and considers it minor and administrative in nature.

Therefore, Staff recommends APPROVAL of PUD 430-1 to include medical and dental offices as a permitted use, subject to meeting all off-street parking requirements of the Zoning Code.

Comments & Discussion:

Mr. Paddock stated concerns that allowing medical/dental would generate more traffic volumes than general office. Staff commented that their concerns were more with parking, and reiterated that the applicant would be required to meet the Code. Mr. Paddock inquired if the applicant might be able to go before the BOA for a variance on parking. Mr. Gardner stated the applicant would have to prove a hardship in order to do this. He further stated that, if the applicant had the flexibility to reduce the

PUD 430-1 Minor Amendment - Cont'd

size of the building in order to have all medical/dental, then they could meet the parking requirement; and Staff could see no problem. Mr. Gardner pointed out that Staff's recommendation was not for a decrease in parking, but that the applicant would have to meet the ordinance, regardless of the action taken.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-2-0** (Doherty, Draughon, Kempe, Parmele, Selph, Wilson, Woodard, "aye"; Carnes, Paddock, "nay"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **APPROVE** the **Minor Amendment** for PUD 430-1, as recommended by Staff.

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PUD 313-2: Minor Amendment to Rear Yard Setback
2818 West 61st Place, Lot 8, Block 5, Golf Estates II Amended

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Rice, VanFossen, "absent") to **Consideration of PUD 313-2** until Wednesday, **October 28, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

STAFF BRIEFING:

- a) Elections for the Chairman and Co-Chairman of the District Planning Teams at 7:00 p.m. on October 29, 1987 in each Planning District.

Comments & Discussion:

Ms. Dane Matthews provided the briefing and advised of the participation by the Department of Stormwater Management, Department of City Development and other city agencies along with the INCOG Staff in providing information and assistance for these elections. Ms. Matthews commented that the League of Women Voters would also be assisting at each of the election sites. She reviewed the ballot packets with the Commissioners and remarked on the amount of news and media coverage of the elections.

Mr. Carnes suggested this process might provide a good avenue for issuing notice of the new RE (Residential Estates) zoning classification. Mr. Carnes commented that, when district TMAPC liaisons were reappointed, the Planning Commissioners should be liaison in a district or area near their own residence. Chairman Parmele suggested the Rules and Regulations Committee take this matter under consideration at a future meeting.

STAFF BRIEFING - Cont'd

- b) Amendment to the Citizen Participation Plan to include registration of interested Homeowner's Association Representatives for purposes of receiving notification of matters appearing before the TMAPC and the City and County Boards of Adjustment.

Comments & Discussion:

Mr. Irving Frank presented this briefing and reviewed Staff's recommendation for procedures for registering and notifying the various Homeowner's Associations (HOA's) that indicate an interest. Mr. Frank commented the new procedures should significantly increase the distribution of planning related information, allow more opportunities for citizens to become involved in the decision-making process, and increase the communication within the Planning Districts. Chairman Parmele agreed the HOA's should be encouraged to work through their District Planning Team Chairmen and Co-Chairmen to better coordinate community involvement.

There being no further business, the Chairman declared the meeting adjourned at 2:21 p.m.

Date Approved

11.9.87


Chairman

ATTEST:


Secretary

