

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1717
Wednesday, **October 19, 1988**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

Carnes
Doherty
Draughon
Harris
Wilson
Woodard

MEMBERS ABSENT

Coutant
Kempe
Paddock
Parmele
Randle

STAFF PRESENT

Dickey
Frank
Gardner
Lasker
Matthews
Setters
Stump
Wilmoth

OTHERS PRESENT

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 18, 1988 at 10:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Mr. Doherty called the meeting to order at 1:31 p.m.

MINUTES:

Approval of the Minutes of October 5, 1988, Meeting #1715:

On **MOTION** of **CARNES**, the TMAPC voted **4-0-2** (Carnes, Doherty, Harris, Wilson, "aye"; no "nays"; Draughon, Woodard, "abstaining"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **APPROVE** the **Minutes of October 5, 1988, Meeting #1715**.

REPORTS:

Report of Receipts & Deposits for the Month Ended September 31, 1988:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **APPROVE** the **Report of Receipts & Deposits for the Month Ended September 31, 1988**.

Committee Reports:

Mr. Carnes advised the **Comprehensive Plan Committee** had met this date to review the Tulsa Trails System Concept Plan, as presented by the Tulsa Trails Coalition. Mr. Carnes stated it was the consensus of the Committee to request the INCOG Staff to prepare a Resolution of TMAPC Support for the Tulsa Trails Concept Plan, which will eventually be presented for consideration as a part of the City's Comprehensive Plan. Hearing no objection from the TMAPC, the Chair so instructed Staff.

Mr. Doherty announced the **Rules & Regulations Committee** will be meeting on November 2nd to discuss the findings of INCOG's Development Fees Inventory Study. He also advised the **Budget & Work Program Committee** had scheduled a meeting on October 26th for the quarterly status report of the FY 88-89 Work Program.

Director's Report:

Mr. Jerry Lasker, INCOG, commented that with the recent passage of the library bond issue, the libraries were now ready to select site locations, and they had contacted INCOG to conduct a study that would assist them in the site selection process. Mr. Lasker answered questions from the Commission, and it was suggested this item be put on the upcoming Budget & Work Program Committee agenda for review.

In regard to the Surplus School Site Study, a part of the TMAPC Work Program, Mr. Lasker stated a tour of these sites had been suggested. After discussion, a tentative date was scheduled for the morning of November 2nd. Staff stated they would advise the TMAPC and BOA members as to the final tour date and time.

Mr. Lasker requested the TMAPC members advise him if they had any new legislative items for consideration. Ms. Wilson suggested the wild or exotic animals amendments, as recently approved for the Tulsa County Zoning Code, be placed on the list of new topics to consider.

SUBDIVISIONS:

WAIVER REQUEST: Section 260

Z-5671 Southlawn (3193)

1333 East 60th Street

(RM-2)

This is a request to waive plat on Lot 12 of the above subdivision. It should be noted that this was previously platted as Baystone II, Plat #4277, but it was never developed into townhouses in accordance with the filed plat. The present owner has vacated the plat of Baystone II (District Court; CJ-87-694; Book 5073, Page 2098) and by that action the Court has reinstated the original platted Lot 12 of Southlawn. Easements for existing facilities were retained in the northeast corner of the lot as shown on the plot plan. The owner has elected to abandon plans to develop this property and lives in the existing single-family home on the lot. The home is being refurbished and remodeled extensively as a long range plan for a permanent single-family residence with landscaped grounds and gardens. Since the property was originally zoned to permit the townhouses and the plat was vacated there is still a question of "platting" under Z-5671. This application is to satisfy the provisions of Section 260 of the Zoning Code and allow the issuance of building permits for remodeling and/or accessory buildings typical of a single-family residence. It should be noted that in the event the owner did want to eventually develop this property into something other than single-family use, a lot split would be required and possibly replatting again. The Staff sees no objection to the request, subject to the following conditions:

- a) Grading and/or drainage plan approval by Stormwater Management through the permit process. (Watershed Development Permit required.)
- b) Additional utility easements needed to serve the tract, including the north 11' and the east 11'.

The applicant was not represented.

The TAC voted unanimously to recommend **approval** of waiver of plat on Z-5671, subject to the conditions outlined by Staff and TAC.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **APPROVE** the **Waiver Request for Z-5671 Southlawn**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR WAIVER:

L-17095 Kerr (1274) W of the NW/c of E. 141st & S. 193rd E. Ave. (AG)

This is a request to split a five acre tract into two 2.5 acre tracts. These tracts will have no frontage on a dedicated street, with access by a private access road. The lots do meet the bulk and area requirements of the AG District except for the frontage. Staff notes that these tracts would be on water wells and septic systems. (Permitted in the county with Health Department approval.) The following conditions would apply:

1. City-County Health Department approval of use of septic systems and wells, as set forth in the Subdivision Regulations and Health Department Regulations.
2. Filing of record for the private access agreement and/or easement, and a copy thereof for the TMAPC lot split file.
3. County Board of Adjustment approval of variance to allow frontage on a private road. ("Zero frontage" on dedicated street.) (CBOA-852; 11/15/88)
4. Additional utility easement(s) that may be necessary to serve the tracts, including any line extensions. (Utilities will advise if easements are needed.)
5. Approval of Broken Arrow referral as this is inside the annexation fence line.

Note: There are other tracts in this quarter/quarter section that do not have access on a dedicated road, but they are either over 2.5 acres or have not sought any approvals.

The applicant was not represented.

The TAC voted unanimously to recommend **approval** of L-17095, subject to the conditions outlined by Staff and TAC.

Comments & Discussion:

Mr. Doherty requested clarification of condition #5 as to approval or referral of Broken Arrow. Mr. Wilmoth commented the condition could be amended to condition the TMAPC approval subject to approval by Broken Arrow. Commissioner Harris commented that the "referral system" began many years ago, but it was never intended to give veto power to the area governments. Therefore, he would object to any rewording of the conditions that might offer veto power to the City of Broken Arrow. Commissioner Harris suggested referring this to Broken Arrow for review and comment only, which would still satisfy TMAPC's policy. Mr. Carnes moved for approval of this application, amending condition #5 to delete reference to approval from Broken Arrow.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **APPROVE L-17095 Kerr**, subject to the TAC conditions, amending condition #5 to read: City of Broken Arrow referral as this is inside the annexation fence line.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17096 (683) Miller
L-17103 (183) Dayton

L-17104 (3093) Bright

On MOTION of WOODARD, the TMAPC voted 6-0-0 (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to APPROVE the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

PUBLIC HEARING:

TO CONSIDER AMENDMENTS TO THE DISTRICT 18 PLAN MAP AND TEXT INCLUDING, BUT NOT LIMITED TO, THE MINGO VALLEY EXPRESSWAY CORRIDOR AREA, OTHER TEXT/MAP AMENDMENTS, AND RELATED MATTERS

Comments & Discussion:

Ms. Dane Matthews, INCOG, reviewed the proposed amendments to the District 18 Plan Map and Text. She also presented information regarding the District 18 Plan Update which included: socio-economic data, general soil characteristics, water and sewer systems, general land use, public facilities, proposed transportation improvements, etc.

Mr. Gardner reviewed development intensities proposed for land in the Mingo Valley Expressway Corridor. He pointed out that the determination of maximum intensities for Corridor development between 61st and 96th Streets was being specified at this time in the Plan update.

Ms. Wilson, who had attended the District 18 public forums, commented these meetings had a great deal of citizen participation and were quite active. In response to Ms. Wilson, Ms. Matthews confirmed the Plan update would contain provisions for open space or green space; specifically, as relates to the proposed Tulsa Trails System.

Mr. Roy Johnsen, an interested party, commented this appeared to present a form of amendment that was different from what the plan updates usually contained. Mr. Johnsen clarified that, in looking at the CO zoned areas in the Plan previously, a property owner could presume that the CO would permit a fairly high intensity of use. He continued by stating that this Plan has been in existence for several years and transactions have occurred and properties have been sold with this thought in mind. Mr. Johnsen stated that the proposed amendments were now changing the Plan, not by deleting the Corridor, but by limiting the intensity permitted in the Corridor. He stated concern that the many property owners in this Corridor had no idea of these proposed amendments which could affect them in the future.

PUBLIC HEARING: District 18 - Cont'd

Mr. Gardner commented the TMAPC had the option of continuing the public hearing in order to allow time for other interested parties to respond. Mr. Johnsen reiterated his concern as to the affect of the proposed intensity restrictions. He asked the Commission if, under these circumstances, they felt the public notice that had been given was sufficient to alert people who would be affected by these amendments, or if a broader based notice had been given, they might have anticipated more interested parties in attendance to discuss this matter.

After discussion among the Commission members, the consensus was to continue the public hearing in order to allow time to notify those property owners in the CO area and/or those who had applied for CO zoning. It was also noted that a member of the press was in attendance who could possibly alert the public through mention of this hearing in the newspaper.

TMAPC ACTION: 6 members present

On **MOTION** of **DRAUGHON**, the TMAPC voted **6-0-0** (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **CONTINUE** Consideration of the Public Hearing to Consider Amendments to the District 18 Plan Text and Map, as discussed above, until Wednesday, **November 2, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 435-A-2: Minor Amendment to Reallocate Floor Area

South of the SE/c of 61st Street & South Yale Avenue

Staff Recommendation:

PUD 435-A-2 is a 46 acre tract that is divided into three development areas: Subarea A - Psychiatric Hospital, Subarea B - Doctor's Building and Research Center, and Subarea C - General Medical Offices. The applicant is requesting a minor amendment to reallocate floor area from Subareas B and C to Subarea A. PUD 435-A as originally approved permitted transfer of unused floor area within the various Development Areas, except no unused floor area from Warren Medical Center, Subarea B, or Subarea C was permitted to be transferred into Subarea A. This was due to the location of Subarea A away from an arterial street, its underlying zoning, RS-3 and the large amount of floor area which could potentially be allowed by the OM and OL zoned areas in Subarea B and C. The proposed reallocation is as follows:

	<u>Previously Approved Maximum Floor Area</u>	<u>Proposed Maximum Floor Area</u>	<u>Difference</u>
Subareas A - Psychiatric Hospital	175,000 sf*	202,000 sf*	+27,000 sf
Subarea B - Doctors Bldg. and research center	100,000 sf	85,000 sf	-15,000 sf
Subarea C - General medical offices	<u>120,000 sf</u>	<u>108,000 sf</u>	<u>-12,000 sf</u>
TOTAL	395,000 sf	395,000 sf	-0-

Notice of the request has been given to abutting property owners.

After review of the applicant's submitted proposal, Staff finds the request to be minor in nature. The relatively small amount of floor area transferred into Subarea A will not significantly change the appearance or impact of the psychiatric hospital on the surrounding area and the new total floor area proposed is still less than half that potentially allowed by the underlying zoning of RS-3. Therefore, Staff recommends **APPROVAL** of minor amendment PUD 435-A-2 as per the applicant's request.

* Does not include the previously approved 25,000 sf for cottage residences (30 transitional living units) or covered walkways connecting buildings.

Comments & Discussion:

Staff reviewed the recommendation and Mr. Gardner added that the transfer of square footage, without an increase in floor area, was the best of several options available.

Mr. Roy Johnsen, representing the applicant, stated agreement with the Staff's recommendation.

Mr. Carnes commented it appeared that Staff and the developer had worked together for the best solution; therefore, he moved for approval.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 435-A-2 (Johnsen) to Reallocate Floor Area**, as recommended by Staff.

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PUD 306-4: Amended Deed of Dedication
East 91st Street & South Florence Place

Staff Recommendation:

This request is an amendment and partial termination of the Deed of Dedication of WOODSIDE VILLAGE I. This is a follow-up on the approval of an amendment to PUD 306 reducing the number of dwellings in the PUD to 39 units, specifically in that portion identified as Woodside Village I. The final plat of Woodside Village IV has been approved and released and complies with the amended PUD. This document will amend that portion of Woodside Village I which was included in the Woodside Village IV replat.

Staff has reviewed the document and recommends APPROVAL, subject to approval as to form by the Legal Department. This request is in compliance with the amended PUD 306-4.

TMAPC ACTION: 6 members present

On MOTION of HARRIS, the TMAPC voted 6-0-0 (Carnes, Doherty, Draughon, Harris, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Kempe, Paddock, Parmele, Randle, "absent") to APPROVE PUD 306-4 (Woodside Village) Amended Deed of Dedication, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:26 p.m.

Date Approved November 2, 1988
Cherry Kempe
Chairman

ATTEST:

RBP Paddock
acting Secretary