

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1725
Wednesday, **December 21, 1988**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Kempe	Frank	Linker, Legal
Coutant, Secretary	Harris	Gardner	Counsel
Doherty	Randle	Matthews	
Draughon		Setters	
Paddock, 2nd Vice-Chairman		Stump	
Parmele, 1st Vice-Chairman		Wilmoth	
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, December 20, 1988 at 12:30 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice-Chairman Parmele called the meeting to order at 1:32 p.m.

MINUTES:

Approval of the Minutes of December 7, 1988, Meeting #1723:

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Minutes of December 7, 1988, Meeting #1723**.

REPORTS:

Director's Report:

Mr. Irving Frank, INCOG, briefly reviewed the resolution adopting an amended fee schedule for filing and processing various applications within the jurisdiction of the TMAPC. He commented that the amendments suggestions of the Rules & Regulations Committee had been incorporated in the final fee schedule, as presented.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the Resolution Amending the Fee Schedules, as recommended by Staff and the Rules & Regulations Committee.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Diehl Addition (2092)

3500 Block of South 61st West Avenue

(RS)

This tract is part of a larger 40 acre tract that was rezoned from AG to RS-1 by Z-4437 which required a plat. (In remapping for County Zoning, this is now shown as "RS"). A lot split application and waiver of plat was processed for four lots at the southeast corner of West 33rd and South 61st West Avenue (L-13102 on 10/17/73). At that time applicant (F. B. Koontz and P.K. Teale) were advised that no more lot splits would be approved and the remainder of the tract within Z-4437 would have to be platted. An additional split to the south was approved, but the plat requirement was not waived so it too is subject to a plat (L-15927). The plat presently submitted complies with the plat requirements and Subdivision Regulations, subject to the conditions outlined by Staff. Applicant is advised that no overall plan has ever been submitted for a subdivision of this 40 acre tract under Z-4437. The only development has been by lot split or plat waiver and this first plat. All of the usable frontage on South 61st West Avenue is used up except for a small parcel at the southwest corner of the 40 acres, leaving West 33rd Street or South 57th West Avenue as the only choices for other points of access for future development. Applicant is urged to consider an overall plan for development rather than piecemeal tracts. (This is not a condition of approval of this particular plat as it can stand on its own as submitted.)

The Staff presented the plat with the applicant represented by Adrian Smith, Engineer, and owner Timothy Diehl.

A request for an eleven foot utility easement parallel to 61st West Avenue was discussed but not made a requirement.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Diehl Addition, subject to the following conditions:

1. On face of plat show:
 - a) Identify West 33rd and West 36th Streets for reference.
 - b) Identify adjacent land to the west as "Berryhill Acres" and the remainder as "unplatted".
 - c) Zip code for owner is 74107.
2. Legal description omits the west 30' but face of plat shows it as part of dedication, and Section I.A. omits reference to "right-of-way". Make sure these are all consistent, such as a dedication by separate instrument with Book/Page reference or dedication by this plat.
3. Section II-B of covenants should use County standards as per Appendix A of Subdivision Regulations unless otherwise recommended by City-County Health Department and Water and Sewer Department.
4. Utility easements shall meet the approval of utilities (show 11' instead of 10').

Diehl Addition - Cont'd

5. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable), subject to criteria approved by the County Commission.
6. It is recommended that the applicant and/or his engineer or developer coordinate with the 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.
8. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. This information is to be included in the restrictive covenants on plat.
9. 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.
10. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
11. 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.
12. All Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Preliminary Plat for Diehl Addition**, subject to the conditions as recommended by the TAC and Staff.

CHANGE OF ACCESS:

Eastland Plaza (994) NW/c of East 21st Street & South 145th East Avenue (CS)

Staff advised the purpose of the request was to move one access on South 145th East Avenue north, away from the intersection, at the request of the City Traffic Engineering Department.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Change of Access for Eastland Plaza**, as recommended by the TAC and Staff.

WAIVER REQUEST: Section 260

CZ-58 Austin's Subdivision (2992) 4905 West 51st Street (County - IL)

This is a request to waive plat on Lot 15, Block 2, of the above subdivision. CZ-58 also included Lot 2, Block 2 but this application is limited to Lot 15 and Lot 2 still will remain "subject to a plat."

Research by Staff on this lot indicates conflicting plot plans and approvals by the County Board of Adjustment (CBOA) as well as a setback from 51st Street of 95 feet which was not approved by CBOA. Site plan submitted to and approved by CBOA indicates a 50 x 100 foot building 95 feet from centerline of 51st (Case #632; 2/18/86). Advertising and notice did NOT include a variance of the setback from centerline of 51st Street which is 100 feet. The only variance approved was a 30 foot setback from abutting residential (on the west). Current plan submitted indicates a 60 x 50 foot building 215 feet from centerline of 51st and 30 feet from abutting residential on the west. A fencing requirement also applies to the entire west property line. These conflicts are outlined for applicant and County Building Inspector and are for information in issuing (or withholding) building permits.

The following conditions shall apply to the plat waiver request:

- a) Dedication of additional 25' of right-of-way on 51st Street to meet Street Plan requirement.
- b) Dedication of 17.5' utility easement parallel to 51st Street (north 17.5' of the south 42.5' of Lot 15) and dedication of 11' utility easements on east, west, and north perimeters. (Building will need to be moved 1' south if proposed plan is used.)
- c) Access limitation agreement on 51st Street, subject to approval of County Engineering.

CZ-58 Austin's Subdivision - Cont'd

- d) Extension of water and/or sewer lines as applicable, subject to approval of Water and Sewer Department. (See note)
- e) If not on sewer, approval of sewage disposal system subject to approval of City/County Health Dept. (See Note)
- f) Grading and/or drainage plan subject to approval of County Engineer in the permit process.

The applicant was represented by Calvin Cozort.

NOTE: The Water and Sewer Department and Tulsa City-County Health Department advised that water is available on a temporary service and the existing structure is on a septic system. The new construction will only be storage and not contain facilities requiring plumbing. As long as this is the situation, no extensions are required. However, if new construction in the future requires water and/or sewer, both lines will need to be extended.

The TAC voted unanimously to recommend **approval** of the WAIVER OF PLAT, subject to the conditions outlined by Staff and TAC, including the note regarding extension of water and sewer lines, if required for future construction.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Waiver Request for CZ-58 Austin's Subdivision**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16965A (2183)	Crown Pointe Dev.	L-17122 (2883)	Francis Hills, Inc.
L-17118 (102)	Knigge	L-17124 (683)	Town & Country Realtor
L-17119 (3383)	Amer. Exchange Bank	L-17126 (683)	Wilcox
L-17120 (2883)	1st National Bank		

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, Wilson, Woodard, "aye"; no "nays"; Parmele, "abstaining"; Harris, Kempe, Randle, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

COMPREHENSIVE PLAN PUBLIC HEARING:

**TO CONSIDER AMENDMENTS TO THE
DISTRICT 1 PLAN MAP & TEXT**

Comments & Discussion:

Mr. Jack Crowley, Urban Tech, presented an overview of the update to the District 1 Plan Map and Text, which included the Central Business District (CBD) for the downtown Tulsa area. Mr. Crowley reviewed the history of this project, advising that the current amendments tied together various plans for the CBD and District 1. He also reviewed the 5, 10 and 20 year proposed plans which comprised the three phases of the District 1 update.

Mr. Charles Norman (909 Kennedy Building), on behalf of the Performing Arts Center Trust, requested consideration be given to an area specifically designated for expansion of the PAC facilities. Mr. Norman detailed the current activities of the PAC, as well as proposed activities which warranted the need for expansion. Mr. Crowley confirmed that an area for this type of expansion would be included on the final plan map currently being redrafted.

Mr. Brent Isaacs (4104 South Atlanta) inquired as to proposals in the update addressing residential housing along the college/university areas such as condos, loft type apartments, duplexes, etc., and any proposals for a dome type sports stadium or coliseum.

Ms. Wilson, as TMAPC liaison to the District 1 and CBD Update, commended Mr. Crowley and those who worked on the plan for their time and efforts on a project well done.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Amendments to the District 1 Plan Map & Text** as presented, and as recommended by Staff.

PUBLIC HEARING:

TO CONSIDER PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES (TULSA ZONING CODE), MORE SPECIFICALLY PERTAINING TO CHAPTER 16, BOARD OF ADJUSTMENT, TO DELETE THAT PORTION OF SECTION 1680.1 PERMITTING OFF-STREET PARKING USE OF PROPERTY LOCATED WITHIN A RESIDENTIAL DISTRICT, WHEN THE PROPERTY IS ABUTTING AN OFFICE, COMMERCIAL OR INDUSTRIAL DISTRICT.

Comments & Discussion:

Staff advised the specific amendment to Section 1680.1 was currently listed as item (g) but would soon be (h) after the pending ordinance for the modular housing amendments was published. According to the Code, the BOA can currently grant a Special Exception for "off-street parking use of property located within a residential district when the property is abutting an office, commercial or industrial district". Staff advised the City Commission referred this matter back to the TMAPC to consider having this particular paragraph of Section 1680.1 deleted. Discussion continued between Staff and the Commission members on this matter.

Ms. Fran Pace, District 4 Chairman, concurred with the need for deletion of this item from the Code. She confirmed that the Legal Department would review other areas of the Code, specifically Section 410, for possible cross-referencing to Section 1680.1.

TMAPC ACTION: 8 members present

On MOTION of PADDOCK, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to APPROVE the Amendments to the Tulsa Zoning Code, more specifically Section 1680.1, to delete that portion referencing off-street parking use of property within a residential district, as recommended by Staff.

OTHER BUSINESS:

PUD 354-7: Minor Amendment & L-17123 to Allow a Lot Split
North of the NW/c of South Braden & East 89th Court South

Staff Recommendation:

The Fox Pointe Amended Addition is located east of the northeast corner of East 91st Street South and South Yale Avenue. PUD 354 has RM-1 underlying zoning and has been approved for office uses in the southwest portion and the balance for single-family dwellings.

The applicant is requesting a minor amendment to split lot 34, block 4 and attach each half to the abutting lots 33 and 35. Notice has been given to the abutting owners.

Staff review of lot 34 finds the lot to be 50.50 feet in width with a 15 foot utility on the west and a 7.5 foot utility easement on the east. This would leave a building envelope with 28 feet in width. Although a dwelling could be constructed, it would not be consistent with other structures anticipated for this development. Staff finds the request to be minor in nature and consistent with the original PUD.

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 354-7 to split lot 34 subject to each half being attached to the abutting lots.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-1** (Carnes, Coutant, Doherty, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 354-7 & L-17123 to Allow a Lot Split**, as recommended by Staff.

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PUD 350-3: Minor Amendment & L-17121 to Allow a Lot Split
NE/c of 92nd Street & South Hudson Avenue,
being Lot 2, Block 4, Darlington South Addition

Staff Recommendation:

The Darlington South Addition is located south and east of East 91st street and South Darlington Avenue. PUD 350 has RS-3 underlying zoning and has been approved for 260 attached and detached single-family homes.

The applicant is requesting a minor amendment to split Lot 2, Block 4 and attach a portion of each half to the abutting lots to the north and south. Notice has been given to the abutting owners.

Staff review of Lot 2, finds the lot to be 45 feet in width. The applicants proposal would allow the north 21 of Lot 2 to be attached to Lot 1 and the remainder of Lot 2 to be attached to Lot 3. Staff finds the request to be minor in nature and consistent with the original PUD.

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 350-3 and L-17121 subject to each portion of Lot 2 being tied to the abutting lots (lots 1 and 3).

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Kempe, Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 350-3 and L-17121 to Allow a Lot Split**, as recommended by Staff.

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PUD 416-3: Minor Amendment & L-17125 to Allow A Lot Split
north of the NW/c of 41st Street & South Yorktown Avenue,
being Lot 3, Block 1, Yorktown Estates

Vice-Chairman Parmele advised a request had been submitted to table this item. Hearing no objection from the TMAPC, he directed PUD 416-3 and L-17125 be tabled.

There being no further business, the Chairman declared the meeting adjourned at 2:28 p.m.

Date Approved January 4, 1989
Cherry Kempe
Chairman

ATTEST:
Lynn C. Coutant
Secretary

