

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1737
Wednesday, **March 15, 1989**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

Carnes
Coutant, Secretary
Doherty
Draughon
Kempe, Chairman
Paddock, 2nd Vice
Chairman
Parmele, 1st Vice
Chairman
Selph
Wilson
Woodard

MEMBERS ABSENT

Randle

STAFF PRESENT

Gardner
Lasker
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, March 14, 1989 at 11:32 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:36 p.m.

MINUTES:

Approval of the Minutes of March 1, 1989, Meeting #1735:

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-1** (Carnes, Coutant, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Kempe, "abstaining"; Doherty, Randle, Selph, "absent") to **APPROVE** the **Minutes of March 1, 1989, Meeting #1735**.

REPORTS:

Committee Reports:

Mr. Paddock announced a briefing for the TMAPC and BOA members on the Infill Development Study was scheduled this date upon adjournment of the TMAPC meeting.

Mr. Parmele advised the TMAPC members met March 9th with the INCOG Staff to review the FY 89-90 Work Program, and they were in basic agreement with the Staff presentation. A follow up meeting will be scheduled in the near future to review the final draft of the TMAPC work program.

Chairman's Report:

- a) Consider approving letter to the Oklahoma Turnpike Authority (OTA) outlining planning concerns raised by TMAPC at the 3/8/89 briefing.
- b) Request from the Tulsa's Against Turnpikes (TAT) for an opportunity to present additional information regarding the Creek Bypass to the TMAPC.

Comments & Discussion:

Mr. Carnes stated strong support of the drafted letter to the OTA addressing the TMAPC's concerns. Ms. Wilson also endorsed the drafted letter, commenting that it was an excellent representation of their apprehension regarding certain aspects of the turnpike. She acknowledged that the information provided by Mr. Alan Benson of the Mill Creek Bridge Homeowners Association on the OTA's proposal (2/15/89 TMAPC meeting) provided the basis for the TMAPC in expressing the concerns as relates to drainage, the linear park, toll plaza, etc. Therefore, she felt the Commission should continue to forward any other pertinent information received from citizens. Chairman Kempe agreed with Ms. Wilson, and reiterated that she felt another public hearing on this issue would, at this point, serve little or no purpose. The Commission members agreed. Hearing no objection, Chairman Kempe stated she would sign the letter to Dewey Bartlett, Jr. as drafted.

Staff distributed copies of a letter from Mr. Richard Ridings of the OTA, which responded to questions and concerns raised at the 3/8/89 TMAPC briefing on the Creek Bypass. Mr. Parmele suggested a copy of this letter and a copy of TMAPC's letter to Mr. Bartlett be forwarded to the representative of the Tulsans Against Turnpikes (TAT). Chairman Kempe agreed and requested the INCOG Staff to draft a letter to the corresponding secretary of TAT, with the mentioned enclosures, asking that TAT submit, in writing, any additional design concerns for the Creek Bypass. (NOTE: Copies of all the mentioned letters are on file at the INCOG offices.)

Director's Report:

Mr. Jerry Lasker, INCOG, advised of a meeting with the City of Tulsa on March 13th regarding the FY 89-90 budget, which included the items discussed for the TMAPC Budget & Work Program. A meeting with Tulsa County will be scheduled in early April, and he will be making a final presentation to the TMAPC after these budget meetings with the City and County.

Mr. Lasker announced the workshop for TMAPC, BOA and District Planning Team Chairmen was scheduled for Saturday, April 1st. He asked the Commission members to review the program outline distributed to them and advise of any comments, changes, etc.

SUBDIVISIONS:

PRELIMINARY PLAT:

South Tulsa Baptist Church (2783) 10310 South Sheridan Road (RS-3)

This plat has a sketch plat approval by TAC on 5/28/87. A copy of the minutes of that date was provided with comments by the staff in the margin.

The Staff presented the plat with the applicant represented by Jerry Ledford & Jerry Ledford, Jr.

The Fire Department advised that some fire protection lines may be required in the permit process. (Not part of plat conditions.)

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of South Tulsa Baptist Church, subject to the following conditions:

1. Show stormwater detention area as a reserve and include applicable language therefor in the covenants. (Make sure there are no conflicts with utility easements.)
2. Show Limited Access on Sheridan Road in accordance with overall master plan, and as recommended by Traffic Engineer. Include applicable language in covenants. Move south driveway as recommended by Traffic Engineer previously.
3. Identify Lakewood as "Private". Identify Forest Park South 2nd.
4. 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. (Some existing PSO easements.)
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).
6. 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. On-site detention required. Overland drainage easement required in the northeast corner to allow passage of off-site run-off.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer (if required).
8. 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.
9. All (other) Subdivision Regulations shall be met prior to release of final plat.

South Tulsa Baptist Church - Contd

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, Selph, "absent") to **APPROVE** the **Preliminary Plat for South Tulsa Baptist Church**, subject to the conditions as recommended by the TAC and Staff.

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Riverfield Country Day School (PUD 375-A)(3492) W. 61st St. & S. Union Avenue
(RM-1, RS-3)

This was reviewed as a "PUD Review" by the TAC on 10/27/88 and a number of concerns were addressed. Note that the number was changed from PUD 445 to 375-A since this was processed as a major amendment instead of a new PUD. A copy of the minutes of the TAC review on 10/27/88 was provided for reference and information.

No site plan was submitted to mail out with the plat for review. In order to fully evaluate the conditions to be required on the plat, a site plan (at least of the first phase development) is essential. Applicant was advised as of 2/20/89 that this information is needed. The conditions and/or comments were based upon the information submitted on the plat.

In the previous TAC meeting the applicant was represented by Dan Tanner and Chris Gobel.

A site plan and detailed topo map were presented by Dan Tanner for review. It was proposed to eliminate a great deal of the proposed plat and submit only a plat on that part to be developed first. Numerous changes and options were discussed. Since the plat would be reduced in size, Staff reminded applicant that PUD restrictions must be filed of record on the remaining unplatted land. The plat submitted would be changed considerably, so after further discussion, Staff and TAC scheduled this item on the next TAC and continued the TMAPC review to 3/15/89. Therefore, without taking any action on 2/23/89 the plat was CONTINUED to the TAC meeting on 3/9/89.

The applicant's Engineer advised Staff that revised copies of this plat would either be delivered prior to the TAC meeting 3/9/89 or at the meeting. Copies of previous discussions and/or minutes were reproduced for information.

The Staff presented the plat with the applicant represented by Steve Wolfe and Stewart Nyander.

A revised plot plan, architectural plan, and plat were provided by the applicant. The remainder of this review would be based upon the revised information submitted at this meeting.

Riverfield Country Day School - Contd

The problems of access had been resolved, but for the record, further development to the north will require platting and access may be necessary at that stage.

The Department of Stormwater Management advised they were satisfied that the access driveway is out of the floodway. It was noted for the record, that access on 61st would be only towards the west if that street were to be flooded.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Riverfield Country Day School, subject to the following conditions:

1. Show lot and block number on face of plat. Also show 35' perimeter building lines unless easements are greater (50' building line on 61st Street is not required and is volunteered if left as is.) Identify Boone School site as "unplatted".
2. Additional dimensions (widths) are needed on the Texaco pipeline easement across the middle of the plat. Also see item #4 of the 10/27/88 review. Texaco should be notified of the platting and their release letter obtained prior to final approval of plat. (Texaco was not on mailing address for plat notice nor was an address available.)
3. All conditions of PUD 375-A 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. (PUD conditions should be filed of record by separate instrument on the remaining unplatted tract of land within the PUD.)
4. 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. (Show 17.5' utility easement along 61st Street.) (Make sure that drainageway easements and utility easements don't conflict.)
5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for Water and Sewer facilities in covenants.
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. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).
8. 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. Include applicable language in covenants for the Drainage Easement.

Riverfield Country Day School - Contd

9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
10. Limits of Access or (LNA) as applicable shall be approved by Traffic Engineer.
11. 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.)
12. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
13. The key or location map shall be complete. (Boone school site is "unplatted".)
14. Section II of covenants should be changed or corrected to show:
 - a) Paragraph #1: Show PUD-375-A; Reference Section 1100 to 1170, Title 42; as same existed on 11/9/88; add: ... "and by the Board of City Commissioners on 1/17/89".
 - b) Renumber or letter the paragraphs, as some letters were left out.
 - c) Omit items E & F, since they are covered in the previous section.
 - d) In item H omit the word "utility".
 - e) In item K show Title 42 and a date of 11/9/88.(See staff for these corrections to covenants.)
15. 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.
16. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

In reply to questions from the Commission, Mr. Wilmoth reviewed the access points on the plat, and advised the children were in the grade school age range as the school did not accommodate kindergarten through 12th grade at this time.

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, Selph, "absent") to **APPROVE** the **Preliminary Plat for Riverfield Country Day School**, subject to the conditions as recommended by the TAC and Staff.

FINAL PLAT APPROVAL & RELEASE:

Francis Hills Amended, Blk 3 (PUD 426)(2883) 102nd & South Knoxville (RS-1)

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, Selph, "absent") to **APPROVE** the **Final Plat of Francis Hills Amended** and release same as having met all conditions of approval.

REQUEST FOR WAIVER (Section 260):

BOA-15083 Barrett & Evans Subd (1703) East of 36th St N & N Columbia (RS-3)

This request is for a small tract approximately 117' x 167' being a part of the west half of Lot 8 of the above named subdivision. This tract became "subject to a plat" by virtue of being part of a BOA application to expand an existing nursing home. A nursing home is a matter of right in the CS and RM-2 districts, but an addition to the building will overlap into the RS-3 district. The BOA approved the application on 3/2/89. Several parcels of land were assembled over the years for this nursing home, and all were consolidated into one parcel by previous lot splits or predated the need for a lot split.

To remedy a 7.7' encroachment into an adjoining tract, the owner of the nursing home purchased 37' and added it to the other parcels making up the nursing home tract. That was also included in the BOA approval made 3/2/89, and L-17143 is included in the list of "Prior Approval" lot splits in the 3/15/89 TMAPC agenda.

Right of way purchases on East 36th Street North were done by the Oklahoma State Highway Department in connection with the expressway to the east. The right of way tapers in front of this tract since it would leave the existing nursing home with almost zero setback if extended straight through to the west. Since this small tract is a part of the overall ownership of the existing nursing home, Staff has no objection to the request.

Therefore, it is recommended the waiver be **APPROVED**, subject to any specific controls on the property already imposed in the the BOA approval of the use. Staff also notes that Section 260 of the Code will be met.

TMAPC ACTION: 10 members present

On **MOTION** of **PARMELE**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the **Waiver Request for BOA-15083 Barrett & Evans Subd.**, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17143 (1703) Peevy	L-17148 (3192) Oakhurst Baptist
L-17146 (684) City of Tulsa	L-17150 (1793) Prestige Properties
L-17147 (784) East Pointe	L-17151 (383) Southard

On **MOTION** of **WOODARD**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

ZONING PUBLIC HEARING:

PUD 447 & Z-6225: RECONSIDERATION; referred back to TMAPC by City Commission NE/c of East 111th Street & South Yale

Staff Recommendation:

At their March 7th meeting, the Tulsa City Commission referred PUD 447 and Z-6225 back to the TMAPC for consideration of the applicant's request for 97 lots rather than 95 lots. In order to allow this increased density, the southwest portion of the tract is proposed to be rezoned RS-2.

Staff has examined the revised layout for the subdivision and has no objections since all the lots meet the minimum lot requirements of the PUD as approved by the TMAPC on January 11, 1989. Therefore, Staff recommends APPROVAL of a change in the PUD stand for a maximum number of lots to 97 and amending the rezoning recommendation to RS-2 on the south 355' of the west 545' of the tract, and RS-1 on the remainder.

Comments & Discussion:

The Chairman noted there were no interested parties in attendance on this case. In reply to Chairman Kempe, the applicant stated agreement to the Staff recommendation. Therefore, Mr. Carnes moved for approval.

Mr. Paddock asked how the increased portion for RS-2 zoning enabled the applicant to obtain two more lots. Mr. Gardner explained that the PUD, even with RS-1, allowed development at a density greater than RS-1. However, in order to get two more lots the applicant must have some RS-2 zoning.

Ms. Wilson inquired if the six lots on South Yale had a greater setback than the lots in South Pointe, a subdivision north of this development. Mr. Jack Cox, engineer for the applicant, confirmed the lots on Yale Avenue were deeper than those in South Pointe, and the 35' setback had been met as required by the TMAPC.

In reply to Mr. Draughon, Staff advised the addition of the two lots had no affect on the proposed detention facility, which was to also be used as a recreational facility. Mr. Cox further explained that the maintenance of this facility was being shared by the Department of Stormwater Management (repairs), and the homeowners association (mowing).

TMAPC ACTION: 10 members present

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE Z-6225 & PUD 447 Cox (Cousins)** for 97 lots (instead of 95 lots) with RS-1 & RS-2 Zoning per the legal description below.

Legal Description:

RS-1: The SW/4 of the SW/4, LESS the north 375' of the west 580.80' and LESS the south 355' of the west 545', Section 27, T-18-N, R-13-E of the IBM in the City and County of Tulsa, Oklahoma.

RS-2: The south 355' of the west 545' of the SW/4 of the SW/4, Section 27, T-18-N, R-13-E of the IBM in the City and County of Tulsa, Oklahoma.

OTHER BUSINESS:

PUD 313-5: Minor Amendment of the Required 20' Rear Yard
NW/c of West 62nd Street & South 28th West Avenue
Golf Estates II Amended, Lot 21 and part of Lot 20, Block 5

Staff Recommendation:

PUD 313 is a 25⁺ acre development that permitted a maximum of 126 single-family lots, 20 lots with standard RS-3 setbacks and 106 lots with zero lot line standards. The subject tract is a slightly oversized tract created as the result of a lot split and is part of Lot 20 and all of Lot 21. The applicant is requesting a minor amendment to the required 20' rear yard to permit the construction of a dwelling 17' from the rear property line. Notice of the request has been given to abutting property owners.

Review of the applicant's submitted plot plan indicates the dwelling to be situated on the lot at an angle to maximize the lot. Staff finds the request to be minor in nature and consistent with the original PUD.

PUD 313-5 Minor Amendment - Contd

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 313-5 per the applicant's submitted plot plan which shows 18' to the stemwall. Staff would note the additional one foot requested for the brick facing is a permitted yard obstruction under Section 240.2.

TMAPC ACTION: 10 members present

On **MOTION** of **PARMELE**, the TMAPC voted **10-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 313-5 (Kilsey)**, as recommended by Staff.

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PUD 179-R: Detail Sign Plan for Development Area A
SE/c of South 92nd East Avenue & East 71st Street South

Staff Recommendation:

Staff has reviewed the proposed Detail Sign Plan for a convenience store (QuikTrip) with gasoline pumps in Development Area A of PUD 179-R and finds it to be in compliance with the approved PUD Development Standards.

Therefore, Staff recommends **approval** of the Detail Sign Plan for Development Area A of PUD 179-R.

TMAPC ACTION: 10 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-1** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 179-R (QuikTrip)**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:11 p.m.

Date Approved 4-1-89

Vice-Chairman

ATTEST:

Secretary