

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1841  
Wednesday, June 19, 1991, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Ballard	Harris	Gardner	Linker, Legal
Carnes		Russell	Counsel
Doherty, 1st Vice Chairman		Stump	
Draughon,		Wilmoth	
Horner			
Midget, Mayor's Designee			
Neely, 2nd Vice Chairman			
Parmeale, Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, June 18, 1991 at 11:41 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 1:40 p.m.

**Minutes:**

Approval of the minutes of June 5, 1991, Meeting No. 1839:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-1** (Ballard, Carnes, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; Neely "abstaining"; Harris "absent") to **APPROVE** the minutes of the meeting of June 5, 1991 Meeting No. 1839.

**REPORTS:**

Report of Receipts and Deposits:

Mr. Gardner presented the Report of Receipts and Deposits and advised that all items were in order.

TMAPC Action; 10 members present:

On **MOTION** of **DRAUGHON**, the TMAPC **10-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, "absent") to **APPROVE** the Report of Receipts and Deposits for the month ended May 31, 1991.

Chairman's Report:

Chairman Parmele asked Mr. Gardner to report on the City Council meeting on June 18, 1991. Mr. Gardner reviewed the Council's action on the six zoning applications that were presented. He further advised that the home occupations study was approved with a few changes.

Committee Reports:

Mr. Doherty advised that the Rules and Regulations Committee met prior to today's meeting to discuss the screening of junk/salvage yards. He advised that the Committee would be meeting June 26, 1991 to discuss the regulation of dance halls.

Chairman Parmele advised that item 7 on the agenda (Public Hearing regarding the screening of junk and/or salvage yards) would be tabled to the end of the meeting.

SUBDIVISIONS:

SKETCH PLAT APPROVAL:

Canyon Creek Estates (1683) (PD18) (CD8)

E. 87th Place & S. Yale Avenue

(AG to RS-3 pending)

This sketch plat is being reviewed so several items may be addressed prior to processing a preliminary plat. The primary item is the two stub streets into this tract from the south, on Vandalia and Winston Avenues through the platted subdivision Wigwam Hills. No tie is shown on the plat other than a narrow strip that is not labeled on the plat, but is probably an emergency access lane. Research has revealed that Vandalia is a full 50' of right-of-way, but only 25' as a "half-street" can be found on Winston. (City Atlas and County Assessor show only a half street. TMAPC land use map shows a full 50'. Field check indicates there is a full 50' dedicated, but Staff cannot find a Book/Page reference if there was an additional 25' dedicated.)

The Staff presented the plat with the applicant represented by David Sanders.

Regarding the street layout, staff recommended a tie to Vandalia. This was supported by Engineering and Traffic Engineering (50' dedicated right-of-way with standard paving). Staff and TAC acknowledged the existence of a probable zoning violation and nonresidential use at the end of Winston, but the recommendation for a connection is based on planning requirements.) The "service road" along Yale should be redesigned to provide a 45' radius paving at the cul-de-sac with an additional 5' easement around same. (This also applies to the cul-de-sac at the end of 87th Place) "L.N.A." should be shown on a line between the Yale right-of-way and the service road right-of-way to be designated "Winston Place".

Since the tract at the northwest corner of the plat may be difficult to sewer, it was recommended that it be omitted from the plat at this time. It would still be "subject to platting before any permits could be issued. It was suggested, but not a requirement that the panhandle for this tract be 50' for a possible future street extension if needed. (The 30' as shown meets the minimum Zoning Code requirement.)

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the SKETCH plat of *Canyon Creek Estates*, subject to the following conditions:

1. Street Layout:

(a) Section 4.2.1(a) of the Subdivision Regulations requires continuation of the existing streets, requiring this subdivision to tie into Vandalia and Winston to the south. If these ties are not shown, a waiver of this section of the regulations is necessary. TAC requirement to tie to Vandalia. No requirement to tie to Winston.

\*(b) In the event that a problem exists in making these ties, it may be determined by the Planning Commission that no tie is required under Section 4.2.1(b) of the Subdivision Regulations.  
\*Applicant's request.

2. The access "handle" should be part of the lot, not part of the street right-of-way at the northwest corner of the plat.
3. For reference show in dashed lines the subdivisions across the street on the east side of South Yale. Identify or show the distance to the southeast corner of the section at 91st and Yale.
4. If an "island" is to be created at the northwest corner of the entry street (87th Place), then identify same as a "reserve" and provide for its maintenance in the restrictive covenants of the plat. This may be eliminated when this street is revised.
5. Show 30' property line radius at 87th Place and Yale. All others should indicate 25' radius. Show all building lines in accordance with the zoning approved.
6. The subdivision has only one point of access as presented. (Except for the "emergency access lane".). If at least one of the existing stub streets is tied into this subdivision, two points would then be provided. (See #1 (a) above.)

7. 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. Due to topography front easements/service may be required.
8. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
9. 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 owners(s) of the lot(s).
10. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. If the large lot at the NORTHWEST corner of the plat cannot be sewered at this time, omit from plat until such time as the sewer can be extended.
11. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
13. Street names shall be approved by the Department of Public Works and shown on plat.
14. All curve data, including corner radii, shall be shown on final plat as applicable.
15. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
16. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Department of Public Works (Traffic). Include applicable language in covenants.
17. It is recommended that the developer coordinate with Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for plat release.)
18. 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.

19. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
20. The key or location map shall be complete. (Up-date with new subdivisions.)
21. 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.
22. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities as applicable.
- \*23. The Zoning Application Z-6318 shall be approved and the ordinance or resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.  
\*City approved on 6-4-91
24. 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.
25. All (other) Subdivision Regulations shall be met prior to release of final plat.

Applicant's Comments:

Mr. Roy Johnsen, attorney, was present representing the applicant. He commented that the stub streets were brought in under County standards. The eastern street only dedicated a half street right-of-way. Secondly, there is a land use problem. Mr. Wenrick's concept on this property is to develop a high quality subdivision. This tract of land has unusual topography and contains two watersheds. He submitted pictures of the stub street showing that the right-of-way is being used as parking for several vehicles. Just south of the stub street is some type of construction yard which is unsightly. He added that the nature of the use to the south is out of character. As compared to the standards in the subdivision regulations regarding land use, that is a relevant factor to consider. Another factor to consider is how the residents along the existing street feel. He presented a petition of approximately 10 families stating that it is their "strong preference that connecting streets not be extended to Wigham Hills."

Lastly, he commented that one of the key issues in subdivisions is two points of access. This was TAC's main concern regarding Vandalia, which was to provide a second point of access to the proposed subdivision. Following the TAC meeting, Mr. Wenrick went to the Fire Marshall who reviewed the situation. A 20' emergency access lane extending from the south boundary of Canyon Creek to that first east-west street to was recommended by Mr. Wenrick.

This would provide a second point of access. Mr. Johnsen presented a preliminary plat reflecting this change.

Comments & Discussion:

Mr. Stump advised that staff met with Jon Eshleman earlier today and he is still in favor of tying Vandalia into the subdivision. Mr. Gardner advised that the fact that there is illegal land use near the tract should not determine whether or not the street should be connected.

Chairman Parmele pointed out he felt that the unique physical characteristics of the sight would warrant considering a crash gate. If the street were to connect, a 26' residential street with curb and gutters would be connected with an 18' asphalt street without any curbs or drainage ditches.

TMAPC Action; 10 members present:

On MOTION of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, "absent") to **APPROVE** the Sketch Plat for Canyon Creek Estates subject to the conditions as recommended by TAC and staff **excluding** the requirement to tie to Vandalia and to **WAIVE** the subdivision regulation requiring the continuation of existing streets.

Mr. Doherty commented that normally he is in favor of connecting stub streets, but in this particular case the physical facts of the terrain and the different types of abutting houses are significantly extreme. This would justify waiving the subdivision's requirement to connect.

\* \* \* \* \*

**Southern Pointe Third  
East 91st Street and South Hudson Avenue**

**AG to RS-3 pending**

Applicant's Comments:

Mr. Ed Scrimmerhorn was present and requested a four week continuance to allow them time to conduct a traffic study.

TMAPC Action; 10 members present:

On MOTION of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, "absent") to **CONTINUE** the Sketch Plat Approval for Southern Pointe Third until July 24, 1991 at 1:30 p.m. in the Francis F. Campbell City Council Room, 200 Civic Center, Plaza Level.

\* \* \* \* \*

PRELIMINARY APPROVAL:

Bradford Place (1583) (PD 18) (CD8)

(AG to RS-3 pending)

East 91st Street & South Darlington Place

The purpose of this additional TAC review is to advise the Committee of various changes and/or recommendations made after the TAC meeting 5/7/91. After meetings attended by the Developers, TMAPC Staff and Department of Public Works Staff and Director, Charles Hardt; the developers of both Bradford Place and Southern Pointe Third have incorporated the following changes to Bradford Place.

Further review of Bradford Place resulted in a change in Traffic Engineering's recommendation concerning the street pattern. The stub street to the north would likely result in an undesirable street pattern which would allow an easy by-pass route around the 91st and Yale intersection via a long, straight Darlington Avenue and a long, straight, "Un-named" street to Yale. It is now the opinion of Traffic Engineering that the public will be better served by eliminating the stub street to the north and connecting Bradford Place and Southern Pointe Third with a street connection at either 90th Street or 89th Court.\* (The above information from memo dated 5/13/91, Traffic Engineering to TMAPC/INCOG.)

The connecting street on 90th has been made on both plats, eliminating a long over-length cul-de-sac in Southern Pointe Third. The stub street to the north in Bradford Place has been eliminated with the second point of access being on 90th Street as per recommendation of DPW (Traffic Engineering).

The conditions listed are applicable and are taken from the previous TAC minutes of 5/7/91 with some modifications based upon the changes made and shown on the current plats.

Those conditions already met are not listed. Other comments and/or conditions were noted in the margins.

The Staff presented the plat with the applicant represented by Phil Smith and Adrian Smith.

On MOTION of HILL, The Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Bradford Place*, subject to the following conditions, including waiver of scale ( #14):

1. On face of plat: Correct street names as noted. Show this plat on the location map. Dimension the width of Reserve "C".
2. Provide additional detail for Traffic Engineering on the entry at 91st Street including median and paving width prior to or with preliminary plat.

3. 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.
4. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
5. 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 owners(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Department of Public Works (Traffic). Include applicable language in covenants.
11. It is recommended that the developer coordinate with Department of Public Works ( Traffic) 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. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
14. Plat is drawn at a 1"=50' scale instead of 1"=100' as required by the Subdivision Regulations. Due to detail and small lots, Staff recommends waiver of scale requirement.



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.

Applicant's Comments:

Mr. Don Walker, developer, stated they are in agreement with staff recommendation.

Interested Parties:

**Pierre Smith** **8815 South Lakewood**  
 Mr. Smith was present representing the Woodhill Additions. He briefly reviewed the history of the area and previous TMAPC actions. He stated there were two factors to consider. They were how does this connect to adjoining developments and it has been clearly shown that a collector street is needed from Southern Pointe II to 91st Street. In the proposal for Bradford Place there is no street that allows any access or provides a collector street. He feels Lakewood is a collector street.

Mr. Smith recommended approving the preliminary plat of Bradford Place without considering the development to the east would leave Bradford Place without a second point of ingress and egress.

Ms. Wilson commented that when property to the east comes in she will expect a collector street.

TMAPC Action; 10 members present:

On MOTION of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, "absent") to **APPROVE** the Preliminary Plat for Bradford Place, including **waiver** of scale, subject to the conditions as recommended TAC and staff.

\* \* \* \* \*

**PRELIMINARY PLAT:**

Springer Clinic for O. & G. (3393)(PD18)(CD7)  
 3906 East 51st Street South (OL, RS-3 to OL pending)

This plat is being filed to satisfy the plat requirement on Z-4139 and Z-6317 which is pending TMAPC hearing 5/22/91. The former bicycle shop was a nonconforming use in an RS-3 District, so Z-6317 has been filed to extend the OL zoning to the east. Since TMAPC has a policy of not reviewing the plat until the zoning is

approved, it will be reviewed by TAC this date, but not forwarded to the Planning Commission until the zoning process has been completed.

The Staff presented the plat with the applicant represented by Ted Sack.

On MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Springer Clinic for Obstetrics & Gynecology*, subject to the following conditions:

1. Due to the small size of the plat it has been drawn to a 1"=20' scale. Waiver of the 1"=50' scale is recommended.
2. Not a condition for approval of this plat, but applicant is advised that the underlying Lot 1, Block 1, Woodland Terrace should be vacated in accordance with the current legal procedures. If vacated prior to filing this plat, the legal will change to a "metes and bounds". Otherwise the title block is OK as shown. (Also applies to that portion of Souix Park plat.)
3. On face of plat show "1 lot" and the acreage. Also show that 51st Street was dedicated by separate instrument on the easterly 80.89'. Reference Book 3122, Page 62; 1/13/61 and the remaining west 150' was dedicated by plat.
4. Field check and topo map indicate that there are four existing access points (driveways), two of which are platted and the other two on the unplatted bicycle shop tract. Show access points on this plat as recommended by Department of Public Works (Traffic Engineering). Traffic Engineering recommended approval of two access points as shown on the site plan.
5. Covenants: Section I: Include language prohibiting structures within the easements.
6. 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.
7. 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 owners(s) of the lot(s).

8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
10. 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.
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 (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC Action; 10 members present:

On MOTION of **CARNES**, the TMAPC voted 9-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Neely "absent") to **APPROVE** the Preliminary Plat for Springer Clinic subject to the conditions as recommended TAC and staff.

\* \* \* \* \*

WAIVER REQUEST; Section 213:

Z-4648 (Unplatted)(1583)(PD 18)(CD 8)

( RS-1)

North side of E. 86th Street, east of S. Hudson Avenue

This is a request to waive plat on a portion of the above zoning application that lies north of E. 86th Street. Woodhill Estates was platted and included the majority of Z-4648, but an irregular narrow strip was left on the west which contains the drainage area between Southern Pointe 2nd (and 3rd in process) and Woodhill Estates. Public Works (Department of Stormwater Management) has indicated a desire to obtain fee simple title to the drainageway which would be a separate process. Present owners of this tract wish to create two building sites on the small tract north of 86th, still leaving a tract within the drainageway. (See drawing). Easement for utilities has been provided by separate instrument along the north between Woodhill and Southern Pointe 2nd, and 86th Street will be dedicated and open soon. Lot split #17419 will create the two lots and a tract for drainage. Since this is RS-1 zoning an average lot width of

100' is required with a minimum of 30' of frontage on a dedicated street. Applicant has indicated a frontage of 77' and a rear width of 123' which totals 200' (divided by 2 = 100') on tract #1 and a similar calculation on tract #2. Both lots exceed the 13,500 sq. ft. minimum. In the event that the TMAPC and/or Staff disagrees with the method of calculation for lot width, then Board of Adjustment approval would be required to permit the variance in lot width. (Lots have about 90' width at the 35' building line.) As an alternate, there would be no question that one lot would meet all the RS-1 criteria if applicant revised the application to create one lot instead of two.)

**Approval of the waiver of plat on Z-4648 and Lot split #17419 is recommended, subject to the following:**

1. Grading and/or drainage plan approval through the permit process for new construction.
2. Satisfy Department of Public Works (Stormwater) that sufficient room remains west of tract #2 for the drainageway.
3. Board of adjustment approval of lot widths if determined to be less than an average of 100'.
4. Provide a 10' utility easement along the front parallel to 86th Street.

The Staff presented the request with the applicant represented by Greg Breedlove and Lindsay Perkins.

On MOTION of MILLER, the Technical Advisory Committee voted unanimously to recommend **approval** of waiver of plat on Z-4648 and **approval** of L-17419, subject to the conditions outlined by Staff and TAC.

Interested Parties:

**Judy Everling**

**8717 S. Lakewood**

Ms. Everling is president of the Woodhill Estates Homeowner's Association. She opposed the lots because they are 50% smaller than the lot to its immediate east which has an existing home. The lot with the existing home has 28,565 SF in comparison to the proposed 14,005 for the larger of the two lots. It is also 38% smaller than any other lot in Woodhill Estates. She further stated she was concerned about its proximity to the creek. When the lots are split, one lot will be very close to the creek. She felt some of the floodplain had been developed in order to have the minimum square footage required for RS-1 zoning. Because the lot is separated from the Southern Pointe properties by the creek, she felt it should conform to the standards set by Woodhill Estates rather than Southern Pointe. She recommended combining the two properties in question thereby bringing it more in line with existing Woodhill lot standards.

Comments & Discussion:

Mr. Schemerhorn, developer of the area, and Mr. Jack Cox, the engineer who has platted the area, were present. Mr. Cox advised that the tract was not in the floodplain but that it does abut the floodplain. Although the lots are not as large as those in Woodhill Estates, many of the lots in Woodhill Estates are very steep and could not be developed. These lots are in conformance with RS-1 standards.

TMAPC Action; 10 members present:

On MOTION of **DOHERTY**, the TMAPC voted **9-1-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; Midget "nay"; no "abstentions"; Harris, "absent") to **APPROVE** the Waiver of Plat on Z-4648 and **APPROVAL** of L-17419 as submitted subject to the remaining conditions as recommended by TAC and staff.

\* \* \* \* \*

BOA 15748 Greenfield Acres (2792) (PD9) (CD2)  
4733 S. Vancouver Avenue (RS-3)

This is a request to waive plat on Lot 6, Block 1 of the above named subdivision. The present use is a church which is expanding/remodeling and providing more parking, as per plot plan submitted to the Board of Adjustment. Research reveals that additional right-of-way was dedicated in 1964 to bring both Vancouver and 48th Streets up to the required 50' right-of-way. Since the property is already platted, rights-of-way are adequate and utilities available, Staff and TAC saw no objection to a waiver of plat, subject to the following:

1. Grading and/or drainage plans subject to review and approval of the Department of Public Works in the permit process.

The applicant was represented by Spencer Bartek.

On MOTION of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **approval** of the **WAIVER OF PLAT ON BOA-15748**, subject to the condition outlined by Staff and TAC.

TMAPC Action; 9 members present:

On MOTION of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Neely "absent") to **APPROVE** the Waiver of Plat on BOA-15748 and subject to the conditions as recommended by TAC and staff.

\* \* \* \* \*

Z-6314 Ingram & Lewis Addition (3103)

710 N. St. Louis Ave.

This is a request to waive plat on Lot 7, Block 9 of the above named addition. This lot was recently re-zoned IL to permit expansion of an existing building as per plot plan submitted. The Board of Adjustment has approved variances in the setback abutting an R District and some modifications in the screen fencing requirements. Since the lot is already platted and adequate rights-of-way and easements exist, Staff recommends approval as requested. (Grading, drainage, etc., requirements are part of the building permit process if required.)

TMAPC Action; 9 members present:

On MOTION of **WOODARD**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Neely "absent") to **APPROVE** the Waiver of Plat on Z-6314 as recommended by staff.

\* \* \* \* \*

Z-5330 Bowman Acres Fourth (1493)

OL

7949 East 27th Court

This is a request to waive plat on Lot 4, Block 28 of the above referenced subdivision. All these lots on the service road facing Memorial were rezoned OL by Z-5330. The Planning Commission has waived the platting requirement on three of these lots on 4/21/82 and 7/6/83. Most of the lots contain existing residences that have been converted into offices or similar uses allowed within the OL District. Since the property is already platted and adequate rights-of-way, easements, etc. are existing, staff recommends APPROVAL as requested.

TMAPC Action; 9 members present:

On MOTION of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Neely "absent") to **APPROVE** the Waiver of Plat on Z-5330 as recommended by staff.

LOT SPLITS:

REQUEST TO RESCIND APPROVAL:

L-17166 Chitwood SE/c 29th and South Yorktown Ave. (RS-1)

This lot split created two lots from portions of Lots 5 & 4, Block 13 Forest Hills Addition. The application was submitted on 4/17/89 and listed as a "prior approval" on the 5/3/89 TMAPC meeting. Deeds were released and the file closed. Subsequently a question arose as to the lot width when the applicant filed an application for a building permit. (The lot had 109' of frontage.) In order to expedite the issuance of a building permit for one house, the applicant's representative has requested that the previous approval of Lot split #17166 be rescinded and thereby restoring the tract to its original size and configuration.

Staff recommends APPROVAL as requested. (Upon approval by TMAPC the records will be changed accordingly.)

TMAPC Action; 9 members present:

On MOTION of DOHERTY, the TMAPC voted 9-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Neely "absent") to RESCIND the previous approval of Lot Split #17166 thereby restoring the tract to its original size and configuration.

\* \* \* \* \*

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- \*L-17408 Hicks (3403) 711 N. Norwood
- L-17419 EGL Prtns (1583) North side of E. 86th St.,  
East of Hudson Ave.
- L-17421 Williams (1783) 8909 S. Gary Ave.
- L-17422 Williams (1783) 3965 E. 91st St.
- L-17423 Anderson Dev. (783) SE/c 71st St. and Riverside Dr.
- L-17424 TDA (3502) S/side of Pine between Norfolk  
and Peoria
- L-17425 Ellison Dev./Sanders South Lakewood Court and East  
(1583) 90th Street South

\*City Board of Adjustment approved #15734 for variances 6-11-91.

TMAPC Action; 8 members present:

On MOTION of WILSON, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Harris, Neely, Woodard "absent") to RATIFY the above listed lots splits having received prior approval.

\* \* \* \* \*

**PUD 329-1: Minor Amendment to increase permitted floor area  
South Lewis Plaza, Block 1, Lot 1, 7335 S. Lewis**

Staff Recommendation:

The existing office building in PUD 329 (South Lewis Executive Building) was surveyed for an impending sale. The survey found the building contained more gross floor area than allowed by the PUD and the Zoning Ordinance. The building appears to have been built in accordance with the submitted plans, but the discrepancy in floor area probably is the result of the architect calculating the floor area measuring from the middle of the exterior walls. The Zoning Code requires that floor area be calculated measuring from the exterior face of the exterior walls.

The minor amendment is to increase the permitted floor area from 31,200 SF to 33,279 SF, a 6.7% increase. The underlying zoning, OM, allows 32,670 SF of floor area, therefore this increase would also require a variance from the Board of Adjustment.

Since the building has been in existence for a number of years, Staff feels there is little alternative but to recommend **APPROVAL** of PUD 329-1 contingent upon the Board of Adjustment granting a variance of permitted floor area.

TMAPC Action: 7 members present:

On MOTION of **CARNES**, the TMAPC 7-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Harris, Midget, Neely, Woodard "absent") to **APPROVE** the Minor Amendment to PUD 329-1 to increase the permitted floor area from 31,200 SF to 32,670 SF of floor area contingent upon the Board of Adjustment granting a variance of permitted floor area.

\* \* \* \* \*

**PUD 417-B Revised Site Plan for parking garage southwest corner of  
Xanthus Avenue and 18th Street South**

The applicant is requesting a modification of the design of the wall which blocks headlights from shining into adjacent dwellings. The applicant had originally offered an addendum to the site plan to provide for this wall. This design was approved by the TMAPC. The architect did not; however, revise the construction plans to reflect this change and the parking garage was constructed without the screening wall. The architect is now requesting a modified screen which will accomplish the blockage of light originally



required by the TMAPC. Staff finds the modified design will accomplish the purpose intended and therefore recommends **APPROVAL** of the amendment to the Detail Site

TMAPC Action; 7 members present:

On MOTION of DOHERTY, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Harris, Midget, Neely, Woodard "absent") to **APPROVE** the Revised Detail Site Plan for Area C of PUD 417-B as recommended by staff.

\* \* \* \* \*

**PUBLIC HEARING TO CONSIDER AMENDING THE  
CITY OF TULSA AND TULSA COUNTY ZONING CODES  
IN REGARD TO THE SCREENING OF JUNK AND/OR  
SALVAGE YARDS**

Mr. Gardner presented a brief history of the proposed amendments and advised that the City Council had requested staff to study the screening of junk and salvage yards. The first public hearing was held on April 10, 1991 and continued until today to allow time to research the concerns and to determine the cost of fencing. The proposed amendments are as follows:

Amend Section 212.A.2.

**SECTION 212. SCREENING WALL OR FENCE**

**A. Specifications**

For the purpose of maintaining a compatible relationship between certain land uses, a screening requirement is hereby established for the initiation and continuance of particular uses in such instances as may be hereinafter designated.

When the provisions of this Code require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence:

1. Shall be constructed with customarily used fencing materials, and shall be designed and arranged to provide visual separation of uses irrespective of vegetation. The wall or fence shall be uniform in height, except for significant changes in topography and shall have a consistency of design. Painted walls or fences shall be earth-tone in color when abutting an R District boundary. The use of a chain link fence which utilizes inserts of metal or other materials does not meet this screening requirement.

2. Shall not be less than six (6) feet in height; provided however, that uses included in Use Unit 28 shall require a wall or fence of not less than eight (8) feet in height.
3. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance.
4. Shall be erected prior to the occupancy of the building or initiation of the use required to be screened.

**B. Maintenance**

The screening wall or fence shall be maintained by the owner of the lot containing the use required to construct the screening. Failure to maintain after notice by the Building Inspector shall constitute an offense hereunder.

**C. Modification of the Screening Wall or Fence Requirements**

The Board of Adjustment, as a Special Exception, may:

1. Modify or remove the screening requirement where existing physical features provide visual separation of uses.
2. Modify the screening requirement where an alternative screening will provide visual separation of uses.
3. Grant an extension of time to erect a screen where properties which are to be benefitted by the screen are undeveloped.
4. Remove the screening requirement where the purposes of the screening requirement cannot be achieved, or is prohibited by other ordinances and/or regulations.

**Amend Section 1227.B.**

- B. Included Uses: Manufacturing or Industrial Uses not elsewhere classified **except the following:**

Automobile Graveyard  
Automobile Salvage  
Automobile Wrecking Yard  
Junk Yard  
Salvage Yards, NEC  
Storage of dismantled automobiles or any form of junk

**Add New Section 1228**

**SECTION 1228. USE UNIT 28. Junk and Salvage Yards**

**A. Description**

Salvage yards, junk yards or the storage of any dismantled vehicles or motor vehicles or any form of salvage or junk.

**B. Included Uses:**

Automobile Graveyard  
Automobile Salvage  
Automobile Wrecking Yard  
Junk Yard  
Salvage Yard, NEC  
Storage of dismantled automobiles or any form of junk

**C. Use Conditions:**

1. The uses included in Use Unit 28 when located on a lot abutting an AG, R, PK, O, C, CO, CBD, SR, or IL District shall be screened by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the district to be screened.
2. The uses included in Use Unit 28 when located on a lot abutting a street, highway or thoroughfare shall be screened by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the street, highway or thoroughfare.
3. The piling of junk or salvage materials shall not exceed the height of the required screening wall or fence within 150' of the boundary required to be screened, except as provided in Section 1228.C.4.
4. Storage racks which are designed for the stacking of automotive front-ends, hoods, doors, quarter panels, etc, which exceed the height of the screening fence, shall be setback a minimum of 25 feet from an abutting R District and from a street, highway or thoroughfare along the lot line or lines in common with the R District, street, highway or thoroughfare, plus two (2) additional feet of setback for every one (1) foot of rack height above 15 feet.

D. Off-Street Parking and Loading Requirements

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All uses	1 per 100 SF of floor area	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per load additional 100,000 SF of floor area.

Amend Section 1407

Add:

- D. If such use is included in Use Unit 28, the use shall be screened and operated in accordance with the provisions of Section 212.A.1., 212.A.2. and 1228.C. by \_\_\_\_\_, 1992 (TMAPC recommends six months to comply); provided however, that existing storage racks that do not meet minimum setback requirements shall be permitted to remain.

Amended Section 1800

Add:

**Automobile Graveyard:** Any lot or portion of a lot upon which more than five (5) trailers and/or motor vehicles of any kind is placed, located or found for a period of 90 days or more and said vehicles are exposed to the elements and are incapable of being operated.

**Automobile Wrecking Yard:** The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. An automobile crushing operation is also considered an automobile wrecking yard.

**Junk and Salvage Yard:** An open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed or handled. Materials shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires and bottles.

Comments & Discussion:

Mr. Doherty commented that the Rules and Regulations Committee had met several times to consider these amendments. It was their consensus that some screening was necessary. It was determined that an 8' high fence would be adequate, although the Board of Adjustment could allow a 6' fence where appropriate by special exception. It was thought that a solid screening fence should be required but after much review it was determined that substantial screening should be required. It is their recommendation that the

Board of Adjustment be allowed to adjust any of the screening requirements. The Committee recommended that junk and salvage yards be given six months to conform to the new requirements.

Interested Parties:

**Terry Wilson, Planning District 5 Chair** 6121 E. 32nd St.  
Mr. Wilson presented photos he had taken along Route 66 (11th Street). He commented that although the businesses in the photos were not operating as "junk" or "salvage" yards, in essence they were. He would like to see the visual impact junk and salvage yards have on the community improved through some type of regulation.

**Norman Latham** 1540 E. Pine  
Mr. Latham represents the Greater Tulsa Auto and Truck Dismantlers Association. He has been involved in several of the committee meetings and has been active in developing the recommendations presented by staff. He stated that he appreciates the compromises staff made, but a financial hardship was still being imposed. Mr. Latham commented that there are already laws in effect that would remedy the concerns of Councilor DeWitty if they were enforced. Code Enforcement already falls considerable short in enforcing existing laws. He asked the Planning Commission not to make new laws when the old ones are not enforced. Money for code enforcement needs to be increased. He agreed with previous statements that the northside needs to be cleaned up but asked that legitimate dealers not be penalized.

Mr. Parmele stated that other types of screening could be approved by obtaining a special exception from the Board of Adjustment.

Mr. Doherty commented that he sympathized with the legitimate existing yards who have tried to keep clean operations. A problem does exist with the impact of the yards. They hamper economic development in north Tulsa and degrades neighborhoods. Mr. Horner stated agreement to the previous statements of Mr. Parmele and Mr. Doherty.

Ms. Wilson advised that she felt the proposals had come a long way giving the example that at first a 12' solid fence was required and now it was possible to provide screening with landscaping if the Board of Adjustment gave approval. She thanked Norman Latham, Sandy Beard and Walt Ward for their participation in the committee meetings. She added that the Planning Commission should review again the ordinances already in effect.

**Randy Chevrier** 5950 East 11th Street  
Mr. Chevrier commented that putting more restrictions on small business will not revitalize Tulsa.

**Donald Winningham** 5600 Southwest Boulevard  
Mr. Winningham stated that the screening requirements would place a hardship on legitimate businesses. He also questioned how it would

be enforced since Code Enforcement was not enforcing the laws already existing.

Mr. Doherty commented that a letter should be sent to the City Council requesting the Council consider that these regulations will not do any good without complete and equitable enforcement.

**Jack Jackson**

**1331 North Mingo**

Mr. Jackson stated that more restrictions were being placed upon honest people trying to make a living.

**Tim Epps**

**9302 E. 92nd Pl. S.**

Mr. Epps was concerned with security problems that may occur if a solid fence is required. He also stated this would be an open invitation for graffiti. He asked that the Planning Commission suggest to the City Council that those ordinances already existing be enforced rather than making new laws.

**John May**

**1 West Third, Suite 700**

Mr. May commented that his father owns several salvages in the Tulsa area. He commended the Planning Commission stating that he felt the Commission had the best interest of the City of Tulsa at heart. He asked that the Planning Commission develop a specific purpose for the screening. He noted that several businesses, other than junk and salvage yards, are also visually inappropriate and should be screened. This should be incorporated into the proposal.

**Bertha Wise**

**P. O. Box 9222, Oakhurst**

Ms. Wise asked that the Commission consider the impact the screening requirement will have on small business owners. It was her opinion that this will pose a excessive hardship on them.

**Walton Ward**

**Box 707, Sperry**

Mr. Ward commented that he has participated in the Committee meetings of the Planning Commission and felt the members had worked very hard to present a proposal that would be best for everyone involved.

There being no other interested parties, Mr. Parmele declared the public hearing closed.

TMAPC Review Session:

Mr. Doherty moved that the Planning Commission recommend to the City Council the amendments to the Zoning Code as presented with the following modifications:

1. An eight foot fence shall substantially screen the operation in question;
2. The Board of Adjustment, by Special Exception, may modify the screening to a minimum six foot fence or where it would not serve a function to eliminate it all together;

3. The Board of Adjustment by Special Exception may modify the screening requirement where security considerations significantly outweigh the benefits achieved by screening;
4. Landscaping may be allowed in the alternative with Board of Adjustment approval;
5. The screening required by these changes shall be in place withing six months from the effective date of the ordinance;
6. The Planning Commission shall transmit a letter to the City Council that such amendments to the Zoning Code will be effective only if full and equitable enforcement is available. A copy of the letter shall be sent to the Mayor;
7. Staff shall prepare the appropriate language and provide it the the Planning Commission for final approval.

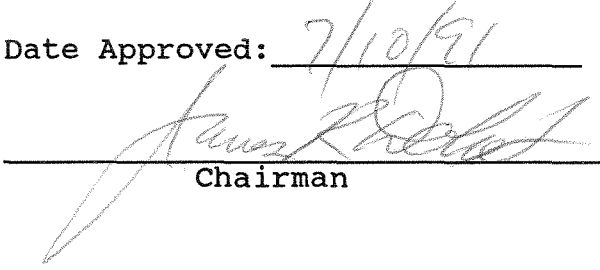
TMAPC Action; 8 members present:

On MOTION of DOHERTY, the TMAPC 7-0-1 (Ballard, Carnes, Doherty, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon "abstaining"; Harris, Midget, Neely "absent") to **RECOMMEND** to the City Council **APPROVAL** of the amendments to the Zoning Code regarding the screening of junk and salvage yards as presented by staff and as amended during the public hearing.

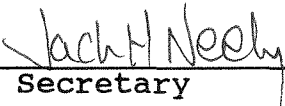
Mr. Gardner advised that staff would present the amended language at the July 10, 1991 meeting of the Planning Commission.

There being no further business, the Chairman declared the meeting adjourned at 4:20 p.m.

Date Approved: 7/10/91

  
 \_\_\_\_\_  
 Chairman

ATTEST:

  
 \_\_\_\_\_  
 Secretary

