

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 1962

Wednesday, February 2, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Ballard  
Carnes, 2nd Vice  
Chairman  
Doherty, Chairman  
Harris  
Horner  
Neely  
Secretary  
Pace  
Parmeale, 1st Vice  
Chairman  
Wilson

**Members Absent**

Broussard  
Midget

**Staff Present**

Hester  
Jones  
Stump

**Others Present**

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, January 31, 1994 at 4:11 p.m., as well as in the Reception Area of the INCOG offices.

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

**Minutes:**

Approval of the minutes of January 19, 1994, Meeting No. 1960:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-1** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; Neely "abstaining"; Broussard, Midget "absent") to **APPROVE** the minutes of the meeting of January 19, 1994, Meeting No. 1960.

**REPORTS:**

**Chairman's Report:**

Chairman Doherty instructed Staff to set a public hearing for the University of Tulsa Master Plan Amendments for March 2, 1994.

Mr. Linker reported on his findings regarding the requirement that construction signs erected on a building site must be erected by a licensed bonded contractor. He informed that it is the Building Code which requires this and not the Zoning Code. To change this would require City Council action.

Chairman Doherty instructed Staff to prepare a resolution for the February 9 agenda requesting the City Council to amend the City of Tulsa Building Code to eliminate the requirement that only a licensed sign contractor may erect temporary construction and large real estate signs.

Committee Reports:

Rules and Regulations Committee

Mr. Parmele announced that the Rules and Regulations Committee recommends reinstate the election of officers to the second Wednesday in January.

TMAPC Action; 9 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **APPROVE** reinstating the election of officers to the second Wednesday in January.

Chairman Doherty announced that the election of officer will be held February 9, 1994.

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SUBDIVISIONS:

PRELIMINARY PLAT:

Oakview Terrace (2093) Hammond

(PD-6)(CD-9)

Northeast corner of East 38th Street South and South Atlanta Place.

Jones presented the plat with Adrian Smith in attendance at the TAC meeting.

Jones noted the 45' radius cul-de-sac and stated that a Plat Waiver would be required if less than the minimum 50'.

Adrian Smith stated that the paving width would be the same as a standard cul-de-sac.

French requested that the engineer investigate the actual distance between the property line and the curb of South Atlanta Place since it has a slight curve.

Hill recommended that the word "East" be added to the Deed of Dedication, Section B.1.

Morris stated that a water and sewer extension would be required and that Staff condition number 5 refer to "sanitary" sewer.

Oakview Terrace represents a typical infill redevelopment where a large tract containing a single-family dwelling is subdivided into smaller lots with the original dwelling removed. This plat consists of 2.51 acres, 8 lots and has an underlying zoning of RS-2.

Staff would offer the following conditions and/or recommendations:

1. Identify abutting property as platted and West Oak Addition.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.

3. 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.
4. 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).
5. 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.
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. 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).
11. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic) / County Engineer. Include applicable language in covenants.
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) or County 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.)
14. 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.
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.
18. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.

19. 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.
20. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat for Oakview Terrace, subject to all conditions listed above.

Mr. Jones informed that an area of contention is an 11' strip on the west side of the proposed plat. He disclosed that the applicant did not own the strip at the time of the TAC meeting and TAC did not perceive this to be a platting issue. Mr. Jones explained that if the applicant cannot obtain the strip, the subdivision is moot. In response to Mr. Parmele's question, Mr. Jones revealed that no waivers are requested and the subject plat meets all requirements of the subdivision regulations as to design.

In response to Mr. Parmele's inquiry, Mr. Linker informed that the Planning Commission does not have the discretion to deny a subdivision which meets subdivision regulations.

#### Applicant's Comments

**Jeffrey Levinson**

**35 East 18th Street**

Mr. Levinson, attorney for the applicant, distributed copies of the subject plat. He declared that there is an agreement between the owner and the applicant for acquisition of the 11' strip. Mr. Levinson explained that this strip is a lot in the West Oak Subdivision, that the proposed plat is appropriate and consistent with the surrounding area and will enhance the area. Mr. Levinson distributed copies of the West Oak Subdivision depicting a 50' long provision of the subject 11' strip for easement and access.

Mr. Parmele inquired as to the purpose of the 11' strip.

Mr. Levinson explained that the original purpose for landscaping.

#### Interested Parties

**Steve Schuller**

**525 South Main #1111 74103**

Mr. Schuller, attorney for Greater Oakview Estates Homeowners Association and various property owners in the vicinity, informed that lots for the proposed plat are much smaller than lots surrounding it. He expressed concern over the six lots surrounding the short cul-de-sac and noted that emergency access could be a problem. Mr. Schuller voiced concern that approval of the plat would increase population and traffic congestion in the area and deemed that the plat fails to provide a proper arrangement of streets in relation to existing streets in the area. Mr. Schuller perceives that it makes no sense to approve the plat when the developer does not own this key portion of land. He informed that the owner of the 11' strip has advised that there is not a contract or agreement to sell this property. Mr. Schuller acknowledged that there is an access easement shown of 50' width for access to Lot 6, Oakview Estates. He declared that the access easement is not located where the proposed street is located. Mr. Schuller asked that the Planning Commission not approve the preliminary plat.

There was concern expressed among the Planning Commissioners over platting property without owner consent.

Mr. Linker informed that the applicant is required to show title to the property at the time final plat is approved. He noted that the Planning Commission has made platting decisions under similar circumstances.

**Lloyd Pruett**

**3710 South Atlanta Place 74105**

Mr. Pruett is interested in preserving the identity of the community. He presented photographs of existing homes in the area and noted that homes for the proposed lots are approximately one-half the size of those existing. Mr. Pruett stated that lots for the proposed plat are approximately one-fourth the lot size of those existing. He presented a petition with approximately 50 signatures of area residents opposed to the proposed development. Mr. Pruett disclosed that there are presently no cul-de-sacs in Tulsa with an arrangement as those in the proposed plat. He expressed concern over the safety of such a design, sufficient off-street parking, and because of the small lots, he was concerned that children may be more inclined to play in the street, resulting in injury. Mr. Pruett requested that the developer include an article in the restrictive covenants requiring approval of the HOA for what is developed in the 11' strip.

**Dan Rogers**

**3730 South Atlanta Place 74105**

Mr. Rogers, owner of the 11' x 475' strip of property in question, explained that the strip is directly across the street from his home. He declared that the property is not for sale to anyone wanting to construct anything his neighbors oppose. He explained that if his neighbors express approval for development, the 11' strip will then be available for sale. Mr. Rogers expressed opposition to the number of homes the applicant is proposing for the plat and disclosed that he could support a plat for fewer homes.

Other Interested Parties Present

**Harrison Townes**

**2685 East 38th 74105**

Applicant's Rebuttal

Mr. Levinson revealed that Mr. Rogers submitted a letter of agreement to sell the 11' strip and conceded that this is a private dispute which needs to be resolved. He noted that the final plat cannot be filed if the 11' strip is not owned.

TMAPC Review

Mr. Linker pointed out that should the Planning Commission deny the application that is taking a position on whether or not the applicant has a valid agreement for the property. However, he advised, the better procedure would be for approval to be granted subject to the condition that the applicant have good title at the time of final plat approval. Mr. Linker stressed that it is up to the individuals to resolve the issue.

There was discussion among the Planning Commission on options of procedure. After much discussion it was the consensus of the Planning Commission to continue this item to March 2 to allow time to resolve the ownership issue of the 11' strip.

Mr. Levinson insisted that by continuing this item, the Planning Commission is becoming involved in a dispute between private parties.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-1-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; Neely "nay"; no "abstentions"; Broussard, Midget "absent") to **CONTINUE** the **PRELIMINARY PLAT** for Oakview Terrace to March 2, 1994.

\* \* \* \* \*

**Five Acre Woods (2183)**

**(PD-26) (CD-8)**

North of northwest corner of 101st Street South & South Yale

Chairman Doherty announced a request for continuance to February 9, 1994. There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **CONTINUE** **PRELIMINARY PLAT** for Five Acre Woods to February 9, 1994.

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**Meadow Brook Village (1884) Cox**

**(PD-18)(CD-8)**

Southeast corner of East 81st Street South and South Mingo Road.

Jones presented the plat with Clayton Morris and a representative of Arkansas Valley Petroleum in attendance at the TAC meeting.

Jones asked if the standard 17.5' utility easement was planned along East 81st Street South and South Mingo Road. Cox stated that an underground meeting will be planned and all line locations will be worked out at that time. Jones noted that the easements may be required by the utilities if locations cannot be worked out.

Morris stated a water line extension would be required.

Comments from the Fire Department indicate an additional hydrant and fire vehicle access will be required.

French recommended that the northernmost access on Mingo be moved to at least 33' from the corner and the westernmost access on 81st Street be moved to at least 44' from the corner. In addition, the 35' access point in the middle of Lot 2 should be eliminated.

Meadow Brook Village is a 4.4-acre commercial subdivision which contains four lots. The TMAPC approved CS zoning on the tract on December 22, 1993 and City Council action is pending. The Preliminary Plat will not be transmitted to the City until the rezoning ordinance has been published.

Staff would offer the following comments and/or conditions:

1. 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.
2. 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.
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
4. 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.
5. 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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
7. Street names shall be approved by the Department of Public Works and shown on plat.
8. All curve data, including corner radii, shall be shown on final plat as applicable.
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. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
11. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works. Include applicable language in covenants.
12. It is recommended that the developer coordinate with the 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.)
13. 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.
14. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. The key or location map shall be complete.
16. 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.

17. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
18. The Zoning Application Z-6432 shall be approved and the ordinance therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
19. This plat has been referred to Broken Arrow and Bixby because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
20. 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.
21. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the MOTION of MILLER, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of MEADOW BROOK VILLAGE, subject to all above conditions.

Mr. Jones presented a letter from Jon Eshelman, Traffic Engineer, regarding access. Traffic Engineering recommended that access points at the intersection of Mingo Road and 81st Street encroach the curb radius of future street improvements. Due to the anticipated right turn bay, the first access point on 81st Street east of Mingo is recommended to be a minimum of 44' from the extended corner, with minimum dimension on Mingo Road 33' south of 81st Street. Traffic Engineering review of the remainder of the access points along 81st Street found the number and spacing of access points to be too many and too close. It is recommended that one of the five access points shown along 81st Street be eliminated and that the third and fourth drives be combined into one shared drive or moving the third drive east, near the east lot line of Lot 2, eliminating the fourth drive.

Applicant's Comments

**Jack Cox**

7935 East 57th Street 74145

Mr. Cox informed that his client believes that eliminating the access point, as suggested, would be a hardship when selling the lots. He asked that the lots be approved as submitted. There was discussion among the Planning Commission over the number of access points necessary and location.

**TMAPC Action; 9 members present:**

On MOTION of NEELY, the TMAPC voted 9-0-0 (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **APPROVE** the PRELIMINARY PLAT of Meadow Brook Village subject to conditions recommended by Staff with the requirement of a mutual access agreement, with a total of four access points along East 81st Street.

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**WAIVER REQUEST: SECTION 213:**

CBOA-1217 (Unplatted)(1714)  
10510 North 129th East Avenue.

(PD-15)(County)

Jones presented the plat with several representatives of the church in attendance at the TAC meeting.

Representatives of the church stated that the church is not opposed to platting the property but need to start work since bids have been accepted. It was stated that the church was not aware of the platting requirement until the County Board of Adjustment hearing.

Jones presented the platting requirement form, which was signed at the time the application was applied for.

French stated that an access control agreement would be required for North 129th East Avenue.

This 6.79-acre tract was approved for church use by the Tulsa County Board of Adjustment on December 21, 1993. The subject tract is zoned RE, contains an existing church and has been approved for considerable future expansion.

Staff is not supportive of the proposed plat waiver for the following reasons:

1. Tract size exceeds the 2.5 acre maximum considered for waiver.
2. North 129th East Avenue does not appear to contain full Secondary Arterial right-of-way (50').
3. Lack of sufficient easements.
4. New and future expansion will approximately double impervious area.
5. No waivers have been granted in the immediate area.
6. The property is presently unplatted.

Staff recommends **DENIAL** of the requested Plat Waiver for CBOA-1217.

On the MOTION of FRENCH, the Technical Advisory Committee voted unanimously to recommend **DENIAL** of the Plat Waiver for CBOA-1217.

TMAPC Comments

Commissioner Harris noted that there are a number of large churches being constructed in the vicinity of the subject area. He explained that the Owasso area is growing so rapidly that they must find larger accommodations for their expansions. He asked why the applicants are required to go through this process.

Mr. Jones explained that all church use approved by the Board of Adjustment is subject to platting requirements, and it is Planning Commission policy to review plats and waivers. Mr. Jones then explained the benefits of doing so regarding easements and rights-of way.

Interested Parties

**Oscar Hixson**

**7450 North 117th East Avenue 74055**

Mr. Hixson, Elder for the Church of Christ, distributed photographs of the area. He explained that the church on the property has been in existence for approximately 20 years and gave a detailed description of the structure and its location. Mr. Hixson informed of an easement granted by that the abstract.

**Barry Smith**

**8141 East 31st Street 74145**

Mr. Smith, architect for the church, explained that the right-of-way is fronting 129th Street only. He advised that the Board of Adjustment approved only this addition, and indicated that if there is additional construction on the property, that they will again be required to appear before the Board of Adjustment for additional approval. Mr. Smith noted that easements with GRDA, PSO, and SW Bell are a matter of record in the abstract and questioned what the plat would do, except create a hardship on the church due to bids for construction being held. He declared that there are no platted properties nearby.

Mr. Jones explained that what is being discussed is not general utility easements, but specific easements to GRDA, PSO, etc. to their lines, and not allowing others access.

Mr. Parmele asked if conditions could be written to grant the waiver and require the right-of-way and perimeter easements.

Mr. Jones conceded that it could be done, but would require separate instruments to be filed of record.

**Ron Fields, County Inspector**

**633 West 3rd Street 74127**

Mr. Fields explained that if the plat is waived, he will need two complete sets of approved plans to proceed. In response to Chairman Doherty's question, Mr. Fields revealed that conditions could be written to accommodate that, but will take a number of separate instruments.

There was discussion over the possibility of granting a waiver on only half of the property. It was the consensus of the Planning Commission to find the most expedient manner to assemble conditions for County requirements without the burden of a plat.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-1-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; Neely "nay"; no "abstentions"; Broussard, Midget, "absent") to **CONTINUE** CBOA-1217 to February 9, 1994.

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Z-6429 Mooreland Addition (2893) (PD-18)(CD-7)  
3601 East 51st Street South.

Jones presented the request with Steve Kennedy in attendance at the TAC meeting.

French stated that a license agreement would be required to permit parking in the right-of-way.

Kennedy replied that a license agreement had been executed.

The subject tract is approximately 0.69 acres in size and contains a one-story building with approximately 8,127 square feet. The TMAPC approved rezoning the property from OM (Office Medium) to CO (Corridor) on December 8, 1993. Since no new construction is planned and the property is platted, Staff would recommend APPROVAL of the Plat Waiver subject to the following condition:

1. Utility extensions and/or easements if necessary.

On the MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the Plat Waiver for Z-6429, subject to the condition listed above.

**TMAPC Action; 8 members present:**

On MOTION of HORNER, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget "absent") to APPROVE the WAIVER REQUEST for Z-6429 as recommended by Staff.

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PUD-166-F Sheridan Square (2383) (PD-18)(CD-8)  
9221 South Sheridan Road.

Jones presented the request with Bob Lemmon and Roy Johnsen in attendance at the TAC meeting.

Johnsen pointed out that additional information in regards to the PUD and that other Plat Waivers had been approved within PUD-166.

Miller stated that an 18" high-pressure gas line and easement was along the north property line and requested the developer work closely with ONG to protect it. Lemmons acknowledged the request and stated he would work with the gas company on all concerns.

Canahl recommended the condition that the storm sewer along the south line of Development Area "C" be a public main and a PFPI project.

French recommended that access approval be subject to Traffic Engineering. French also requested as an advisory note that mutual access easements be filed within the PUD to aid with circulation. Lemmons stated that they had been prepared.

PUD-166-F is approximately 6 acres in size and is located south of the southeast corner of East 91st Street South and South Sheridan Road. The property was recently approved for three development areas which include car wash, office / commercial and mini-storage uses. The property was previously platted and is now subject to plat from PUD-166-F.

Staff would recommend APPROVAL of the Plat Waiver for PUD-166-F, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.

On the MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the Plat Waiver for PUD-166-F, subject to all conditions listed above.

**TMAPC Action; 8 members present:**

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget "absent") to APPROVE the WAIVER REQUEST for PUD-166-F as recommended by Staff.

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Z-6410 Guy Cook Subdivision (3194) (PD-18)(CD-5)  
Northeast corner of East 61st Street South and South 99th East Avenue.

Jones presented the request with Roy Johnsen and Roy Ferguson in attendance at the TAC meeting.

Canahl stated that all drainage including roof drains should be directed towards the streets and away from the residential area.

French recommended the condition that an access agreement would be required for the subject tract and approval must be obtained by Traffic Engineering. In addition, French advised the applicant check to insure the proposed parking met the new design criteria.

Cotner suggested the applicant also check the newly-adopted landscape requirements.

The subject tract is 90' X 170' in size and contains an existing single-family dwelling. The property was rezoned to IL in September 1993 and was also approved by the Board of Adjustment for a music store along with several variances. The applicant is proposing to add a new 90' X 40' building and access from East 61st Street South for the property.

Staff would recommend APPROVAL of the plat waiver for Z-6410, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering)/.
3. Utility extensions and/or easements if needed.

On the MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for Z-6410, subject to all conditions listed above.

The applicant indicated approval of Staff conditions.

There were no interested parties present wishing to address the Planning Commission.

**TMAPC Action; 8 members present:**

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget "absent") to **APPROVE** the **WAIVER REQUEST** for PUD 166-F as recommended by Staff.

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**Z-6120 (Unplatted) (1903)**

**(PD-2)(CD-3)**

North of the northwest corner of East Apache and North Lewis Avenue.

The subject tract (374' X 290") is part of a 3.06-acre tract which was rezoned CS and OL in 1986. The applicant is proposing a church on the CS portion of the tract with church parking on the OL portion. Both are uses by right which should not require any Board of Adjustment action.

Although Staff has some concerns with the waiver request, Staff would recommend **APPROVAL** of the plat waiver for this portion of Z-6120, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.
4. The south 86' of the north 460' of the east 340' of the south 810' would remain subject to the platting requirements.

Mr. Jones expressed concern over condition #4 should a future owner discover the property is subject to plat.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **APPROVE** the **WAIVER REQUEST** for Z-6120 as recommended by Staff.

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**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL**

L-17836 August & Patricia Braswell (2272)  
15707 South 26th West Avenue

(PD-21)(County)  
AG

**Staff Comments**

Mr. Jones announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **RATIFY** the above-listed lot-splits having received prior approval.

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**PUD-448** Detail Sign Plan for space #120 at 8929 S. Memorial Drive.

The applicant is proposing a new 21" X 20" wall sign on a store having 35' of frontage in the Square Ninety-One Shopping Center. It complies with the PUD conditions; therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 9 members present:**

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **APPROVE** PUD 388 **DETAIL SIGN PLAN** as recommended by Staff.

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PUD 378 Albertson's

Southwest corner of East 101st Street South & South Memorial Drive.

Determine additional information needed to evaluate Site Plan and Final Plat.

**Joe Westervelt**

**1250 East 26th Street**

Mr. Westervelt, representative for Quik Trip, informed the Planning Commission of difficulties his company has encountered in dealing with Albertson's. He reminded the Planning Commission that Albertson's representatives have alleged that grades could be altered to the mutual access, which the Planning Commission intended be provided, so it physically could not be used. Mr. Westervelt asked that the Planning Commission require that the property be physically graded prior to granting a release of plat. He asked that they request Albertson's provide a grading plan to assure that the mutual access could be used, and he suggested that the grading plan be tied to the release of final plat.

TMAPC Comments

It was the consensus of the Planning Commission to notify the applicant that grading in the area of the mutual access will be carefully scrutinized at the time site plans and plats are filed.

Mr. Linker responded that the plat can be conditioned for mutual access and require that grading plans be submitted establishing that this will be done.

Mr. Parmele made a motion that the final plat be conditioned on mutual access and require that grading plans be submitted establishing that this will be done. The motion was seconded by Mr. Carnes.

Mr. Neely expressed concern that this places the Planning Commission in the position of mediating a private dispute.

Discussion ensued over methods to ensure PUD conditions are complied with.

Chairman Doherty stated that he will support the motion to prevent unnecessary damage to surrounding land usage because he feels that the land use is appropriate.

**TMAPC Action; 9 members present:**

On **MOTION** of **PARMELE**, the TMAPC voted **8-1-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; Neely "nays"; no "abstentions"; Broussard, Midget "absent") to **REQUIRE** a grading plan prior to the approval of PUD 378 Site Plan and Final Plat.

Mr. Westervelt suggested that present wording of subdivision requirements regarding sanitary sewer easements be restated so that if improvements are destroyed while installing, repairing, or maintaining the sewer, it is the responsibility of the land owner to replace those improvements

Chairman Doherty instructed Staff to review the language regarding installation of sewer.

Mr. Linker informed that there is a standard provision in all subdivision plats that if paving or landscaping is torn up for repairing, maintaining, etc. of the sewer it is the responsibility of the land owner for replacement.

Chairman Doherty instructed Staff to present that language for consideration at the time of final plat and for all other plats.

\* \* \* \* \*

**PUD 492** Southeast corner 21st Street South & 130th East Avenue.

Mr. Stump advised that the site plan for Area A complies with PUD conditions and Staff recommends **APPROVAL**.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **APPROVE** PUD 492 **DETAIL SITE PLAN** for Area A.

\* \* \* \* \*

**Review and possible adoption of the FY 1995 TMAPC Budget and Work Program.**

Ms. Wilson announced that the Budget and Work Program Committee voted unanimously to approve the budget.

**TMAPC Action; 9 members present:**

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget "absent") to **ADOPT** the FY 1995 Proposed TMAPC Budget and Work Program per recommendation of the Budget and Work Program Committee, noting that this is preliminary and subject to change when final funding amounts are available from the City and County.

\* \* \* \* \*



There being no further business, the Chairman declared the meeting adjourned at 3:10 p.m.

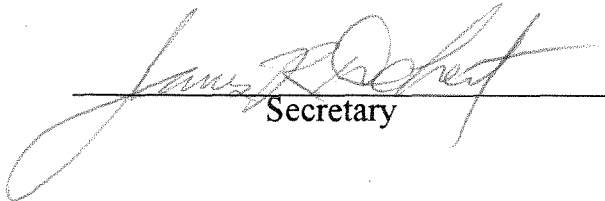
Date Approved:

*February 6, 1994*



Chairman

ATTEST:

  
Secretary

# TMAPC PLANNING WORK PROGRAM

## FY-1995 BUDGET

1/27/94

Type: O - Ongoing  
C - Continuing  
N - New

### Comprehensive Planning

#### A. Comprehensive Plan Amendments (O)

Maintain the Comprehensive Plan and District Plans through the annual review and update process. Results include routine "housekeeping" amendments, changes to the Major Street and Highway Plan, and any changes necessary to the District Plans to incorporate recommendations of other studies such as those of the Charles Page and Springdale areas.

#### B. 11th Street Corridor Study, Part 2 - Harvard to Sheridan (C)

To continue work begun during FY93 with planning along 11th Street. Consideration will be given to streetscape improvements, needs for additional parking and impacts on adjacent residential areas, land use compatibility and coordination with efforts of various City Departments in this area.

#### C. District 9 Southwest Tulsa Plan Update (C)

Since the adoption of this plan, several conditions have changed that necessitate an overall review for possible amendments. The economic downturn and plant closings of the early 1980's and the floodplain acquisition and clearance following the floods of the mid-1980's have impacted the area. The Plan update process will focus on and complement recent grassroots efforts in this area to further involve citizens in redevelopment of their neighborhoods. Part of the District 9 update includes coordinating and providing some of the data necessary to complete the southwest Chamber of Commerce Economic Development Plan for the business district.

#### D. District 25 Plan Update (N)

This District on the City's near north side has been impacted by the extension of the Osage and Gilcrease Expressways, and should be reviewed for amendment to reflect these facilities. Plan update efforts will involve the District Chair and Co-Chair, their planning team, homeowners and neighborhood associations, City Council, and area businesses and institutions.

E. District 10 Plan Update (N)

To review and update the Detail Plan for this Planning District, in light of recent changes in industrial land use, current/planned expansions at the Adult Detention Center and other County properties in this area. The District 10 Plan has not been studied for a major update since 1985.

F. North Peoria Corridor Study (N)

To examine the issues and problems of the North Peoria area between Pine Street and 56th Street North and identify possible planning solutions. This will be done in conjunction with a planning team composed of representatives of area business and property owners, residents, institutional representatives (such as Tulsa Public Schools, social service agencies and others). To be reviewed are issues such as needed public improvements (street widenings, lighting, and similar infrastructure enhancements) and private improvements.

Zoning Code Amendments

A. Continued Implementation of Blanket-Zoning Study - From RM to RS Classifications (C)

To hold public hearings and process rezoning for additional blanket-zoned neighborhoods, including the Riverview neighborhood, as identified in the study. This work element concentrates on those areas zoned for multifamily use in the mid-50's, but which have remained primarily single-family in nature.

B. Infill Study, Phase II - From Higher Density Single-Family to Lower Density Single-Family Classifications (C)

Following the process developed during the Bolewood Acres area rezoning, this project will identify and pursue rezoning of other established large-lot neighborhoods to RE zoning as appropriate. These are subdivisions that were developed at a time when RS-1 was the lowest density single-family zoning district. However, they developed at much lower intensities than that category requires, with the potential for legal lot splits which will change the character of the neighborhood and seriously erode the stability and value of these areas. Rezoning from RS-3 and RS-2 to RS-1 is also appropriate for some of the infill study area.

C. Revision of the Corridor District Chapter (N)

Extensive CO Corridor Zoning has been approved, primarily along the Mingo Valley Expressway corridor, but very few tracts have been developed since its creation in 1975. A comprehensive review of the Corridor District Chapter, specifically the Development Standards and Procedures, is needed.

D. Accessory Uses Study (N)

Review and update the Zoning Code requirements for customary accessory uses in commercial districts, with particular emphasis on considering accessory residential uses by right in commercial districts.

Special Studies

A. Small Area Plan Implementation (O)

To continue to staff the Kendall-Whittier Task Force throughout the plan implementation process which includes the implementation of the new elementary school site, City park, Whittier Square Business Community and the University of Tulsa's Master Plan. To continue to assist in staffing the implementation of the 11th Street Corridor Study, South Peoria Study and other small area revitalization studies as requested by the City Council. This will involve joint efforts with the City Urban Development Department, the Mayor's Office for Neighborhoods, Tulsa Police Department and other entities.

B. Capital Improvement Planning/Review (O)

To complete the annual review of CIP projects submitted by City departments for compatibility and consistency with the Comprehensive Plan. Staff works in coordination with the Capital Planning and Research Division of the City of Tulsa Finance Department.

C. Implementation of Citizen Participation Study (O)

Coordinate the implementation of the Citizen Participation Study recommendations with the Mayor's office and TMAPC. Conduct needed training and reorganization meetings, as well as election of Planning Team officers. Continue to provide staff to disseminate information on planning and zoning matters.

D. Pedestrian Linkages Study (N)

A follow-up to the Sidewalk Study, this item would develop draft policies and standards for extension of the sidewalk system from existing sidewalks along arterial streets to link with specific destinations within neighborhoods. Such destinations include schools, parks and libraries. The study would be the basis for future capital improvement funding for sidewalks by the City of Tulsa.

E. Conservation District Study (N)

To examine use of the Conservation District as an overlay zone in other cities to determine its feasibility in Tulsa. This is similar to the HP zoning category, but would apply to developments or areas less than fifty years of age. The results of this work item would be a recommendation regarding its effectiveness, identification of steps needed to implement and potential applications. Coordination will be required with the Tulsa Preservation Commission and the Urban Development Department of the City.

F. Tax Increment Financing Planning (O)

Staff participation in the work of the Department of Urban Development's Internal Review Committee, which reviews all TIF proposals and makes recommendations to the Formal Review Committee prior to City Council hearings. The Internal Review Committee work will include development of policies to be followed by the City in considering specific TIF projects, recommendations for the Project Plan and any regulatory and related changes that may be necessary to implement the approved Project Plans. The TMAPC will review the proposed Project Plans for TIF districts and make a recommendation on the Plans to the governing body.

G. Riverside Task Force (N)

Provide Staff assistance to the Riverside Task Force as requested.

H. Special Studies (O)

These include any unanticipated studies including special neighborhood planning studies that may be requested by the TMAPC, City Council, the Mayor's Office or the Tulsa County Commission. Other items that may be included are completion of the adoption process for any code amendments now in progress (such as Corridor Chapter revisions, Bed and Breakfast amendments and mini-storage revisions to the Zoning Code), preparation of the annual budget and work program and development of quarterly progress reports. Revisions to the outdoor advertising requirements of the Zoning Code may be requested as a special study. Assist Tulsa International airport staff and consultants in their update of the Airport Master Plan, if requested.

Training

A. TMAPC/BOA/CPT/HOA/NA Training (O)

To provide continuous training programs for current members and enhanced orientation for new CPT members, HOAs and NAs, City and County BOA and TMAPC appointees. Emphasis will continue to be on roles and responsibilities of the various boards and their relationship with each other.

## Support Services

### A. Mapping/Graphics (O)

To continue to provide mapping and graphics support services to the TMAPC for base mapping in the general areas of comprehensive planning, special studies, land use, zoning, topographic maps, reproduction services and related activities. Computerization of base mapping and graphic technologies will continue, and will include staff training as appropriate.

### B. Planning Data/GIS (O)

To provide and maintain a data base to support other programs of the TMAPC and staff functions. Data base information includes population estimates, housing, land use and other statistics needed to complete the approved work items.

### C. Public Information/INSIGHT (O)

The publication and dissemination of the INSIGHT newsletter (funded 50/50 by TMAPC and INCOG). This newsletter provides timely information on TMAPC projects to more than one thousand individuals and organizations.

### D. TMAPC Legislative Program (O)

To monitor bills that have been filed which potentially impact the work of the TMAPC, and to advocate for support of or changes to any such bills, as appropriate and to find sponsors and support new planning and zoning legislation which TMAPC may propose.

### E. Aerial Photography (C)

To continue to provide updated aerial photographs of the study area in order to support the various ongoing planning programs.

### F. General Operating, Including Computer Services (O)

These services include non-personnel expenses, such as staff education and training, maintenance of the library of professional literature, computer support of TMAPC work items and staff functions, purchase of needed software and programming and continued network development in support of the overall system.

**PRELIMINARY SUGGESTIONS  
TMAPC BUDGET AND WORK PROGRAM  
FY-95**

	TYPE	ESTIMATED COST
<b><u>Comprehensive Planning</u></b>		
Comprehensive Plan Amendments	O	\$ 30,000
11th Street - Harvard to Sheridan	N	10,000
District 9 Plan Update	C	5,000
District 25 Plan Update	N	15,000
District 10 Plan Update	N	15,000
North Peoria Corridor Study	N	10,000
<b><u>Zoning Code Amendments</u></b>		
Blanket Zoning Implementation (RM-RS)	C	\$ 10,000
Infill Study Implementation (RS-RE)	C	2,500
Accessory Uses	N	2,500
Corridor District Regulations	C	2,500
<b><u>Special Studies</u></b>		
Small Area Plan Implementation (Kendall-Whittier, et al)	O	\$ 20,000
Capital Improvement Plan Review	O	2,500
Pedestrian Linkage Study	C	5,000
Conservation District Study	C	5,000
Tax Increment Financing	O	2,500
Riverside Task Force	N	7,500
Special Studies	O	25,000
<b><u>Training</u></b>		
TMAPC/BOA/CPT Training	O	\$ 5,000
Neighborhood Association Training	N	7,500
<b><u>Support Services</u></b>		
Mapping and Graphics	O	\$ 85,000
Data/GIS	O	15,000
Public Information (Insight)	O	10,000
TMAPC Legislative Program	O	5,000
Aerial Photography*	O	12,500
General Operating	O	<u>22,500</u>
<b>SUBTOTAL PLANNING PROGRAM</b>		<b>\$332,500</b>
<b>Zoning/Land Development</b>	<b>O</b>	<b>\$301,497</b>
<b>Citizens Planning Teams</b>	<b>O</b>	<b>19,425</b>
<b>TMAPC Travel &amp; Training</b>	<b>O</b>	<b><u>13,200</u></b>
<b>TOTAL TMAPC PROGRAM</b>		<b><u>\$666,622</u></b>

Type: O - Ongoing (\$235,000); C - Carryover (\$30,000); N - New (\$67,500).

\*Biennial activity

