

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2199

Wednesday, April 7, 1999, 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>
Boyle	Carnes	Beach	Swiney, Legal
Harmon	Dick	Dunlap	Counsel
Hill		Huntsinger	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, April 6, 1999 at 9:10 a.m., posted in the Office of the City Clerk at 9:05 a.m., as well as in the office of the County Clerk at 9:02 a.m.

After declaring a quorum present, Chairman Boyle called the meeting to order at 1:30 p.m.

### **REPORTS:**

#### **Chairman's Report:**

Mr. Boyle reported that there are some continuances on today's agenda.

**Z-6678 – Robert J. Nichols**  
816 North Mingo Road

**RS-3 to IL**

#### **TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Pace "absent") to **CONTINUE** Z-6678 to May 5, 1999 at 1:30 p.m.

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Mr. Boyle stated that the briefing on the Infill Study Task Force will be continued to May 5, 1999.

**Director's Report:**

Mr. Stump stated that there are no items before the City Council this week. He commented that the February receipts are average. He informed the Planning Commission that INCOG is close to having the Zoning Code on the INCOG website under TMAPC subheading. Hopefully the Zoning Code will have enough links to be able to go directly to either a particular chapter or subsection in the chapter.

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Ms. Pace in at 1:35 p.m.

**SUBDIVISIONS**

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

<b><u>L-18800 Catherine A. Wall (1993)</u></b> 1410 East 33 <sup>rd</sup> Street	(PD-6) (CD-9)
<b><u>L-18808 Shirley Abbott Thompson (3402)</u></b> 1331 North Xenophon	(PD-11) (CD-1)
<b><u>L-18809 Shirley Abbott Thompson (3402)</u></b> 1319 North Xenophon	(PD-11) (CD-1)
<b><u>L-18811 Tim Kowlton (3483)</u></b> 11742 South Canton	(PD-26) (CD-8)
<b><u>L-18812 Lindsey Development LLC (874)</u></b> Southwest corner of 131 <sup>st</sup> Street and 121 <sup>st</sup> East Avenue	(PD-19) (County)
<b><u>L-18817 White Surveying (2094)</u></b> 2626 East 33 <sup>rd</sup> Street	(PD-6) (CD-9)
<b><u>L-18818 John W. Elder, Jr. (2993)</u></b> 4111 South Columbia	(PD-6) (CD-9)
<b><u>L-18819 Richard Winfield (3402)</u></b> 1315 North Xenophon	(PD-11) (CD-1)
<b><u>L-18821 Tanner Consultants (1483)</u></b> Southeast corner of East 81 <sup>st</sup> Street and Sheridan Road	(PD-18) (CD-8)
<b><u>L-18823 Murrel Wilmoth (382)</u></b> 2610 West 64 <sup>th</sup> Place South	(PD-8) (CD-2)
<b><u>L-18829 City of Tulsa (3492)</u></b> Northwest corner of East 61 <sup>st</sup> Street and Union	(PD-8) (CD-2)
<b><u>L-18830 City of Tulsa (1383)</u></b> Northwest corner of East 91 <sup>st</sup> Street and Mingo	(PD-18) (CD-8)
<b><u>L-18831 City of Tulsa (1383)</u></b> Northwest corner of East 91 <sup>st</sup> Street and Mingo	(PD-18) (CD-8)
<b><u>L-18832 City of Tulsa (684)</u></b> 6600 Block of South Mingo	(PD-18) (CD-8)

**Staff Recommendation:**

Mr. Beach stated that these lot-splits are all in order and staff recommends approval.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Ledford, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

\*\*\*\*\*

**CHANGE OF ACCESS ON RECORDED PLAT:**

**Lot 13, Block 11, Park Plaza South II**

Northwest corner East 71<sup>st</sup> Street and South 73<sup>rd</sup> East Avenue.

**Staff Recommendation:**

Mr. Beach stated that everything is in order and the Traffic Engineer has signed off; therefore, staff recommends approval.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Change of Access on Recorded Plat for Lot 13, Block 11, Park Plaza South II as recommended by staff.

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**FINAL PLAT:**

**Crown Woods (PUD-563) (2083)**

(PD-18) (CD-2)

Southeast corner East 91<sup>st</sup> Street and South Riverside Parkway

**Staff Recommendation:**

Mr. Beach stated that everything is in order and all release letters have been received. Staff recommends approval; however, the preliminary plat has expired since it has been more than one year since its approval. Staff recommends that the preliminary plat be reinstated.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the reinstatement of the preliminary plat for Crown Woods and approve of the Final Plat for Crown Woods as recommended by staff.

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**WenWest Estates (3402)**

(PD-11) (CD-1)

South side West Newton Street, ¼ mile east of North 25<sup>th</sup> West Avenue

**Staff Recommendation:**

Mr. Beach stated that everything is in order and all release letters have been received. He further stated that staff recommends approval of this item subject to final legal review.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Final Plat for WenWest Estates subject to final legal review as recommended by staff.

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**Walgreen's No. 5421 (3103)**

(PD-26) (CD-3)

Southwest corner East Pine Street and North Lewis Avenue

**Staff Recommendation:**

Mr. Beach stated that everything is in order and staff recommends approval subject to final legal review.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Final Plat for Walgreen's No. 5421 subject to final legal review as recommended by staff.

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**Essex (PUD-589) (993)**

(PD-6) (CD-9)

North of East 41<sup>st</sup> Street at South Xanthus Avenue

**Staff Recommendation:**

Mr. Beach stated that everything is in order and all release letters have been received. He further stated that staff recommends approval subject to final legal review.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Final Plat for Essex subject to final legal review as recommended by staff.

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**PLAT WAIVER:**

**BOA-18346 (1183)**

(PD-18) (CD-8)

Southwest corner East 71<sup>st</sup> Street and South 69<sup>th</sup> East Avenue

**Staff Recommendation:**

Approval of a special exception for Use Unit 2, temporary outdoor plant sales from April 18 to June 13, 1999 triggered the platting requirement. The platting requirement must be met before a building or occupancy permit will be issued.

The property is already platted and the approved use is temporary. Staff waived formal review by TAC and recommends **APPROVAL** of a temporary plat waiver for this use only.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Temporary Plat Waiver for BOA-18346 for this season as recommended by staff.

\*\*\*\*\*

**Staff Recommendation:**

Approval of a change of zoning from AG to IM triggered the platting requirement. The Board of Adjustment approved an auto recycling facility on the property in 1994. The site contains a small office/shop with outdoor storage of autos to be recycled. The platting requirement must be met before a building permit will be issued.

**Staff Comments and Recommendation:**

Several properties in the immediate area are subject to plat and a few have been platted. The Comprehensive Plan identifies this as Special District 2 and discusses its potential for industrial park development based on its location near the airport and highways. This operation is relatively small and limited in scope compared with other medium industrial uses.

If the area develops as contemplated by the Comprehensive Plan, this parcel could be combined with others in the future to form a larger project and a subdivision plat prepared at that time. In the meantime, the policies and needs of the City could probably be met by the ALTA survey. There are no utility requirements and the only issues identified in the checklist below are with a proper description of the property and dedication of right-of-way.

Staff recommends **APPROVAL** of the plat waiver subject to filing an ALTA/ACSM/NSPS Land Title Survey and a Deed of Dedication of additional right-of-way sufficient to meet the Major Street and Highway Plan requirements.

***A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:***

- |  | YES                      | NO                                  |
|--|--------------------------|-------------------------------------|
| 1) Has property previously been platted?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat?             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

***A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:***

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| 4) Is right-of-way dedication required to comply with major street and highway plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5) Will restrictive covenants be filed by separate instrument?                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6) Infrastructure requirements   |                                     |                                     |
| a) Water   |                                     |                                     |
| i) Is a main line water extension required?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ii) Is an internal system or fire line required?                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| iii) Are additional easements required?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- b) Sanitary Sewer
  - i) Is a main line extension required?  ✓
  - ii) Is an internal system required?  ✓
  - iii) Are additional easements required?  ✓
  
- c) Storm Sewer
  - i) Is a P.F.P.I. required?  ✓
  - ii) Is an Overland Drainage Easement required?  ✓
  - iii) Is on-site detention required?  ✓
  - iv) Are additional easements required?  ✓
  
- 7) Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain?  ✓
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain?  ✓
  
- 8) Change of Access
  - a) Are revisions to existing access locations necessary?  ✓
  
- 9) Is the property in a PUD?  ✓
  - a) If yes, was plat recorded for the original PUD? **N/A**
  
- 10) Is this a Major Amendment to a PUD?  ✓
  - a) If yes, does the amendment make changes to the proposed physical development of the PUD? **N/A**

**Applicant's Comments:**

**Paul Mauldin**, 13521 East Apache, Tulsa, Oklahoma 74116, stated his attorney has already written a roadway and utility easement dedication to the City of Tulsa.

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** of the Plat Waiver for Z-6459 subject to filing an ALTA/ACSM/NSPS Land Title Survey and a Deed of Dedication of additional right-of-way sufficient to meet the Major Street and Highway Plan requirements; subject to being under this use and the subject property standing alone and not combined with any other tract, as recommended by staff.

\*\*\*\*\*

Northeast corner East 11<sup>th</sup> Street and South 83<sup>rd</sup> East Avenue

**Staff Recommendation:**

Approval of a change of zoning from RS-1 to CS triggered the platting requirement. The Board of Adjustment approved a special exception to allow an RV sales lot on March 23, 1999. The platting requirement must be met before a building permit will be issued.

**Staff Comments and Recommendation:**

Several concerns are identified on the checklist below. Item 4 requires dedication of right-of-way to form a 30' radius at the corner of 11<sup>th</sup> Street and 83<sup>rd</sup> East Avenue. Item 6 states that a PFPI and drainage easements are required. Item 7 identifies floodplain at the southwest corner of the property that is no longer there because the FEMA maps have not been amended since storm drainage improvements were made in the area. Staff is unclear as to the exact nature of the PFPI.

Based on the checklist below, which reflects the policies of TMAPC, staff recommends **DENIAL** of the plat waiver. However, if the Commission were inclined to approve, it should be on the condition that right-of-way be dedicated to form a 30' radius at the corner of 11<sup>th</sup> Street and 83<sup>rd</sup> East Avenue and a letter of release be provided to TMAPC staff stating that all requirements of the Public Works Department related to storm water management have been met.

A survey in lieu of plat would not be required because the property is already platted.

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

- |   | YES | NO                       |
|---|-----|--------------------------|
| 1.) Has property previously been platted?   | ✓   | <input type="checkbox"/> |
| 2.) Are there restrictive covenants contained in a previously filed plat?             | ✓   | <input type="checkbox"/> |
| 3.) Is property adequately described by surrounding platted properties or street R/W? | ✓   | <input type="checkbox"/> |

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| 4.) Is right-of-way dedication required to comply with major street and highway plan? | ✓                        | <input type="checkbox"/> |
| 5.) Will restrictive covenants be filed by separate instrument?                       | ✓                        | <input type="checkbox"/> |
| 6.) Infrastructure requirements   |                          |                          |
| a) Water  |                          |                          |
| i) Is a main line water extension required?   | <input type="checkbox"/> | ✓                        |
| ii) Is an internal system or fire line required?                                      | <input type="checkbox"/> | ✓                        |
| iii) Are additional easements required?   | <input type="checkbox"/> | ✓                        |

- b) Sanitary Sewer
  - i) Is a main line extension required?  ✓
  - ii) Is an internal system required?  ✓
  - iii) Are additional easements required?  ✓
  
- c) Storm Sewer
  - i) Is a P.F.P.I. required?
  - ii) Is an Overland Drainage Easement required?
  - iii) Is on-site detention required?  ✓
  - iv) Are additional easements required?  ✓
  
- 7.) Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain?
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain?
  
- 8.) Change of Access
  - a) Are revisions to existing access locations necessary?  ✓
  
- 9.) Is the property in a PUD?  ✓
  - a) If yes, was plat recorded for the original PUD? **N/A**
  
- 10.) Is this a Major Amendment to a PUD?  ✓
  - b) If yes, does the amendment make changes to the proposed physical development of the PUD? **N/A**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **LEDFO**R, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **DENY** the Plat Waiver for Z-6682 finding that this case does not meet TMAPC policies for a plat waiver.

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**Z-6680 (2993)**  
2525 East 51<sup>st</sup> Street

(PD-6) (CD-9)

**Staff Recommendation:**

A change of zoning from RM-2 to OM triggered the platting requirement. The platting requirement must be met before a building permit will be issued.

**Staff Comments and Recommendation:**

No substantial changes to the property are expected. The zoning was changed to allow office uses. TAC review revealed no additional infrastructure requirements

Based on the checklist below which reflects the policies of TMAPC, **Staff recommends approval** of the plat waiver subject to filing an ALTA/ACSM/NSPS Land Title Survey.

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 1) Has property previously been platted?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat?             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 4) Is right-of-way dedication required to comply with major street and highway plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Will restrictive covenants be filed by separate instrument?                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6) Infrastructure requirements   |                          |                                     |
| a) Water   |                          |                                     |
| i) Is a main line water extension required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system or fire line required?                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Sanitary Sewer  |                          |                                     |
| i) Is a main line extension required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Storm Sewer   |                          |                                     |
| i) Is a P.F.P.I. required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an Overland Drainage Easement required?                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Is on-site detention required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Are additional easements required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7) Floodplain  |                          |                                     |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain?                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain?                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8) Change of Access  |                          |                                     |
| a) Are revisions to existing access locations necessary?                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9) Is the property in a PUD?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, was plat recorded for the original PUD?                                   | N/A                      |                                     |

10) Is this a Major Amendment to a PUD?

a) If yes, does the amendment make changes to the proposed physical development of the PUD?

N/A

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Plat Waiver for Z-6680 subject to filing an ALTA/ACSM/NSPS Land Title Survey as recommended by staff.

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**ZONING PUBLIC HEARING**

**PUD-557-2 – Charles Norman**

(PD-18) (CD-8)

Southeast corner East 93<sup>rd</sup> Street and South Memorial Drive

**Staff Recommendation:**

Mr. Dunlap stated that this application needs to be continued in order to provide new notice.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Carnes "absent") to **CONTINUE** PUD-557-2 to April 14, 1999 at 1:30 P.M.

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**PUD-298-16 – Bobette Downing**

(PD-18) (CD-8)

9115 East 88<sup>th</sup> Court  
(Minor Amendment)

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to reduce the required front yard setback from 25 feet to 24.6 feet to clear the title on an existing single-family dwelling.

Staff has examined the plat of survey submitted with the application that indicates a 16.3-foot portion of the garage facing East 88<sup>th</sup> Court South was built .40 feet over the required setback line.

Staff finds the encroachment is minor in nature, does not alter the character and intent of the original approval, is not detrimental to surrounding single-family dwellings and has no effect on utility easements or the street right-of-way of East 88<sup>th</sup> Court South.

Staff, therefore, recommends **APPROVAL** of PUD-298-16 reducing the minimum required setback for the existing garage at 9115 East 88<sup>th</sup> Court from 25 feet to 24 feet per the submitted survey dated 4/29/94.

**Applicant's Comments:**

**Rod Smith**, 9115 East 88<sup>th</sup> Court, Tulsa, Oklahoma 74133, stated that this application is to clear up a title.

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Minor Amendment for PUD-298-16 reducing the minimum required setback for the existing garage at 9115 East 88<sup>th</sup> Court from 25 feet to 24 feet per the submitted survey dated 4/29/94 as recommended by staff.

\* \* \* \* \*

**PUD-541-4 – Jeff Claxton**

(PD-18) (CD-9)

1342 East 43<sup>rd</sup> Court

(Minor Amendment)

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to reduce the required front setback from 25 feet to 24.5 feet for an existing single-family residence in order to clear the title.

Staff has examined the plat of survey submitted with the request and finds the front setback pertains to the westernmost corner of a 22-foot garage facing East 43<sup>rd</sup> Court South.

Staff finds the requested modification to the setback is minor in nature, does not encroach on existing utility easements, does not alter the character and intent or the original approval and will not adversely effect surrounding residential dwellings.

Staff, therefore, recommends **APPROVAL** of PUD-541-4 reducing the required front yard setback from 25 feet to 24 feet for 1342 East 43<sup>rd</sup> Court South per the submitted Plat of Survey dated 3/9/99.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **APPROVE** the Minor Amendment for PUD-541-4 reducing the required front yard setback from 25 feet to 24 feet for 1342 East 43<sup>rd</sup> Court South per the submitted Plat of Survey dated 3/9/99 as recommended by staff.

\* \* \* \* \*

**PUBLIC HEARING ON COMPREHENSIVE PLAN AMENDMENTS:**

**Proposed Amendments to TU Campus Master Plan,**

A part of the Comprehensive Plan for the Tulsa Metropolitan Area.

**Mr. Ledford stated that he will be abstaining from this item.**

**Staff Recommendation:**

Ms. Matthews stated that the Comprehensive Plan Committee was briefed on this proposal on March 17, 1999. She explained that the current proposal to amend the University of Tulsa Campus Master Plan involves relocation of proposed student housing from an area west of Delaware immediately north of the Bama Pie property to an area farther north, east of the new park and school site. While this is not necessarily an optimal land use relationship, discussions with University representatives, their engineer and architects have revealed that there are no feasible alternatives, given the presence of the floodplain in the area. In addition, multifamily zoning, which would allow the student housing by right, is already in place in the area proposed for the new units.

Ms. Matthews stated that the neighborhood associations and school representatives have asked to be allowed to participate in planning for landscaping and screening adjacent to the park/school site and that the planned pedestrian system be extended from the site onto the campus. She indicated that the University representatives have expressed a willingness to accommodate these requests. Staff therefore recommends approval of the proposed amendments to the University of Tulsa Campus Master Plan.

**APPLICANT'S COMMENTS:**

**Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, Mr. Norman submitted maps (Exhibit "B") indicating the changes proposed. He reviewed the proposed amendments and explained that the changes are due to the 10<sup>th</sup> Street detention facility. He indicated that the floodplain on the subject property runs south to north towards I-244 and the overland flow is wider than was expected. He explained that the stormwater system in the area was smaller than it should be due to being constructed in the 1930's and 1940's and its capacity is limited. He stated that more stormwater overflows and creates a wide path through the proposed recreation area. He indicated that in order to remove the overflow it is necessary to construct the stormwater detention facility at the south end to receive and hold stormwater until it can

be absorbed into the existing storm sewer system. He commented that this issue was a surprise to the developers when the detailed engineering was completed.

Mr. Norman stated that the detention facility will be approximately 300 feet by 600 feet. This will provide 32-acre feet of stormwater storage capacity. The stormwater detention facility site is shown on the approved District Four maps as the location of additional student housing. The detention facility is being sized and designed to permit the detention area to be used as the practice soccer and athletic field that was previously located north of East 6<sup>th</sup> Street. The Tennis Center will be located north of the detention facility/practice athletic field. The softball field is proposed to be located at the southeast corner of East 6<sup>th</sup> Street and South Columbia Avenue with parking to these uses and others at the southwest corner of East 6<sup>th</sup> Street and South Delaware Avenue.

Mr. Norman stated that the University tract and competition soccer field and the student fitness center will be located to the north of East 6<sup>th</sup> Street.

He explained that the student housing area approved in 1998 in the southern part of the west of Delaware Avenue campus was approximately 600 feet by 600 feet and was planned for approximately 150 student housing apartment units. The University proposes to relocate the student housing area from the detention facility site to the northern area of the campus west of South Delaware Avenue. The proposed area for student housing apartment units at the northern end of the west of Delaware campus is approximately 350 feet by 600 feet and will permit approximately 100 student housing apartment units.

Mr. Norman stated that in order to permit the development of The University of Tulsa campus west of Delaware Avenue, the University requests that the enclosed maps entitled "Proposed Land Use and Buildings," dated February 2, 1999 and "Proposed Campus Plan," dated February 2, 1999 be approved as amendments to The University of Tulsa Master Plan as a part of the District Four Comprehensive Plan.

Mr. Norman assured the Planning Commission that representatives of The University of Tulsa will be available to meet with the TMAPC, neighborhood associations and groups, and other interested parties.

Mr. Norman addressed concerns of the Kendall-Whittier Task Force. He stated that there was a suggestion that there be no Board of Adjustment requests for any parking reductions. He explained that there will be no requests for parking reductions with respect to the housing units. The parking requirements for the University are established by the sum of the number of dormitory beds and the sum of square footage of all of the classroom space on campus. He stated that the University cannot agree with the suggestion that there not be any requests for parking reductions before the Board of Adjustment. He explained that the parking issues will be addressed in a case-by-case situation.

**TMAPC COMMENTS:**

Mr. Boyle recognized receiving a letter from the Kendall-Whittier Task Force (Exhibit "A"). He asked Mr. Norman if the University plans to involve the neighborhood association with the planning process. In response, Mr. Norman stated that everything proposed, except the apartments, have to go before the Board of Adjustment and this process will provide for staff review and participation of the neighborhood association. He commented that TU has designated a representative to the Kendall-Whittier Task Force and he attends the meetings.

**INTERESTED PARTIES COMMENTS:**

**Chris Smith**, 2312 East 5<sup>th</sup> Street, Tulsa, Oklahoma 74104, Kendall-Whittier Ministry, stated that this is not the best use of the land that anyone could hope for. He commented that he and the neighborhood representatives have come to an agreement with TU that will allow everyone to work together.

**TMAPC COMMENTS:**

Mr. Boyle thanked Mr. Smith, TU and the neighborhood representatives for their ability to work together and resolve issues.

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-1** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes, Dick "absent") to recommend **APPROVAL** of the Proposed Amendments to TU Campus Master Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area and direct staff to prepare a resolution.

\*\*\*\*\*

**Resolution No. 2199-820 - for the Tulsa Trails Master Plan**

**Staff Recommendation:**

Mr. Stump stated that the resolution accurately reflects the TMAPC's action during the March 24<sup>th</sup> meeting. If the TMAPC finds this resolution in order it would be appropriate to adopt the resolution.

**TMAPC COMMENTS:**

Mr. Boyle asked the Commissioners to comment on the accuracy of the resolution. In response, the Planning Commission stated that it is accurate.

**TMAPC Action; 9 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick "absent") to **ADOPT** Resolution No. 2199-820 for the Tulsa Trails Master Plan.

\*\*\*\*\*

**Midget out at 2:09 p.m.**

**PUD-425-A – David Brown**  
9447 East 48<sup>th</sup> Place South  
(Detail Site Plan)

(PD-18) (CD-5)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a parking lot on a 47,352 square foot lot (1.189 acres). Off-site parking areas (Use Unit 10) were allowed by Major Amendment approved on March 18, 1999.

Staff has examined the request and finds the site plan conforms to PUD-425 and 425-A development specifications for setback, access, landscaped area, site screening and lighting as approved or amended.

Staff, therefore, recommends **APPROVAL** for Detail Site Plan for PUD-425-A as submitted.

**NOTE:** Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

Mr. Dunlap stated that after the Major Amendment approval the applicant continued to work with the neighbors in the surrounding area. This application does meet the requirements of the PUD Major Amendment.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Midget "absent") to **APPROVE** the Detail Site Plan for PUD-425-A as recommended by staff.

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**PUD-360-A – Adrian Smith**

(PD-18) (CD-8)

West of northwest corner East 91<sup>st</sup> Street and South Memorial  
(Detail Site Plan)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a 36,000 square foot retail facility on 2.27 acres within Development Area 2-A-1. The single-story structure will be 35 feet in height and be built against the west building wall of an existing grocery facility.

Staff has examined the request and finds the proposed structure and site development conforms to the approved development specifications for PUD-360, PUD-360-A and PUD-360-A-6 as amended. The site plan meets the minimum requirements for bulk and area, building square footage, building height, setback, access, circulation, parking, total internal landscaped area, west boundary landscape screening and west and north boundary fence screening.

Staff notes the provision of 35 of the required 160 parking spaces within Development Area 2-A-2 as being supported by a cross-parking and mutual access easement provided by separate instrument and recognized in Minor Amendment PUD-360-A-6. Staff also notes that the required 40-foot landscaped buffer along the west boundary of Development Area 2-A-2 is proposed as part of the current request within Development Area 2-A-1.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-360-A Development Area 2-A-2 subject to the following conditions:

1. The "Future Building Expansion" shown in Development Area 2-A-2 is not included in this approval.
2. Installation of the 40-foot landscape buffer along the west boundary of Development Area 2-A-2 will be required before the granting of an occupancy permit for the retail facility and parking within Development Area 2-A-1.

**NOTE:** Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

**The applicant indicated his approval of staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Midget "absent") to **APPROVE** the Detail Site Plan for PUD-360-A subject to conditions as recommended by staff.

\* \* \* \* \*

**AC-048 – Russell McBroom**

(PD-18) (CD-7)

Northwest corner East 61<sup>st</sup> Street & South Sheridan  
(Alternative Landscape Compliance)

**Staff Recommendation:**

The applicant is requesting Alternative Landscape Compliance to eliminate five of seven required parking lot trees and substitute existing trees along the south and east perimeters of the proposed parking area.

Staff has reviewed the request and finds that the plan indicates 50 parking spaces will not be within 50 feet of a landscaped area containing a tree. The existing trees the applicant is offering in substitution for the required trees are located along the eastern and southern boundaries of the parking lot. The plan makes no attempt to provide trees within the center of the lot or along the western boundary.

Staff is of the opinion that the proposed alternative is not in keeping with the purpose and intent of the requirements outlined in Section 1003 (D) of Chapter 10. The proposal is not equal to or substantially better than those requirements.

Staff, therefore, recommends **DENIAL** of AC-048 as submitted.

**APPLICANT'S COMMENTS:**

**Russell McBroom**, 6415 South Louisville, Tulsa, Oklahoma 74136, stated that this application is an addition to an existing parking lot. He indicated that he will be adding 82 parking spaces to the west of the existing parking lot. He explained that he has left a green area all around the parking area. There are 16 trees all along the east and south side, which are six to eight years old. The trees are three to six inches in diameter and they will not need irrigation.

Mr. McBroom concluded that he does not see the need to plant more trees when there are currently 16 trees existing.

**TMAPC COMMENTS:**

Mr. Westervelt stated that it appears that applicant has modified the southern boundary to avoid taking out trees that otherwise would have had to be removed. He commented that with a ball field being located to the west side of the parking lot it makes the alternative landscape compliance look acceptable.

Ms. Pace asked if the parking lot is next to a residential area. In response, Mr. McBroom stated that this parking lot is not adjacent to a residential neighborhood. Mr. McBroom further stated that the parking lot is adjacent to a shopping center.

Mr. Horner stated that if the existing trees are mature, then it is not necessary to install an irrigation system.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Midget "absent") to **APPROVE** the Alternative Landscape Compliance for AC-048 as submitted.

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**Mr. Ledford announced that he will be abstaining from PUD-597.**

**PUD-597 – Jerry Ledford, Jr.**

(PD-18) (CD-8)

Northwest corner Mingo Valley & South Mingo Road  
(Detail Site Plan)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a 12,000-square-foot one-story medical office building on a 75,188-square-foot lot.

Staff has examined the site plan for conformance to bulk and area, building square footage, building height, building setback and orientation, access and mutual access, parking, screening, lighting and total landscaped area standards. Staff finds conformance to all outline development specifications with the exception of a utility easement along the north boundary.

TAC review of the preliminary plat requested that the 15-foot easement along the northern property boundary be increased to 17.5 feet. The Detail Site Plan and Draft Final Plat continue to indicate a 15-foot easement. The applicant has represented to staff that the 15-foot easement has been accepted by various utilities and Public Works.

Staff, therefore, recommends **APPROVAL** of the Detail, Site Plan for PUD-597, Lot 2, Block 1 subject to the following condition:

TAC approval of the Final Plat for 9600 Mingo Office Park reflecting a 15-foot utility along the northern boundary of Lot 2, Block 1.

**NOTE:** Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Boyle, Harmon, Hill, Horner, Jackson, , Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes, Dick, Midget "absent") to **APPROVE** the Detail Site Plan for PUD-597 subject to conditions as recommended by staff.

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**PUD-567 – Robin Evans**

(PD-18) (CD-8)

West of southwest corner East 71<sup>st</sup> Street & South Garnett  
(Detail Site Plan)

**Staff Recommendation:**

The applicant is requesting Detail Site Plan approval for a 90-unit hotel on Tract "A" within Development Area C. The three-story structure contains a total of 64,589 square feet of floor area and 92 parking spaces located on the western half of Tract "A."

Tract "A" was created by lot-split approved on March 3, which allocated 110,000 SF of maximum building floor area on a 4.4-acre tract within Development Area C. Phase I, consisting of a 90-unit hotel, represents approximately half of the build-out of Tract A. A Phase II structure shown in outline on the current plan will add an additional 45,000 SF of hotel uses and related parking to the tract and require additional TMAPC review and approval.

Staff has reviewed the request for conformance to the approved PUD specifications for Development Area C, area standards approved by Lot-Split 18804 and overall compliance with the Zoning Code. Staff finds compliance with area and bulk, floor area, height, setback, access, mutual access, parking, screening, lighting and total landscaped area standards.

Staff notes that although the 80-unit hotel proposed in Phase II is not being reviewed at this time, the applicant is indicating the installation of perimeter landscaping, parking and access drives in the current phase of development.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-567 as submitted subject to the following condition:

Detail Site Plan review and approval will be required for the second 3-story hotel proposed in the eastern half of Tract "A," Development Area C.

**NOTE:** Detail Site Plan approval does not constitute Landscape or Sign Plan Approval.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Midget "absent") to **APPROVE** the Detail Site Plan for PUD-567 subject to conditions as recommended by staff.

\* \* \* \* \*

There being no further business, the Chairman declared the meeting adjourned at 2:21 p.m.

Date approved: 4-21-99

  
Chairman

ATTEST:   
Secretary

