

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1853
Wednesday, September 18, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Harris	Gardner	Linker, Legal
Carnes	Horner	Hester	Counsel
Doherty, 1st Vice Chairman	Parmele	Stump	
Draughon,		Wilmoth	
Midget, Mayor's Designee			
Neely			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, September 17, 1991 at 11:32 a.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Discussion and Comments:

Ms. Wilson advised that the September 4, 1991 minutes reflect an error on page 2 paragraph 1. The minutes read *Ms. Wilson moved to strike this item from today's agenda.* The minutes should be corrected to *Ms. Wilson stated she had no objection to a motion to strike this item from today's agenda, but does object to placing it on a future agenda because she felt it would result in a continuance.* With that correction Ms. Wilson moved approval.

Approval of the minutes of September 4, 1991, Meeting No. 1851 with correction:

On **MOTION** of **WILSON**, the TMAPC voted **5-0-1** (Ballard, Doherty, Draughon,, Wilson, Woodard, "aye"; no "nays"; Carnes "abstaining"; Harris, Horner, Neely, Parmele, Midget "absent") to **APPROVE** the minutes of the meeting of September 4, 1991 Meeting No. 1851 with correction.

REPORTS:

Chairman's Report:

Mr. Doherty reported receipt of letters from Charles Johnson regarding recreational vehicles; these letters will be forwarded to the Rules and Regulations Committee.

COMMITTEE REPORTS:

Comprehensive Plan Committee:

Mr. Doherty advised the Comprehensive Plan Committee was scheduled for a work session immediately following the TMAPC meeting in room 201 of City Hall.

Rules and Regulations Committee:

Mr. Doherty announced the Rules and Regulations Committee would meet for a work session immediately following the TMAPC meeting in room 201 of City Hall to continue work on recreational vehicles and antenna to prepare for public hearing on October 2, and 9, respectively.

Budget and Work Program Committee:

Ms. Wilson stated the Budget and Work Program Committee was scheduled for a work session immediately following the TMAPC meeting in room 201 of City Hall.

Ms. Wilson announced, as a member of the Tulsa Preservation Commission which TMAPC appointed her to, on October 23, 1991 there will be a zoning application coming forward for HP zoning on Council Oak Tree, which is an historic site.

Director's Report:

Mr. Stump requested that the Budget and Work Program Committee meet first, because Rich Brierre, Deputy Director of INCOG, would like to meet with the Committee, but has another commitment later in the afternoon.

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SUBDIVISIONS

PRELIMINARY PLAT:

BSA (2393) (PD-17) (CD-7) (IL, CS)
NE/c E. 33rd Street S. & S. 79th E. Ave.

Staff Comments

This plat is being filed to satisfy the requirements of BOA-15826 scheduled for review by the Board of Adjustment on 9/10/91. Planning Commission approval of this plat will be scheduled for 9/18/91, after the Board of Adjustment review.

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

On MOTION of FRENCH, The Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of BSA, subject to the following conditions:

- * 1. Any conditions of the Board of Adjustment action applicable to the subdivision plat shall be met prior to release of final plat.
 2. On face of plat show Deed of Dedication for that portion of 33rd Street within Interchange Place as *Book 4750, Page 52*. Also show north/south utility easement on both sides of the old lot line of Lot 2, Block 1, Interchange Place, unless vacated.
 3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines. ONG requests easements to tie north and south sides of this tract together. Details to be worked out in coordination process.
 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. (Existing?)
 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. (Fees paid under "Interchange Place". Unplatted portion can pay fees).
 7. 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.)
 8. 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.
 9. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
- * BOA approved 9-10-91. (No conditions affecting plat)

10. 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.
11. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC Action; 7 members present:

On MOTION of WOODARD, the TMAPC voted 6-0-1 (Ballard, Carnes, Doherty, Neely, Wilson, Woodard, "aye"; no "nays"; Draughon "abstaining"; Harris, Horner, Midget, Parmele "absent") to APPROVE the Preliminary Plat for BSA subject to the conditions as recommended by staff.

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Waiver Request Section 213

Z-6308 Golden Valley (3194) (PD-18) (CD-6)
5610 S. 107th E. Ave.

(IL)

Staff Comments:

This is a request to waive plat on Lot 1, Block 2 (less highway right-of-way) of the above named subdivision. This represents an expansion of the existing business to the south on Lot 2. TAC and Planning Commission have approved waiver of plats on two previous zoning applications and two Board of Adjustment applications on this same street. Requirements are identical on all these previous applications, so consistent with previous actions, the following conditions are recommended for approval:

1. Grading and drainage plan approval subject to the Department of Public Works (Stormwater) through the permit process. (See Review form dated 1/14/91).
2. Dedicate an additional 5' of right-of-way on S. 107th E. Avenue to meet minimum industrial street width. (Results in 30' from centerline as required by the Street Plan.)
3. Dedicate a 17 1/2' utility easement parallel to 107th E. Avenue, lining up with previous dedications.

The applicant was represented by David Cannon.

On MOTION of MILLER, the Technical Advisory Committee voted unanimously to recommended **approval** of the waiver of plat on Z-6308 subject to the conditions outlined by Staff and TAC.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Draughon, Neely, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Midget, Parmele "absent") to APPROVE the Waiver Request; Section 213 subject to the conditions as recommended by staff.

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Lot Splits for Discussion:

L-17450 ERC Prop. (1694) (PD-17) (CD-6) 13047 & 13025 E. 28th Pl S.
L-17451 ERC Prop. (1694) (PD-17) (CD-6) 13000 Block E. 28th Pl S.

Staff Comments:

In the opinion of the Staff, the lot splits listed above meet the subdivision and zoning regulations, and qualify as prior approvals. No new building sites are being created. Notice was given to abutting owners. Staff recommends approval.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Draughon, Neely, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Midget, Parmele "absent") to APPROVE the Lot Splits listed above as recommended by staff.

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Lot Splits for Ratification of Prior Approval:

L-17444 Beasley (692) (PD-10) 200 Block S. 72nd W. Ave.
L-17447 4th Natl Bank (3294) (PD-17) (CD-6) 11338 E. 60th Pl. S.
L-17448 Thompson (583) (PD-8) (CD-2) 2530 E. 70th St. S.
L-17449 W. Highlands Devel. (382) (PD-8) (CD-2) 1924 W. 62nd St.

Staff Comments:

Mr. Wilmoth advised that all items were in order. Staff recommends approval.

TMAPC Action; 7 members present:

On MOTION of DRAUGHON, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Draughon, Neely, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Midget, Parmele "absent") to RATIFY the above listed lot splits having received prior approval as recommended by staff.

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OTHER BUSINESS

PUD 472-1 Minor Amendment to reduce the minimum landscaped open space and Detail Site Plan -- east of the southeast corner of E. 58th Street South and S. Peoria Avenue

Staff Recommendation

The applicant is requesting that the minimum internal landscaped open space be reduced from 5,300 sq. ft. (11.8%) to 3,200 (7.1%). Staff can support a reduction to 10% or 4,500 sq. ft., but can not support the requested 3,200 sq. ft. The Planning Commission has typically required commercial PUD's to provide at least 10% of the net land area as landscaped open space and even parking lots in the PK district are required to have 10% net as landscaped open space. This PUD abuts residential development on the east which would benefit from a significant landscaped area at the front of the mini-storage project.

Therefore, staff recommends **APPROVAL** of minor amendment PUD 472-1, but only for a reduction to a minimum of 4,500 sq. ft. of net landscaped open space with approval of the Detail Site Plan continued until appropriate revisions are made.

NOTE: Since this PUD and the accompanying zoning case have been approved by City Council, but the ordinance has not yet been published, approval of the minor amendment and Site Plan must be contingent upon completion of the zoning process.

Applicant Comment

Paul Messick

6004 S. Birmingham Place

Mr. Messick stated at the beginning of the PUD process it was recommended by staff that 10 feet of landscaping be set at the east side and rear of his proposed structures. The TMAPC did not require these landscaped strips. When he received approval for construction on the property line, he had not allowed for enough landscaping at the front of his property to make up for the landscaping this took away.

Discussion

Mr. Gardner advised when the Planning Commission approved moving the buildings to the property lines they did not reduce the total amount of required landscaped open space. When Mr. Messick presented his plot plan it did not contain the required landscaping. In allowing Mr. Messick to move the buildings out to the property lines a new landscape standard should have been set which he would have been required to meet. The original 5,300 sq. ft. which was required is basically landscaping in the front of the building and none along the perimeter.

A lengthy discussion ensued, and consensus was the TMAPC originally intended to allow Mr. Messick to build on the property line, but for aesthetic purposes, it was not their intent to reduce open space or landscape requirements to the amount Mr. Messick was requesting.

Mr. Carnes stated his original motion was to allow Mr. Messick to build on the property line to make a better project, but he would be unable to vote to set a precedent to lower the landscaping requirements to the amount Mr. Messick was requesting.

Mr. Carnes made a motion to approve staff recommendation for the 10%, 4,500 sq. ft, of landscaped open space.

Mr. Draughon inquired of staff where the 10% landscaping would be.

Mr. Gardner responded the 10% would be along the south side of 58th Street in front of the mini-storage. The landscaping would be in front of the screening wall, between the wall and the street.

Mr. Messick asked if this was a matter of green area, then the landscaping shown would be sufficient if there was more green area inside the wall.

Mr. Doherty replied landscaping inside the wall would not benefit the area, and landscaping inside the courtyard does not meet the functional requirement.

Mr. Gardner explained there was a large tree in the middle of the courtyard originally but it died, had it been preserved then that would have been meaningful to the landscaping requirements.

Mr. Messick expressed his appreciation for what the Planning Commission has done, but noted that this area will be more landscaped than anything on the block.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Midget, Neely, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Parmele "absent") to APPROVE Minor Amendment PUD 472-1 per the staff recommendation.

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PUD 388-A: Detail Sign Plan - Development Area "A" Taco Bell --
West of the northwest corner of East 71st Street
South and South Trenton Avenue

Staff Recommendation:

The Taco Bell is requesting Detail Sign Plan approval for one ground sign and three wall signs. After review of the submitted

plans, staff finds them to be in conformance with the PUD standards and recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **DRAUGHON**, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Midget, Neely, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Parmele "absent") to **APPROVE** Detail Sign Plan for Development Area A of PUD 388-A as recommended by staff.

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There being no further business, the Chairman declared the meeting adjourned at 2:01 p.m.

Date Approved: SEP 18, 1991
[Signature]
Chairman

ATTEST:

[Signature]
Secretary

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1852
Wednesday, September 11, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Doherty	Gardner	Linker, Legal
Carnes	Harris	Hester	Counsel
Draughon	Neely	Lasker	
Horner		Stump	
Midget, Mayor's Designee			
Parmeale, Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, September 10, 1991 at 11:56 a.m., as well as in the Reception Area of the INCOG offices.

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

Minutes:

Ms. Wilson advised that on page 10 of the minutes from September 4, 1991, first paragraph, last line,.....explaining the *confusion*, the word *confusion* should be stricken and replaced with *minority position*. With that correction, Ms. Wilson moved approval.

Approval of the minutes of August 28, 1991, Meeting No. 1850:

On MOTION of WILSON, the TMAPC voted 5-0-1 (Carnes, Draughon, Parmele, Wilson, Woodard, "aye"; no "nays"; Horner "abstaining"; Ballard, Doherty, Harris, Neely, Midget, "absent") to APPROVE the minutes of the meeting of August 28, 1991 Meeting No. 1850 with the stated correction.

REPORTS:

Report of Receipts and Deposits:

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

TMAPC Action; 6 Members present:

On MOTION of WOODARD the TMAPC voted 6-0-0 (Carnes, Draughon, Horner, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Harris, Neely, Midget, "absent") to APPROVE the Report of Receipts and Deposits for the month ended August 1991.

Director's Report:

Mr. Lasker informed the Planning Commission the Home Occupation changes are due to go before the City Council for the first reading on Thursday, September 12, 1991.

Mr. Lasker announced the City Council has requested a monthly progress report, in oral and written form, on both INCOG and TMAPC activities. He stated the Planning Commission and INCOG Board will receive copies of reports transmitted to the City Council on a monthly basis.

Mr. Parmele suggested that Ms. Wilson, Budget and Work Program Chairman, receive a copy of the report before it is sent to the City Council for review.

There was discussion as to form, due date, and who would be presenting the report. It was decided that at the monthly work session September 18, 1991 the progress report would be discussed at length.

Mr. Lasker added that a format would be developed for Planning Commission discussion.

Lastly, Mr. Lasker reported Councilor Bartlett has requested the legal department and INCOG staff to review the lot split process. Councilor Bartlett is proposing that all lot splits give a 10 day notice to adjacent property owners. The legal department has transmitted a memo to Councilor Bartlett informing him that if he wishes to pursue this he should ask the City Council to request TMAPC to amend the subdivision regulations. He stated there is a work program item, Subdivision Regulations Amendments, this was not considered and he does not foresee this taking much time or study involved. However, if TMAPC is asked to proceed with this there will have to be a public hearing.

Mr. Parmele interjected that if asked by the City Council to study this item the Planning Commission may wish to respond that the subdivision regulations are being studied.

Ms. Wilson asked if there was a specific problem with the current notification process.

Mr. Lasker responded that no notice is currently given.

Mr. Linker informed the Commission this request was prompted from a lot split where a portion of the street was closed without notice. Many complaints from property owners in the area were received because of this. Councilor Bartlett has been advised this action would hurt the prior approval process.

Mr. Parmele explained that staff was given the authority to sign off on routine lot splits because of closing and title problems, caused by the delay of having to wait for Planning Commission approval.

Mr. Gardner stressed the importance of uniform procedure for a multi-million dollar commercial closing as well as residential. He advised it is not possible to pick and choose which of these instances would receive notice and which would not. If subdivision regulations are met there must be uniform treatment.

Z-6329 Tom Messick (PD-26) (CD-8)

West side of S. Delaware Ave. at 109th Street South

RT to OMH

Mr. Parmele announced a request for continuance had been received from the applicant on Item 7 - Z-6329. The applicant is requesting a two week continuance, to October 9, 1991.

TMAPC Action; 6 Members present:

On MOTION of WOODARD, the TMAPC voted 6-0-0 (Carnes, Draughon, Horner, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Harris, Neely, Midget, "absent") to CONTINUE Item 7 - Z-6329 until October 9, 1991, at 1:30 p.m. City Council Room, Plaza Level, Civic Center.

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PUD 261-B Johnsen (PUD-18) (CD-8)

(OL, OM, CS)

North & east of the NE/c of Riverside Dr. & E. 71st St South

Mr. Parmele stated that a request for continuance had been received from the applicant on Item 8 - PUD 261-B. The applicant is requesting a continuance to September 25, 1991.

TMAPC Action; 6 Members present:

On MOTION of DRAUGHON the TMAPC voted 6-0-0 (Carnes, Draughon, Horner, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Ballard, Doherty, Harris, Neely, Midget, "absent") to CONTINUE Item 8 - PUD 261-B until September 25, 1991, at 1:30 p.m. City Council Room, Plaza Level, Civic Center.

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PUD 179-C-10 Quist (PD-18) (CD-8)
SE/c of E. 73rd Street South & South Memorial Dr.
(Sit & Sleep Furniture)
Minor amendment for a tent sale.

Request waiver of notification of property owners within 300'
Detail Site Plan for tent location

Staff Recommendation

Mr. Stump informed the Planning Commission this request was received after agendas were prepared and mailed. The applicant is requesting approval of a tent sale without giving notice to adjacent property owners. He was informed that a 10 day notice is normally given to property owners within 300' for a minor amendment. The applicant is requesting this notice requirement be waived and that a minor amendment be granted for a tent sale from October 9, - 27, 1991, at the property, Lot 1, Block 2, El Paseo Addition. This is the southeast corner of 73rd Street and South Memorial Drive. Since the request came in late there is no staff position on this.

Applicant Comment:

Carl Quist, Owner of Sit & Sleep Furniture

Mr. Quist gave a description of the area in which the tent would be erected. The tent sale was held last year and Mr. Quist received certification from the City Permit Department for the sale. This year, following the same process as previously, he was told he had to appear before the Planning Commission for approval.

Mr. Quist indicated food establishments in the vicinity welcomed the tent sale since this attracts customers for their businesses.

He pointed out there were a number of properties in the area which would be difficult to give notification to since they are vacant.

Mr. Quist added, there is sufficient parking in the area and the location is far enough from the road as not to obstruct vision and traffic.

Ms. Wilson asked if this was a yearly event.

Mr. Quist replied that the tent sale is a yearly event. He explained that the business year end was September 30; this sale is to dispose of surplus merchandise. He explained his business would suffer if he were unable to have the tent sale. He reiterated that this was done only once a year to coincide with the business year end.

Mr. Draughon asked if there were any complaints from businesses in the area last year.

Mr. Quist replied that there were no complaints and that the retail businesses were pleased with the additional traffic in the area, especially the food businesses.

TMAPC Action; 8 Members present:

On MOTION of DRAUGHON the TMAPC voted 8-0-0 (Ballard, Carnes, Draughon, Horner, Midget, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Doherty, Harris, Neely, "absent") to APPROVE the minor amendment to allow a tent sale October 9-27, 1991 and waiver of notice and APPROVE the Detail Site Plan to allow a tent sale at SE/c of E. 73rd Street South and South Memorial Drive (Sit & Sleep Furniture).

Mr. Parmele suggested in the future Mr. Quist make application in a timely manner to TMAPC staff and the normal procedure be followed as to notification.

Mr. Midget questioned how to assist Mr. Quist in cutting through the red tape since this is a yearly event.

Mr. Gardner explained the proper procedure required to approve this as an annual event.

There being no further business, the Chairman declared the meeting adjourned at 1:52 p.m.

Date Approved: 9-25-91



Chairman

ATTEST:



Secretary

