

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2017
Wednesday, April 19, 1995, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes,
Chairman
Doherty, 1st Vice
Chairman
Gray, Secretary
Horner
Ledford
Midget, Mayor's
Designee

Members Absent

Pace
Selph
Taylor

Staff Present

Gardner
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, April, 17, 1995 at 11:39 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:45 p.m. (The meeting was delayed due to evacuation of the building because of a bomb threat.)

Minutes:

Approval of the minutes of April 5, 1995, Meeting No. 2016:

On **MOTION** of **BOYLE**, the TMAPC voted **4-0-2** (Boyle, Doherty, Gray, Ledford "aye"; no "nays"; Horner, Carnes "abstaining"; Ballard, Midget, Pace, Selph, Taylor "absent") to **APPROVE** the minutes of the meeting of, April 5, 1995 Meeting No. 2016.

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REPORTS:

Chairman's Report:

At the conclusion of the meeting, Chairman Carnes announced appointment of Jerry Ledford to serve on a new transportation commission. He then appointed Gary Boyle to fill the vacancy of the Second Vice Chair.

SUBDIVISIONS:

PRELIMINARY PLAT:

Gospel Assembly Church (2713)

(PD-15)(County)

Southeast corner of East 86th Street North and North Whirlpool Drive (North Yale Avenue).

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

The Tulsa County Board of Adjustment approved a special exception to permit church use on the subject tract in October 1994. Gospel Assembly Church is a one-lot subdivision plat that contains approximately 18.5 acres.

Staff would offer the following comments and/or recommendations:

1. Show septic easement on face of plat.
2. The applicant must return to the Board for a detail site plan approval prior to the issuance of a building permit. (Advisory only, not a condition of platting.)
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 shall be tied to or related to property line and/or lot lines.
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 owner(s) of the lot(s).
5. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.
6. Street names shall be approved by the County Engineer and shown on plat.
7. All curve data, including corner radii, shall be shown on final plat as applicable.
8. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
9. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
10. Limits of Access or LNA as applicable shall be shown on plat as approved by the County Engineer. Include applicable language in covenants.
11. It is recommended that the Developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

12. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
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. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
20. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
21. This plat has been referred to Sperry and Owasso 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.
22. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
23. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **RAINS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the preliminary plat of Gospel Assembly Church, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Ballard, Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT of Gospel Assembly Church as recommended by Staff.

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New Life Assembly of God (514)

(PD-15)(County)

South of the southeast corner of East 126th Street North and North Garnett Road.

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Tulsa County Board of Adjustment case 1303 approved a special exception to permit church use and a variance to permit temporary gravel parking. New Life Assembly of God is a one-lot 17-acre plat of that property. A rough site plan was submitted for the Board of Adjustment hearing which shows an ultimate building containing 48,125 square feet.

Staff would offer the following comments and/or recommendations:

1. Show septic easement area on face of plat.
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 shall be tied to or related to property line and/or lot lines.
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 owner(s) of the lot(s).
4. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.
5. Street names shall be approved by County Engineer and shown on plat.
6. All curve data, including corner radii, shall be shown on final plat as applicable.
7. Bearings. or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
8. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
9. Limits of Access or LNA as applicable shall be shown on plat as approved by the County Engineer. Include applicable language in covenants.

10. It is recommended that the Developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
11. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
12. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
13. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
14. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
15. The method of water supply and plans therefore shall be approved by the City/County Health Department.
16. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
17. The key or location map shall be complete.
18. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
19. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
20. This plat has been referred to Collinsville and Owasso 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.
21. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
22. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **SILVA**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the preliminary plat of New Life Assembly of God, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Ballard, Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PRELIMINARY PLAT of New Life Assembly of God as recommended by Staff.

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Riverbridge West (PUD-261-C)(683)

(PD-18)(CD-2)

East of the northeast corner of East 71st Street South & South Peoria Avenue.

The TAC reviewed the submitted preliminary plat for Riverbridge West on January 5 and approved the sketch plat only. It was requested that the applicant return to the TAC with a revised preliminary plat when a site plan had been developed. The applicant has submitted the site plan and revised plat for preliminary approved.

Staff would offer the following comments and/or recommendations:

1. A PUD major amendment, PUD-261-C, has been filed to permit commercial use and will be heard by the TMAPC on February 14, 1995. The preliminary plat will not be transmitted to the TMAPC until the rezoning ordinance has been published.
2. The applicant should take proper legal steps to vacate the existing detention area.
3. Remove utility structure information from the face of the plat.
4. All conditions of PUD-261-A shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
5. 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 shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and

Watershed Development Permit application subject to criteria approved by the City of Tulsa.

10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
17. 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 plat release.)
18. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. This plat has been referred to Jenks 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.

24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. All other Subdivision Regulations shall be met prior to release of final plat.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining" Midget, Pace, Selph, Taylor "absent") to **CONTINUE** the PRELIMINARY PLAT of Riverbridge West to April 26, 1995, due to the applicant not being present.

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BOA-16911 (Unplatted) (1694)

(PD-17)(CD-6)

South of the southeast corner of East 23rd Street south and South 132nd East Avenue.

This request is to waive that platting requirement for a Board of Adjustment application that proposes a "safety city" for children's education. The tract does not meet the TMAPC guidelines for a plat waiver which are property already platted and less than 2.5 acres in size. Because of the potential high traffic generation including bus traffic, Staff has a concern with the lack of improved streets that serve the tract. In addition, because of the proposed improvements, Staff cannot view this use as an interim use.

Based on the above factors, Staff cannot support the requested plat waiver and feels a subdivision plat is necessary for orderly development in this area. Staff recommends **DENIAL** of the plat waiver for BOA-16911.

Staff Comments

Mr. Jones informed that this is proposed for construction of a "Safety City" built to 1/3 scale where children learn safety procedures. He informed that the BOA granted approval subject to street connection at the south side of the property to provide sufficient internal circulation to accommodate bus traffic. Mr. Jones advised that considerable infrastructure will be required; therefore, TAC was concerned with waiving platting requirements. He conveyed that TAC thought it best to plat the tract in a Lot 1, Block 1 subdivision.

Applicant's Comments

Karen Niles presented photos of a similar "Safety City" in existence in Sacramento, California. She gave a detailed description of the proposed development. Ms. Niles informed that the Police Department has agreed to place a substation outside the "Safety City" in the parking lot area.

Sergeant Gardner of the Police Department explained that the substation will be a one-room structure to allow police officers patrolling the area 24-hour access for office use.

Mr. Doherty noted that on Lot 1, Block 1 subdivisions the Planning Commission has, on occasion, waived the plat requirement if the requirements can be met by other means.

Mr. Jones reiterated TAC's concern that infrastructure problems be addressed and that the proposed use not compound an overtaxed infrastructure.

There was discussion as to the most expedient manner to proceed with this application. Mr. Jones recommended platting the tract; however, he noted that it would be possible for the Planning Commission to waive the platting requirement subject to all City requirements being met, which would be a longer process for the applicant and probably more expensive.

Ms. Niles decided that her best option would be to plat.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **DENY** the PLAT WAIVER for BOA 16911 as recommended by Staff and to **WAIVE** plat fees at the appropriate time.

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BOA-17008 (College Addition)(593)

(PD-4)(CD-4)

Northwest corner of East 4th Place and South Harvard Avenue.

Jones presented the application with Ted Sack in attendance at the TAC meeting.

French stated that additional right-of-way for South Harvard needed to be dedicated to meet the Major Street Plan.

Sack stated he would ask for a waiver at this time and would meet with Traffic Engineering prior to the TMAPC meeting.

Board of Adjustment case 17008 is a special exception request to permit university use (off-street parking) which if approved will make the property subject to the platting requirements.

Based on the size of the tract, the fact the property is already platted, and the proposed use being a parking lot, Staff can support the plat waiver request.

Staff recommends **APPROVAL** of the plat waiver for BOA-17008 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for BOA-17008, subject to all conditions listed above and **DENIAL** of a waiver of the Subdivision Regulations in order not to dedicate the full right-of-way for South Harvard Avenue to meet the Major Street Plan

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PLAT WAIVER for BOA-17008 as recommended by Staff.

Staff Comments

After the initial vote, Mr. Jones informed that a request for waiver of subdivision regulations regarding dedication of additional right-of-way on South Harvard Avenue needed to be addressed. He advised of contacting Traffic Engineering and reported that there are no future plans for Harvard to be widened.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the WAIVER of Subdivision Regulations to not require dedication of full right-of-way for South Harvard Avenue (from 50' to 30') for BOA-17008.

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CBOA-1316 (Unplatted)(102)

(PD-24)(County)

Northeast corner of East 61st Street North and North Cincinnati Avenue

Jones presented the application with Wayne Alberty in attendance at the TAC meeting.

Tulsa County Board of Adjustment application number 1316 was a special exception to permit a residential and out-patient substance abuse treatment center, transitional living center and correctional community treatment center (halfway house) in an *RS* zoned district. The Board approved the request subject to a number of conditions, one being that the approval is valid for a two-year time period. After two years, the applicant must return to the Board for additional approval or relocate the use.

Based on the existing conditions and the potential temporary use of the property, Staff can support the plat waiver.

Staff recommends **APPROVAL** of the plat waiver for CBOA-1316 subject to the following conditions:

1. Access control agreement, if required by the County Engineer.
2. Utility extensions and/or easements if needed.
3. Dedication of additional right-of-way of 61st Street North and North Cincinnati Avenue to meet the Major Street Plan.

On the **MOTION** of **FIELDS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for CBOA-1316, subject to the conditions listed above.

Staff Comments

Mr. Jones informed that the request for a proposed dormitory depicted on the site plan was withdrawn at the BOA meeting. He advised that the applicant was in agreement with conditions.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PLAT WAIVER for CBOA-1316 as recommended by Staff.

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CBOA-1341 (Unplatted)(172)

(PD-22)(County)

North and east of the northeast corner of East 131st Street South and South Elwood Avenue.

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

Tulsa County Board of Adjustment application 1341 is a special exception to permit a cellular tower in an *AG* zoned district. This case will be heard on April 18, 1995 and if approved, the property will be subject to the platting requirements.

As with similar towers in the past, Staff would consider the use interim and support the plat waiver request. Since the property is zoned *AG*, any future development would require a rezoning application which would again trigger the platting requirement.

Staff recommends **APPROVAL** of the plat waiver for CBOA-1341 subject to the following conditions:

1. Grading and/or drainage plan approval by the County Engineer in the permit process.
2. Utility extensions and/or easements if needed.

On the **MOTION** of **RAINS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for CBOA-1341, subject to all conditions listed above.

TMAPC Action; 7 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PLAT WAIVER for CBOA-1341 as recommended by Staff.

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Z-5198 (Golden Valley)(3194)
5850 South 107th East Avenue.

(PD-18)(CD-5)

Jones presented the application with Danny Mitchell in attendance at the TAC meeting.

Pierce stated that if an additional easement did not already exist, PSO would recommend a 10' utility easement along the east property line to cover an existing overhead pole line.

Z-5198 was a request to rezone the subject tract from residential to industrial, which makes the property subject to the platting requirements. The subject tract, which is located in an area of transition, contains an existing single-family dwelling and an accessory building with a 5,000 SF industrial building proposed. Since the property is platted and controlled by a corridor site plan, Staff can see no benefit for the City with a replat.

Staff recommends **APPROVAL** of the plat waiver for Z-5198 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for Z-5198, subject to all conditions listed above.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the PLAT WAIVER for Z-5198 as recommended by Staff.

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FINAL APPROVAL AND RELEASE:

Baldwin Acres (684)

(PD-18)(CD-8)

South of the southeast corner of East 61st Street South & South Mingo Road.

Staff Comments

Mr. Jones reminded the Planning Commission that this item was continued from the April 5, 1995 meeting. He advised that Mr. Sack has informed that the City Council has acted on the corridor site plan. Mr. Jones stated that all release letters have been received and Staff was recommending approval.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the Final Plat of Baldwin Acres and **RELEASE** same as having met all conditions of approval as recommended by Staff subject to final approval by the Legal Department.

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EXTENSION OF PRELIMINARY PLAT:

Howerton Acres II (294)

(PD-17)(CD-6)

Southeast corner of East Admiral Place & South 161st East Avenue.

Staff Comments

Mr. Jones informed that this plat was approved less than one year ago and is an ongoing project. He advised that Staff recommends approval of a one-year extension as requested by the applicant.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the **EXTENSION OF PRELIMINARY PLAT** of Howerton Acres II for one year as recommended by Staff.

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WAIVER OF THE SUBDIVISION REGULATIONS:

Holley Heights (PUD-232-B)(2702)

(PD-11)(CD-1)

Northwest corner of East Pine Street & North Union Avenue.

Due to a bomb threat, Staff arrived late and after the Planning Commission took action on this item. Ms. Gray reported that Planning Commission action on this item was a motion for approval by Doherty, seconded by Horner, with the Planning Commission voting 7-0-0 to reduce the setback to 50'.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** the **WAIVER OF SUBDIVISION REGULATIONS** for Holley Heights for 50' setback.

Mr. Stump asked what the rationale was for the reduction from 200' to 50'.

Chairman Carnes explained that similar setback reduction was allowed for oil wells east of the subject tract.

Mr. Stump expressed concern over the fire hazard of allowing a well so close to a residential development. He cited instances of homes having been burned approximately one-half mile north from the subject tract as a result of an oil well explosion and fire.

Mr. Doherty requested to reopen the issue and asked Mr. Sack to comment on other tracts in the area where the setback was waived.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **RECONSIDER** the **WAIVER OF SUBDIVISION REGULATIONS** for Holley Heights.

Applicant's Comments

Mr. Sack informed that this oil well lies in Block 2 of Holley Heights, which is in the northwest corner of a small commercial tract. He acknowledged that Subdivision Regulations require a 200' setback around the oil well. Mr. Sack advised that in 1991, a similar request was made for two existing oil wells to the east, where setback was reduced to 50'. He distributed a letter from an oil engineer who, after examining the type of oil wells in this area, indicated that these types of wells are not high pressure wells; therefore, there is no serious concern for a blow-out.

Mr. Jones advised that FHA requires 150' setback from any well, whether it is active or plugged. He noted that this being the case, although these lots can be sold and built upon, they cannot obtain FHA financing.

Mr. Doherty noted that one of the previously-waived wells is closer to the building line than is the subject well.

Responding to Mr. Boyle’s question regarding the rationale for approving the previous oil wells, Mr. Doherty informed that there was no perceived danger from the level of pressure.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **5-2-0** (Ballard, Carnes, Doherty, Horner, Ledford "aye"; Boyle, Gray "nay"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **REAFFIRM** the original motion to **WAIVE** the Subdivision Regulations and reduce the setback to 50’.

MOTION FAILED due to lack of six affirmative votes.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

<u>L-18042 Anna Sexton (1773)</u>	(PD-21)(County)
14600 South Harvard Avenue	AG
<u>L-18054 T. & J. Parks (City of Tulsa (2502)</u>	(PD-2)(CD-1)
227 E. Ute Pl.	RS-3
<u>L-18055 M. Groat (D. Kirkland)</u>	(PD-8)(CD-2)
6810 & 6814 S. Elwood Ave.	RS-3
<u>L-18056 A. Sallee (2423)</u>	(PD-14)(County)
West side of N. Mingo RD south of e. 156 St. N.	
<u>L-18058 ORU (J. Struckle (783)</u>	(PD-18)(CD-9)
7900 s. Lewis Ave.	CO/OM

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; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

LOT-SPLIT FOR DISCUSSION:

L-18057 Carnegy (W. Morris)(883)

(PD-18)(CD-2)

East of the southeast corner of East 75th Street South & South Lewis Avenue.

RS-1

It is proposed to reconfigure lots 9, 10 & 11, Block 4 of La Velle Heights into three new lots. Lots 9, 10 & 11 are currently configured at approximately 100' x 300' each. Under the applicant's proposal, Lot 10 would be split into an approximately 28' by 300' strip that would be attached to Lot 9 and an approximately 70' by 300' strip. Lot 11 would be split into two 150' x 100' pieces front and back, with the front piece being attached to the west 40' of the north 150' of Lot 10. The back piece would be attached to the remainder of Lot 10. This attachment will create a lot with a 30' wide panhandle extending northward to E. 75th. All three lots resulting from the split will meet current zoning standards for the RS-1 district. However, the creation of the "panhandle" has resulted in a residential lot that has more than three side lot lines, and therefore does not comply with Tulsa Subdivision Regulations. Applicant is requesting waiver of this requirements.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **APPROVE** Lot-split L-18057 and **WAIVE** Subdivision Regulations for side lot lines as recommended by Staff.

* * * * *

CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6480**

Present Zoning: RS-3/RM-1

Applicant: Kathryn & Robert Oliver

Proposed Zoning: CS

Location: Southeast corner of East 7th Street South & South 123rd East Avenue.

Date of Hearing: April 19, 1995

The applicant requested a continuance to May 10, 1995.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **CONTINUE** Z-6480 to May 10, 1995.

* * * * *

ZONING PUBLIC HEARING:

Application No.: **Z-6485**
Applicant: Ruby Thompson
Location: 405 S. 129th East Avenue.
Date of Hearing: April 19, 1995
Presentation to TMAPC: Mr. Lewis

Present Zoning: OL/RS-2
Proposed Zoning: CG

Mr. Lewis, representing the applicant, informed that the applicant agrees to a continuance to May 24 in order to file a PUD.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph, Taylor "absent") to **CONTINUE** Z-6485 to May 24, 1995.

* * * * *

Application No. : **PUD-179-I-3:**
Applicant: O.M. Jones/Sterling Homes, Inc.
Location: Lot 43, Block 3, The Woodlands - 9308 East 76th Street South.
Date of Hearing: April 19, 1995
Presentation to TMAPC:

Minor Amendment

The applicant is requesting approval of a Minor Amendment to allow the reduction of a backyard setback from 20 feet to 12 feet.

Staff has reviewed the request and finds that development of the subject parcel is impacted by a short side lot line dimension and by the bulb of the knuckle protruding into the lot. These two factors combine to create a development area among the shortest in the addition.

Therefore, Staff recommends **APPROVAL** of the amendment as requested.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-2** (Ballard, Boyle, Carnes, Doherty, Gray, Horner "aye"; no "nays"; Ledford, Midget "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 179-I-3 MINOR AMENDMENT as recommended by Staff.

* * * * *

Application No.: **PUD-261-C-1**

Applicant: Darin Frantz

Location: Northeast corner of East 71st Street South and South Peoria Avenue
Development Area B, Riverbridge.

Date of Hearing: April 19, 1995

The applicant is requesting an amendment to the maximum display area, number and height of ground signs allowed on Lots 2 and 3 of Development Area B. The PUD currently allows 1 sign for these two lots with a maximum height of 22 feet and a display area of 140 SF. The proposed amendment would allow:

Lot 3 - 1 ground sign with a maximum height of 10'5" and a display area of 95 SF.

Lot 2 - 1 ground sign with a maximum height of 25' and a display area of 100 SF.

Staff has reviewed the request and finds that the signs as requested conform to the height, area and number of signs permitted on other parcels in adjacent areas.

Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** 261-C-1 MINOR AMENDMENT as recommended by Staff.

* * * * *

Application No.: **PUD-379-2**

Applicant: Thomas L. Vogt

Location: 6800 S. Memorial Drive - Lot 1, Block 1 of the Village at Woodland Hills.

Date of Hearing: April 19, 1995

Presentation to TMAPC: Thomas Vogt

Minor Amendment

The applicant is requesting approval of a minor amendment to allow restaurant use (Use Unit 12) throughout Lot 1 of Block 1. Restaurants are currently allowed in the easterly 400 feet of the southerly 227 feet of Lot 1, Block 1.

Staff has reviewed the request and finds the applicant is requesting a transfer of 12,000 SF of floor area from retail to restaurant use. Current available parking (61 spaces) allows 10,892 SF of transfer. 68 spaces are required to effect transfer of 12,000 SF.

Staff also finds that the proposed restaurant use, with certain restrictions is compatible with the development patterns of the surrounding area and the transitional nature of this PUD.

Therefore, Staff recommends **APPROVAL** subject to the following:

1. A revised site plan showing reconfigured parking, making available a minimum of 68 spaces.
2. Hours of operation shall not extend past midnight.
3. Uses within Use Unit 12a (Adult Entertainment Establishments) are prohibited.
4. Dumpster enclosures shall not be located within 75' of the west property line of the PUD.
5. Public access shall be limited to the east side of the existing structures.

Applicant's Comments

Tom Vogt

6208 East 78th Place

Mr. Vogt, attorney representing the applicant, gave a history of the subject tract and commented on the high rate of vacancy experienced in this center. He deemed that it would benefit the center and traffic flow to allow restaurant use along the west side of the tract.

Mr. Vogt requested that the dumpster be allowed to within 40' of the west property line for the restaurant, noting that presently there is an 85' setback. He revealed that the PUD requires a 25' landscaped buffer as part of the 85' setback. Mr. Vogt expressed agreement with the hours of operation. Regarding restrictions of Use Unit 12a, he pointed out that these are uses currently permitted under the PUD. Mr. Vogt advised that he cannot obtain authority from the partners involved in this transaction for several weeks to agree to restrictions regarding Use Unit 12a. However, he revealed that because of restrictive covenants, he did not believe that these types of uses would be permitted. Regarding parking, Mr. Vogt informed that a parking plan is being considered, which will add approximately 100 spaces. Mr. Vogt was concerned that if a use within the center changes from a high density parking requirement to a low density parking requirement, additional

minor amendments might be required. He requested that the process be allowed to proceed, with the building inspector determining the parking and not making the number of spaces required a part of the minor amendment.

Mr. Stump suggested stating the condition in such a way that additional square footage modification could be allowed, subject to approval of a revised site plan by Staff.

Mr. Vogt agreed to such a condition. He also agreed to public entrances being limited to the east side of the existing structures.

Mr. Doherty asked Staff if it would be appropriate to move the dumpster away from the building and screen it from the residential area.

Mr. Vogt advised that the dumpster will be screened by the existing 6' fence along the rear of the property line. He informed that by moving the dumpster to the west, it will be removed from the line of sight of the residences along the rear.

The Planning Commission was concerned over the odor a dumpster will emit, being near the residential area.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 379-2 MINOR AMENDMENT to eliminate the limitation on the location of Use Unit 12 uses subject to the following conditions:

1. A revised site plan showing reconfigured parking, making available a minimum of 68 spaces above those required for retail uses, be provided to Staff in order to allow up to 12,000 SF of Use Unit 12 Uses. If subsequent revised site plans provide even more parking spaces above those required for retail uses, Staff can approve additional floor area to be devoted to Use Unit 12 uses
2. Hours of operation shall not extend past midnight.
3. Uses within Use Unit 12a (Adult Entertainment Establishments) are prohibited.
4. Dumpster enclosures shall not be located within 40' of the west property line of the PUD.
5. Customer entrances shall be limited to the east side of the existing structures.

* * * * *

OTHER BUSINESS

Street Closing: TMAPC to consider the merits of closing East 57th Place South at a point approximately 1,000 feet west of South Peoria Avenue.

TMAPC Comments

Mr. Doherty gave background on the proposed closing. He informed that the consensus of the single-family neighborhood is in support of the street closing at the single-family dividing line, west of the apartments. However, apartment owners do not want the streets closed under any circumstances. The condominium owners do not want the street closed; however, if the street is to be closed, they would like it closed at a point which still gives them access to Madison Avenue. Mr. Doherty informed that several possible locations for the street closing have been considered.

Interested Parties

David Wilson

127 East 57th Street 74105

Mr. Wilson, President of the Riverside South HOA, presented a map depicting those residents supporting, opposing, or having no opinion on the 57th Place proposed street closing. He noted that an overwhelming majority of residents support the street closing at the point recommended. Mr. Wilson commented on the considerable amount of traffic the neighborhood experiences from Riverwalk Apartments and quoted figures of vehicles accessing and egressing the apartments. He informed that the single-family residents are attempting to minimize the effect of isolating the neighborhood, noting that the sidewalks will remain open. Mr. Wilson noted that closing the street will create a private drive for the apartments and townhouses. He informed if there is effort by the Brunswick Townhouse owners to access the property through an expanded street, the single-family neighborhood would have no objection. Mr. Wilson addressed the high volume of traffic through the Riverwalk Apartments, high crime rate in the area and the danger to area children from excessive traffic.

Mr. Wilson presented a petition of signatures from residents of Riverside South Addition expressing support to close 57th Place on the east edge of their neighborhood. He presented a crime map of the area depicting auto thefts, vandalism, property damage, property theft and burglaries in the neighborhood. Mr. Wilson requested that the Planning Commission recommend closing East 57th Place South as requested.

Kimberly Harl

1033 East 57th Place #17 74105

Ms. Harl, representing Brunswick Condominiums, expressed that their position is one of compromise. She reported on meetings with the HOA and owners of the complex and the unwillingness of those parties to compromise. Ms. Harl proposed that this item be continued to review issues which have been suggested. She noted that should the street west of the condominiums be closed, more than two hundred residents will have only one exit from their neighborhood, 58th Street to Peoria, with no traffic light, thereby creating a traffic hazard.

TMAPC Review

Mr. Doherty deemed that the street should be closed; all that remains is to determine the point where it should be closed. He declared that preserving access to Madison for Brunswick needs to be considered. Mr. Doherty made a motion to recommend to the City Council that 57th Place be closed, provided that the Brunswick Condominium access to Madison be maintained. Mr. Boyle seconded the motion.

Mr. Doherty discussed possible options of street closings to maintain access for Brunswick to Madison.

Mr. Carnes expressed agreement, stating that this item should be forwarded to the City Council.

Mr. Boyle urged interested parties to continue working toward an agreeable solution of where the street should be closed.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **RECOMMEND** closing 57th Place, provided that the Brunswick Condominiums continue to have access to Madison Avenue.

* * * * *

Request by Tulsa Preservation Commission to have TMAPC initiate a Historic Preservation Overlay zoning application for the Yorktown neighborhood.

Staff Comments

Mr. Stump informed that the Tulsa Preservation Commission (TPC) recommends that the Yorktown neighborhood be considered for Historic Preservation zoning and that the Planning Commission call for a public hearing on the area presented.

There was discussion as to when the public hearing should be held and it was determined that June 14 would be earliest this item could be heard.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **CALL** for public hearing to **CONSIDER** Historic Preservation Overlay Zoning for the Yorktown neighborhood June 14, 1995.

* * * * *

PUD-190: Detail Site Plan - Minshall Park - East 75th Street South and South Kingston Avenue.

The applicant is requesting site plan approval for improvements to Minshall Park.

Staff has reviewed the request and finds that the plan as proposed complies with and implements the intent of the PUD.

Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 190 DETAIL SITE PLAN for Minshall Park as recommended by Staff.

* * * * *

PUD-261-C: Detail Site Plan - Lot C, Block 1 of Riverbridge West - north of East 71st Street South and east of South Peoria Avenue (Development Area 3).

The applicant is requesting site plan approval for "QuikTrip".

Staff has reviewed the request and finds that the plan as proposed conforms to open space, setback, circulation, parking and access requirements of the PUD.

Therefore, Staff recommends **APPROVAL** subject to the following:

1. Revision of the mutual access shown on the site plan to correspond with the plat map or of the plat map to correspond with the site plan.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 261-C DETAIL SITE PLAN for Quik-Trip in Development Area 3 as recommended by Staff.

* * * * *

PUD-516: Detail Site Plan - southeast corner of East 101st Street South and South Yale Avenue (Development Area 4).

The applicant is requesting site plan approval for F&M Bank. Staff has reviewed the plan as proposed and finds that it substantially conforms to the requirements of the PUD.

Staff recommends **APPROVAL** subject to the following:

1. An amended site plan and plat showing access into Area B.
2. An amended site plan and plat reflecting a changed limits of no access to accommodate the proposed south access from 101st Street.
3. An amended site plan showing parking along arterials setback at a minimum of 10 feet.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 516 DETAIL SITE PLAN for F & M Bank in Development Area A as recommended by Staff.

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PUD-529: Detail Site Plan - north of the northwest corner of East 91st Street South and South Memorial Drive.

The applicant is requesting approval of a site plan for mini-storage.

Staff has reviewed the request and finds it to be in substantial compliance with the requirements of the PUD.

Therefore, Staff recommends **APPROVAL** subject to the following:

1. Gate details showing opaque gates to screen storage unit doors from outside PUD.

NOTE: *Site plan approval does not constitute landscape or sign plan approval.*

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** PUD 529 DETAIL SITE PLAN as recommended by Staff.

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Amendments to Restrictive Covenants for Woodside Village III.

Staff Comments

Mr. Stump informed that the Legal Department and Staff have reviewed the restrictive covenants and recommend approval.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget "aye"; no "nays"; none "abstaining"; Pace, Selph, Taylor "absent") to **APPROVE** Amendments to Restrictive Covenants for Woodside Village III as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 3:40 p.m.

Date Approved: _____



Chairman

ATTEST:



Secretary

