

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1478
Wednesday, October 19, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Draughon Higgins Hinkle, Secretary Kempe, Chairman Woodard C. Young, 1st Vice-Chairman	Beckstrom Connery Flick T. Young Inhofe	Brierre Compton Gardner Lasker Martin Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, October 18, 1983, at 11:30 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the Minutes of October 5, 1983 (No. 1476).

REPORTS:

Chairman's Report:

Chairman Kempe presented a resolution of appreciation to a former member of the TMAPC, Mr. Scott Petty, who served on the Planning Commission from January 19, 1980 until September 8, 1983.

RESOLUTION:

No. 1478:580

WHEREAS, the Tulsa Metropolitan Area Planning Commission wishes to acknowledge members who have made significant contributions toward the orderly growth and development of the Tulsa Metropolitan Area; and

WHEREAS, Mr. Scott Petty served on the Tulsa Metropolitan Area Planning Commission from January 19, 1980, until September 8, 1983, a total of 3 years and 8 months; and

WHEREAS, he served as Secretary to the Commission in 1982 and 2nd Vice-Chairman in 1983; and

WHEREAS, he gave freely of his time, experience, and abilities toward the development of a better environment for present and future citizens; and

WHEREAS, such service was given at considerable personal sacrifice;

Resolution: (continued)

THEREFORE, the members of the TMAPC wish to express our deepest appreciation for the concern and service which was given by our former member, Scott Petty.

APPROVED and ADOPTED this 19th day of October, 1983.

The Commission was in receipt of a letter from the Greater Tulsa Council requesting consideration of amendments to Title 42 regarding Planned Unit Developments (Exhibit "A-1"). Chairman Kempe read the letter into the record and referred it to the next meeting of the Rules and Regulations Committee.

Director's Report:

Mr. Jerry Lasker stated Mr. Linker, Legal Counsel, has provided the Commission with a memorandum concerning the wording to be placed on the face of subdivision plats and the document to be filed separate with the County Clerk's office (Exhibit "B-1"). The TMAPC directed the INCOG Staff and Legal Council to come up with wording on the plat rather than delineating the proposed expressway on the face of the plat.

The wording to be placed on the plat reads as follows: "NOTICE - A freeway is shown on the Tulsa City-County Major Street and Highway Plan as passing through or adjacent to property in this subdivision. Further information as to the status of this planned freeway may be obtained from the Tulsa Metropolitan Area Planning Commission."

The INCOG Staff and Legal Department would prefer that the practice of showing the proposed expressway on the location map be continued showing the square mile which the subdivision is located with a dotted line indicating any proposed expressways.

The Notice to the Public as suggested by Mr. Charles Norman will be filed of record with the County Clerk's office. The Major Street and Highway Plan is and will be current as of the date of filing. Any amendments made to the Plan will be filed on a new notice to the public and will be picked up in the title searches. Mr. Lasker stated he has corresponded with the Abstract Companies who stated if the notice is located with the legal description, preferably by lot and block, it will be picked up in the abstract.

There was some discussion as to who should sign the notice that will be filed of record in the County Clerk's office. It was suggested that the Director of INCOG/TMAPC and/or the Chairman of TMAPC be nominated to sign the notice.

Commissioner Draughon asked if there would be some action needed to assure that the Notice To The Public is picked up in the abstract and Mr. Lasker stated he had talked to the Abstract Companies who stated they would pick up the document and requested that the document be filed by subdivision name.

Mr. Linker suggested that the approval of a plat should be subject to a notice being filed with the plat. Mr. Gardner advised the Staff also has the control of the Building Permits being issued until the notice is filled on the property to act as a check and balance issue.

Director's Report: (continued)

Chairman Kempe advised the Commission previously approved the two notices in concept.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the language to be stamped on the face of the plat and the document to be filed of record and picked up in the abstract, and to appoint the Director of INCOG/TMAPC and/or the Chairman of TMAPC to sign the Notice To The Public.

SUBDIVISIONS:

PRELIMINARY PLAT:

Sheridan Galleria Addition (PUD #339) (2383) NE corner of 101st Street
and Sheridan Road (CS, RM-1)

The Staff presented the plat.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of August 25, 1983, was provided, the Staff comments as applicable.

The Technical Advisory Committee and Staff recommended APPROVAL of the Preliminary Plat of Sheridan Galleria Addition, subject to the conditions.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Sheridan Galleria Addition, subject to the following conditions:

1. All conditions of PUD #339 shall be met prior to release of the final plat, including any applicable provisions in the covenants, or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines. (Show PSO easement, 15', on Sheridan Road.)
3. Water plans shall be approved by the Water and Sewer Department prior to the release of the final plat, (if required?).
4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat, (if required?).

Sheridan Galleria Addition (PUD #339) (continued)

6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable, subject to criteria approved by the City Commission).
7. Show all building lines required by PUD.
8. Covenants: Include Cable TV in overall deed of dedication paragraphs. Add language for Water and Sewer Department, including provisions required by RMUA on developments on the Haikey Creek Sewage Treatment facility. Include all the detailed requirements of the PUD in a separate section in the covenants.
9. Access points shall be approved by the City and/or Traffic Engineer. East access on 101st should be for emergency only. Omit south access point on Lot 2 on Sheridan. (Both access points on Lot 2 will be "Right Turn Only" when medians are built.)
10. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
12. All Subdivision Regulations shall be met prior to release of the final plat.

Waterford Addition (PUD #325) (3393) NE corner of 54th Street and South Harvard Avenue (RM-2, RS-2)

The Staff presented the plat with the applicant represented by Mike Taylor.

The Staff advised that the City Commission made additional requirements in the PUD process. The Plat should also meet those conditions, particularly relating to townhouse development north of the Creek (Lot 3, PUD Area "B"). A copy of the City Commission minutes was furnished to the applicant.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Waterford Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Waterford Addition, subject to the following conditions:

1. All conditions of PUD #325 shall be met prior to release of the final plat, including any applicable provisions in the covenants, or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.

Waterford Addition (continued)

- Expand restrictive covenants to include all the PUD conditions such as number of units, density, open space, etc. Also clarify the building lines on Lot 2 along 54th Street and adjacent to Lou North Woodland Acres 4th. Comply with City Commission requirements for townhouse development on Lot 3, north of the Creek.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines. (Additional easements may be needed parallel to creek channel.) Show PSO easement to Elk's Club.)
 3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
 4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
 5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
 6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, (if required?).
 7. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (Drain to Joe Creek.)
 8. All adjacent streets and/or widths thereof should be shown on the final plat. (Show cul-de-sac on Louisville Avenue.)
 9. Access points shall be approved by the City and/or Traffic Engineer. (Location O.K., but submit final design for review.)
 10. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of the plat.)
 11. 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.
 12. Identify adjacent subdivisions to the east. Clarify dedication on the west side of South Louisville Avenue.
 13. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)

Waterford Addition (PUD #325) (continued)

14. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
15. All (other) Subdivision Regulations shall be met prior to the release of the final plat.

FOR FINAL APPROVAL AND RELEASE:

Mill Creek Bridge II Addition (PUD #294) (2283) 96th Street and South Lakewood Avenue

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the final plat of Mill Creek Bridge II Addition, subject to the applicant filing the notice of delineation of future freeway rights-of-way on subdivision plats with language provided on the face of the plat and the adopted document to be filed of record.

FOR CHANGE OF ACCESS:

Briarglen Plaza (2194) East side of South 129th East Avenue, South of 31st Street (CS)

Purpose or Reason for Change:

To provide better access to shopping center. Move north access 75' south, vacate 50' center access and provide service area access on the south.

The Traffic Engineer and Staff recommended APPROVAL.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the requested Change of Access for Briarglen Plaza Addition.

Midwestern Addition (2793) NW corner of 43rd Street and South Sheridan Rd. (IL)

Purpose or Reason for Change:

To move the existing access point 15' south to provide better access.

The Traffic Engineer and Staff recommend APPROVAL.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the requested Change of Access for Midwestern Addition.

For Change of Access: (continued)

Park Plaza Square Addition (2094) SW corner of 40th Street and South
129th East Avenue (CS)

Purpose or Reason for Change:

To provide better access to shopping center. One access point being relocated. Total number of access points remains the same.

The Traffic Engineer and the Staff recommend APPROVAL.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the requested Change of Access for Park Plaza Square Addition.

REQUEST TO WAIVE PLAT - LOT SPLIT FOR WAIVER:

Z-5865 - Valley Glen South Addition (1994) South side of East 31st
(CS, OL, FD) Street, East of South 108th East Avenue

This is a multiple request covering Lot 2, Block 2 in the above named plat. Only the portion east and north of the floodway easement has been rezoned to CS, thus making it "subject to a plat". The request to waive plat covers that portion of the lot. A lot split (#L-15992) has also been filed to create two lots. The available frontage has been reduced because of the drainageway, so frontages of 119' and 116' are requested in the CS portion. (Tract #2 actually has 258.18' of frontage, but 142.18' is in the drainageway and remains (OL-FD.) At the present time a restaurant is proposed on the west lot (Tract #2) and possibly one also on the east lot, (Tract #1). The two platted access points will be used so no change in access is being requested. Additional utility easements and/or extensions may be required. If any grading and drainage is done, it will be subject to approval of the City Engineer in the permit process.

The applicant was represented by Mitch Adwon at the T.A.C. and Mrs. Milfred Dotson at the Planning Commission.

Water and Sewer Department advised the applicant that he may wish to extend the sewer main under the creek channel, rather than run a "service line". (For information, not a condition of approval.) O.N.G. requested an additional 15' utility easement parallel to 31st Street.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-5865 and Lot Split #L-15992, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Valley Glen South Addition and to approve the request to waive the lot split requirements for L-15992, subject to the following conditions:

Brookside Area Special Study: (continued)

looking at the existing street pattern east of Peoria it might be possible to separate the residential area from the commercial area on 33rd and 34th Streets with a stub street or a cul-de-sac. However, the benefit that might be gained could be lost because it could force additional traffic through other residential streets that remain open. The Staff would not recommend cul-de-sacing all the stub streets at this time, but felt it more appropriate to look at a site plan on a case by case basis.

Commissioner C. Young stated the Brookside parking problems are a result of the CH zoning which does not require parking. The Staff was in agreement with that statement and added that several businesses in the area do not provide any parking.

Discussion ensued concerning the CH zoning pattern in the Brookside area and Mr. Brierre stated the Staff is looking into a recommendation of establishing a separate zoning classification, the Central Business District (CBD) which would have no parking requirements and would allow parking requirements to be placed on the CH zoning district. He further explained the CBD classification. The new parking in the CH zoning district would be triggered with a use or expansion change on an existing property.

Chairman Kempe opened the public hearing to those interested parties.

Caroline Robertson, president of the Brookside Homeowner's Association, complimented the Planning Commission and INCOG Staff in conducting the Special Brookside Area Study. Mrs. Robertson expressed her wholehearted support in initiating the residential parking permit program to limit on-street parking in neighboring areas to residents only. One other suggestion made by Mrs. Robertson was that a change be made in the Zoning Code that parking be tied with a particular use.

The Staff stated the Brookside area has a shortage of approximately 200 available parking spaces per hour. There is one pending application for OL zoning, but the applicant proposes to use the property for parking in this area which could accommodate approximately 70 parking spaces with an attendant on duty. This would relieve some of the parking problems in the area. Mr. Gardner suggested that the new parking spaces be tied to a particular business and when one lot is sold the other must of necessity be sold to the same party.

Mr. Eugene Colleoni who is the former District #4 Chairman of the Greater Tulsa Council was concerned that the zoning change if implemented, would affect the commercialization and off-street parking in the residential area in District #4 and the Staff stated that would not occur.

Mr. James Frost who represented several property owners in the Brookside area stated he would be in total support of the residential parking permit program.

Commissioner Higgins asked how the parking permit program would work for Brookside area residents who have company. The Staff stated the property owner could move his vehicle into the street and permit the company to park in their driveway or a temporary parking permit valid for a specific date would be issued when a large number of visitors were expected.

Brookside Area Special Study: (continued)

Mr. James Corey stated he had a question on one of the short-range solutions which limits short-term parking on portions of South Peoria to allow parking for businesses that attract quick turn-around traffic. Parking zones rather than meters should be encouraged for this purpose and Mr. Corey asked if this could be enforced. Mr. Brierre suggested that it be limited to short-term parking during the day with signs indicating that. It was also suggested that the use of a particular business be considered when establishing the short-term parking zones.

Mr. Gary Clark represented many of the landowners in the Brookside area and felt the short-range and intermediate-range solutions should be initiated and followed quickly. He believed the boundaries should be extended further to the east and west in certain areas which might be beneficial. There was some concern raised in the long-range solutions in the creation of a new zoning district. Mr. Clark felt the creation of a special tax assessment district would have some merit and something to be pursued.

TMAPC Action: 6 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to close the public hearing concerning the Brookside Area Special Study.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to adopt the Brookside Area Special Study and direct the Staff to forward the Study to the City and County Commissions for their review and comments.

OTHER BUSINESS:

PUD #179 C.D.C. Construction Company - 7429 So. 86th E. Ave - Lot 4, Block 4, Woodland Hills South

Staff Recommendation: Minor Amendment

The subject lot is a part of a designated single-family area under the controls of PUD #179. It is located at 7429 South 86th East Avenue and contains a single-family structure. The applicant is requesting a minor amendment to encroach 6 inches into a 5-foot side yard. This request would fall into a category that would normally be considered minor; however, the structure is already built causing it to fall into the new major amendment category when it is initiated November 1, 1983. During this interim period until a formal policy can be developed and adopted, the Staff will bring these type of requests to the Commission for a determination.

We would also point out that the structure encroaches into a 10-foot utility easement; however, there are no utilities located within that easement and the applicant is in the process of vacating the easement. Therefore, if the TMAPC decides to act on this matter today, approval should be subject to the vacating of this easement.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the request as a minor amendment to PUD #179, subject to the vacating of the 10-foot utility easement.

PUD #324 - Fletcher (Wickersham, McQuaig) SE corner of 62nd Street and South Trenton Avenue

Staff Recommendation: Minor Amendment

Planned Unit Development No. 324 is approximately 3 acres in size and located at the southeast corner of the intersection of 62nd St., and South Trenton Avenue. It has been approved for two development areas. Area "A" will contain one existing single-family structure on a large lot and Area "B" will contain 20 patio lots of detached single-family dwellings.

The original PUD approval required that the owner of the one single-family structure in Development Area "A" be a member of the Homeowner's Association. This was required because some of the open area on this lot was needed to meet the livability space requirement of Development Area "B". Since that time the number of units have been reduced and the use has been changed from attached dwelling units to detached dwelling units. These changes have eliminated the need for Area "B" livability space requirements coming from unused Area "A" livability space.

Because of this, the applicant is requesting that Condition (#4) be changed as follows:

- (4) That a Homeowner's Association be established to maintain all common paved or open space areas. The owner of the one single-family unit in Development Area "A" shall (not) be a member of this Association.

The Staff has reviewed this request and feels that it is minor in nature and recommends APPROVAL.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the requested minor amendment and change Condition #4 to read as follows:

- (4) That a Homeowner's Association be established to maintain all common paved or open space areas. The owner of the one single-family unit in Development Area "A" shall (not) be a member of this Association.

PUD #319 - Larry Kester South of the SE corner of 79th East Avenue and 15th Street South

Staff Recommendation: Minor Amendment

Planned Unit Development No. 319 is located just south of the southeast corner of 79th East Avenue and 15th Street South. It is approximately 1 1/3rd acres in size and approved for a single-family ownership residential community of duplex dwellings. It received Detail Site Plan approval on April 13, 1983, subject to the Site Plan submitted.

The Development Standards call for a 30-foot setback from the centerline of the private street. This requirement has been exceeded for the front yards of all 12 units. However, two units have side yards that are 20 feet from the centerline of the private street. Since

PUD #319 (continued)

they are sideyards and exceed the side yard requirements specified at other locations on the Site Plan, the Staff recommends APPROVAL of a minor amendment to the PUD Text for PUD #319 to allow the side of a building to be set back a minimum of 20 feet from the centerline of the private street, per the approved Site Plan.

TMAPC Action: 6 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Connery, Flick, T. Young, Inhofe, "absent") to approve the minor amendment to the PUD Text for PUD #319 to allow the side of a building to be set back a minimum of 20 feet from the centerline of the private street, per the approved Site Plan.

There being no further business, the Chair adjourned the meeting at 2:55 p.m.

Date Approved

November 2, 1983

Chery Kempe
Chairman

ATTEST:

Marilyn Hinkle
Secretary

