

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1520
Wednesday, September 5, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|---|----------------|---------------------------------------|-----------------------------|
| Connery Draughon Higgins, Secretary Hinkle Paddock Wilson Woodard C. Young, Chairman T. Young | Kempe Rice | Compton Gardner Malone Wiles | Linker, Legal Department |

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 4, 1984, at 12:15 p.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On MOTION of CONNERY, the Planning Commission voted 5-0-1 (Connery, Draughon, Wilson, Woodard, C. Young, "aye"; no "nays"; Paddock, "abstaining"; Higgins, Hinkle, Kempe, Rice, T. Young, "absent") to approve the Minutes of August 22, 1984 (No. 1518).

REPORTS:

Director's Report:

Consider approving the following policy:

"All lot split applications, which contain a lot having more than 3 side lot lines, cannot be processed as prior approval lot splits. Such lot splits shall require a five day written notice to abutting property owners. Deeds for such lot splits shall not be stamped or released until the TMAPC has approved said lot splits in a public meeting."

Approved as interim policy May 9, 1984.

Mr. Gardner informed this matter was discussed at the last Rules and Regulations Committee meeting. He feels that the policy has worked quite well.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Hinkle, Kempe, Rice, T. Young, "absent") to make the above policy a permanent policy of the Tulsa Metropolitan Area Planning Commission.

Mr. Gardner told the Commission about an Industrial Planning meeting that is to be held in Tulsa on September 27, and 28, 1984.

Application No. CZ-115 (continued)

that since the northern portion of the tract approaches single-family residences, the Commission may want to consider zoning something other than the total tract that has been advertised.

Applicant's Comments:

Mr. Oates informed he lives on and runs a business off of the subject tract. His major business is a used car lot, but he also is restoring old cars. He would like to get this zoned IH so if the City moves its limits out, the business will be legal. He has talked to the people in the area and only one told him that he was opposed to the rezoning. He submitted signed statements from the residents of 27 addresses stating they are in support of this application (Exhibit "A-1"). Mr. Oates informed there are four salvage yards within half a mile of the subject tract. They are operating in IL zones. These other salvage operations have not been in existence more than 6 years. He showed on the map where the people who support this application live. Mr. Oates told of other businesses in the area.

Mr. T. Young asked the applicant about the layout of the subject tract, and Mr. Oates described the property and where uses are located on it.

Ms. Wilson asked the applicant if he is planning to expand his business to another building on the north, and Mr. Oates informed he does not plan to build another building now, but he would like to in the future.

There was discussion about how property is zoned when it is annexed or de-annexed in the City and the County.

| | | | |
|---------------------|---------------|------------|--------------------------|
| <u>Protestants:</u> | Jo Ann Norris | Addresses: | 7535 North Owasso Place |
| | Bill Norris | | 7535 North Owasso Place |
| | Rick Brixey | | 7216 North Peoria Avenue |

Protestants' Comments:

Mrs. Norris submitted a petition with 28 names of people who protest the approval of this application (Exhibit "A-2"). Several of the signers signed Mr. Oates' petition and wish to reconsider. She submitted a map showing where the people who signed the protest petition live and a hand-out listing her concerns (Exhibit "A-3"). Her main points of concern which are explained in detail in her handout are: (1) drainage, (2) traffic, (3) air pollution, (4) noise, and (5) "varmints". Mrs. Norris stated a concern about what the hours of operation might be for this business and about what kind of patrol the owners might have to deter vandalism--they might use dogs which would add to the noise problems. If this is approved, they would like a screening fence to be constructed at least 8 feet in height. She also felt that the applicant should consider building or improving a channel of some sort around his property to channel polluted water away from the residential area. Mrs. Norris told the Commission what some of the people in the area were told by Mr. Oates about what was going to occur on the subject tract. She is concerned that approval of this application will be detrimental to their neighborhood, and she does not feel that the change in zoning will be compatible to the area. She requested that the zoning be denied.

There was discussion about drainage in the area and what the applicant could do to help the drainage situation.

Application No. CZ-115 (continued)

Chairman C. Young asked Mrs. Norris what the subject tract is being used for, and Mrs. Norris informed the north area is grown up with weeds and the south area is the junk yard.

Mr. Paddock had a question about the access to the property from the north, and Mrs. Norris informed the only access from the north will be from Owasso Street. Mr. Gardner informed that the Staff never intended that industrial traffic or access be to the north property line.

Mr. Norris submitted a letter of protest (Exhibit "A-4") and a photograph (Exhibit "A-5") from Mr. R. F. Winter whose property adjoins the subject tract.

Mr. Brixey lives on the south side of the subject tract. He informed that Mr. Oates' operation looks similar to a salvage operation. Mr. Brixey has an auto upholstery shop on his property, and he is concerned about the value of his property if the applicant does go to a full-scale salvage operation. He has looked at other salvage operations in the City and has noted that there was no actual growth after these salvages started. He is concerned that North Peoria Avenue will die if this is approved. Mr. Brixey informed he has not seen the applicant restore any old cars on the property. He has brought totaled cars to the tract and sold them. He stated that the operation is an eyesore. People in the area that he has talked to have told him they are not opposed to businesses going in as long as the businesses will stimulate growth in the area. They do not feel that an auto salvage will stimulate growth.

Applicant's Rebuttal:

Mr. Oates' attorney, Mr. Bob Butler, 1710 South Boston Avenue, described uses in the area that do not have proper zoning. He feels the problem in this area is with control. He described the part of Peoria that is in the area of the subject tract and the uses that are found there. Mr. Butler described the drainage and traffic in the area. He informed this is not a typical salvage operation. The applicant deals in older cars. He informed that the applicant has rebuilt cars in a garage on the property. Mr. Butler thanked the Mayor and other Board Members for their increased interest in the north side of the County and the City.

There was discussion about the size of the different sections of the subject tract.

Mrs. Wilson informed she has a problem with changing the zoning because three sides of the tract are surrounded by RS zoning even though there are mixed uses and violations. She does not think the Board should approve something just to make a wrong a right. She made a motion to deny the application. Mr. Connery seconded the motion. This motion and second were later withdrawn.

Mr. T. Young informed he supports the position of the residents as they expressed it, and yet, the way to get to a remedy is by approving some zoning. He thinks that all of the property on the north should be denied and should stay residential. The southern part of the land is where the applicant is operating now, and it is a tract of land that is capable of sustaining the business in the future. If IM is approved on part of the tract, it would have the potential of making a wrong a right. If IM is granted, the applicant would have to obtain approval from the County Board

Application No. CZ-115 (continued)

of Adjustment who would set restrictions on the operation. He suggested that the Planning Commission zone half of the south portion of the property IM and the other half IL.

Mr. Gardner informed that for the Board of Adjustment to consider a salvage operation in an IL district, the applicants would have to get a variance.

Mr. T. Young informed that Board of Adjustment is one remedy, but probably the best remedy would be to submit a PUD which would bring it back to this Board.

Instruments Submitted: Signed Statements Supporting the Application (Exhibit "A-1")
Protest Petition (Exhibit "A-2")
Map and Outline from Mrs. Norris (Exhibit "A-3")
Letter from Mr. R. F. Winter (Exhibit "A-4")
Photograph from Mr. R. F. Winter (Exhibit "A-5")

TMAPC Action: 9 members present.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Rice, "absent") to DENY IH zoning on the north part of the tract and to recommend to the Board of County Commissioners that the east 150 feet of the south portion of the tract be zoned IL and that the remainder of the tract to the west be zoned IM, on the following described property:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, DELAWARE GARDENS, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

A tract of land located East of the Midland Valley Railroad in the Northeast Quarter (NE/4) of Section 36, Township 21 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey, more particularly described as follows, to wit:

Beginning at a point 1,775.5 feet South of the Northeast corner of said Section 36 thence West 332.5 feet to a point, being a point on the Easterly right-of-way line of the Midland Valley Railroad; thence Northwesterly along the East line of the Midland Valley Railroad to a point that is 495.5 feet North of the point of beginning; thence East 455 feet to a point, said point being on the East section line of said Section 36; thence South along the East line of said Section 36, a distance of 495.5 feet to the point of beginning. Said property having heretofore been described as Blocks 9, 10 and 11 of DELAWARE GARDENS ADDITION, according to Plat No. 1042, filed September 14, 1931, and vacated August 2, 1948 by instrument recorded in Book 1924 at Page 543.

SUBDIVISIONS:

Preliminary Plat:

Mingo Valley Trade Center (3194) 10203 East 61st Street (IL)

The Staff presented the plat with the applicant not represented.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Mingo Valley Trade Center, subject to the conditions.

Mr. Malone informed this is a simple industrial subdivision consisting of one lot and one block. The Staff has no problem with this.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Paddock Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Hinkle, Kempe, Rice, T. Young, "absent") to approve the Preliminary Plat for Mingo Valley Trade Center, subject to the following conditions:

1. Since part of 61st was not included in the legal description, indicate book/page of separate dedication. Show a tie dimension to the SW corner of the section. (Same as in legal description)
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (17 1/2' perimeter) Existing easements should be tied to or related to property and/or lot lines.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in covenants.)
4. 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.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required?)
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. (may require on-site detention)
7. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. (Show only a 40' opening.)
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.

Mingo Valley Trade Center (continued)

9. 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.)
10. 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.)
11. All Subdivision Regulations shall be met prior to release of the final plat.

Camp Shalom Amended (PUD #307) (683) North side of 71st Street at Wheeling Ave.
(OM)

The Staff presented the plat with the applicant represented by Stewart Nyander.

This plat has a Sketch Plat approval, subject to conditions.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Camp Shalom Amended, subject to the conditions.

Mr. Malone informed that this property was previously platted and has since been zoned OM. This made it subject to platting. The Staff has no problems with this from the subdivision point of view.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Hinkle, Kempe, Rice, T. Young, "absent") to approve the Preliminary Plat for Camp Shalom Amended, subject to the following conditions:

1. All conditions of PUD #307 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. (Correct dates of approvals in copy of covenants submitted January 24, 1984.)
2. Show intersection with South Wheeling in dashed lines for references. Access limitations on the plat are subject to approval of the Traffic Engineer.
3. Covenants:
 - (a) Paragraph 3, change date from November 5, 1980 to January 12, 1983, and add amendment date of TMAPC, August 22, 1984.
 - (b) Add this line to PUD conditions: "The Outline Development Plan, (as amended) is a condition of approval of the PUD.
 - (c) Paragraph 1. (E). Parking -- Show "Minimum Phase I - 117 spaces" and "Minimum Phase II - 106 spaces".
4. Show drainageway or storm water detention area on the plat as directed by the City Engineer. (Also see #12 below.)

Continued:

Camp Shalom Amended (PUD #307) (683) North side of 71st Street at
Wheeling Avenue (OM)

5. Show a lot number. (Since there is only one lot and one block, a small note indicating that "Development line is not a lot line", would prevent anyone assuming there were two separate lots.)
6. Don't forget to include Surveyor's Certificate on the final plat.
7. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (P.S.O. needs east-west easement along north.) Existing easements should be tied to or related to property and/or lot lines.
8. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
9. 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).
10. Vehicular access and circulation shall meet approval of the Fire Department for fire protection.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
12. 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. (Also see #4 above.)
13. The key or location map shall be complete and shown on the face of the plat. (Show new subdivisions.)
14. 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.)
15. All Subdivision Regulations shall be met prior to release of the final plat.

Northside Clinic (2402) SE corner of East 36th Street North and Midland
Valley Railroad (CS)

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

The property was reviewed as a "plat waiver" application by the TAC on June 14, 1984. Due to numerous requirements and discrepancies, the TAC recommended denial of the waiver. The application for waiver was withdrawn and this plat has been submitted to satisfy the requirements.

Northside Clinic (2402) (continued)

Note: Make sure written title and name of plat agree. (Northside Center shown on the plat, but title is supposed to be Northside Clinic as shown in the covenants.)

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

Mr. Malone informed this is a simple one lot, one block subdivision, and the Staff has no problems with it.

There was discussion about what type of clinic is proposed. (This would have no bearing on the plat, since zoning controls the use.)

On MOTION of CONNERY, the Planning Commission voted 6-0-1 (Connery, Draughon, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; Hinkle, "abstaining"; Higgins, Kempe, Rice, T. Young, "absent") to approve the Preliminary Plat for Northside Clinic, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
2. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required)
3. 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.
4. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in the covenants. (Location is OK.)
5. 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.
6. The key or location map shall be complete.
7. 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.)
8. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Rebel Run (1503) North side of Port Road, West of East 36th Street North and
North Sheridan Road (CS)

The Staff presented the plat with the applicant represented by Dan Tanner at the Technical Advisory Committee meeting.

NOTE: This tract has been reviewed by the T.A.C. for a plat waiver on September 21, 1983. The applicant presented no plans and the T.A.C. felt that the request was premature. Also, the original request for zoning (Z-5844) was for IL, but that was denied and the property was zoned CS as a compromise after a District Court appeal. The waiver of plat was not approved.

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

Mr. Malone informed this is a simple commercial one lot, one block subdivision, and the Staff has no problems with it.

There was discussion about why condition #9 concerning burning of waste was included in the conditions. (The Staff explained this was a standard condition on all plats, required by the Health Department.)

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Connery, Draughon, Hinkle, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Kempe, Rice, T. Young, "absent") to approve the Preliminary Plat for Rebel Run, subject to the following conditions:

1. Plat was drawn at a 1" = 40' scale. Subdivision Regulations permit 1" = 100', 1" = 200' or 1" = 50'. The Staff has no objection to drawing as shown, but it will require waiver of the Subdivision Regulations.
2. Show book/page of dedication of the Port Road. (Book 4036, Page 36; September 15, 1972)
3. 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.
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the covenants.)
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
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.
8. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer.

Rebel Run (continued)

9. 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.
10. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
11. The owner or owners 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 on the face of the plat.)
12. The key or location map shall be complete. (Identify Yale Avenue and East 46th Street North.)
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.)
14. 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.
15. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Yorktown Park (PUD #283-A) (683) SE corner of 61st Street and South Yorktown Avenue (RM-1, OL)

The Staff presented the plat with the applicant represented by Dan Tanner at the Technical Advisory Committee meeting.

This plat had an approval on May 5, 1982, as an office complex, but the approval expired and the plat was not completed. Now the PUD has been revised to permit multifamily development and the plat has been resubmitted.

NOTE: A site plan submitted to T.A.C. members will be essential for utility layout and release letters for final plat. (One was provided at the T.A.C. meeting, but individual agencies will need one)

The Technical Advisory Committee and Staff recommend approval of the Preliminary Plat of Yorktown Park, subject to the conditions.

Mr. Malone informed this is a multifamily one lot, one block subdivision, and the Staff has no problems with it.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Draughon, Hinkle, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Kempe, Rice, T. Young, "absent") to approve the Preliminary Plat for Yorktown Park, subject to the following conditions:

1. Legal description has an error and the wrong Section, Township, and Range, (should be 6-18-13). Check beginning point, distances, etc., in the first line of the description.

Yorktown Park (continued)

2. The title, location map, north arrow, etc., should be on the same side of the drawing as the map portion. (This is for microfilming purposes. Also City Map only reproduces the map portion and it should contain the title and other information.)
3. Covenants: (a) Approval date of PUD is June 20, 1984, (TMAPC) and July 25, 1984 (City Commission).
(b) In the development standards section add the following condition:
"The outline development plan is a condition of approval of the PUD."
(c) Building line from the interior (west) line should be 20' not 70'. (Drawing is O.K.)
4. Building lines on the face of the plat should be dimensioned from property line. (112' from the centerline is actually a 62-foot building line on the plat. Verbage in the Covenants is O.K., except (c) above. Building line at the south tip of the plat should be 125', not 120'.)
5. The 2' jog in the property line next to Lot 3, Sherwood Park, should be clarified. Caution is needed so that buildings do not encroach into the easement.
6. All conditions of PUD #283-A 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.
7. 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.
8. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.)
9. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required)
12. 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.
13. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. (Yorktown is a nonarterial and LNA is not needed, subject to approval of the Traffic Engineer. Check location on 61st Street.)

Yorktown Park (continued)

14. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
15. The key or location map shall be complete. Show subdivisions. Correct Section, Township and Range.
16. 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.)
17. All Subdivision Regulations shall be met prior to release of the final plat.

Bogdanoff's Corner (2083) SW corner of 91st Street and Delaware Avenue (CS)

The Staff presented the plat with the applicant represented by Adrian Smith.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Bogdanoff's Corner, subject to the conditions.

Mr. Malone informed this is a commercial subdivision with which the Staff has no problems.

Ms. Wilson asked if the drainageway mentioned in Condition #10 will be dedicated to the City where the City will maintain it, or if it is something that the property owners will maintain. Mr. Linker informed it depends on what the City Engineering Department wants to do.

On MOTION of HINKLE, the Planning Commission voted 7-0-1 (Connery, Draughon, Hinkle, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; T. Young, "abstaining"; Higgins, Kempe, Rice, "absent") to approve the Preliminary Plat for Bogdanoff's Corner, subject to the following conditions:

1. 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. (The north 10' and the east 10' and 17 1/2' on west and south, or as needed)
2. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.) (Plans required?)
3. 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.
4. Coordinate drainage with intersection modification plans.
5. 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. (Detention on site or fee in lieu of)

Bogdanoff's Corner (continued)

6. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in the Covenants. (Locations O.K.)
7. 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.
8. 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.)
9. The Zoning Application (Z-5986) shall be approved before the final plat is released, or if not approved for CS, a revised plan(s) should be submitted conforming to the applicable zone.
10. Covenants: Include a drainageway paragraph. (No Drainage Easement shows on the face of the plat.) (Check?)
11. Not a condition for approval of plat. For information: Zoning Code required building setback of "one-half the Major Street Plan plus 50'". Since the Major Street Plan only requires 50' from the centerline plus 50' setback or a total of 100' from the centerline, the Building line on 91st Street may be adjusted. The applicant should check with the Building Inspector since they issue the permits.
12. 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.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

FINAL PLAT APPROVAL AND RELEASE:

Oak Forest (2790) West 41st Place and South 218th West Avenue RE

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

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Draughon, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, Kempe, Rice, "absent") to approve the Final Plat of Oak Forest and release same as having met all conditions of approval.

REINSTATEMENT OF PRELIMINARY PLAT AND EXTENSION OF APPROVAL:

Home Improvement Center (1183) West of the SW corner of 71st Street and Memorial Drive (CS and OL)

The plat was almost completed with most of the release letters received when it expired on June 22, 1984. All the Staff work has been done. The Staff recommends reinstatement and extension of approval with the new expiration date to be June 22, 1985.

Home Improvement Center (continued)

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Rice, "absent") to approve the reinstatement of the Preliminary Plat and extension of approval with the new expiration date to be June 22, 1985.

CHANGE OF ACCESS REVIEW:

Memorial South Center (3693) NE corner of 61st Street and South Memorial Drive (CS)

The platted access points are being reduced from a total of 5 on 61st and 3 on Memorial to 3 on 61st and 2 on Memorial. The use was unknown at the time of platting. The property is now being developed and the extra access points are not needed. The Traffic Engineer and Staff have approved the request.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Rice, "absent") to approve the requested reduction of access points from 8 to 5 for Memorial South Center.

WAIVER OF PLAT:

Z-5974 Pecan Acres (683) West side of South Lewis, South of 61st Street (CS)

This is a request to waive the plat on Lots 5 and 6, Block 1, of the Resub. of Lot 1, Pecan Acres. Right-of-way was dedicated for South Lewis by plat and meets the Major Street Plan requirements. Other zoning applications in Pecan Acres have been processed as plat waivers. The Staff has no objection to the request, subject to:

- (a) grading and drainage plans subject to approval of City Engineer,
- (b) access points subject to approval of Traffic Engineer. (require access agreement) and,
- (c) utility easements and/or extensions as needed.

The applicant was not represented.

Traffic Engineer recommended approval of north and south access points, but combination of the two in the middle is recommended. (or redesign) City Engineer advised that the "Drainage Easement" at the rear may actually belong to the City as a purchase and not just an easement. Ownership should be verified. Parking may not be permitted on the easement even if the applicant owns the area.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-5974, subject to the conditions outlined by the Staff, and comments by the Traffic Engineer and City Engineer.

On MOTION of HINKLE, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Rice, "absent") to approve the Waiver of Plat on Z-5974, subject to the conditions

LOT SPLITS:

Lot Splits for Ratification:

L-16259 (2183) James Murray
16261 (794) Murphy Properties

L-16263 (383) 71st Street #3 Ltd.
16265 (3194) Cameron/Kaye

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Rice, "absent") to ratify the approved lot splits listed above.

L-16256 Marold & Patty Lohrenz (2694) South of the SW corner of East 41st Street and South 177th East Avenue (AG)

In the opinion of the Staff the lot split listed above meets the subdivision and zoning regulations, but since the lot may be irregular in shape, notice has been given to the abutting owners so the property owners in the area may be aware of the application. (Auth: PC Meeting #1505, page 1; 5/9/84). Approval is recommended.

Mr. Malone informed that the variance of the lot width was approved by the Board of Adjustment on August 23, 1984.

Mrs. Eugene Cohen, 3210 South Delaware Place, informed they bought the property next to the subject tract for investment purposes. They want to sell the lot within the next three years, and she does not think that putting a mobile home on the subject tract would be desirable to prospective purchasers of her property.

Mr. Gardner described the Board of Adjustment case where a mobile home was permitted to go on the smaller of the two lots for a period of three years. The lot split is a different question. He described the lot and other lots in the area. This is not the first property in the area that would be 165 feet in width. The Board of Adjustment heard this case first, and they made their approval subject to the Planning Commission approval.

Mr. T. Young informed that the Planning Commission is considering whether creating another lot is appropriate and not what use is going to be on the lot.

On MOTION of HIGGINS, the Planning Commission voted 6-2-0 (Connery, Draughon, Higgins, Woodard, C. Young, T. Young, "aye"; Paddock, Wilson, "nay"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve Lot Split #16256.

LOT SPLIT FOR WAIVER:

L-16252 Don Beard (1793) North of the NE corner of 22nd Street and Birmingham Court (RS-3)

This is a request to split an existing duplex down the common wall to provide for separate ownership. Because the density will not be increased, nor will there be any noticeable change in the property, the Staff recommended approval, subject to the following conditions:

L-16252 (continued)

1. Board of Adjustment approval (waiver of bulk and area requirements).
2. Common wall and utility agreement.
3. Water and sewer approval--a 15' easement is required on the west side.
4. Mutual access easement.

The applicant was not represented.

For the record, the Engineering Department advised that all this property is in a designated floodplain.

The Technical Advisory Committee and Staff recommended approval of L-16252, subject to the conditions outlined by the Staff.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the request to waive the lot split requirements for Lot Split #16252, subject to the above stated conditions.

PUD #269-A

Staff Recommendation: Detail Landscape Plan Review

The subject PUD is located approximately 830 feet north of the northeast corner of 91st Street and South Yale Avenue. It is 11.96 (gross) acres in size and was approved for an office use. The TMAPC approved the Detail Site Plan and the applicant is now requesting Detail Landscape Plan review in order for the project to be completed and occupied.

The Staff has reviewed the applicant's plans and find that they are consistent with the approved PUD conditions and meet the intent of the Zoning Code. Therefore, the Staff recommends APPROVAL of the Detail Landscape Plan, subject to the plans submitted.

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the Detail Landscape Plan for PUD #269-A, subject to the plans submitted.

PUD #243-3

Staff Recommendation: Detail Landscape Plan Review and Minor Amendment

The subject lot is located in Glenoak Subdivision which is just north of the northeast corner of 61st Street and South Harvard Avenue. It was approved for a duplex development with one single-family dwelling and 25 duplexes (51 dwellings total). The applicant has changed his original proposal to include more single-family detached dwellings than originally approved. Therefore, he is required to receive TMAPC approval of a Detail Site Plan for each lot.

The Staff reviewed the Plans submitted for Lot 36 and find the following:

PUD #243-3 (continued)

| <u>Item</u> | <u>Approved</u> | <u>Submitted</u> |
|---|--------------------------------|------------------------|
| Permitted Uses: Single-Family Attached or Detached | | Detached Single-Family |
| Minimum Lot Size: | 7,000 sq. ft. | 8,030 sq. ft. |
| Maximum Building Height: | 26 feet to top of top plate | Same |
| Minimum Livability Space: | 6,000 sq. ft. | 6,000 sq. ft. |
| Minimum Setbacks: | | |
| Front; | | |
| Residence, | 20 feet | 36 feet |
| Garage; | | |
| Front Entry, | 20 feet | 20 feet |
| Side Yard (no entry). | 10 feet | 10 feet |
| Side; | | |
| Between Buildings. | 15' or 7.5' each side | 8.67 feet |
| Rear: | 20 feet | 15.5 feet* |
| Minimum Parking: | 2 enclosed spaces | 2 enclosed spaces |

*The rear yard is 4 1/2 feet short of the required 20 feet, but the lot backs up to the common open space, and the Staff considers this encroachment minor in nature.

Based upon the above review, the Staff recommends APPROVAL of the Minor Amendment and the Detail Site Plan for Lot 36, Block 1, Glenoak Subdivision, subject to the plans submitted.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the Minor Amendment and the Detail Site Plan for Lot 36, Block 1, Glenoak Subdivision, subject to the plans submitted.

PUD #206-6

Staff Recommendation: Minor Amendment

The subject lot is a part of an approved single-family development area within PUD #206. An approved Development Standard for the single-family was that a 20-foot backyard be maintained. The applicant is proposing to build an addition onto his existing house which, if built, would encroach 5 feet into the required 20-foot rear yard setback.

Since the proposed addition would not extend across the entire rear portion of the tract and the subject lot backs up to a City Park, the Staff feels the request is minor in nature.

Therefore, the Staff recommends APPROVAL of the minor amendment to reduce the rear yard requirement on Lot 16, Block 4, Sheridan South Subdivision from 20 feet to 15 feet, subject to the plan submitted.

PUD #206-6 (continued)

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the Minor Amendment to reduce the rear yard requirement on Lot 16, Block 4, Sheridan South Subdivision from 20 feet to 15 feet, subject to the plan submitted.

PUD #304

Staff Recommendation: Sign Review

The subject PUD is located on the south side of 71st Street, just west of Joe Creek. It is approved for a commercial/office complex and a condition of approval was review of the sign. The applicant has already received approval of one sign on 71st Street and is now requesting approval of their second sign.

The Staff has reviewed the sign design and location submitted by the applicant and find it to be in accordance with the conditions approved under the PUD. Therefore, the Staff recommends APPROVAL of the second ground sign to be located on 71st Street.

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the second ground sign to be located on 71st Street.

PUD #88-B-1

Staff Recommendation: Covenants Review

The subject tract is approximately 2.38 acres in size and located at the southwest corner of 66th Street and South Toledo Avenue. It was recently approved under a minor amendment for a light office use, subject to several conditions. One of the conditions required a restrictive covenant be filed and the applicant is now requesting approval of said covenants.

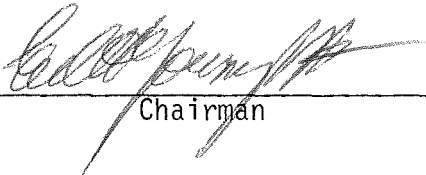
The Staff has reviewed the submitted covenants and find that they meet the conditions of approval and recommend APPROVAL, subject to legal review and filing.

Chairman C. Young asked if this instrument has been approved by the Legal Department, and he was informed that it has been.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Kempe, Rice, "absent") to approve the Covenants for PUD #88-B-1, subject to review by the Legal Department and the filing of the instrument.

There being no further business, the Chairman declared the meeting adjourned at 3:08 p.m.

Date Approved September 19, 1984.


Chairman

ATTEST:


Secretary