

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1610  
Wednesday, July 2, 1986, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Draughon	Gardner	Counsel
Paddock, Secretary	Kempe	Setters	Haye, DSM
Parmeale, Chairman			
Selph			
VanFossen			
Wilson, 1st Vice- Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, July 1, 1986 at 10:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmeale called the meeting to order at 1:36 p.m.

**MINUTES:**

**Approval of Minutes of June 18, 1986, Meeting #1608:**

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Parmeale, Paddock, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Minutes of June 18, 1986, Meeting #1608**.

**Request for Early Transmittal: Z-6111 Moore (CEI Inc.)**

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-1** (Carnes, Doherty, Parmeale, Paddock, Selph, VanFossen, Woodard, "aye"; no "nays"; Wilson, "abstaining"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Early Transmittal of the June 25, 1986 TMAPC Minutes Relating to Z-6111 Moore, (CEI Inc.)**, as this case has been appealed to the City Commission.

## REPORTS:

### Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** had met this date to discuss the proposed policy to allocate time to speakers on agenda items, incorporating these time limitations into the Opening Statements of the TMAPC meetings, as well as into the TMAPC Rules of Procedure. Mr. Paddock reviewed the time limitation suggestions and advised the Rules & Regulations Committee had unanimously voted to recommend adoption of the suggested time limitations in the Opening Statements. Ms. Wilson added this action achieves a sense of equality for speakers (interested parties/protestants and applicants) when they come before the Commission.

### TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Revised Opening Statements, Incorporating Time Limitations for Speakers**, as recommended by the Rules & Regulations Committee (and submitted below).

#### "OPENING STATEMENTS

#### **Tulsa Metropolitan Area Planning Commission**

---- Zoning Public Hearing Information ----

For those of you who have not previously attended a Planning Commission meeting, it might be helpful for you to know that this is an 11 member Board appointed by the Mayor, Board of City Commissioners and Board of County Commissioners. The members serve without compensation and do so in order to achieve greater citizen participation in planning, zoning and subdivision matters. The Commission is a recommending board on proposed zoning changes, but does have final authority on proposed lot splits and subdivision plats.

In order to conduct the zoning public hearing in an orderly manner, we ask that you follow these rules:

- 1) The Commission will first hear from the Staff for an explanation of the proposed zoning change, the physical facts of the property under application and the surrounding property, followed by the presentation of the Staff recommendation.
- 2) The Commission will then hear the applicant's presentation...(not to exceed 20 minutes for Zoning; 30 minutes for PUD or Zoning and PUD).

Committee Reports - Cont'd

- 3) Next, the Commission will hear from any interested parties or protestants...(not to exceed the time allotted to the applicant's presentation). [At the Chairman's discretion: (Based on the number of interested parties on this application, each party will be limited to 3 minutes.)] **THOSE WISHING TO SPEAK MUST USE THE SIGN-IN SHEET.**
- 4) Finally, the Commission will hear the applicant's rebuttal, if any...(not to exceed 10 minutes).

During the hearing, the Commission may ask questions of the applicant or interested parties.

In the room are representatives of the Legal Department, the INCOG Staff and the Department of Stormwater Management.

We do have a taping system in the room; therefore, please direct all of your comments into the microphone on our right. We will need your name and address if you speak. Thank you."

**SUBDIVISIONS:**

**PRELIMINARY PLAT APPROVAL:**

**Heatherwood Mobile Home Park (PUD 323-1)**

South side Coyote Trail  
West of South 241st West Ave

Staff advised the continuance was requested as the Health Department has not approved the water and sewer plans as yet, which must be done before preliminary approval can be recommended.

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **CONTINUE Consideration of the Preliminary Plat for Heatherwood Mobile Home Park** until Wednesday, **July 16, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

\* \* \* \* \*

**Heritage Park**

SE/c East Oklahoma Street & North Greenwood

Chairman Parmele advised a request for withdrawal of this application has been submitted by TURA and the applicant. There being no objection, the application was withdrawn.

REQUEST FOR WAIVER (Section 260):

Z-6100 Oaklawn

733 South Owasso Avenue

(P)

This is a request to waive plat requirement on Lot 18 and the south 20' of Lot 19, Block 1 of the above named plat. This has recently been rezoned "P" for parking. This zoning district is for parking use ONLY. The existing houses will be removed and the lot paved for parking. Since the property is already platted, Staff has no objections, subject to the condition that the paving and drainage plan be approved by Stormwater Management through the permit process.

Stormwater Management advised that even though the lot is "exempt", the applicant should apply for a "Watershed Development Permit". (This will be covered in the above condition.)

Water and Sewer Department advised that a plugging permit is required for the sewer when any existing structure is removed. (Advisory, not a condition for approval.)

The TAC voted to recommend **approval** as requested, subject to the condition that the paving and drainage plan be approved by Stormwater Management through the permit process, and noting that the intent of Section 260 will be met by this procedure.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Waiver Request** for **Z-6100 Oaklawn**, as recommended by Staff.

\* \* \* \* \*

Z-5935 Golden Valley

5821 South 107th East Avenue

(IL)

This is a request to waive plat on Lot 12, Block 1 of the above named subdivision. The front part of the property is to be used for a landscape business and storage. The only structure planned is a 30' x 94' pole barn, as per plot plan. The remainder of the tract to the east is mostly in the floodplain and is vacant. Since the property is already platted, Staff sees no objection to the request, subject to the following condition(s):

- (a) Drainage plan approval by Stormwater Management through the permit process, including granting of drainage easements if required by that Department.

Utilities and Water and Sewer Department advised that they had no requirements. (Water and Sewer lines were being relocated in the area by a City project, therefore, all utilities are available.)

Z-5935 Golden Valley - Cont'd

The TAC voted to recommend **approval** as requested, noting that Section 260 will be met upon completion of the condition (a) outlined by Staff.

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Waiver Request for Z-5935 Golden Valley**, as recommended by Staff.

\* \* \* \* \*

St. John's (PUD 417) 19th & South Utica Avenue (CH, CS, OM, OL, P, RS-3)

The TAC reviewed this PUD on April 10, 1986 and had no objections to the proposal. A number of conditions and/or recommendations were made by various agencies, as set out below.

The purpose of PUD 417 is to combine PUD 225, PUD 338 and PUD 401 with BOA #12767, in order to amend certain development standards in these three PUD's, add additional property to be used as a part of the St. John Medical Center complex, and to establish development standards for the additional property.

The TAC has reviewed most of the previous PUD's or reviewed site plans for new construction. Since all of this area has been previously platted, no new plats have been required and Section 260 of the Zoning Code has been met by filing PUD conditions separately. (Section 1170.5 references plat requirements for PUD's.)

This proposal will simplify the administration of all the previous applications and consolidate them into one PUD covering all of the medical center development areas. Since all of the property is previously platted and most of the buildings are in place, Staff sees no reason for replatting. This is consistent with previous Staff and TAC recommendations.

The following conditions shall apply, as recommended by Staff and various departments:

- a) Stormwater detention and drainage plan approval by Stormwater Management through the permit process. The City Engineer and Stormwater advised that PFPI would be required for drainage facilities, detention and street work. New curbing will be needed where a number of former driveways existed. The Traffic Engineer recommends additional right-of-way and turn radius at the northwest corner of 17th Place and Victor be included as a condition in the PFPI.

St. John's (PUD 417) - Cont'd

- b) If any existing utilities have to be relocated and/or abandoned, approval of the utilities will be required, including Water & Sewer Department. Street closures, such as on Victor, will need to reserve utility rights in the closure and vacating process to cover existing utilities. This is a City Commission process, subject to notices, hearings and ordinances.
- c) Utility and/or other main extensions, if required in connection with condition (b).
- d) Approval and filing of all PUD conditions, by separate instrument, meeting the purpose and intent of Section 1170.5 of the PUD ordinance.

The TAC noted that conditions a, b and c apply to new construction. Staff recommends APPROVAL of this waiver request, noting that the purpose and intent of the Zoning Ordinance will be met by compliance with conditions listed above. Staff notes that PUD 417 not only covers PUD's 225, 338, 401 and BOA #12767, but also covers the underlying zoning applications Z-5878, Z-5348 and Z-5270.

Comments & Discussion:

Mr. Linker inquired as to why the applicant must have a PFPI. Mr. Wilmoth stated this was a requirement due to the curb work anticipated, and the drainage. Ms. Wilmoth, in regard to condition b, asked for clarification as to the closing of Victor.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the Waiver Request for St. John Medical Center, as recommended by Staff.

LOT SPLITS:

L-16684 Winders

9766 & 9768 East 33rd Street

(RS-3)

This is a request to split an existing duplex down the common wall in order to provide for individual ownership of each side of the duplex. This action will require approval from the City Board of Adjustment for a variance of the bulk and area requirement in the RS-3 zoning district.

Staff notes that one of the considerations of this case is that there will be no physical change in the property, and there will be no negative effects of this action to the surrounding development.

Staff recommends approval of this request to the TMAPC, subject to the following conditions:

**L-16684 Winders - Cont'd**

- (1) Approval from the City Board of Adjustment for a variance of the bulk and area requirement in the RS-3 zoning district.
- (2) The execution and filing with this office a copy of a common wall and utility maintenance agreement.
- (3) The common wall dividing the unit must comply with the Building Code requirements for fire rated walls.

The TAC voted to recommend **approval** of L-16684 subject to the conditions outlined by Staff.

Comments & Discussion:

Chairman Parmele inquired if condition #3 was something new, and Staff advised this came as a result of discussions with the Building Inspector. Mr. VanFossen further clarified that an existing division wall must meet the same requirement as if it were constructed originally on a building line, if there is a unique requirement for that property line. Mr. Gardner added that, due to the wording, if it were in conflict with the Building Codes then the City Commission could waive the Building Code and the division would take place. The whole purpose being that the TMAPC not approve something that could be in conflict with the Building Code.

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Lot Split Waiver for L-16684 Winders**, subject to the conditions as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16696 (1892) Martin/Converse	L-16699 ( 594) Waffle House
L-16698 (1614) Overton	L-16700 (2492) Burns/Guaranty

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification, as recommended by Staff.

OTHER BUSINESS:

PUD 368: Northwest corner of East 61st Street South & South 99th East Avenue

Staff Recommendation: Detail Site Plan

The subject tract has a gross area of approximately one acre and is located at the northwest corner of South 99th East Avenue and East 61st Street. PUD 368 has underlying zoning of IL with OL on the west, north and east. The applicants are proposing to construct a one story building with 9,210 square feet of floor area, which is slightly less than was approved under the PUD.

The permitted uses have been restricted within the various Use Units to conform to Staff, TMAPC and City Commission conditions. The City Commission also excluded plumbing shops and auctioneers when the PUD was approved, in addition to concurring with TMAPC recommendations.

The Detail Site Plan also includes building elevations and a landscape concept. A 6' screening fence is indicated on the north boundary and along the east and west boundaries to the northeast corner of the building and the southwest corner of the building, respectively. The screening fence layout will adequately address the need to screen the rear of the building, which will be the highest activity area. Parking has been designed in such a manner as to meet the Staff's concerns and access from South 99th East Avenue conforms to the requirement of the TAC.

Staff review of the Detail Site Plan for PUD 368 finds that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site and, (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends APPROVAL of the Detail Site Plan, as follows:

1) That the applicant's Detail Site Plan and Text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area (Gross):	44,518 sf	1.022 acres
(Net):	30,348 sf	.697 acres

	<u>Approved</u>	<u>Submitted</u>
Permitted Uses:	Use Units 11, 12, 13, 14 & 15, excluding convenience store, liquor store, ice plant, plastic materials, disinfecting, exterminating company, carpentry/cabinet shop; cafeteria, bar, dance hall, motion picture theater, night club and tavern; fur storage, furriers and pawn shop; bait shop, bottled gas company, fuel oil company, lumber yard, model home sales, portable storage building sales, armored car service, kennel, packing and crating of household and other similar goods; schools (barber, beauty & trade); plumbing shops, auctioneers; additional specific uses allowed - post office and health club.	Same
Maximum Building Height:	1-story and 16'0" to the top of the highest roof beam for a flat roof, and 35'0" to the peak of the gable for a hip roof (where a residential character building might be proposed). For a flat roof building, architectural or ornamental features may be 25'0" tall provided the bulk of the roof plane does not exceed 16'0" tall*	Meets*
Maximum Building Floor Area:	9,300 sf	9,210 sf
Minimum Off-Street Parking:	1 space/225 sf gross floor area of office or retail and 1 space/5,000 square feet of warehouse and storage	35 spaces - Meets -
Minimum Building Setbacks:		
from Centerline of E. 61st	100'	Meets
from Centerline of S. 99th	50'	Meets
from West Boundary	10'	Meets
from North Boundary	55'	Meets

\* As measured from the mean ground elevation.

	<u>Approved</u>	<u>Submitted</u>
Minimum Landscaped Open Space:	15% of Gross Area **	21% of Gross Area**

\*\* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. Landscaped open space and areas shall be required on the net portion of this tract and the minimum requirement shall not be met solely on the public right-of-way.

- 3) That all trash, utility and equipment areas including any roof mounted equipment, shall be screened from public view. A 6' screening fence shall be provided along the west, north, and east boundary in accordance with the Detail Site Plan.
- 4) That all exterior lighting shall be directed downward and away from adjacent residential areas.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code. No signs shall be permitted on the north and east building facades.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit. Berming and other landscaping standards shall be in accordance with the Outline Development Plan and Development Standards.
- 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee. Access from South 99th East Avenue shall be permitted only as specified in the TAC minutes dated 4/10/86. The parking design meets the TAC requirement to relocate the original drive shown on the Concept Plan, as required by the TAC.
- 8) The platting requirement has been met by TMAPC approval of a waiver of Section 260 of the Zoning Code. Restrictive Covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants, have been approved by the TMAPC and City Commission and must be filed of record prior to issuance of a Building Permit.

Comments & Discussion:

Mr. Ruben Hays of the Department of Stormwater Management (DSM) advised the Commission that the current Detail Site Plan did not appear to meet drainage requirements at this time. Further, the applicant and the TMAPC should be put on notice that when the applicant applies for a Watershed Development Permit, the Site Plan may have to be changed to meet drainage requirements.

Ms. Wilson inquired as to how the applicant might be able to eliminate this problem. Mr. Haye stated that, at the time the applicant submits for a Watershed Development Permit, DSM will review all the surrounding drainage problems and will work with the applicant to assure the adjoining property owners that this development will not adversely impact anyone. In reply to Chairman Parmele, Mr. Haye confirmed this to be the normal procedure; however, on this particular Site Plan, the drainage problems had not been addressed, and DSM wanted the TMAPC to understand that they would be working with the applicant to assure the requirements are met.

Mr. VanFossen asked if DSM has reviewed this with the applicant to determine any common grounds upon which to anticipate what might take place, or is there complete disagreement at this point. Mr. Haye stated he did not believe there were any disagreements at this time, but Mr. Williams (DSM) wanted to make sure that everyone understood that DSM would address the problems of drainage in this area. Mr. VanFossen commented he did not feel comfortable approving something today that might not even be acceptable. Mr. Doherty stated agreement with Mr. VanFossen, and if there is to be a change in the Detail Site Plan to accommodate drainage, it seemed to be premature for the TMAPC to be considering this for approval. Mr. Frank stated Staff did not know, at this point, that there were going to be changes, and added that there were application reviews going on simultaneously with other departments (State Health, Protective Inspections, etc.) that may not all be final at the same time. If the TMAPC approved this now and significant changes had to be made, then the Protective Inspections Department would not have an approved TMAPC Detail Site Plan against which to issue a building permit, and would not issue same until the applicant came back with a revised site plan.

Ms. Wilson asked for Legal comment on this situation. Mr. Linker acknowledged concerns of the TMAPC for proper procedure as well as concerns for the applicant maybe having to resubmit this. It is a matter of choice, and if the applicant wants to take that chance, then the TMAPC could allow him to do so. Mr. Linker advised that maybe it would be better if these things were worked out ahead of time, but it is a choice of the applicant. Mr. Frank commented that condition #7, which requires TAC approval, should further assure drainage requirements are met, and the TAC previously required compliance with drainage standards when they reviewed the waiver request for the plat on PUD 368.

Applicant's Comments:

Mr. Carnes asked the applicant if, after hearing the comments by DSM and TMAPC, he would prefer to have this case continued or proceed with hearing it today. Mr. Larry Kester, 7625 East 51st Street, stated he would prefer having the Site Plan approved today, and if there were some problems that might occur as a result of drainage, then they could come back at a later date for a modified site plan. Mr. Kester stated Charles Hardt, their Hydrology Engineer on the project, advised the applicant solutions to any drainage problem could be achieved.

In reply to Mr. Carnes, Mr. Kester agreed that considerable time and expense is involved in the permitting process for a project such as this, and that is why the applicant is seeking some assurance that their plan, in concept, has been approved before proceeding with the other steps.

Ms. Wilson asked if the applicant would object an additional condition stating, "subject to meeting the drainage requirement of the Department of Stormwater Management, which might result in the submission of a modified Detail Site Plan at a future date". Mr. Kester stated agreement to this additional condition. Mr. VanFossen concurred with Ms. Wilson's suggestion, as did Mr. Paddock.

On **MOTION** of SELPH, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Detail Site Plan for PUD 368, subject to the conditions as outlined by Staff, plus a condition #9 stating "subject to meeting the drainage requirement of the Department of Stormwater Management, which might result in the submission of a modified Detail Site Plan at a future date"**.

\* \* \* \* \*

**PUD 417 - Area I:** NW/c of East 17th Place & South Victor

**Staff Recommendation: Recision of Covenants & Amended Declaration of Covenants**

Staff is reviewing these documents with the City Legal Department at the publication of this agenda. A conditional recommendation for APPROVAL is made, subject to these materials being in compliance with PUD 417 - Area I Development Standards, and subject to approval by the City Legal Department. Notice of this item has been given.

**Comments & Discussion:**

Mr. Linker advised he had reviewed the Recision and Amended Declaration of Covenants and submitted these to the Commission for its approval.

On **MOTION** of DOHERTY, the Planning Commission voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Crawford, "absent") to **APPROVE** the **Recision of Covenants and Amended Declaration of Covenants on PUD 417 - Area I, as recommended by Staff.**

There being no further business, the Chairman declared the meeting adjourned at 2:10 p.m.

Date Approved 7/16-89  
Kurt J. [Signature]  
Chairman

ATTEST:

RBF Paddock  
Secretary

