

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1640
Wednesday, **March 4, 1987**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Draughon	Malone	Counsel
Kempe	Wilson	Setters	
Paddock, Secretary		Wilmoth	
Parmelee, Chairman			
Selph			
VanFossen			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 3, 1987 at 9:55 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of Minutes of February 18, 1987, Meeting #1638:

On **MOTION** of **WOODARD**, the Planning Commission voted **7-0-1** (Carnes, Doherty, Kempe, Paddock, Parmelee, VanFossen, Woodard, "aye"; no "nays"; Selph, "abstaining"; (Draughon, Wilson, Crawford, "absent") to **APPROVE** the **Minutes of February 18, 1987, Meeting No. 1638.**

REPORTS:

Chairman's Report:

Chairman Parmelee advised receipt of a letter from the Department of Stormwater Management (DSM) with a proposed adoption schedule for the upcoming Master Drainage Plans. He remarked this was for information purposes only, as no action was requested.

Chairman's Report - Cont'd

Chairman Parmele also advised receipt of a letter submitted by Mr. Terry Young on behalf of Mr. Tom Wenrick requesting an appearance before the TMAPC on March 11th. Mr. Young indicated the purpose of the appearance would be to request that Z-6136/PUD 179-M "be resubmitted immediately with the public hearing to be set for the same meeting date as the public hearing on the proposed amendment to the Development Guidelines". Mr. Young also requested that all application fees be waived for the resubmission. (NOTE: The above mentioned applications were recently denied by the City Commission.)

Mr. Paddock questioned the advisability of the TMAPC hearing these cases on the same day of the public hearing for the Development Guidelines study/amendments. He suggested having the zoning/PUD applications heard at least one week after the Development Guidelines presentation.

Hearing no objection from the Commission, Chairman Parmele requested Staff put Mr. Young's request for an appearance on next week's agenda, to consider resubmission of Z-6136/PUD 179-M and an appropriate hearing date, as well as the waiver of fees request.

Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** had met this date to review the amendment to the Subdivision Regulations, Section 2.4, Final Construction Plans. He stated the Committee voted unanimously to recommend approval by the full Commission of the amendment, as modified. (See the "Public Hearing " portion of these minutes.)

Director's Report:

Mr. Frank remarked on the error in the newspapers on the upcoming public hearing regarding establishment of a Historic Preservation (HP) Zoning District, and clarified the public hearing was scheduled and advertised for April 1, 1987.

PUBLIC HEARING:

AN AMENDMENT TO THE SUBDIVISION REGULATIONS AS RELATES TO REQUIREMENTS FOR FINAL CONSTRUCTION PLANS AND PROVIDING FOR AN EXCEPTION (SECTION 2.4)

Chairman Parmele called the public hearing to order and received no comments from the public on this item. Mr. Paddock, as Chairman of the Rules and Regulations Committee, stated the Committee recommended approval, as revised.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **APPROVE** the following **Amendment to the Subdivision Regulations**, as recommended and modified by the Rules & Regulations Committee:

2.4 FINAL CONSTRUCTION PLANS: Subdivider shall submit final construction plans for proposed improvements prior to or simultaneous with the application for final plat. The plans shall be submitted to the following departments and/or agencies as applicable, and in form and content as required by that agency and/or department.

1. Where the plat is in the City's jurisdiction, the City Engineer reviews and approves the final construction plans for improvements regarding streets, drainage and storm sewers (within the public street right-of-way), sidewalks and pedestrian ways in accordance with adopted standards. The Department of Stormwater Management reviews and approves the final construction plans for all improvements regarding drainage and storm sewers in accordance with adopted standards.
2. Where the plat is in the County's jurisdiction, the County Engineer reviews and approves the final construction plans for improvements regarding drainage, storm sewers, streets, sidewalks and pedestrian ways in accordance with adopted standards.
3. City Water and Sewer Department and/or appropriate water and sewer authority reviews and approves sanitary sewer and water improvement plans in accordance with adopted standards.
4. City/County Health Department reviews and approves final plans for improvements if the subdivision is to be served by private water or sewage disposal systems in accordance with adopted standards.
5. **Exception:** The TMAPC may, with concurrence of the appropriate City or County Department, delay the requirement for approval of final construction plans relating to proposed improvements as a condition of final approval and release of a subdivision plat, provided that the restrictive covenants shall include a specific provision for requiring that final improvement plans be approved by the appropriate regulatory authority prior to the issuance of a building permit, and shall designate the City or County (whichever is appropriate) as a beneficiary.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Fox Pointe Amended (PUD 354)(1583) 91st Street & South Canton Avenue (RM-1)

Ms. Betty Agosta (8902 South Canton) stated she was not objecting to making the lots larger, but she was interested in maintaining the same property values. In reply to Ms. Agosta, Mr. Wilmoth explained that the builder's exact development proposal would probably not show on the preliminary plat.

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **CONTINUE Consideration of the Preliminary Plat for Fox Pointe Amended** until Wednesday, **March 18, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center, as recommended by the Staff to allow the applicant time to file a minor amendment to PUD 354.

REQUEST FOR WAIVER (Section 260):

Z-5862 Lynch-Forsythe's (693) West of the NW/c of 2nd Street & Rockford (IL)

This is a request to waive the plat on Lots 20 and 21, Block 14 of the above subdivision. One other lot was included in the original zoning application (Lot 2), and the platting requirement was determined to be met by the TAC and TMAPC on 1/15/87 and 1/21/87, respectively. The applicant filed a BOA application 2/19/87 (#14411) to vary the setback and screening requirement from an "R" District in order to permit the development.

The proposal is for a 50' x 100' building, one foot from the west property line. Staff has no objection since the property is already platted. The BOA conditions will control the location of the building on the lot. Grading and drainage plan approval from DSM through the permit process is required.

The TAC voted to recommend APPROVAL as submitted, subject to grading and/or drainage plan approval from DSM through the permit process.

Comments & Discussion:

Mr. Paddock inquired as to the proposal to place the building one foot from the property line. Mr. Wilmoth explained that there was only 100' total available and the applicant had 49' on the east for parking and a 50' building; therefore, a one foot setback on the west from the property line was needed.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **APPROVE** the **Waiver Request for Z-5682 Lynch-Forsythe's**, subject to grading and/or drainage plan approval from DSM through the permit process.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16816 (2393) Whitmire	L-16828 (1483) Burlingame
L-16825 (1274) Woodward	L-16829 (3383) Coulter/Gunter
L-16826 (1614) Lambert/Spencer	L-16830 (694) Hines/Guaranty

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **7-0-1** (Carnes, Doherty, Kempe, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; Paddock, "abstaining"; (Draughon, Wilson, Crawford, "absent") to **APPROVE** the **Above Listed Lot Splits for Ratification of Prior Approval**, as recommended by Staff.

ZONING PUBLIC HEARING:

Application No.: **Z-6147** Present Zoning: AG
Applicant: **Bowline** Proposed Zoning: CS
Location: NW/c of South 177th East Avenue & East 31st Street
Size of Tract: 10 acres, approximate
Date of Hearing: March 4, 1987
Presentation to TMAPC by: Mr. Ray Bowline, 16811 East 31st Street (355-3670)

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the requested CS District is in accordance with the Plan Map for the east five acres, but not in accord for the west five acres.

Staff Recommendation:

Site Analysis: The subject tract is approximately ten acres in size and located at the northwest corner of South 177th East Avenue and East 31st Street South. It is partially wooded, gently sloping, contains a single-family dwelling on the corner and several accessory/dwellings and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north and south by vacant property zoned AG, on the east by a horse stable ranch zoned CS and AG, and on the west by several accessory/dwelling units zoned AG.

Zoning and BOA Historical Summary: The CS zoning pattern (6.94 acres) on the northeast corner of the intersection was approved as requested by the applicant February, 1974 prior to the adoption of the Development Guidelines and Comprehensive Plan Map for this area.

Conclusion: Staff can support CS zoning on the east one-half of the subject tract based on the Comprehensive Plan and the existing pattern and precedent for commercial zoning at the northeast corner.

Therefore, Staff recommends **APPROVAL** of the requested CS zoning on the east one-half and **DENIAL** of the balance of the application.

Comments & Discussion:

Mr. VanFossen inquired as to the size of the lot to the east and when it was zoned CS. Mr. Frank advised the lot was approximately seven acres and was zoned in 1974.

Applicant's Comments:

Mr. Bowline reviewed the zoning history of this tract, which has been owned by him and his mother for several years, and explained that at one time there were several houses on this tract. Due to some of the houses being condemned and demolished and the subsequent loss of rental income, Mr. Bowline requested approval of CS on the full ten acre tract.

Mr. VanFossen asked Mr. Bowline if he could consider Staff's recommendation for zoning on only five acres. He commented he could, if necessary, however when he made the application, he was discouraged from requesting CS on the full 20 acre tract. Mr. VanFossen explained how a PUD could be used to spread the zoning over ten acres, and CS zoning allowed more square footage than would normally be applicable for retail.

Mr. Carnes moved for approval of CS on the ten acres. Mr. VanFossen stated he felt that, without a plan, it would be inappropriate to zone the full ten acres. Ms. Kempe stated agreement with Mr. VanFossen.

Z-6147 Bowline - Cont'd

In regard to this tract being located at the node, Mr. Paddock inquired what the Guidelines would support at the intersection. Mr. Frank advised it would support five acres on each corner, as this was a Type I Node. Chairman Parmele commented he was not concerned as to the zoning being on five or ten acres. Mr. Paddock remarked he would rather go with the Development Guidelines.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted **2-6-0** (Carnes, Parmele, "aye"; Doherty, Kempe, Paddock, Selph, VanFossen, Woodard, "nay"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **APPROVE Z-6147 Bowline for CS on the full ten acres**, as requested by the applicant.

That motion failing, Mr. VanFossen moved for approval of the Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-2-0** (Doherty, Kempe, Paddock, Selph, VanFossen, Woodard, "aye"; Carnes, Parmele, "nay"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **APPROVE Z-6147 Bowline for CS on the east one-half and DENIAL on the balance of the tract**, as recommended by Staff.

Legal Description:

CS Zoning: On the east half (approximately five acres) of the E/2 of the S/2 of the SE/4 of the SE/4 of Section 14, T-19-N, R-14-E, Tulsa County, Oklahoma.

* * * * *

Application No.: **Z-6148 & PUD 425** Present Zoning: **OM**
Applicant: **Riddle** Proposed Zoning: **IL/CG**
Location: **West of South Mingo Road, N/side of East 48th Place South**
Size of Tract: **1.3+ acres**
Date of Hearing: **March 4, 1987**
Requested Continuance to: **April 1, 1987**

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **CONTINUE Consideration of Z-6148 & PUD 425 Riddle until Wednesday, April 1, 1987 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center, at the applicant's request.**

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Application No.: **PUD 424** Present Zoning: RS *
Applicant: **Burriss (Kaiser)** Proposed Zoning: Unchanged
Location: North of the NE/c of North 129th East Avenue & East 76th Street
Size of Tract: 40 acres, approximate
Date of Hearing: March 4, 1987
Requested Continuance to: March 18, 1987

* Related item CZ-155 was approved for RS zoning by the TMAPC on 2/11/87;
County Commission review pending.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent")) to **CONTINUE Consideration of PUD 424 Burriss (Kaiser)** until Wednesday, **March 18, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center, at the applicant's request.

OTHER BUSINESS:

PUD 128-A-19: 7604 South Trenton, Lot 11, Block 7, Amended Kensington II Addition

Staff Recommendation: Minor Amendment to Allow a Home Occupation (automobile repair)

The subject tract is approximately 60' x 130' in size and is located south of the southwest corner of East 75th Court South and South Trenton Avenue. It has an underlying zoning of RM-1 and PUD. The applicant is now requesting a Minor Amendment to allow a home occupation use (automobile repair) on the subject tract.

Notice of the application has been given to abutting property owners. Staff notes that the applicant is not the owner of the subject tract.

Telephone conversation with the applicant and Staff indicate the following about the business:

1. Days/hours of operation: Mon. - Fri. 10 am - 5 pm
Saturday 10 am - 12 noon
2. Average number of cars per week: 3; has been as few as 0 and as many as 5
3. Applicant owns 4 personal cars.
4. Cars waiting to be worked on are parked on a side street where houses are not yet built.

PUD 128-A-19 Minor Amendment - Cont'd

5. Main type of work is upholstery with some engine and brake work along with minor body work.
6. Major tools used: Air compressor, impact wrench, sewing machine and various hand tools.
7. During summer, applicant plans to open small door or use fan for cooling.

Review of the applicant's existing business indicates that it is more than the typical home occupation and would not be consistent with the original PUD or compatible with residential uses and the existing development.

Therefore, Staff recommends **DENIAL** of PUD 128-A-19 as requested.

Interested Parties:

Mr. Almond Allen, 7571 South Trenton, protested the request as he considered the business an eyesore, and was concerned as to the number of vehicles involved. Mr. Allen commented that, although this application was under a PUD, the majority of the neighborhood was single-family residential. He mentioned the possible fire hazard to the neighborhood should a fire break out with the gas and chemicals used in the auto repair business. Mr. Allen submitted letters from others who also protested the home occupation use in the residential neighborhood. He stated agreement with the Staff recommendation for denial.

Comments & Discussion:

In reply to Mr. Paddock, Mr. Frank reviewed the notification procedures on this as a minor amendment. Mr. Linker inquired if this application would also require BOA approval, and he commented that he felt there was no way this should be acted upon without notification to those within 300'. Mr. Frank stated that an applicant has the right to file an application as they see fit, and then it is the burden of the Staff and Commission to assure that it is properly advertised and that the proper determination was made as to the type of application.

Commissioner Selph moved for denial of the request. Mr. Paddock asked Legal to comment on whether this application was more in the magnitude of a major amendment. Mr. Linker recalled that a similar application for a home occupation was required to go to the BOA and the TMAPC, but he was not sure if the Code has been amended on this. However, if the Code has been amended, notification to those within 300' would be required, and it should be treated as a major, not minor, amendment. Chairman Parmele remarked that he felt this particular case should be a major amendment.

TMAPC ACTION: 8 members present

On **MOTION** of **SELPH**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **DENY** the **Minor Amendment for a Home Occupation on PUD 128-A-19**, as recommended by Staff.

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PUD 179-C-4: NW/c of East 73rd & South 85th East Avenue, Lot 4, Block 1, El Paseo Addition

Staff Recommendation: Minor Amendment, Detail Site Plan, Detail Landscape Plan

MINOR AMENDMENT: The subject tract is described as Lot 4, Block 1, of the El Paseo Addition and is located at the southwest corner of East 71st Street and South 85th East Avenue. A maximum of 125,000 square feet of building floor area has been allocated to the subject tract with a minimum of 618 parking spaces, and 45,840 square feet of landscaped open space being required. One of the purposes of this application is to re-examine lot split #16243 which divided Lot 4 into two separate lots now referred to as Development Sites A, B, C on the north parcel and D on the south parcel. This lot split was previously approved by the TMAPC on August 8, 1984. The permitted floor area, required parking, and required open space will be proportionately reallocated to each Site. Staff finds that the proportionate reallocation of permitted floor area, required parking, and required open space is minor; therefore, recommends **APPROVAL** of PUD 179-C-4 per the submitted plot plan and applications.

DETAIL SITE PLAN: The applicant is requesting approval of a Detail Site Plan and Detail Landscape Plan for Site D which is the south parcel located at South 85th East Avenue and East 73rd Street South. The Plan indicates that a 40 lane bowling center will be built with outdoor "beach" volleyball courts on the west, 3,400 square feet of building floor area for future expansion, and 285 parking spaces. PUD 179-C has been approved for those uses permitted in a CS zoning district by right. Staff is recommending the proposed curb cuts on the abutting streets be subject to approval of the Traffic Engineer due to one of the access points being on a curve.

Staff recommends **APPROVAL** of the Detail Site Plan for PUD 179-C-4, as follows:

- 1) That the applicant's Detail Site Plan and Text be made a condition of approval, unless modified herein.
- 2) **Development Standards:**

SUMMARY

Land Area of Lot 4:	445,967 sf	10.24 acres
Permitted Uses:	Uses permitted by right in a CS District	
Maximum Building Floor Area:	125,000 sf	
Minimum Off-Street Parking:	618 spaces	
Minimum Landscaped Open Space:	45,840 sf*	

* Landscaped open space shall include internal & external landscaped open areas, parking lot islands & buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.

PUD 179-C-4 Minor Amendment, etc. - Cont'd

Site A: 33.02% of Lot 4

Land Area: 147,250 sf 3.38 acres
Maximum Building Floor Area: 41,275 sf
Minimum Off-Street Parking: 204 spaces or as required by the Zoning Code
Minimum Landscaped Open Space: 15,136 sf

Site B: 12.13% of Lot 4

Land Area: 54,120 sf 1.24 acres
Maximum Building Floor Area: 15,162 sf
Minimum Off-Street Parking: 75 spaces or as required by the Zoning Code
Minimum Landscaped Open Space: 5,560 sf

Site C: 14.07% of Lot 4

Land Area: 62,730 sf 1.44 acres
Maximum Building Floor Area: 17,588 sf
Minimum Off-Street Parking: 87 spaces or as required by the Zoning Code
Minimum Landscaped Open Space: 6,450 sf

Site D: 40.78% of Lot 4

Land Area: 181,867 sf 4.18 acres
Maximum Building Floor Area: 50,975 sf allocated
40,400 sf proposed for bowling alley
5,625 sf proposed for "beach" volleyball
3,400 sf proposed future expansion requiring TMAPC approval
Minimum Off-Street Parking: 252 spaces allocated
285 spaces per plan
180 spaces required for bowling alley
25 spaces required for "beach" volleyball
15 spaces required for future expansions

PUD 179-C-4 Minor Amendment, etc. - Cont'd

Minimum Landscaped Open Space:	18,694 sf required *
Maximum Building Height:	Two story permitted; one story or 25' proposed
Minimum Building Setbacks:	
from Centerline of South 85th and East 73rd	55'; note that the 25' perimeter of Site D is a utility easement.
from West Boundary	10' for a utility easement
from North Boundary	17.5' for mutual access easement

- * Landscaped open space shall include internal & external landscaped open areas, parking lot islands & buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.
- 3) Sites A, B, and C are subject to all PUD requirements for future TMAPC approvals (Detail Site Plans, Detail Landscape Plans, Detail Sign Plans, etc.)
 - 4) That all trash, utility and equipment areas shall be screened from public view.
 - 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.
 - 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.
 - 7) Subject to review and approval of curb cut locations on East 73rd and South 85th East Avenue by the City of Tulsa Traffic Engineer.
 - 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD 179-C-4 conditions of approval, making the City of Tulsa beneficiary to said Covenants.
 - 9) Approval of PUD 179-C-4 by the TMAPC is understood to supersede previous TMAPC approval of a Detail Site Plan for Site A given April 25, 1984.

DETAIL LANDSCAPE PLAN FOR SITE D: The proposed Plan exceeds the requirements of PUD 179-C for landscaped open areas. The Plan shows the location and sizes of a variety of trees and shrubbery which will be used to landscape Site D.

Therefore, Staff recommends **APPROVAL** of the Detail Landscape Plan for Site D as submitted.

Comments & Discussion:

Chairman Parmele confirmed with the applicant his agreement to the Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; (Draughon, Wilson, Crawford, "absent") to **APPROVE** the **Minor Amendment, Detail Site Plan and Detail Landscape Plan** for PUD 179-C-4, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:14 p.m.

Date Approved

3-18-87

Rant J [Signature]

Chairman

ATTEST:

[Signature]
Secretary Lisa V. Chen

