

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1652
Wednesday, **June 3, 1987**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

Carnes
Draughon
Kempe
Parmele, Chairman
Selph (Designee)
VanFossen, Secretary
Wilson
Woodard

MEMBERS ABSENT

Crawford
Doherty
Paddock
Rice

STAFF PRESENT

Frank
Gardner
Setters

OTHERS PRESENT

Jackere, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 2, 1987 at 10:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:31 p.m.

MINUTES:

Approval of Minutes of May 20, 1987, Meeting #1650:

On **MOTION** of **WOODARD**, the Planning Commission voted **6-0-0** (Carnes, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Draughon, Paddock, Rice, Selph "absent") to **APPROVE** the **Minutes of May 20, 1987, Meeting No. 1650.**

REPORTS:

Director's Report:

Mr. Frank reminded the Commission of the upcoming requests to set the public hearings in regard to amending the applicable District Comprehensive Plans as relates to the Special Consideration Areas for Low and Medium Intensity, as well as handling the housekeeping items to update these Comprehensive Plans.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

University Center At Tulsa (3602)(192) North Greenwood & East Haskell Street
(RM-1, RM-2, OM, CH, IL, IM)

This plat has a sketch plat approval by TAC on 2/26/87. A copy of the minutes of that approval was provided, with Staff comments in the margin. The Staff presented the plat with the applicant represented by Stewart Nyander.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of University Center at Tulsa, subject to the following conditions:

1. Board of Adjustment approval is required for school use. Since this is a public agency, it would be exempt from Section 260 of the Code. However, due to the numerous streets, easements, etc. that will be vacated and new alignments thereof, it is in the best interest of all agencies concerned that the property be replatted. This will provide a means for all agencies and departments to participate in this redevelopment. (Board of Adjustment Case #14522 pending 6/25/87).
2. The underlying plats should be properly vacated to the satisfaction of the attorneys for both Tulsa Development Authority (TDA) and the University. A separate process through City Commission and the District Court. Reminder: This is bisected by a section line and statutory easements. Show on plat (16-1/2').
3. Utility easements, new or existing, shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Relocate utilities if necessary, to the satisfaction of the applicable company or department. (Contact agencies or companies direct for costs, who pays, etc.) (No conduit permitted under the proposed pond - SWB.) Make sure all easements are completely dimensioned and identified.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for Water and Sewer facilities in covenants.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.

University Center at Tulsa - Cont'd

7. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. Also identify as "Detention Area" to be consistent with covenants. (Watershed Development Permit #612 approved.)
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Required. (#2448 approved)
9. Street names shall be approved by City Engineer and shown on plat. Include "North", or "East" in street names. Identify East Easton and Cameron.
10. All curve data, including corner radii, shall be shown on final plat as applicable. Identify alley next to Block 6 as vacated, closed, etc., with Book and Page as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer. Total dimension left off east property line next to railroad.
12. Check with Traffic Engineering regarding the end of Easton Street at the southwest corner of the project. Also check paving widths, both on existing streets to be used, and new streets.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by City/Traffic Engineer. O.K. in covenants, but not shown on plat.
14. It is recommended that the developer coordinate with Traffic Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
15. 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.
16. All lots, streets, building lines, easements, etc. shall be completely dimensioned. Some are not dimensioned or identified, or not to scale.
17. The key or location map shall be complete. Identify "City of Tulsa" as "Original Townsite of Tulsa".
18. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.

University Center at Tulsa - Cont'd

19. Due to the numerous zoning classifications it may be desirable to establish a uniform building line for all streets. Those zoned CH require no building line, the RM-2 district will require a 10' building line, and the remainder of the zoning classifications require a 25' building line. Any building lines shown must meet the minimum for the applicable district. All building lines exceeding zoning minimums are volunteered and not required.
20. Waiver of fees recommended. (Public agency).
21. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
22. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 6 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **6-0-0** (Carnes, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Draughon, Paddock, Rice, Selph, "absent") to **APPROVE** the **Preliminary Plat for the University Center at Tulsa**, subject to the conditions as recommended by the TAC and Staff.

FINAL PLAT APPROVAL & RELEASE:

Kensington Pointe (PUD 128-A)(783) East 74th Place & South Trenton (RM-1)

On **MOTION** of **WILSON**, the Planning Commission voted **6-0-0** (Carnes, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Draughon, Paddock, Rice, Selph, "absent") to **APPROVE** the **Final Plat of Kensington Pointe** and release same as having met all conditions of approval.

REQUEST FOR WAIVER (Section 260):

Z-5406 (Unplatted) & L-16859 (1193) S of the SE/c of 15th St. & 79th E. Ave.
(RM-2, RD)

This is a request to waive plat on a small tract at the above location. The RD portion of the tract is the remainder of zoning application Z-5406. (Most of that zoning application was platted as "Manchester Square", PUD 319). Note that **ONLY** the RD portion is subject to a plat. The remainder of the property is **NOT SUBJECT TO A PLAT**. A lot split is working (#16859) which meets the zoning and subdivision regulations. Staff noticed that the lot split application covered a portion of this zoning application so

the plat waiver is being processed at the same time. A single-family home is planned on the lot. Approval is recommended. NOTE AGAIN, THAT THE LOT SPLIT MEETS ALL REQUIREMENTS AND THE PLAT WAIVER IS ONLY ON THE RD PORTION, AND THAT THIS IS ONLY FOR A SINGLE-FAMILY HOUSE.

Since owner still has title to the RM-2 tract in the rear, Staff urged applicant to put the new house as close to the south line as the zoning allows, to provide an access area to the rear when it develops. (Not a condition on this application, only advice.)

The TAC voted unanimously to recommend **approval** of the request, **including L-16859** and noting that Section 260 of the Code would be met by meeting the following conditions:

- (a) Grading and drainage plan approval, if required, by DSM through the permit process.
- (b) An 11' perimeter utility easement.
- (c) Verify location and easement for existing sanitary sewer.

TMAPC ACTION: 8 members present

On **MOTION** of **WOODARD**, the Planning Commission voted **7-0-1** (Carnes, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; (Crawford, Doherty, Paddock, Rice, "absent") to **APPROVE** the **Waiver Request for Z-5406 and L-16859**, subject to the conditions as recommended by the TAC and Staff.

SURVEYOR'S CORRECTION TO RECORDED PLAT:

Silverstone Commercial I (1694) N of NE/c of 31st St. & So. 129th E. Ave. (CS)

The above plat contained an error in the bearing on the east line thereof. This instrument will correct same. Staff recommends **APPROVAL**, subject to the approval of format by the Legal Department. (This is similar to a request just approved on the plat of ALEXANDER TRUST.)

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Rice, "absent") to **APPROVE** the **Correction to Recorded Plat for Silverstone Commercial I**, as recommended by Staff, and subject to approval of format by City Legal.

ACCESS CHANGE ON RECORDED PLAT:

Southern Elms Addition (1693)

4501 East 31st Street

(CS)

The purpose or reason for the change of access is to move an access point as platted, eight feet west to fit the location as built. The Traffic Engineer and Staff recommend APPROVAL of the request.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Rice, "absent") to **APPROVE** the **Access Change on Recorded Plat for Southern Elms Addition**, as recommended by Staff and the Traffic Engineer.

LOT SPLITS FOR WAIVER:

L-16858 Meek (592) West of the SW/c of Third & South 51st West Avenue (RM-1)

This is a request to split an irregular shaped lot into two separate lots. Because of the location of the house on the lot, the proposed structure is to be on the eastern part of the lot. This request will require a variance of the Board of Adjustment because the bulk and area requirements of the RM-1 zoning district cannot be met.

Staff recommended this approval be subject to the following conditions:

- (1) Approval from the Board of Adjustment Case #14495, for variances of lot width, area, and building setbacks.
- (2) Approval from the Water and Sewer Department for service to both of the lots.
- (3) Any utility easements that may be necessary in order to service the lots.

The TAC voted unanimously to recommend **approval** of L-16858, subject to the following conditions:

- (1) Approval of Board of Adjustment, Case #14495.
- (2) Approval of Water and Sewer Department. (verify service)
- (3) Increase rear utility easement to total 11 feet. Provide additional 15 foot easement where PSO service line crosses the east lot. (Or realign lot line so that service line is all on one lot, and no easement required.)

Comments & Discussion:

In reply to Mr. Carnes, the applicant verified that there was a house located to the east approximately 30' from the proposed building site. Ms. Kempe confirmed with Mr. Wilmoth that a side yard variance had been received.

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Rice, "absent") to **APPROVE** the **Lot Split Waiver for L-16858 Meek**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16860 (3214) McChesney	L-16866 (2993) Isaacs
L-16861 (404) Norton	L-16867 (1292) Heritage
L-16862 (3303) Dickinson	L-16868 (192) Young
L-16864 (994) Dawson	L-16869 (3324) Schmauss

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Rice, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, **EXCLUDING** L-16866 Isaacs (see below), as recommended by Staff.

Comments & Discussion:

In regard to L-16866 Isaacs, Mr. Wilmoth advised that, while this met all the zoning requirements, objections had been submitted by some of the neighbors. For the record, the applicant was not present.

Chairman Parmele asked Legal if the TMAPC could deny a lot split that met all the zoning requirements. Mr. Jackere advised that, generally, if the lot conformed to the configuration of other lots in the area and met the other criteria, then the TMAPC would have no basis for denial. Mr. Jackere added the criteria that the lot conform to the design of the other lots in the area was somewhat subjective. Mr. Wilmoth reviewed the map of the subject tract and the other lots in the area, reiterating that there were no waivers as the application met all regulations.

Mr. Curtis Long (1000 Oneok Plaza), representing the neighborhood protestants, stated that, while realizing this met zoning requirements, the residents asked the Commission to consider the fact that this was a very substantial change to the neighborhood when lot size was compared. The property owners felt this would have a substantial impact on the atmosphere and integrity of the neighborhood, and they were also concerned about their property rights and their property values. Mr. Long submitted petitions signed by those in the area requesting denial of this application.

Mr. VanFossen stated he was quite familiar with the area, and he inquired if any of the residents to the east of the church property were among those signing the protest petition. Mr. Long was not able to verify this, but commented that most of the protestants were the 41st and Lewis addition residents. Ms. Wilson inquired as to the number of large lots in the 41st and Lewis addition. Mr. Long advised this addition included 20 lots, which did not include the unplatted tracts to the north.

Chairman Parmele stated that, as a former resident in the area, he felt that south of 41st (around the corner) was a completely different traffic pattern and area from that facing Lewis. He commented that, should the Commission be considering denial, a continuance might be in order to allow the applicant a chance to appear. Therefore, Mr. Carnes moved for a one week continuance to allow the applicant a chance to be present. Mr. VanFossen stated that he did not have a problem with a continuance, but he would have a difficult time denying this as he could see no basis for denial. Chairman Parmele stated agreement with Mr. VanFossen, as the neighborhood consisted of more than that one particular development. Ms. Wilson stated that she felt some additional discussion was needed as there were some physical facts that could, perhaps, make her lean toward a denial of the lot split.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted **8-0-0** (Carnes, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Rice, "absent") to **CONTINUE Consideration of L-16866 Isaacs** until Wednesday, **June 10, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 281-8: Blocks 4 & 6 of the Gleneagles Addition and Blocks 4, 5 & 6 of Kingsridge Estates Addition

Staff Recommendation: Minor Amendment and Detail Sign Plan

The applicant is requesting approval of several subdivision identification and construction signs. Signs for the single-family dwelling areas are located in Block 4 of the Gleneagles Addition and Block 4, 5 and 6 of the Kingsridge Estates Addition. The sign for the multi-family area is located in Block 6 of the Gleneagles Addition. All of these signs are presently in place along South 89th East Avenue, East 64th Street, and South 91st East Avenue. (The applicant submitted photos of the various signs.)

PUD 281-8 Minor Amendment - Cont'd

The applicant has asked that the TMAPC waive the normal requirements for notice. Staff would suggest in the alternative that, if the normal notice to abutting property owners be waived, notice be given to the Homeowners Associations in this immediate area.

The text of the sign plan indicates that the temporary "A" and "C" signs (6501 South 89th and 9003 East 64th) will be removed upon completion of construction and Staff recommends this be made a condition of approval. These signs are 4' wide x 8' tall.

The type "B" sign is a permanent sign approximately 4' tall x 6' wide located at 8903 East 64th Street being the northwest corner of East 64th Street and South 90th East Avenue.

The four type "D" signs are permanent identification signs located at the intersections of East 64th Street with South 90th East Avenue and South 90th East Court. These signs are constructed of brick pillars, a brick background, and green metal plates with brass or bronze lettering. The display area of the sign faces are approximately 15 square feet each.

The type "E" sign actually has two sign nameplates mounted on an ornamental brick wall with a planter. The sign nameplates and logos have an area of approximately 25 square feet total. The nameplates are ground lighted by constant light. The main sign structure is setback approximately 25' from the property line along South 91st East Avenue.

Staff recommends APPROVAL of PUD 281-8 minor amendment for signs and the Detail Sign Plan as follows:

- 1) Subject to the submitted locational drawings, text, and photographs, unless revised herein.
- 2) That the existing locations not be on a public right-of-way or easement and if so approval of said location shall be required by the utility company.
- 3) That the TMAPC concur with the applicant that notice of this request not be given as requested by the applicant.
- 4) Any signs in this area which presently exist and are not covered by this application, as it is approved by the TMAPC, shall be removed in a timely manner upon notice of the Building Inspector.
- 5) All signs shall be in accordance with the City of Tulsa Zoning Code Section 420.d unless otherwise specified. Existing signs approved by the TMAPC not meeting these criteria shall require approval of a variance by the Board of Adjustment. Construction signs (Type "A" and "C") shall be removed as required by the time limit provisions of the Zoning Code.

PUD 281-8 Minor Amendment - Cont'd

NOTE: The original PUD 281 sign standards were as follows:

- 1) That no more than one monument-type sign shall be located at each perimeter street entry to the development and they shall comply with the requirements established for the RM-T District and that any lighting of these signs be from ground-type lights.
- 2) That no more than one identification sign for each development area shall be located at the entry of each private street for that development and they shall comply with the requirements established for the RM-T District.

On December 18, 1985, the TMAPC approved a sign to be located on South 91st East Avenue where the new type "E" sign is to be installed. This particular sign was of similar, but not identical design to the application presently before the Commission. Also on that date, the TMAPC approved two other signs to be located at the southwest and southeast intersection corners of South 90th East Avenue and South 90th East Court; only one sign at each location. These signs closely resembled the four type "D" signs that are proposed in PUD 281-8. The type "A", "B" and "C" signs were not addressed on December 18, 1985.

Comments & Discussion:

Ms. Kempe inquired as to the requirement for a BOA variance since this involved a PUD. Mr. Frank responded the PUD allowed the Planning Commission to vary certain types of Zoning Code requirements; however, this was not under the scope of the TMAPC's variance authority. In reply to Ms. Wilson, Mr. Frank advised that notice had been given to the Homeowner's Association and a representative was present.

Applicant's Comments:

Mr. Charles Norman, representing Never Fall Builders, reviewed the photos of the various signs as to quality and stated that each sign was much smaller than would be permitted under the accessory sign conditions of the multi-family district. In regard to the four "D" type signs, Mr. Norman stated that under one interpretation the applicant would be entitled to only three of these signs. However, the combined total of these signs does not exceed the number of square feet permitted due to the length of the perimeter street. Mr. Norman commented that if the other entrances were classified as perimeter streets, as suggested by Staff, then this would be in conformity and would not need a variance.

Interested Parties:

Mr. Frank Spiegelberg (9032 East 67th Street), member of the board and attorney for the Burning Tree Master Homeowner's Association, confirmed the Association had no problems with the permanent signs as they were well constructed, of good quality and they fit well within the neighborhood. However, there was some concern with the temporary signs, and Mr. Spiegelberg suggested a six month time limitation be placed on the temporary signs.

PUD 281-8 Minor Amendment - Cont'd

Mr. Norman stated no objection to the six month time limitation on the temporary sign on South 89th East Avenue at 65th Street. However, he requested that the Type "C", which was away from the Burning Tree neighborhood, be granted a one year limit as rentals were not complete on the retirement center. Mr. Carnes asked Mr. Spiegelberg if he had any objections to Mr. Norman's request and no objections were expressed.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the Planning Commission voted **7-0-0** (Carnes, Draughon, Kempe, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; (Crawford, Doherty, Paddock, Parmele, Rice, "absent") to **APPROVE** the **Minor Amendment and Detail Sign Plan for PUD 281-8**, subject to the conditions recommended by Staff, and with the modification that a six month time limit be placed on the temporary "A" sign at South 89th East Avenue and East 65th Street, and a twelve month time limit on the remaining "C" temporary sign.

Ms. Wilson mentioned an article regarding the Tulsa Trails and requests to get the Citizen Planning Teams involved on this project. (Excerpt from **The Tulsa World**, the Tulsa Trails involves a "50 mile trail, linking parks, schools and neighborhoods in an unprecedented hiking/biking sweep around Tulsa".) Ms. Wilson suggested the TMAPC might have the Comprehensive Plan Committee review this matter as to how it would relate to planning in Tulsa, involving the storm detention areas throughout the city, and investigate the involvement of the Planning Teams. Mr. Frank agreed that this item could be placed on an upcoming Comprehensive Plan Committee agenda. Mr. VanFossen requested that the INCOG Staff supply any available information as to maps, etc. to the Committee members. Mr. Carnes agreed with Ms. Wilson that the TMAPC should take an active interest in this since it was to be a city-wide project.

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

Date Approved 6-27-87

Paul J. Foss
Chairman

ATTEST:

James R. Pickett
Secretary

