

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1662
Wednesday, August 19, 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 | Wilson | Gardner | Counsel |
| Draughon | | Matthews | Reynolds, DSM |
| Kempe | | Setters | |
| Paddock, 1st Vice- Chairman | | Wilmoth | |
| Parmele, Chairman | | | |
| Rice | | | |
| VanFossen, Secretary | | | |
| Woodard | | | |

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 18, 1987 at 10:24 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 1:33 p.m.

MINUTES:

Approval of Minutes of August 5, 1987, Meeting #1660:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Carnes, Draughon, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Kempe, Wilson, "absent") to **APPROVE** the **Minutes of August 5, 1987, Meeting #1660**.

Approval of Correction to the Minutes of July 22, 1987, Meeting #1658:

On **MOTION** of **VANFOSSEN**, the TMAPC voted **7-0-0** (Carnes, Draughon, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Kempe, Wilson, "absent") to **APPROVE** the **Correction to the Minutes of July 22, 1987, Meeting #1658, page 17, to correct the legal description for Z-6166/PUD 179-0 Young (Wenrick), as recommended by Staff**.

REPORTS:

Report of Receipts & Deposits for the Month Ended July 31, 1987:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Carnes, Draughon, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Kempe, Wilson, "absent") to **APPROVE** the **Report of Receipts & Deposits for the Month Ended July 31, 1987**.

Chairman's Report:

Chairman Parmele advised receipt of a letter from the Oklahoma Department of Transportation soliciting comments in regard to an application by Tulsa County Commissioners for federal funds to reconstruct a portion of West 41st Street South in and between the cities of Sand Springs and Tulsa. He referred this letter to the INCOG Staff for review and response.

Committee Reports:

Mr. Paddock announced the Rules & Regulations Committee would be meeting this date to discuss amendments to the Zoning Code relating to signs, as requested by various parties, i.e. Circle K, C.R. Signs, Tulsa Merchants Association, etc.

Director's Report:

Mr. Gardner advised that INCOG would be moving to their new offices at the 201 Executive Center the last weekend in August.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Cedarcrest III (1783) East 89th Street & South Delaware Avenue (RS-2)

This plat was reviewed as a concept plan by the Technical Advisory Committee on 6/25/87 but with several cul-de-sacs and numerous waivers required. The original plan has been abandoned and the existing street will be used. All lots will meet the zoning requirements.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Cedarcrest III, subject to the following conditions:

Cedarcrest III - Cont'd

1. Show an additional 10' dedication on South Delaware Avenue in accordance with the Major Street Plan requirements.
2. The underlying plat shall be properly vacated to the satisfaction of the applicant's legal counsel and the City.
3. 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 lines and/or lot lines. Clarify utility and drainage easement along the south property line.
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. Fire hydrant(s) may need to be moved.
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). (See # 12 below)
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.
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 (if required).
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer (if required).
9. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Traffic Engineer. (Show LNA on Delaware)
10. 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.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. Add the following language to the covenants in Section II: "The owner of each lot shall be responsible for the repair and replacement of any landscaping and paving located within the utility easements in the event it is necessary to repair any underground water or sewer mains, electric, natural gas, communications or telephone service."
13. 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.
14. All Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Wilson, "absent") to **APPROVE** the **Preliminary Plat for Cedarcrest III**, subject to the conditions as recommended by the TAC and Staff.

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Rockwood Hills Pond Amd (PUD 362)(883) East 72nd St. & So. Columbia Pl. (RS-1)

This is an amendment to a plat already filed of record, that not only includes all the previous plat, but the addition of a 224' x 464' tract to the south that adds four lots to the subdivision. The PUD covers the previous plat (Rockwood Hills Pond) and the new lots added to the south are **NOT** part of the PUD so will be subject only to the RS-1 zoning requirements. The density in the subdivision has not changed nor have the PUD conditions. The original subdivider failed to complete the subdivision so this is an attempt to clean up the original plat, add the lots to the south and replat the whole tract. Staff has no objection to the concept if the developer can comply with the PUD conditions and the added lots meet the RS-1 requirements. The PUD allowed four lots south of 72nd Street and also included a private access drive to the area to the south. This private drive has been eliminated and a standard dedicated street shown instead. Staff feels that this is a much better arrangement, but since the plat is being processed to clean up a number of errors, omissions, etc., this opportunity should also be taken to clean up the provisions of the PUD and make it clear which lots are subject to the PUD, and which ones are not, and separate the private restrictions from the PUD restrictions and the utility/easement grants.

Staff noted that since no request to amend the PUD has been made as of this date or no Board of Adjustment application filed, a SKETCH PLAT approval may be more applicable at this time. If a preliminary plat is granted, it should be subject to another review of the TAC prior to final because of the numerous changes, particularly in the covenants.

City Engineer and Traffic Engineer requested additional right-of-way on 71st Street being 4' on Lot 7 and 6' on Lots 6 and 5. This is a request not a requirement, since 60' is already dedicated to meet the Street Plan.

The TAC voted unanimously to recommend **approval** of the SKETCH plat of Rockwood Hills Pond Amended, subject to the following conditions:

Rockwood Hills Pond - Cont'd

1. An amendment to PUD 362 is required. (It appears to be minor in nature since density is not increased.) With the dedication of the cul-de-sac, South Columbia Place, more land was needed so the building line on the cul-de-sac is shown as 25'. Staff has no objection as far as the plat goes, but this will take an amendment to the PUD. Final plat shall not be released until all necessary PUD amendments are made and plat complies with same.
2. Lots 5 through 8, Block 1 are **NOT** part of the PUD and should comply with the RS-1 standards of 35' building lines, 100' average lot width, and 13,500 square feet of area. If this is not possible, two options exist: (a) Board of Adjustment approval of variances; or (b) expand the PUD to include these lots and request necessary amendments or variances from the TMAPC. In order to include these lots in the PUD it would be necessary to advertise and go through the hearing process including City Commission approval and publication of ordinance. Final plat shall not be released until one of these options is approved and the ordinance published and/or the BOA has approved necessary variances.
3. On face of plat:
 - (a) Under title and PUD number, add: "Except Lots 5-8, Block 1" (if this option is applicable.)
 - (b) Change the detention pond designation to "Reserve A" consistent with present practices. (This is less confusing than showing as a lot number) Covenant language will also need to be changed, subject to Department of Stormwater Management requirements.)
 - (c) Show 25' property line radius on Lots 2 & 3, Block 1. Show 35' building lines throughout plat unless otherwise modified by PUD amendment or BOA. Show 50' radius on cul-de-sac.
 - (d) Show street widths. 72nd Street at west end and total private street width. (Both 50')
 - (e) Identify South Columbia Avenue in Woodridge Addition.
 - (f) Update location map.
4. Covenants should be completely rewritten, separating the various components into three sections as follows:
 - I - Dedications for streets, easements, stormwater, etc.
 - II - PUD restrictions and
 - III - Private restrictions.
5. All conditions of PUD 362 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
6. 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 lines and/or lot lines. Realign utility easement along 71st Street with additional right-of-way dedications.

Rockwood Hills Pond - Cont'd

7. 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.
8. 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). Add applicable language to the covenants.
9. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
10. 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. "Class A Permit"
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. A new PFPI number may be assigned.
12. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Traffic Engineer. Include applicable language in the covenants.
15. 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.)
16. 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.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. Vacate underlying plat to the satisfaction of applicant's legal counsel and the City.
19. 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.
20. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Sketch Plat** for **Rockwood Hills Pond (Amended)**, subject to the conditions as recommended by the TAC and Staff.

REQUEST FOR WAIVER (Section 260):

BOA 14597 Unplatted (Greely Elem. School) 105 East 63rd Street North (AG)

This is a request to waive plat for a Head Start Program to be located in the Greely Elementary School. Nothing physical will change and the program will utilize existing school facilities. Staff recommends **APPROVAL** of the request. (NOTE: The BOA has not yet heard this application, but due to the school starting dates, and the fact that this is in an existing school, Staff sees no problem in TMAPC reviewing this first. The BOA will place any restrictions they deem necessary on the application when it is reviewed by that body.)

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Waiver Request** for **BOA 14597 Unplatted (Greely Elementary School)**, as recommended by Staff.

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BOA 14341 Mingo Terrace (193) 8211 East Admiral Place (CS)

This is a request to waive plat on a tract lying between the Crosstown Expressway and Admiral Place, which was previously used as a water slide. The BOA has approved an exception for a miniature golf course which causes the property to be "subject to a plat" under Use Unit 20. The previous use (water slide) did not require a plat because it predated the amendment to the Code requirement for a plat. Since the property is already platted and the recreational use does not constitute much of a change, and adequate right-of-way and improvement exist, the Staff recommends **APPROVAL** as submitted, noting that Section 260 conditions have been met.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Waiver Request** for **BOA 14341 Mingo Terrace**, as recommended by Staff.

LOT SPLITS FOR WAIVER:

L-16897 Davis/Thurber (1193) SE/c of East 13th St & South 77th East Ave (RS-3)

This is a request to split a 360' x 165' tract into two equal lots. The eastern lot has only 10' of frontage on a dedicated street (77th East Avenue). This action will require a variance from the City Board of Adjustment because all residential lots must have a minimum of 30' of frontage on a dedicated street. Because the water line is on the west boundary and the sewer line is on the east boundary, each lot has a 10' access handle to that utility.

The Staff recommended **APPROVAL** subject to the following conditions:

- (1) Approval from the City Board of Adjustment, case #14586, for waiver of frontage.
- (2) The roadway access and/or utility easements must be signed and recorded at the Tulsa County Courthouse, and a copy of these instruments kept in this lot split file.
- (3) Any utility easements that may be necessary in order to develop the subject tracts (the north and east 11').

For the record, the Department of Stormwater Management (DSM) and City Engineer advised the applicant that a regional detention pond was planned next to this property. The TAC and DSM had no objection to the split, but wanted the applicant to be aware of the close proximity of the proposed pond.

The TAC voted unanimously to recommend **approval** of L-16897, subject to the conditions outlined by Staff and the Technical Advisory Committee.

Comments & Discussion:

Mr. VanFossen stated concerns as to only 10' access. Mr. Wilmoth advised the Staff suggested 11'. It was noted for the record that the applicant was not in attendance. Mr. VanFossen moved for approval of the request, subject to the three conditions, but with a 15' access.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Lot Split Waiver for L-16897 Davis/Thurber**, subject to the conditions recommended by the TAC and Staff, EXCEPT provide for an access of 15'.

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L-16899 Geren (3693)

9127 East 61st Street South

(AG)

This is a request to split a 387' x 209' tract into two lots. The west lot (297' x 209') contains a church and parking lot, the east lot (90' x 209') is vacant. This action will require a variance from the Board of Adjustment because the lot sizes are below the minimum allowed in the AG district.

Although the staff commented that they would prefer to see a rezoning case on this tract, and probably will in the near future, **APPROVAL** of this request was recommended, subject to the following conditions:

- (1) Approval from the City Board of Adjustment for Case #14587 (Bulk and Area).
- (2) The church lot (west 297') must meet the parking requirements set forth in the Zoning Code.
- (3) Approval from the Water and Sewer Department for access to both utilities.
- (4) The granting of any utility easements or extensions that may be necessary in order to develop the subject tracts. Water line extension is required.
- (5) Additional right-of-way on 61st Street to total 50' from centerline.
- (6) Access Limitations on 61st Street subject to approval of Traffic Engineering.
- (7) Drainage Plan approval by Department of Stormwater Management through the permit process.

The TAC voted unanimously to recommend **approval** of L-16899, subject to the conditions outlined by Staff and the Technical Advisory Committee.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Lot Split Waiver** for **L-16899 Geren**, as recommended by Staff.

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L-16902 O'Dell (492)

South of 4th Street & 38th West Avenue

(RS-3)

This is a request to clear title to two 50' lots that have been created for years, but lot split approval never had been requested. This action will require a variance from the Board of Adjustment because the lots are below the minimum allowed in the RS-3 district. Staff notes that there are about one hundred lots in the immediate area that are comparable to the subject tract in size.

Based on the above criteria, the Staff recommended **APPROVAL** of this request subject to the following conditions:

- (1) Approval from the Board of Adjustment case #14591 (lot width).
- (2) The granting of any utility easements that may be necessary in order to service the subject tracts (11' along rear lot lines).
- (3) Additional right-of-way for 38th West Avenue to total 50' of right-of-way. (This may have been done already.)

The TAC voted unanimously to recommend **approval** of L-16902, subject to the conditions outlined by Staff and the Technical Advisory Committee.

Comments & Discussion:

Staff advised that condition #3 had been met; therefore, the application was subject only to the remaining two conditions.

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Lot Split Waiver** for **L-16902 O'Dell**, subject to conditions #1 and #2, as recommended by the TAC and Staff.

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L-16908 Lashley/Kabruck (2993) East of NE/c of 44th Pl. & Columbia Ave. (RS-1)

This is a request to split off the west 83' of a 724.10' x 304.80' tract. This request will need a variance from the Board of Adjustment because the minimum lot width in the RS-1 district is 100', the proposal is for 83'. This lot exceeds all of the other bulk and area requirements for the RS-1 Zoning District, with exception of the lot width. Staff advised that they could not support the 83' lot width due to the predominate width of most of the lots in the area. If the lot size were increased to 100' then no waiver would be necessary.

The Water and Sewer Department advised that a private lift station would be required to serve the west tract, although they prefer a gravity system. A sewer main extension will be required for the remainder.

The TAC voted to recommend **approval** of L-16908 noting Staff comment regarding the 100' lot width, subject to the following conditions:

- (1) Approval from the Board of Adjustment on case #14593, if less than 100' wide.
- (2) Approval from the Water and Sewer Department for any extensions and/or easements that may be necessary in order to service the subject tracts. Need the north 17-1/2' for easement.

Comments & Discussion:

Mr. VanFossen stated that he felt 100' was more appropriate, and if approved, would negate the need for BOA approval. Therefore, he moved denial of the request for 83', and approval of 100', subject to condition #2.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Lot Split Waiver** for **L-16908 Lashley/Kabrick for 100'**, subject to condition #2, and **DENY** the request for 83', as recommended by Staff.

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L-16914 Arnette (193) South of SE/c of Admiral Pl. & So. 89th E. Avenue (RS-3)

This is a request to split out a 50' x 150' lot in the northwest corner of a 165' x 635' tract. This action is being requested in order to clear title to the smaller tract which was conveyed by the District Court, (Administrator's Deed). A minor variance of the lot area will be required from the Board of Adjustment because 60' is the minimum lot width allowed in the RS-3 District, (50' is proposed).

Staff recognizes that if a lot split is denied by the TMAPC, the case is appealed to District Court. Based on the fact that the staff finds this request to be minor in nature, (16% reduction in the lot width) the Staff recommended **APPROVAL** of subject to the following conditions:

- (1) Approval from the Board of Adjustment for case #14607 (lot width).
- (2) Additional 5' of right-of-way for 89th East Avenue in accordance with the Major Street Plan.
- (3) Any additional utility easements that may be necessary for the proposed development. Need to verify easement for sewer. Need 11' if not already granted.

The TAC voted unanimously to recommend **approval** of L-16914 subject to the conditions outlined by Staff and Technical Advisory Committee.

Comments & Discussion:

Mr. Wilmoth advised that condition #3 could be deleted. Mr. Paddock advised he would be abstaining on this matter. Mr. Carnes inquired if there were other 50' lots in this area. Mr. Wilmoth advised that most were 60', but pointed out that the Administrator's Deed (through probate) established the 50' width. Mr. Linker clarified that an Administrator's Deed was not a court action. Mr. Doherty inquired if, under the circumstances, the TMAPC allowed the 50', would they be opening themselves

L-16914 Arnette - Cont'd

up to any further court/legal actions. Legal and Commission discussed this particular situation, with Mr. Linker advising that, unless the TMAPC had good reason for denying the relief, they should approve the request.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-1** (Carnes, Doherty, Draughon, Kempe, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Crawford, Wilson, "absent") to **APPROVE** the **Lot Split Waiver for L-16914 Arnette**, subject to conditions #1 and #2 as recommended by the TAC and Staff.

LOT SPLITS FOR DISCUSSION:

L-16923 Mathews/Ferguson (1703) NE/c of East 38th Street & North College (RS)

In the opinion of the Staff, the lot split(s) listed above meet the Subdivision and Zoning Regulations, but all residential lot split applications which contain a lot having more than three side lot lines cannot be processed as a prior approval lot split. Such lot splits shall require a five day written notice to the abutting owner(s). Deeds for such lot splits shall not be stamped or released until the TMAPC has approved said lot split in a public hearing. **APPROVAL** is recommended.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE L-16923 Mathews/Ferguson**, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

| | |
|-----------------------------------|--------------------------------|
| L-16903 (703) Biffle/Yarbough | L-16918 (392) Groat/WhiteIs |
| L-16911 (1614) Morgan/Welch | L-16919 (392) Wood/Trust |
| L-16912 (1714) Kinzer/Vandeventer | L-16920 (592) Dorsey/Anderson |
| L-16913 (3024) Smith | L-16921 (1703) Utica Bank |
| L-16915 (2502) TDA | L-16922 (2702) Smith |
| L-16916 (2502) TDA | L-16925 (183) Advance/Johnsen |
| L-16917 (2103) Mohawk Steel | |

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification, as recommended by Staff.

PUBLIC HEARING:

**COAL CREEK MASTER DRAINAGE PLAN
AND AMENDMENTS TO THE DISTRICT PLANS
FOR DISTRICTS 2, 3, 4, 5 and 16**

Comments & Discussion:

Mr. Dale Reynolds, Department of Stormwater Management (DSM), reviewed the history of the Master Drainage Plan (MDP) Program for the City of Tulsa. He briefed the Commission as to the public response during the forum process on this and other MDP's. Mr. Reynolds presented an overview of the Coal Creek Drainage Basin and the proposed drainage plans for this area. He requested TMAPC adoption of the Coal Creek Master Drainage Plan as a part of the Comprehensive Plan for the City of Tulsa.

Mr. Reynolds answered questions from the Commission in regard to participation by the Oklahoma Department of Transportation in complying with the City standards for drainage on new projects. In regard to the funding of the MDP's, Mr. Gardner commented that these are handled the same way as all other Capital Improvement Project (CIP) items, i.e., those most critical are funded prior to those less critical.

Ms. Dane Matthews advised that the INCOG Staff has reviewed the Coal Creek MDP, and recommended that the District Comprehensive Plan for Districts 2, 3, 4, 5, and 16 be amended to include the Coal Creek MDP. She confirmed that the Citizen Planning Team Chairmen and Co-Chairmen were involved in the review process for this MDP.

Interested Parties:

Mr. Albert Cecil (2112 North Darlington Place) advised of problems in his neighborhood, especially with a bridge over Coal Creek that had semi-truck traffic, and was not adequate to handle this type and amount of traffic, as the bridge was in great need of repair. He commented on problems during and after rainfall that caused the residents to be trapped because of roads being blocked with the waterflow, and the fear of using the bridge at these times because of its poor condition. Mr. Cecil stated that he had been told that part of the problem of getting this creek cleaned out was due to limited public access. He offered the use of his wide driveway, which has been used previously by the City, to provide access for equipment to Coal Creek.

Mr. & Mrs. Stanley Curry (40 North Louisville), as flood victims, stated support of the proposed Coal Creek MDP, and asked that the City "get the ball rolling".

Mr. Arthur Stevens (1043 North Sandusky) stated he has been a resident in this area since the 1950's. He advised of flooding problems which he felt were created by inadequate storm sewers and suggested improved sewer facilities would relieve some of the water problems, in addition to updating the bridge in this area that was built in 1929. Mr. Stevens briefed the Commission on the history of flooding in this particular area, and his contacts with various City agencies regarding this problem.

Coal Creek Master Drainage Plan - Cont'd

Review Session:

Mr. VanFossen advised the Comprehensive Plan Committee had reviewed the submitted MDP for compliance with the Comprehensive Plan and saw no problems. Therefore, he moved for adoption of the Coal Creek Master Drainage Plan and amendment to the District 2, 3, 4, 5, and 16 Plans. Mr. Doherty complimented the DSM and INCOG Staffs on their efforts in making this process work. In reply to Ms. Kempe, Mr. Gardner confirmed Staff would be submitting the required resolutions for formal adoption at a future meeting.

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the Coal Creek Master Drainage Plan as a part of the Comprehensive Plan, and to **APPROVE** Amendments to the District Plans for Districts 2, 3, 4, 5 and 16.

CONTINUED PUBLIC HEARING:

PUBLIC HEARING TO CONSIDER APPROVAL OF AMENDMENTS TO PARTS OF THE COMPREHENSIVE PLAN, BEING THE DISTRICT PLAN MAP AND/OR TEXT FOR DISTRICT 17, PERTAINING TO ESTABLISHMENT OF LINEAR DEVELOPMENT AREAS FOR LOW AND MEDIUM INTENSITY DEVELOPMENT, AND RELATED MATTERS

Comments & Discussion:

Chairman Parmele read a letter from the District 17 Chairman, Mr. David Brown, stating their concerns that the amendments to the Plan not discourage major businesses from developing facilities in this area, but encourage them to do so. He also stated a concern that the changes should protect the best interests of the District and the City, and be fair to the property owners affected.

Chairman Parmele opened discussion of the District 17 Plan amendments with the most significant inquiry being the establishment of the depth of OL zoning (i.e. 330', 990', etc.) in the Low Intensity Linear Development Area (LDA) along the north side of East 51st Street between 133rd and 143rd East Avenue. Legal Counsel reiterated their concern that the Guidelines would be violated, if approved at a 330' depth. Staff held their position that the Guidelines would not be violated as they offered the flexibility and, in fact, stated the existing physical facts were to be considered.

Public Hearing - Cont'd

Mr. Clem Reinkemeyer (4032 East 111th Street) stated his agreement with the comment by Staff that the linear intensity should be recognized consistent with the existing zoning patterns of the area, and that a 990' maximum depth for OL zoning was appropriate.

Discussion continued among Commission, Legal and Staff with a suggestion by Mr. Paddock that maybe this area should be excluded as a Low Intensity LDA. Ms. Kempe suggested a continuance of the entire matter might be in order for further study by Staff. Mr. VanFossen commented that, even though he felt 990' might be appropriate, he had a problem going against the advice of Legal.

Chairman Parmele advised Ms. Pat Fisher had submitted a letter to the TMAPC along with additional petitions protesting further development in this area, which she felt would add to an existing water runoff problem. After review of the letter submitted by Ms. Fisher to residents in District 17, Chairman Parmele asked Staff to correspond with Ms. Fisher to clear up confusion and incorrect information being distributed regarding the proposed amendments.

TMAPC ACTION: 9 members present

On MOTION of KEMPE, the TMAPC voted 9-0-0 (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **CONTINUE Consideration of Amendments to the District 17 Plan Map and Text** until Wednesday, **September 9, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 243-4: Lots 32, 33, 34 and Lot B, Glenoak Addition

Staff Recommendation: Minor Amendment for Lot Split

The subject tract includes Lots 32, 33, 34 and Lot B of the Glenoak Addition, said addition being located at the northeast corner of South Harvard and East 59th Place. Underlying zoning for PUD 243 is RS-2. The applicant is requesting approval of a minor amendment to adjust the lot lines between Lots 32, 33, and 34 and to split the north and east perimeter area from Lot 32 and attach it to Lot B which is dedicated for common area and utility easement purposes.

Review of the applicant's request indicates that the proposed lots will meet the minimum development standards of PUD 243 and that the request is minor in nature. Therefore, Staff recommends APPROVAL of PUD 243-4 as follows:

PUD 243-4 Minor Amendment - Cont'd

- (1) That the language be placed on the face of the deeds for Lots 32 and 33 in accordance with the plot plan and survey information submitted with this application.
- (2) That the 10' utility easement be properly vacated and relocated in accordance with the requirements of the effected public and private utility companies.
- (3) That the homeowners association or other responsible body accept the responsibility for maintenance and upkeep of those portions of Lots 32 and 33 being added to Lot B.

NOTE: A requirement of PUD 243 is for Detail Site Plan approval by the TMAPC prior to issuance of a Building Permit.

Applicant's Comments:

Mr. Roy Johnsen (324 Main Mall), in regard to condition #2, stated there was a question as to timing when this condition must be met. Mr. Johnsen advised that the wall built on Lot 32 (the easternmost lot) to divide this lot from the common area was unintentionally misplaced by six or seven feet. Therefore, there was available space within the remaining three lots, and if the lot boundaries were adjusted a corresponding amount, the applicant would end up with the same number of lots of sufficient size to meet the requirement of the approved PUD. Mr. Johnsen requested that vacation of the easement on Lot 32 relate to the other lots, and that Lot 32 be able to proceed. Staff stated they had no objection.

Mr. VanFossen moved that the request be approved, modifying condition #2 so that this condition would be applicable to the revised Lots 33 and 34 (not the revised Lot 32).

TMAPC ACTION: 9 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **APPROVE** the **Minor Amendment to PUD 243-4**, subject to the following conditions:

- (1) That the language be placed on the face of the deeds for Lots 32 and 33 in accordance with the plot plan and survey information submitted with this application.
- (2) That the 10' utility easement be properly vacated and relocated in accordance with the requirements of the effected public and private utility companies. This condition is applicable to the revised Lots 33 and 34 only, and not to the revised Lot 32.
- (3) That the homeowners association or other responsible body accept the responsibility for maintenance and upkeep of those portions of Lots 32 and 33 being added to Lot B.

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PUD 128-D-1: Amendment to Reallocate Floor Area, Revise Development Areas and Redistribute Uses. SW/c of East 71st Street and Riverside Parkway

Comments & Discussion:

Discussions centered on whether this should be considered a major or a minor amendment, due to the number and type of revisions being made. After continued debate, Ms. Kempe moved to continue this to September 9, 1987 for consideration as a major amendment, which would also address some of the Commissioner's concerns that proper notice be given. Staff presented the changes proposed by the applicant which would be incorporated into the Staff recommendation.

Mr. James Lewis (7334 East 81st Street), a resident in this area, stated support of the applicant's requests, and he advised the applicant had previously done everything they indicated to the neighborhood that they would do.

TMAPC ACTION: 9 members present

On **MOTION** of **KEMPE**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Rice, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Wilson, "absent") to **CONTINUE Consideration of PUD 128-D-1 as Major Amendment** until Wednesday, **September 9, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

There being no further business, the Chairman declared the meeting adjourned at 3:21 p.m.

Date Approved Sept 2, 1987
[Signature]
Chairman

ATTEST:
[Signature]
Secretary

