

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1692
Wednesday, April 13, 1988, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Baker	Linker, Legal
Coutant, Secretary	Harris	Brierre	Counsel
Doherty		Compton	
Draughon		Dickey	
Kempe, Chairman		Frank	
Paddock, 2nd Vice- Chairman		Gardner	
Parmeale, 1st Vice- Chairman		Lasker	
Wilson		Matthews	
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, April 12, 1988 at 10:40 a.m., as well as in the Reception Area of the INCOG offices.

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

REPORTS:

Committee Reports:

Mr. Parmeale advised the **Budget & Work Program Committee (BWP)** had met yesterday to review several items connected with the INCOG work program and budget for the upcoming year. The BWP unanimously agreed to recommend to the TMAPC that the Rules & Regulations Committee consider an amendment to the TMAPC Rules of Procedure to make the BWP a standing committee of the Commission, and set a work session of the entire TMAPC to discuss the work program. As suggested by Legal Counsel, these matters will be placed on next week's agenda under business of the Rules & Regulations Committee for a formal vote.

In regard to their correspondence of March 23rd soliciting input for the FY88-89 Work Program, Mr. Parmeale stated two replies had been received. Mr. Parmeale stated the BWP had also voted to recommend to the full Commission that the TMAPC allow the BWP to contact the City and County regarding the possibility of pursuing costs of other agencies and/or contractors for providing staff support and all services to the TMAPC and Board of Adjustment. Mr. Parmeale requested this also be placed on the April 20th agenda for TMAPC consideration.

Director's Report: RESOLUTION NO. 1680:660

AMENDING THE TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN TO REFLECT THE ADOPTED LONG-RANGE TRANSPORTATION PLAN AND TO RECONCILE THE TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN WITH THE MAJOR STREET AND HIGHWAY PLANS OF THE TULSA METROPOLITAN AREA COMMUNITIES.

Ms. Carol Dickey of the INCOG Staff reviewed the amendments proposed on the map of the Major Street and Highway Plan which involved approximately 50 modifications. Mr. Paddock commented that he would be abstaining as he has not had an opportunity to study the map. He suggested a one week continuance might be in order to allow time to review the map changes. Mr. Doherty remarked that he had been involved in this process, and the map changes were items of a graphic nature, based on the discussions and vote of the TMAPC at a previous meeting. Mr. Parmele and Chairman Kempe concurred that this resolution was the formal presentation of the items previously presented and approved at the public hearing. Therefore, Mr. Parmele moved for adoption of Resolution No. 1680:660. Ms. Wilson commented that she did not feel there was any hurry on this, and a Commissioner had indicated a continuance might be in order; therefore, she would not be in favor of voting today.

In reply to Mr. Draughon, Ms. Dickey confirmed that Staff had met with the area communities (i.e. Sapulpa, Catoosa, Osage County, Sand Springs, etc.), and obtained their agreement with the modifications.

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-3** (Carnes, Doherty, Draughon, Kempe, Parmele, Woodard, "aye"; no "nays"; Coutant, Paddock, Wilson, "abstaining"; Crawford, Harris, "absent") to **APPROVE Resolution No. 1680:660** amending the Tulsa City-County Major Street and Highway Plan to reflect the adopted Long-Range Transportation Plan and to reconcile the Tulsa City-County Major Street and Highway Plan with the Major Street and Highway Plans of the Tulsa metropolitan area communities.

PUBLIC HEARING:

TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE MASTER PLAN, BEING THE DISTRICT PLAN MAP & TEXT FOR **DISTRICT 8** PERTAINING TO CHANGES RESULTING FROM THE ARKANSAS RIVER CORRIDOR TASK FORCE REPORT AND RELATED AMENDMENTS, AND FOR **DISTRICT 11** TO CHANGE THE DISTRICT BOUNDARIES.

Comments & Discussion:

Ms. Dane Matthews, INCOG Staff, reviewed the amendments to the District 8 Plan Map & Text relating to the Arkansas River Task Force and various housekeeping amendments.

Mr. Carnes advised that the proposed amendments had been reviewed by the Comprehensive Plan Committee who recommended the TMAPC approve the District 8 and District 11 Plan Map and Text changes.

Ms. Debra Sampson (2915 West 61st Place), District 8 Chairman, advised that two planning teams had assisted with the work on the proposed changes to address the needs and concerns of the district. Ms. Sampson stated the residents felt these amendments should be approved with "all due speed".

Mr. Doherty expressed thanks to Ms. Sampson and the entire Planning Team for District 8 for their input. Mr. Parmele echoed those thoughts as TMAPC liaison to District 8, and having attended their meetings, he complimented the work done by this group.

Mr. Bill McVee, District 11 Co-Chairman, stated no objection to the proposed boundary changes; however, there were a few items he wanted to present to the Commission for consideration. Mr. McVee spoke on the specific problem associated with District 11, partially located in the Tulsa city limits, yet also being in Osage County, which sometimes left them "feeling like orphans". Mr. McVee specifically commented on the drainage and stormwater problems along West Apache which had been reported to DSM but, as yet, no action had been initiated. Mr. Draughon suggested having the INCOG Staff contact DSM in regard to this situation. Mr. McVee also commented on the problems with street maintenance in this district, which he acknowledged was a problem throughout the city.

Mr. Doherty moved to direct the INCOG Staff to prepare the resolutions to reflect the amendments to the District 8 and District 11 Plans as presented by Staff.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **APPROVE** the Amendments to the **District 8 Plan Map & Text** as relates to changes resulting from the Arkansas River Corridor Task Force and related amendments; and the **District 11 Plan Map & Text** to modify the district boundaries; and to **DIRECT** Staff to proceed with the resolutions reflecting these amendments.

ZONING PUBLIC HEARING:

Application No.: CZ-166

Present Zoning: AG

Applicant: Myers

Proposed Zoning: RMH

Location: North of the NE/c of West 31st Street and South 225th West Avenue

Date of Hearing: April 13, 1988

Presentation to TMAPC by: Mr. Wm.K. Myers, 7008 So. Delaware Place (663-2224)

Relationship to the Comprehensive Plan:

The District 23 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract.

Staff Recommendation:

Site Analysis: The subject tract is 24.68 acres in size and is located north of the northeast corner of West 31st Street South and South 225th West Avenue. It is wooded, rolling, contains two mobile home dwellings, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by a mobile home and a single-family dwelling zoned AG; on the east by vacant property zoned AG; on the south by a single-family dwelling and vacant property zoned AG; and on the west by vacant property zoned AG.

Zoning and BOA Historical Summary: Although there has been no rezoning or Board of Adjustment activity, the property south of the subject tract was platted in 1973 as the O and M Addition. No rezoning was necessary due to its location outside the five mile perimeter.

Conclusion: Similar to other RMH rezonings in the County, Staff is not opposed to mobile home use on the subject tract, but is opposed to the eight dwelling units per acre density. Staff would support a zoning consistent with the platted one-half acre lots to the south, and would recommend the applicant seek Board of Adjustment approval for mobile home use. Staff would also not be able to support the density based on the lack of sanitary sewer service to the tract.

Therefore, Staff recommends **DENIAL** of the requested RMH rezoning and **APPROVAL** of RE zoning in the alternative.

Comments & Discussion:

In response to Chairman Kempe, Mr. Gardner stated the applicant needed to indicate the number of homes he wished to place on the property in order to determine if RE zoning would accommodate his needs.

Mr. William K. Myers submitted a proposal for 22 lots on the 25 acre tract. He explained that he was the mortgage holder of the property, and this type of zoning, platting, etc. had been decided by another party. Mr. Myers stated he had just recently taken the Sheriff's deed, and three or four of the lots had been sold. As there were two residents still living on the lots, he stated he would like to allow them to continue their residency.

CZ-166 Myers - Cont'd

Mr. Parmele clarified that the suggested RE zoning would allow more than 22 lots, but would require BOA approval for mobile home use. Chairman Kempe suggested the applicant meet briefly with Staff for a clearer understanding of his options.

Ms. Maria Massad (4511 East 49th Street) advised she owned 25 acres on 225th West Avenue, and her concern was that her property would depreciate should a mobile home park be permitted. In reply to Mr. Doherty, Ms. Massad commented she would not object to residential development, but would object to a mobile home park.

After consulting with the applicant, Mr. Gardner advised 16 of the lots were one acre with a 60' street down the middle; the remaining six lots, which fronted 225th West Avenue, were .8 of an acre in size. Therefore, as all of the lots exceeded .5 acre, RE zoning could accommodate this number of lots, but would still require BOA approval for mobile homes. In reply to Mr. Gardner, Mr. Myers confirmed he did intend to sell the lots. Mr. Gardner pointed out for the protestants that this would not be a typical mobile home park, but would be a mobile home subdivision.

Mr. Doherty inquired, knowing that Staff was working on amendments to the Code for manufactured housing, if there might be anything of substance emerging that might affect applications such as this. Mr. Gardner stated the County Ordinance already permitted the double-wide as a single-family residence, as opposed to calling it a mobile home. Therefore, a property owner could have a double-wide in the RE without having to go to the BOA.

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **APPROVE CZ-166 Myers for RE zoning**, as recommended by Staff.

Legal Description:

The north 826.95' of the south 1,157.73' of the W/2 of the SW/4 of Section 15, T-19-N, R-10-E of the IBM, Tulsa County, Oklahoma.

OTHER BUSINESS:

PUD 426-2 Johnsen: East 102nd Street, west of South Louisville

Staff Recommendation: **Minor Amendment deleting references to a package sewage treatment plant**

The subject tract has underlying zoning of RS-2 and is located at East 102nd Street west of South Louisville. PUD 426 has been approved for a maximum of 64-70 single-family detached dwelling units. The initial development concept included treatment of sewage by a package treatment plant.

The applicant is now requesting approval of a minor amendment to delete all references to a package treatment plant and require that sewage from this development be handled via a lift station and force main (Vensel Creek System). Staff recommends **APPROVAL** of PUD 426-2 subject to approval by the applicable City Departments.

Applicant's Comments:

Mr. Roy Johnsen reviewed the background associated with this application in regard to the package treatment plant. He advised the applicant had pursued alternatives with the City as to handling the sewage from this development. The City departed from their normal policy by stating this development, given the existing circumstances, could do a lift station and force main into the Vensel Creek Lift Station. Mr. Johnsen advised he had consulted with the property owner to the north regarding this issue.

In reply to Mr. Draughon, Mr. Johnsen advised the drainage concerns had been resolved to the satisfaction of a former protestant (Mr. Wheatly). Mr. Paddock stated confusion as to why the City could not have accommodated this earlier. Mr. Gardner remarked that the City was satisfied with the previous arrangements for a package treatment facility, however, the problem was with the protestants who did not want a package treatment plant.

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **APPROVE** the **Minor Amendment to PUD 426-2 Johnsen**, as recommended by Staff.

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PUD 203-2 Johnsen: 4505 East 100th Street South, being
Lots 3 and 4, Block 1, Brighton Oaks Addition

Staff Recommendation: **Minor Amendment for Pool Cabana**

The subject tract is located at 4505 East 100th Street South and is described as Lots 3 and 4, Block 1, Brighton Oaks Addition. The main residence and a swimming pool has been constructed on Lots 4 and 3 respectively. Consistent with TMAPC approval of a minor amendment to PUD 203 on March 10, 1982, Lots 3 and 4 are considered one lot based on the owner's declaration filed in Book 4846 at page 1866. Approval of PUD 203-2 is being requested to construct an 850 square foot swimming pool cabana building with a covered porch on the west and north sides per the submitted plans.

In order to more fully evaluate the proposed plan, Staff has requested elevations of the proposed building as it would be viewed from the cul-de-sac, plus a letter from the Brighton Oaks Architectural Review Committee documenting their review of this proposal. The building will be built behind the front of the house which has been constructed on the adjacent lot. A screening fence is now in place between the pool and cul-de-sac and would be attached to the corners of the proposed building. The cabana building would include a fireplace, rest room(s), and other amenities.

The Staff and applicant have tentatively agreed to a one week continuance of this application, if necessary, to receive and review elevations and to allow the Architectural Review Committee of Brighton Oaks to review and formally comment on these plans.

Comments & Discussion:

Mr. Frank advised that Staff was in receipt of the requested elevations and had reviewed these plans.

Mr. Roy Johnsen, representing the applicant, reviewed the background of this PUD, and submitted a letter from the Brighton Oaks Property Owners Association advising of their approval of the plans for the pool cabana. He stated that his position was that the TMAPC had the authority under the PUD Chapter of the Zoning Code to approve all aspects of this application. However, although Mr. Linker agreed TMAPC action was necessary, certain items requested would require BOA approval.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **APPROVE** the **Minor Amendment to PUD 203-2 Johnsen**, as requested by the applicant.

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PUD 422 Woolman: East 33rd Street and South Peoria,
being Lot 7, Block 1, Crow Creek Office Park Addition

Staff Recommendation: Detail Site Plan

NOTE: This application supercedes a previous application that was approved by the TMAPC for Lot 8, Block 1, Crow Creek Office Park Addition.

PUD 422 is located at East 33rd Street and South Peoria and has an area of approximately 3.2 acres with underlying zoning of OMH and OM, with RS-3 zoning on the interior lots. Detail Site Plans and construction has previously been approved by the TMAPC on Lots 1, 2, 3 and 6. The applicant is requesting TMAPC approval for a two story office building on Lot 7. An existing office building on Lot 1 (fronting Peoria) was recently expanded and remodeled; however, was exempt by conditions of approval from normal PUD procedural requirements for TMAPC review of plans prior to issuance of a Building Permit.

The proposed Detail Site Plan includes a two story office building (3574 square feet) on the south side of the vacated East 33rd Street right-of-way, with parking spaces on the east and north side. The Plan includes elevations which indicate the exterior facades of the building will be masonry and of a Williamsburg character. PUD 422 limits the maximum height of buildings to 30' as measured from the ground to the roof line, and requires a minimum landscaped area of 20%.

Staff recommends APPROVAL of the submitted Detail Site Plan for Lot 7, Block 1, Crow Creek Office Park subject to the following conditions:

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

2) **Development Standards:**

Land Area (Gross): 3.17 acres
(Net): 2.58 acres

Lot 7 Area: .16 acres; 7,098 sf

Permitted Uses: Principal and accessory uses permitted as a matter or right in an OL District, excluding drive-in banks and funeral homes.

Maximum Building Height
on Lot 7: 30'

Maximum Building Floor Area:	36,000 sf *
Lot 1	7,885 sf constructed
Lot 2	3,330 sf constructed
Lot 3	3,500 sf constructed
Lot 6 **	4,500 sf constructed
Lot 7/this application	<u>3,574 sf</u>
TOTAL	22,789 sf constructed/proposed
Remaining Floor Area:	13,211 sf
Minimum Off-Street Parking:	As required by the applicable use units
Lot 2	13 spaces constructed
Lot 3	14 spaces constructed
Lot 6 **	15 spaces constructed
Lot 7	12 spaces proposed
Minimum Building Setbacks:	
from north interior boundary	20'
from south boundary	20'
from east/west boundary	none required
Minimum Landscaped Open Space:	20% ***

* The maximum building size on Lot 1 is 10,000 sf. The maximum building size on the remainder of the Lots is 6,000 sf per lot.

** 15 parking spaces on Lot 6 will limit the maximum building size to 4,500 sf. The proposed 4680 sf building would be permitted only if shared parking agreements were filed of record or 16 parking spaces were provided.

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

Signs: One ground sign not exceeding 32 sf in display surface area may be erected on the South Peoria frontage and one ground sign not exceeding 32 sf in display area may be erected on the internal private street serving the office park.

- 3) That all trash, mechanical and equipment areas shall be screened from public view.
- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas. No pole light in excess of 8 feet tall shall be permitted along the north, west, and south boundaries of PUD 422.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Sections 620.2.D and 1130.2.B of the PUD Chapter of the Zoning Code and as specified herein.

- 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. Existing trees are being preserved on the site in accordance with the Landscape Plan element of the PUD Text and the submitted Detail Site Plan.
- 7) The Detail Site Plan includes elevations demonstrating a residential type Williamsburg exterior building facade within the development. Lot 7 will be screened by a 6 foot tall wooden screening fence with masonry columns on the south boundary. The elevations and screening fence are made conditions of approval of the Detail Site Plan where applicable.
- 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

TMAPC ACTION: 9 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **APPROVE** the **Detail Site Plan for PUD 422 Woolman**, as recommended by Staff.

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PUD 435 Johnsen: East 66th Street & South Yale Avenue

Comments & Discussion:

Staff advised the applicant had submitted a request for a one week continuance.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Harris, "absent") to **CONTINUE Consideration of PUD 435 Johnsen** until Wednesday, **April 20, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER DISCUSSION:

Mr. Parmele advised he had attended a briefing on the Goals for Tomorrow Program regarding the Goals for Tomorrow Citizen's Congress, which had a meeting scheduled for May 11th. As the TMAPC was responsible for certain areas of this program, he urged the Commissioners to make plans to attend.

As requested by Mr. Parmele, Mr. Linker clarified that, due to recent findings of the City Legal Department with regard to the Open Meeting Law, the TMAPC posted agenda must have information indicating a considered action, which could limit the Commission to just discussion and/or reporting if any proposed action was not properly listed. Discussion followed among the Commission members on this finding and how it might impact future Commission and Committee business.

There being no further business, the Chairman declared the meeting adjourned at 2:47 p.m.

Date Approved 4-27-88

AB Paddock
acting Chairman

ATTEST:

Theresa C. Stout
Secretary

