

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1755
Wednesday, **August 2, 1989**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes, 2nd Vice Chairman	Kempe Randle	Gardner Setters	Linker, Legal Counsel
Coutant Doherty, Chairman Draughon, Secretary Paddock Parmele Woodard	Selph Wilson		

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 1, 1989 at 10:40 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of the Minutes of July 19, 1989, Meeting #1753:

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, "aye"; no "nays"; Woodard, "abstaining"; Kempe, Parmele, Randle, Selph, Wilson, "absent") to **APPROVE** the **Minutes of July 19, 1989, Meeting #1753**.

REPORTS:

Chairman's Report:

Chairman Doherty mentioned the upcoming Oklahoma Planning Commissioners' Workshop (in Tulsa and Oklahoma City), and invited those interested in attending to contact the Recording Secretary to make reservations. Mr. Carnes suggested the TMAPC consider having a member attend the Oklahoma City workshop in order to get a different perspective.

Committee Reports:

Mr. Paddock advised of a **Rules & Regulations Committee** meeting this date to consider the latest draft to the Sign Ordinance. He stated a follow-up meeting has been scheduled for next Wednesday to continue this review.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Pleasant View Estates 2nd (2114) E 94th St N & N 134th E Ave (RE)

Staff advised this case is continued from July 19th, and should now be struck from the agenda due to pending percolation tests.

Hearing no objection, Chairman Doherty declared this item stricken.

FINAL PLAT APPROVAL & RELEASE:

Space Center East, Blk 3 (2994) 11800 Block of East 51st Street (IL)

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Final Plat of **Space Center East, Blk 3** and release same as having met all conditions of approval.

* * * * *

Richmond Hills (PUD 88-B)(483) E 69th St & So Richmond Ave (RM-3, RM-1)

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Final Plat of **Richmond Hills** and release same as having met all conditions of approval.

AFFIDAVIT OF CORRECTION TO PLAT OF RECORD:

The Village @ Woodland Hills (PUD 379)(283) 6600 Blk of So Memorial (CS, PK)

A scrivener's error has been discovered on one dimension on this plat and is being corrected by the same surveyor/engineer that filed the plat. This does not affect the PUD or any conditions of approval. It is recommended the correction be approved by the TMAPC, subject to approval of format by the City Attorney.

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Affidavit of Correction to Plat of Record for **The Village @ Woodland Hills**, as recommended by Staff.

REQUEST FOR WAIVER (Section 260):

St. John Medical Center (PUD 417-B)(793) E 19th & S Wheeling (CS, OL, PK, RS3)

TAC Minutes of 4/27/89:

PUD 417 was approved by the TMAPC and City Commission on June 24, 1986. This PUD combined PUD 225, 338, and 401 with BOA #12767. The TAC reviewed the entire development and the platting requirement was waived on PUD 417 on July 2, 1986. This also included zoning applications Z-5878, 5348, and 5270. The current review is for a tract that is being added to the PUD designated as Development Area L. Other items included in the PUD provide for transfer of permitted floor area, establishment of development standards for Area L and to amend some permitted uses. This TAC review is limited to Area L. The remainder of the complex has been reviewed previously and included in plat waivers.

Although this was submitted only as a PUD Review, when a formal request is made for waiver of plat, the following shall apply: (see note below)

1. Grading and drainage plan approval by Department of Stormwater Management through the permit process. (PFPI if required) Fees-in-lieu will be acceptable for any increase in imperviousness. Inlets to drain run-off to existing storm sewers on Xanthus and 21st Street will be added to minimize sheet flow into streets.
2. If any existing utilities have to be relocated and/or abandoned, approval of the utilities will be required, including Water and Sewer Department. Closure of any easements and/or rights-of-way is a City Commission process and is only mentioned for the record.
3. Utility and/or other main extensions, if required in connection with condition 2.
4. Approval and filing of all PUD conditions, by separate instrument, meeting the purpose and intent of Section 1170.5 of the PUD Ordinance and Section 260 regarding platting.
5. Some additional fire protection will be needed on the east side. (See Fire Department for details)
6. Traffic Engineering stated they would be reluctant to consider closing 19th Street as per PUD text. There was no comment at this time on the Traffic signal at 21st Street.

The applicant was not present.

Staff Note (7/28/89):

A formal application has now been received for the plat waiver on Area L. All other areas within PUD 417 and other zoning cases, PUD's and BOA cases noted in the review have been covered in other plat waivers approved by the TMAPC. It is recommended that the plat requirement be waived on Area L, subject to the conditions listed above, noting that Section 260 of the Code will be met by compliance with the conditions.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Carnes, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Waiver Request for **St. John Medical Center (Area L)**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR WAIVER:

L-17204 Matz (1993)

SW/c of E 39th St & S Lewis Ave

(RS-2)

This is a request to split the east 120' of Lot 9, Block 9, Lewis Road Estates, into two lots, one containing the existing residence which will remain, and a new building site to the south facing South Lewis. The zoning is RS-2 and the new lot created is approximately 9,028 square feet and has a width of 75' to 82', meeting all the zoning criteria. (This does not require any Board of Adjustment approval.)

Due to the location of the existing house which is 48.5' from the centerline of South Lewis, only a minimum amount of right-of-way could be dedicated. Staff discussed this application with the owner and he is agreeable to dedication of an additional five feet of right-of-way which will make the total from centerline forty feet. This amount of dedication places the new property line within 8.5' of his house. The new home to be constructed on Tract 1 (the south tract) can be 66.75' from centerline as permitted by Section 241-D of the Zoning Code. Since the actual right-of-way widths on Lewis vary from 30' to 50' on the west side of centerline and from 24.75 to 50' on the east side of centerline applicant's offer seems reasonable, and the Staff has no objection. However, since this will require waiver of the Street Plan requirements, a review by TAC and TMAPC is necessary. Staff does not ordinarily recommend such a waiver, but due to the location of the existing home this seems reasonable. The following shall apply:

- a) Applicant requesting waiver of Street Plan requirement to permit dedication of only five additional feet rather than 15'.
- b) Extension of sanitary sewer to serve Tract 1, subject to approval of Water and Sewer Department.
- c) Easements as required for sewer and or utility extensions.
- d) Driveway access subject to approval of Traffic Engineering.
- e) Grading and drainage plan approval through the permit process for new construction subject to Department of Stormwater Management. (Fees-in-lieu of detention must be paid for the south tract as a condition of the lot split. Fee to be paid before a building permit can be issued.)

The applicant was represented by David Matz.

In reference to item (d) Traffic Engineering is opposed to an additional residential driveway on to South Lewis. Alternate solutions would be to provide access to 39th Street along the west side as a "panhandle", or negotiate an easement to the existing driveway access adjacent to this tract on the south. A "Limits of No Access" document will be required along Lewis Avenue except at the existing adjacent driveway.

In reference to item (c), PSO and utilities noted that the existing service line will either have to be relocated at owner's expense, or easements provided therefor.

Since several alternates on access and utility relocations had been proposed, TAC and Staff noted that applicant may wish to study these before transmittal to the Planning Commission. There were no objections to this procedure, and the TAC voted unanimously to recommend **approval** of L-17204, subject to the conditions outlined by Staff, and further noting that no access to South Lewis is recommended except through the existing adjacent driveway.

Comments & Discussion:

In reply to Chairman Doherty, the applicant stated agreement to the Staff recommendation.

Mr. Coutant confirmed the TAC made no recommendation regarding the waiver, as the TAC was more concerned with the access than width of the right-of-way.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Waiver Request for **L-17204 Matz**, as recommended by Staff.

* * * * *

L-17207 Blunt (914)

11026 North 145th East Avenue

(AG)

This is a request to split approximately one acre from approximately 3.5 acres, creating lots with 145' of frontage on North 145th East Avenue. The AG zoning requires a two acre minimum and 200' lot width, so applicant is requesting a variance from the County Board of Adjustment to permit the split. The acre tract is on an existing septic system and the larger 2.5 acre tract is on a lagoon. These will require review and approval of the Health Department. Since there appears to be two dwelling units already on this tract, Staff sees no objection to the request subject to the following conditions:

L-17207 Blunt - Cont

- a) City-County Health Department approval of lagoon and septic systems. (Received OK on 7/27/89.)
- b) Board of Adjustment approval of the lot sizes and widths.
- c) Dedication of additional right-of-way to meet the minimum of 50' from centerline in accordance with the Major Street Plan.
- d) Provide a 17.5' utility easement parallel to North 145th East Avenue and an 11' perimeter easement around the remainder.
- e) Approval of utilities for existing services and/or extensions.

(Since this is inside the "fence line" of Owasso, it has also been referred to that city in the event they have any requirements.)

The applicant was not present, but had been advised as to conditions for approval.

The TAC voted unanimously to recommend **approval** of L-17207, subject to the conditions outlined by Staff.

TMAPC ACTION: 7 members present

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Waiver Request for **L-17207 Blunt**, as recommended by Staff.

LOT SPLITS FOR DISCUSSION:

L-17210 Brocksmith (Marshall)(2993)
(Continuance requested)

3110 East 44th Place

(RS-1)

This is a request to split Lot 1, Block 7, Villa Grove Park into four building sites (lots). The lots all exceed the RS-1 minimum size of 13,500 square feet, with the smallest being 15,073 square feet and the largest being 17,875 square feet. The lots all have uniform side lot lines and taper to the back or front. The lot width is the only aspect of this split that may even be debatable, since the Zoning Code does not instruct HOW to figure the average lot width. This was not taken for a waiver, but in accordance with the policy of the TMAPC, wherein the Commission may wish to review in detail any unusual lot split of a residential nature. The Staff has not released any deeds on this split and the abutting landowners have been notified in accordance with TMAPC requirements. The Assessor's maps indicate ownerships of similar shaped lots in this area, and two triangular lots abut this lot split. Engineering data has been supplied with the lot application.

Comments & Discussion:

Mr. Phillip Marshall (5424 South Memorial, Suite 2) confirmed the applicant was requesting a continuance in order to work on a redesign of the layout.

Chairman Doherty asked that those signing to speak should address their comments to the issue of the continuance request. He advised that, per the TMAPC policy, the Commission normally granted the applicant's first continuance request, if submitted in a timely manner. This request was a timely continuance request and met the policy.

Mr. Ira B. Powell, Jr. (3107 East 44th Place), property owner immediately to the east of the subject tract, advised he was also speaking on behalf of eight residents in attendance. Mr. Powell advised they were opposed to splitting this tract into four lots.

Mr. Robert Wood (3101 East 45th Street) echoed Mr. Powell's protest of the proposed four lots. Mr. Wood stated that the residents were mainly opposed to the frontages proposed by the application as most of the homes in this area had very large frontages. Mr. Wood also mentioned concerns as to water run-off from the project. In regard to the requested continuance, Mr. Wood noted the number of residents in attendance opposing the request, and commented they were ready to proceed. Mr. Draughon repeated the TMAPC policy on continuance requests, advising a request could be initiated by an interested party as well as the applicant.

Chairman Doherty informed the interested parties that, should they not be able to attend any future meeting(s) on this item, the TMAPC welcomed written response and entered these as exhibits to the minutes, and read them into the record. He added that the Commission was not frequently swayed by the number of people attending on a particular case, but by logic of argument and land use. Therefore, should half as many interested parties attend the continued hearing, this would not alter the TMAPC's judgement as the Commission's responsibility was to look at the facts of a case, the surrounding property, and whether it was in the best interests of the community as a whole.

Ms. Marjorie Dougherty (2927 East 45th) commented on the current water problems in this area and her concern that 16 new homes would only add to this problem.

After discussion with the applicant and interested parties as to a convenient continuance date, Mr. Parmele moved to continue this case for three weeks; i.e. to August 23rd.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **CONTINUE** Consideration of L-17210 Brocksmith (Marshall) until Wednesday, August 23, 1989 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 196: Detail Sign Plan to Permit Two Temporary Portable Signs
SW/c of East 71st Street & South Memorial Drive

Staff Recommendation:

This request is to allow two temporary portable signs for the shopping center, one to be located on the 71st Street frontage and one on the South Memorial frontage. No time limit or period as specified by the applicant.

After review of previous actions on the PUD, Staff found where a similar request was approved by the TMAPC on July 12, 1989 to advertise a Saturday sidewalk sale. The Staff and TMAPC approved the request, based on the special and temporary nature for the time periods of July 7 through July 16, 1989 and September 1 through September 10, 1989 only. Staff cannot support any additional temporary portable signs on the property and could foresee this becoming a permanent use.

Therefore, Staff recommends **DENIAL** of the request to permit two temporary portable signs.

Comments & Discussion:

In reply to Mr. Coutant, Mr. Gardner clarified that the previous application similar to this request had specifically stated time periods and location for the portable signs. This application had no such specifications, which was the basis for Staff's recommended denial.

Mr. Charles Ensign (8301 SW 5th, Oklahoma City), representing the applicant, commented that it was his understanding the applicant wanted to use the signs for one month only. But he was not able to provide specific information as to location, suggested time frame, etc.

Mr. Parmele suggested a continuance in order to let the applicant gather the specific information as to purpose, time limits, and location. Mr. Doherty agreed there were too many questions left unanswered and suggested the applicant meet with the Staff to clarify this issue.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, Wilson, "absent") to **CONTINUE** Consideration of the Detail Sign Plan approval for **PUD 196 (Advertising Ideas)** until Wednesday, **August 9, 1989** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

* * * * *

PUD 420-A-1: Minor Amendment of the Required 25' Rear Yard to 20'
SW/c of East 101st Place South and South Granite Avenue

Staff Recommendation:

PUD 420-A is a 40.19 acre development containing 120 lots and has an underlying zoning of RS-2. The subject tract is a single-family lot at the southwest corner of East 101st Place South and South Granite Avenue and is being considered for a 20' rear yard to permit a dwelling. In accordance with TMAPC guidelines, notice of the request has been given to abutting property owners.

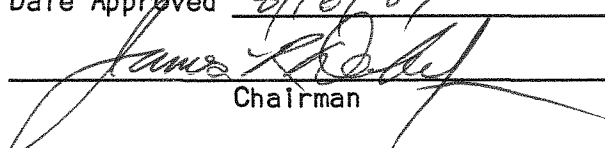
Review of the applicant's plan reflects the encroachment on only the southwest portion of the lot and is created by the double frontage. Staff finds the request to be minor in nature and consistent with the original PUD.

Therefore, Staff recommends **APPROVAL** of minor amendment 420-A-1 per the applicant's submitted plans.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **6-0-1** (Carnes, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Kempe, Randle, Selph, Wilson, "absent") to **APPROVE** the Minor Amendment to **PUD 420-A-1 Ledford**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:28 p.m.

Date Approved 8/16/89

Chairman

ATTEST:

Secretary

