

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1952  
Wednesday, November 17, 1993, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Ballard	Broussard	Gardner	Linker, Legal
Carnes, 2nd Vice Chairman	Pace	Hester	Counsel
Dick		Jones	
Doherty, Chairman		Stump	
Horner			
Midget, Mayor's Designee			
Neely Secretary			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, November 16, 1993 at 1:25 p.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 1:37 p.m.

**Minutes:**

Approval of the minutes of November 3, 1993, Meeting No. 1950:  
On **MOTION** of **CARNES**, the TMAPC voted **7-0-2** (Ballard, Carnes, Dick, Doherty, Midget, Neely, Wilson "aye"; no "nays"; Horner, Parmele "abstaining"; Broussard, Pace "absent") to **APPROVE** the minutes of the meeting of November 3, 1993 Meeting No. 1950.

**REPORTS:**

Chairman's Report:

Chairman Doherty announced that Fran Pace is representing the Planning Commission at a hearing in Tahlequah regarding the proposed smoke shop in the 700 block of North Lewis Place, along with a representative from the Mayor's office and neighborhood representatives.

Committee Reports

Budget and Work Program Committee

Ms. Wilson announced that the Budget and Work Program Committee will meet in work session at the conclusion of the TMAPC meeting.

Rules and Regulations Committee

Mr. Parmele announced that the Rules and Regulations Committee will meet in work session upon adjournment of today's TMAPC meeting.

SUBDIVISIONS:

PRELIMINARY PLAT:

Islamic Cemetery (1263) (PD-20) (County)

South of the southeast corner of East 191st Street South and South Memorial Drive.

Jones presented the plat with Jerry Ledford, Jr. in attendance at the TAC meeting.

Miller noted that ONG has an easement and high-pressure gas line along the west property line and the Book and Page should be shown on the plat.

Silva stated that at least one percolation test and core test would be required.

Rains asked if flood prone areas would be designated and Ledford informed he would check and, if need be, put on the plat.

The Tulsa County Board of Adjustment approved this 20-acre tract for cemetery use on March 16, 1993 (CBOA-1139) subject to the plans submitted. A fence and landscaping is proposed around the perimeter of the property and it should be noted that a creek divides the property but the entire tract is within a Flood Zone "C".

Staff would offer the following comments and/or conditions:

1. 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.
2. 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).
3. Paving and/or drainage plans shall be approved by the County Engineer.
4. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.

5. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
6. All curve data, including corner radii, shall be shown on final plat as applicable.
7. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
8. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
9. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the County Engineer. Include applicable language in covenants.
10. It is recommended that the developer coordinate with the County 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. Street lighting in this Subdivision shall be subject to approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
12. 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.
13. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
14. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in restrictive covenants on plat.)
15. The method of water supply and plans therefor, shall be approved by the City/County Health Department.
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
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.

19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for stormwater facilities and PUD information, as applicable.
20. This plat has been referred to Bixby because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
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.

On MOTION of Miller, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of ISLAMIC CEMETERY subject to all conditions above.

**TMAPC Action; 9 members present:**

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of Islamic Cemetery subject to conditions recommended by Staff.

\* \* \* \* \*

**Garnett Park Center (2994) (PD-17) (CD-5)**

Southeast corner of East 41st Street South and South Garnett Road.

Jones presented the plat with Ted Sack in attendance at the TAC meeting.

Jones and Sack explained the sewer problem and lot-split for waiver that has been filed on this property.

Sack mentioned that the owners may request excess right-of-way at the corner to be vacated.

Miller stated an existing gas line and easement was in place along the west property line and should be shown by Book and Page.

Hill recommended an 11' easement along the north and west property lines.

Canahl pointed out that a 27" storm sewer existed at the northeast and southwest corners of the tract.

Garnett Park Center is a one lot, one block, 1.06-acre plat with an underlying zoning of CS. The property is subject to plat from a 1970 rezoning application and is abutted to the south and east by similar unplatted CS-zoned property.

Staff would offer the following comments and/or conditions:

1. 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.
2. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
3. 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).
4. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
6. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
7. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
8. All curve data, including corner radii, shall be shown on final plat as applicable.
9. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
10. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.

11. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
12. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.)
13. 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.
14. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. The key or location map shall be complete.
16. 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.
17. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for stormwater facilities and PUD information, as applicable.
18. 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.
19. All (other) Subdivision Regulations shall be met prior to release of final plat.

On MOTION of French, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of GARNETT PARK CENTER, subject to all conditions listed above.

**TMAPC Action; 9 members present:**

On MOTION of MIDGET, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of Garnett Park Center subject to conditions recommended by Staff.

\* \* \* \* \*

Cable Acres (1382) (PD-8) (CD-2)

South of the southwest corner of South Peoria Avenue and East 81st Street South.

Jones presented the plat with Pat Garner in attendance at the TAC meeting.

Jones noted several corrections to the face of the plat.

Hill pointed out several typographical errors in the Deed of Dedication and Restrictive Covenants.

K. Fields mentioned the temporary water service which exists to the tract and that funds will need to be escrowed until the water line is constructed.

Considerable discussion was made as to sewage disposal and it was determined that since sewer service is provided by the City of Jenks, it would be their requirement if a sewer connection must be made. Garner stated that if a sewer connection is or is not required, that the percolation tests have been made.

Canahl stated that a watershed development permit would be required.

French recommended that the plat show a full 50' of dedication on South Peoria.

Garrison recommended that "Communication Services" be added to the covenants.

---

Cable Acres is a 1 Lot, 1 Block industrial subdivision which contains 6.02 acres. Staff would point out that although it does not need to be shown on the plat, there is a 75' building setback from the north and south property line due to the AG (agricultural) zoning.

Staff would offer the following comments and/or conditions:

1. Add north arrow, scale and scale bar to face of plat.
2. Show 50' building line on South Peoria Avenue.
3. Perimeter easements should be 17.5' in width.
4. Coordinate Deed of Dedication with Legal Department, it appears that several changes would be needed.
5. 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.

6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
7. 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).
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
10. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. Bearings, or true north-south, etc., shall be shown on ~~perimeter of land being platted or other bearings as directed~~ by Department of Public Works (Engineering).
14. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
15. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.)
17. 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.
18. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

19. The key or location map shall be complete.
20. 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.
21. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for stormwater facilities and PUD information, as applicable.
22. This plat has been referred to Jenks because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
23. 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.
24. All (other) Subdivision Regulations shall be met prior to release of final plat.

On MOTION of Hill, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of CABLE ACRES subject to all conditions listed above.

**TMAPC Action; 9 members present:**

On MOTION of MIDGET, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of Cable Acres subject to conditions recommended by Staff.

\* \* \* \* \*

Colefax Hill (1583) (PD-18) (CD-8)

West of the northwest corner of East 91st Street South and South Sheridan Road.

Jones presented the plat with Jerry Ledford, Jr. in attendance at the TAC meeting.

Miller asked if an underground meeting would be held on this subdivision and Ledford answered that there would be.

French recommended that bold numbers be used for the block identification for blocks 1 and 3.

Hill recommended that "south" be added in Section I, B. dealing with electric, gas and communication service.

Jones recommended that the side yard setback be shown as 15' with the standard language regarding garage access being added.

This tract was reviewed for a Sketch Plat by the TAC on May 20, 1993, but has changed since the property to the east (Colefax Hill East) is being platted.

Staff would offer the following comments and/or conditions:

1. The tract is currently zoned RS-2 but the front building lines shown are for RS-3. The applicant may opt to go to the Board of Adjustment for the 5' reduction. In addition, the 20' side yard (building line) exceeds that required by the RS-2 zoning.
2. 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.
3. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
4. 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).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and

Watershed Development Permit application subject to criteria approved by the City of Tulsa.

7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
11. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.)
14. 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.
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.
18. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for stormwater facilities and PUD information, as applicable.
19. This plat has been referred to Jenks, Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the

applicable municipality. Otherwise only the conditions listed apply.

20. 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.
21. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the MOTION of Cotner, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT of COLEFAX HILL subject to all conditions listed above.

Staff Comments

Mr. Jones announced that interested parties are in attendance. He presented a land use map displaying Colefax Hill and Colefax Hill East subdivisions. Mr. Jones pointed out that Colefax Hill East, which abuts the subject property, only has access through Colefax Hill. He noted that the same engineer is working on both projects and both subdivisions are expected to be filed simultaneously.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of Colefax Hill subject to conditions recommended by Staff.

\* \* \* \* \*

Colefax Hill East (1583) (PD-18) (CD-8)

West of the northwest corner of East 91st Street South and South Sheridan Road.

Jones presented the plat with Jerry Ledford, Jr. in attendance at the TAC meeting.

Ledford mentioned that the existing water and sewer lines on the property would be removed.

After research, it was determined that Lot 1, Block 1 is zoned RM-1 and any use other than those permitted by the zoning will require either Board of Adjustment approval or rezoning.

This 9.37-acre development contains 22 single-family lots and two office lots which front on East 91st Street South. Access to the residential lots will be provided via Colefax Hill addition to the west which is being processed at the same time.

Staff would offer the following comments and/or conditions:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a 1"=60' scale (1"=100' required).
2. The abutting subdivision to the west must be constructed in order to provide access to Colefax Hill East (advisory note).
3. The restrictive covenants for Colefax Hill East make no provisions for non-residential use (office use) for Block 3 or Block 1.
4. 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.
5. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
6. 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).
7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.

14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.
17. The key or location map shall be complete.
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.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for stormwater facilities and PUD information, as applicable.
20. This plat has been referred to Jenks, Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
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.

On MOTION of Miller, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY PLAT for COLEFAX HILL EAST subject to all conditions listed above.

**TMAPC Action; 9 members present:**

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of Colefax Hill East subject to conditions recommended by Staff.

\* \* \* \* \*

May's #21 (2783) (PD-26) (CD-8)

Southwest corner of East 101st Street South and South Sheridan Road.

Jones presented the plat with Bill Lewis in attendance at the TAC meeting.

This plat was reviewed and approved per conditions by the TAC on August 19, 1993. The applicant has since revised the plat to include Lot 2 (the south 135' of the plat) and is resubmitting the plat for preliminary approval. The Major Street Amendment PUD-431-A was approved by the TMAPC on September 22, 1993 and should be heard by the City Council approximately at the end of October.

Staff would recommend the following comments/conditions:

1. Correct covenants to include provisions for PUD-431-A and conditions.
2. All conditions of PUD-431-A shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include the PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
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.
4. Water plans shall be approved by the Department of Public Works (Water and Sewer) 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. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.

9. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) 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.
17. The key or location map shall be complete.
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.
19. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
20. This plat has been referred to Jenks, Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
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.

Lewis stated that the easements show on the north and south sides of the lot line between Lots 1 and 2 would be removed and either a 17.5' easement along the south side of Lot 2 of an 11' and 11' easement along the south line would be substituted.

Canahl recommended that language be added to the covenants that state to the effect that no on-site detention exists on this tract and runoff would be accommodated on the abutting tract.

After discussion in regard to access from South Sheridan Road (1 or 2 points of access), French recommended that access be approved by Traffic Engineering after review of the Site Plan.

On Motion of Hill, the Technical Advisory Committee voted unanimously to APPROVE the PRELIMINARY PLAT of MAY'S #21 subject to the above conditions.

There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On MOTION of NEELY, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Preliminary Plat of May's #21 subject to conditions recommended by Staff.

\* \* \* \* \*

**FINAL APPROVAL AND RELEASE:**

Liberty Baptist Chapel (863) Spradling (PD-21) (County)  
East of the NE/c of East 201st Street South & South Lewis Ave.

Staff Comments

Mr. Jones advised that all releases have been received and Staff was recommending approval.

**TMAPC Action; 9 members present:**

On MOTION of MIDGET, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Final Plat of Liberty Baptist Chapel and RELEASE same as having met all conditions of approval as recommended by Staff.

\* \* \* \* \*

**WAIVER REQUEST: SECTION 213:**

**Z-5295 (Unplatted) (3492)** (PD-8) (CD-2)  
2816 West 51st Street

Jones presented the Waiver Request with Mr. & Mrs. Selby in attendance at the TAC meeting.

This property is subject to the platting requirements from a 1979 rezoning application, Z-5295, that rezoned the property from RS-3 to OL. The applicant is requesting a Plat Waiver to construct a single-family dwelling, if the Board of Adjustment approves a special exception for residential use.

Staff would recommend APPROVAL of the Plat Waiver, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On MOTION of Miller, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PLAT WAIVER for Z-5295 subject to the conditions listed above.

There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On MOTION of MIDGET, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to APPROVE the Waiver of Plat for Z-5295 as recommended by Staff.

\* \* \* \* \*

**Z-5449 (Unplatted) (3194)** (PD-18) (CD-8)  
9721 East 61st Street South

Jones presented the Plat Waiver with no representative in attendance at the TAC meeting.

Considerable discussion was made regarding 61st Street and the proposed improvements.

This approximate one-acre tract was rezoned from RS-3 to IL in 1980 by rezoning application Z-5449. The applicant has requested a Board of Adjustment special exception to permit a dog grooming facility in the existing dwelling. The Board should place sufficient conditions to safeguard any major new construction on

the property. It should be noted that other Plat Waivers have been granted in the immediate area.

Staff would recommend APPROVAL of the Plat Waiver, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.
3. Access control agreement for East 61st Street South, to be approved by the Department of Public Works (Traffic).

On MOTION of Cotner, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PLAT WAIVER for Z-5449 subject to the above conditions.

Staff Comments

Mr. Jones noted that because of erroneous information presented to the TAC, it was believed that the City had already acquired necessary right-of-way and easements from the subject property. He referred to a letter from Keith Smith, Public Works, requesting the following requirements, which Staff supports, be placed upon the property:

1. Dedication of additional right-of-way for East 61st Street South to meet the requirements of the Major Street and Highway Plan (MSHP).
2. Dedication of easements for utility extensions as needed.
3. Execution of an Access Control Agreement with Traffic Engineering, Department of Public Works, if necessary.
4. Approval of grading/and or drainage plans by the Department of Public Works in the permit process.

Mr. Gardner informed that if the Planning Commission does not waive the plat, right-of-way must be given when the applicant plats the property.

Applicant's Comments

**Randall Iola**

**1323 E. 71st Street, Suite 300 74136**

Mr. Iola, representing the applicant, advised that the applicant is requesting to enclose an area within the courtyard of the existing structure. He explained that this will not affect any exterior boundaries of the existing building. Regarding negotiations with the City of Tulsa, Mr. Iola advised that his client has been in negotiations with the City regarding easement for many months; however, the contract has not been executed.

In response to Chairman Doherty's question as to what triggered the plat requirement, Mr. Jones explained that the applicant has

applied for a building permit, but has not received it because the plat waiver requirement is in effect.. He noted that the use is ongoing, although the applicant is operating without a certificate of occupancy.

Interested Parties

**Jeff Cooper**

**2317 South Jackson, Room 207**

**Public Works**

Mr. Cooper informed that he has a contract signed and executed by the Mayor on October 21, 1993. The applicant has failed to comply with setting a closing date on this item. Mr. Cooper explained that there is disagreement over withholding property taxes.

There was discussion over action taken by the Board of Adjustment (BOA) and Mr. Gardner noted that the applicant does not have the right to use the property as the BOA approved unless the Planning Commission takes action.

In response to Chairman Doherty's question regarding closing, Mr. Cooper advised that he is prepared for closing today if the applicant will agree to withholding of the property tax.

**TMAPC Action; 9 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **8-0-1** (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; Parmele "abstaining"; Broussard, Pace "absent") to **CONTINUE** Waiver Request for Z-5449 to December 1, 1993.

\* \* \* \* \*

**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-17802 Associated Development Group (PD-18) (CD-8)  
(1984) NE/c of East 101st Street South & South Mingo Rd.  
CS, PUD-364-A

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot-split to be in conformance with the lot-split requirements.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to **RATIFY** the above-listed lot-split having received prior approval.

\* \* \* \* \*

**CONTINUED ZONING PUBLIC HEARING:**

ZONING PUBLIC HEARING

Application No.: **Z-6421** Present Zoning: IM  
Applicant: William B. Jones Proposed Zoning: CBD  
Location: 312 West Brady Street  
Date of Hearing: November 17, 1993  
Presentation to TMAPC: William B. Jones

**Relationship to the Comprehensive Plan:**

The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Special District High Intensity.

According to the Comprehensive Plan the requested CBD District is in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property is approximately in 2.4 acres in size and is located in the northwest corner of N. Denver Avenue and East Archer Street. It is nonwooded, flat, and contains the Salvation Army Command Center.

**Surrounding Area Analysis:** The tract is abutted on the north by apartments and a community service agency, zoned IL; to the east by a parking lot and automotive repair shop, zoned IL; to the south by a automobile wrecker service and storage, zoned CBD; and to the west by a parking lot, zoned IM.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that TMAPC allowed CBD zoning within the industrial area of downtown on the tract directly south of the subject tract. The Board of Adjustment has also allowed a community service center in the industrial area north of the subject tract.

**Conclusion:** The subject property is identified as being within the Expanded Core area of the District 1 Special District High Intensity. The Comprehensive Plan recommends that existing mixed uses, if compatible with the adjacent uses existing, should remain within this area. Those include office, retail and services uses.

Therefore, Staff recommends **APPROVAL** of CBD zoning for Z-6421.

**Applicant's Comments**

Mr. William Jones, representing the Salvation Army, advised that the current IM zoning is not conducive to residential living. He explained that currently the Salvation Army is operating under a special exception, which is restrictive regarding modification of the existing facility. Mr. Jones explained plans to expand the

existing facility, which is to meet the need of housing indigent families together, rather than separating the husband from the remainder of the family. Mr. Jones informed that the application complies with surrounding uses and requested approval.

Ms. Wilson asked how many families would be served by this endeavor.

Mr. Jones replied that approximately 30 families are expected to be served.

Chairman Doherty asked what conditions the BOA placed on this tract when the exception was granted.

Mr. Jones advised that conditions were in regard to parking and setbacks.

#### Interested Parties

##### **Tom Smalley**

**209 North Frisco 74103**

Mr. Smalley displayed a map of the subject area and referred to portions of the Comprehensive Plan regarding ensuring the quality of life for all residents. He displayed empty liquor containers which were littered throughout his neighborhood. Mr. Smalley disclosed that area residents must contend with this type of litter year-round. He referred to the Comprehensive Plan, 2.1.6, regarding displacement of residents to implement portions of the Plan and development of programs to lessen problems caused by displacement. Mr. Smalley declared that the expansion of the Day Center for the Homeless will cause detriment to his neighborhood and that the concentration of these social service agencies is not conducive to a family atmosphere. Mr. Smalley declared that these social service agencies are not reinforcing the existing environment and will not provide residents with a pleasant, safe, and attractive environment. He noted that social services which require downtown locations should be provided, with particular consideration to impact on adjacent land uses. Mr. Smalley conceded that individuals in charge of the social services centers have no control over individuals who use them or what they do when they leave the centers. He suggested that the subject property be used for a park, church, recreational, or cultural use. Mr. Smalley informed that the Comprehensive Plan states that downtown has absorbed an appropriate physical limit of many types of social service facilities and existing services will be maintained at the same level. Mr. Smalley declared that the Comprehensive Plan shows that his neighborhood is to be relocated before the expansion of social services. He asked the Planning Commission to deny the request until his neighborhood is bought out.

##### **Bonnie Hutchinson**

**206 North Frisco 74103**

Ms. Hutchinson requested that the Planning Commission solve her neighborhood's problems before allowing expansion of more social services. She disclosed, that should this application be approved, the applicant is planning to close Elwood between Archer and Brady, which is a much-traveled road by area residents.

Jim Norton  
DTU

201 West 5th Street

Mr. Norton expressed support of the application; however he expressed concern over the effect rezoning will have on adjacent properties. He asked if expansions of transitional living facilities are required to have BOA approval.

Mr. Gardner advised that one of the proposals the Planning Commission will be considering is whether to move this type of use out of Use Unit 5 and into Use Unit 2. If this is accomplished, it will require a special exception for expansion. Should it remain in Use Unit 5, the spacing requirement is between uses.

Mr. Norton, while not objecting to the rezoning request, requested that the applicant delay action until the other issues can be resolved. He advised sharing concerns of the residents that the uses are being clustered to the detriment of that particular neighborhood and downtown; however, he believes that the zoning request eventually should be done.

#### Applicant's Rebuttal

Mr. Jones advised of meetings held with area residents and DTU, and acknowledged that area residents do have legitimate concerns and problems. He believes that the Salvation Army will be part of the solution.

Chairman Doherty noted that the Salvation Army does draw the element that leaves alcoholic containers as Mr. Smalley presented.

Ms. Wilson asked if the Salvation Army has budgeted for trash pick-up or security of the premises.

Major Glen Fite, of the Salvation Army, noted that they have been at this location, 312 West Brady, for nine years. He addressed the need for the proposed facility and advised that there is trash pick-up on the premises.

Chairman Doherty asked where the Major expects the transients will congregate when the project is constructed.

Major Fite advised that he cannot answer the question.

Mr. Norton pointed out that the City/County Standing Committee on Homelessness recommends that the City does not need any additional shelter beds. He conceded that families may not be kept together.

#### TMAPC Review Session

Mr. Parmele advised that the basic question is whether CBD zoning is appropriate. He also agreed that clustering of the uses is creating a problem for area residents and noted that under CBD zoning, this use would be permitted as a matter of right. He suggested that an alternative would be to submit a PUD so the Planning Commission can control expansion or access.

Mr. Midget agreed with Mr. Parmele, that zoning is not the problem, but rather the overflow from services being provided. He deemed the request for expansion to be a good one. Mr. Midget advised that the City Council and Mayor's office are aware of the problem Mr. Smalley's neighborhood is experiencing. They are looking at options in an attempt to alleviate these problems by looking for potential funding for a buyout of appropriate and noted that approval of the rezoning request may aid in this effort.

Mr. Neely declared that this must be viewed as solely a zoning issue and feels that the rezoning request is appropriate. He then made a motion to recommend approval per Staff recommendation.

Ms. Wilson asked Mr. Linker if a PUD would be appropriate in a CBD area.

Mr. Linker advised that it could be done, but a precedent would be set. He noted that more conditions could be imposed than permitted by CBD with a PUD.

Commissioner Dick agreed with Mr. Norton, that there are adequate accommodations for homeless individuals in the City of Tulsa, with over 700 places available with an average occupancy of 400. He declared that Mr. Smalley makes a good point in that the Comprehensive Plan states that this should not be done until a plan is in place of how to deal with area residents. He believes that this is the proper zoning at a future time. Commissioner Dick believes that displacement will cause indigents to move farther into the residential neighborhood. He believes this is the proper zoning but this is not the time for it.

Mr. Horner does not believe that approving the rezoning request will help the neighborhood, but rather will compound it. He asked if there was an immediate need for rezoning.

Chairman Doherty advised that the Planning Commission is charged with protecting the health, safety, and welfare of the City, and the Salvation Army's aim with the proposal and its potential impact on the neighborhood are far apart. The individuals they are trying to help are making the impact on the neighborhood. He agrees that the entire area should be CBD, but now is not the time.

**TMAPC Action; 9 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **4-5-0** (Carnes, Midget, Neely, Parmele, "aye"; Ballard, Dick, Doherty, Horner, Wilson "nay"; no "abstentions"; Broussard, Pace "absent") to recommend **APPROVAL** of CBD zoning for Z-6421.

**MOTION FAILED.**

**LEGAL DESCRIPTION**

All of Block 37, and the East 65' of Lots 1, 2, and 3, Block 36, Original Townsite, now City of Tulsa, Tulsa County, State of Oklahoma, according to the official plat thereof.

\* \* \* \* \*

**ZONING PUBLIC HEARING**

Application No.: **Z-6425 & PUD 235** Present Zoning: OL  
Applicant: Roy Johnsen Proposed Zoning: CS/PUD  
Location: West of NW/c of East 71st Street & South Mingo Road.

Date of Hearing: November 17, 1993  
Presentation to TMAPC: Roy Johnsen

Chairman Doherty announced receipt of an untimely request for continuance from the Burning Tree South Homeowners Association (HOA) in order to review the application.

**Interested Parties**

**Frank Spiegelberg** 100 West 5th Street, Suite 800 74103  
Mr. Spiegelberg, representing the Burning Tree South HOA, advised that he is requesting continuance in order to have benefit of the recommendation.

**Applicant's Comments**

Mr. Johnsen advised having no objection to the request to continuance. He informed the reason for his request for continuance last week was due to revising plans of internal circulation as required by Traffic Engineering.

**TMAPC Action; 9 members present:**

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to CONTINUE Z-6425 and PUD 235-A to November 24, 1993.

\* \* \* \* \*

**AMENDMENT TO THE COMPREHENSIVE PLAN:**

Resolution - An Economic Development Plan for the Springdale Neighborhood - adopted as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

**TMAPC Action; 8 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **8-0-0** (Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Pace "absent") to **APPROVE** the Resolution for an Economic Development Plan for the Springdale Neighborhood.

\* \* \* \* \*

**OTHER BUSINESS:**

**PUD 282** Revised Detail Site Plan - southwest corner of East 71st Street South and South Lewis Avenue.

The applicant is requesting to cover existing parking spaces on the east side of the Kensington Complex. No parking spaces or landscaped areas will be changed. Staff recommends **APPROVAL**. Mr. Stump distributed a copy of a drawing depicting the proposed parking cover of a high quality coated canvas.

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Pace "absent") to **APPROVE** PUD 282 Site Plan Review.

\* \* \* \* \*

**PUD-489:** Detail Sign and Landscape Plan for El Chico Restaurant - northeast corner of East 71st Street South and South Mingo Road.

**SIGN PLAN**

The El Chico Restaurant is proposing one 25' high ground sign containing 167 SF at the corner of South Mingo Road and East 71st Street South. Also, a wall sign on the south wall of the building is proposed at 60 SF. Both signs comply with the PUD conditions; therefore, Staff recommends **APPROVAL**.

**LANDSCAPE PLAN**

Staff has reviewed the Landscape Plan and finds it complies with the landscape ordinance and recommends APPROVAL with the following changes:

1. All Summitt Ash shall be 2"-2.5" caliper, and
2. The three Summitt Ashes east of the 71st Street entrance should be planted farther north at the property line.

**TMAPC Action; 8 members present:**

On MOTION of CARNES, the TMAPC voted 8-0-0 (Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Pace "absent") to APPROVE PUD 489 Landscape Plan and Sign Plan as recommended by Staff.

\* \* \* \* \*

**PUD 498** Revised Detail Sign Plan-east of the southeast corner of East 71st Street South and South Mingo Road.

The applicant is proposing to move the location of the ground sign on East 71st Street South for Home Depot west of its previously-approved location. The new location still complies with the spacing requirements; therefore, Staff recommends APPROVAL.

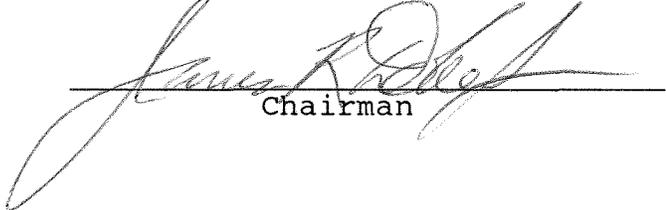
**TMAPC Action; 8 members present:**

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Carnes, Dick, Doherty, Horner, Midget, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Pace "absent") to APPROVE PUD 498 Sign Plan as recommended by Staff.

\* \* \* \* \*

There being no further business, the Chairman declared the meeting adjourned at 2:55 p.m.

Date Approved: 12-1-93

  
Chairman

ATTEST:

  
Secretary *vis. Chair*