

# TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2012

Wednesday, March 1, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

## Members Present

Ballard  
Boyle  
Carnes, 1st Vice  
Chairman  
Doherty, 2nd Vice  
Chairman  
Gray, Secretary  
Horner  
Pace  
Parmele  
Chairman  
Taylor

## Members Absent

Midget  
Selph

## Staff Present

Gardner  
Jones  
Stump

## Others Present

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, February 27, 1995 at 11:45 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:30 p.m.

## REPORTS:

### Chairman's Report:

Chairman Parmele announced that Jim Doherty will be the TMAPC appointee to the Tax Increment Finance Review Committee and Jill Tarbel as the TMAPC appointee to the River Parks Authority.

### Committee Reports:

#### Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee will meet at the conclusion of today's meeting to discuss housekeeping items. He informed of meeting with The South Peoria Neighborhood Connection as TMAPC liaison February 28. Mr. Doherty informed that the neighborhood will be bringing forward a request to close 57th Place, between the apartments and a residential area at the March 15 Planning Commission meeting.

### Director's Report:

Mr. Gardner announced zoning items on the City Council Agenda scheduled for March 1.

**SUBDIVISIONS:**

**PLAT WAIVER, SECTION 213:**

PUD-435-B (Laureate Extended)(383)

**(PD-18)(CD-7)**

East of the northeast corner of East 68th Street South and South Yale Avenue.

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

PUD-435-B is a major amendment to the existing Laureate Psychiatric Clinic and Hospital to permit an auditorium. Laureate Extended was platted in 1990 and Staff can find no benefit the City would gain in a replat.

Staff recommends **APPROVAL** of the plat waiver for PUD-435-B 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 the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for PUD-435-B, subject to the conditions listed above.

**Staff Comments**

Mr. Jones announced that Roy Johnsen was present representing the plat.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE** the PLAT WAIVER for PUD 435-B as recommended by Staff.

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BOA-16911 (Unplatted)(1694)

**(PD-17)(CD-6)**

South of the southeast corner of East 23rd Street South & South 123rd East Avenue.

The applicant requested that this item be returned to the Technical Advisory for further study.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **CONTINUE** BOA 16911 to April 5, 1995.

\* \* \* \* \*

**CHANGE OF ACCESS ON RECORDED PLAT:**

Copper Oaks (483)

**(PD-18)(CD-8)**

7050 S. Yale Avenue.

**Staff Comments**

Mr. Jones announced that Joe Donaldson was present representing this application, should the Planning Commission have any questions. Mr. Jones informed that this tract is located north of the northwest corner of 71st and Yale. He pointed out the access points which will be vacated and noted the locations of the new access points. Mr. Jones informed that these access locations have been approved by Traffic Engineering; therefore, Staff recommends approval of the change of access as presented.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE** the CHANGE OF ACCESS for Copper Oaks as recommended by Staff.

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## LOT-SPLIT FOR DISCUSSION:

L-18026 Dan Danner (1183)  
7140 South 69th East Avenue

(PD-18)(CD-8)

Jones presented the item and discussed the history with no representative in attendance at the TAC meeting.

It is proposed to split the north 129' from an approximate 270' x 200' lot. The property is zoned CS and both lots will meet the bulk and area requirements for CS zoning. The undivided 270' x 200' lot is the result of a lot-split (LS-13262) of Lot 2, Block 2, Kirkdale Commercial Center. This lot-split and two other lot-splits (LS-12703 and LS-13693) have divided Lot 2, Block 2, Kirkdale Commercial Center into five tracts. The approval of the current lot-split application will result in a sixth tract being created. According to the subdivision regulations, after the creation of four tracts on a single platted lot, all subsequent divisions require platting. The applicant does not wish to plat.

Cotner expressed a concern for such developments.

No motion was made since no action was required by the TAC.

### TMAPC Comments

Mr. Doherty expressed concern over evading the platting expense and establishment of easements, streets, etc., by continuing to divide the property. He questioned whether the Planning Commission should address the advisability of avoiding such occurrences by including measures as part of the Subdivision Regulations or TMAPC policy to ensure there is an adequate plat on larger properties.

Mr. Gardner informed that in this case the subject tract is already platted.

Mr. Jones supported establishing a regulatory procedure to ensure there are sufficient easements to lots created, such as reviewing access points.

Mr. Stump informed of a safeguard that state law provides where any time a new street is involved, property must be platted. He noted that this is just for those lots already having adequate street frontage, land area and with the Planning Commission added requirement that not more than three side lot lines be allowed, thereby requiring flag lots to come to the Planning Commission for a waiver.

Ms. Pace asked if the subject properties would have access and egress on South 69th East Avenue.

Mr. Jones replied in the affirmative.

### Applicant's Comments

Dr. Dan Danner, owner of the subject property, gave a detailed description of surrounding commercial properties. He described efforts to clean up the property from a bar operation to a second-in-the-nation hospital design services. Dr. Danner informed that this operation has lessened the traffic flow and he described the north-south ingress and egress common

parking lot in existence. He informed that the northern portion of the property is proposed for a low-traffic business office for alarm systems.

Mr. Boyle commented that this specific proposal is appropriate and he supports Staff recommendation; however, he cautioned against foreclosing the Planning Commission from changing its mind on other similar cases in the future, given the fact that there may be significant differences.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE** L-18026 as recommended by Staff.

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**REINSTATEMENT OF PRELIMINARY PLAT:**

Champions Athletic Training Center, Inc. (PUD-485)(2683)  
10800 S. Memorial Drive.

**(PD-26)(CD-8)**

Mr. Jones informed that John Moody was present representing the application. Mr. Jones informed that Staff supports the request for a one-year extension; however, he asked that the plat be taken before the Technical Advisory Committee (TAC) for review. He advised that some requirements from the original plat approval, April 21, 1993, have not been met. Mr. Jones expressed concern that because of development in the area, if the preliminary plat is reinstated as it is now, the TAC would be reviewing a draft final that they have not reviewed in approximately two years. He requested that the preliminary plat be reinstated and reviewed by TAC. Mr. Jones noted that the applicant should not have to pay another fee or appear before the Planning Commission for preliminary plat approval.

Applicant's Comments

Mr. Moody informed of conditions of the original plat, easement and access, resolved some time ago. He informed that the closing date is set for March 17 and he expressed concern that new conditions TAC may impose might cause a delay.

Mr. Jones noted that stormwater review is valid for only one year and new stormwater detention fees may need to be imposed or perhaps the sewer or water line may need to be extended, which is the reason this plat needs to be reviewed by the TAC.

There was discussion over whether the Planning Commission would have the opportunity to review additional conditions the TAC may impose. It was the consensus of the Planning Commission that if plat is reinstated, the plat will be submitted to the TAC for review and if additional conditions are imposed that Mr. Moody is concerned about, he will appear before the Planning Commission.

Mr. Moody expressed concern over timing, should the TAC impose new conditions, and informed the Planning Commission that he would resist any new conditions.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE REINSTATEMENT OF PRELIMINARY PLAT** with the understanding that the plat will be reviewed by the TAC for comment and possible additional conditions for TAC to recommend to the Planning Commission.

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

- |                                                               |                        |
|---------------------------------------------------------------|------------------------|
| <u>L-18000 Robert Traband (2283)</u>                          | <b>(PD-18)(CD-8)</b>   |
| Southeast corner of E. 91st St. S. & S. Yale Ave.             | CS                     |
| <u>L-18029 James Parker, Sr. (D. Kinard)(3602)</u>            | <b>(PD-2)(CD-1)</b>    |
| 504 E. Latimer Ct.                                            | RS-3                   |
| <u>L-18030 William &amp; Doris Howard (J. Hansmann)(1993)</u> | <b>(PD-18)(CD-5)</b>   |
| Northeast corner of E. 61st St. S. & U.S. Highway 169         | IL                     |
| <u>L-18031 Devco, Inc. (D. Roden)(1513)</u>                   | <b>(PD-15)(County)</b> |
| 5325 E. 96th St. N.                                           |                        |

**Staff Comments**

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations

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**OTHER BUSINESS:**

**PUD-202:** Detail Site Plan - Development Area H - east of the southeast corner of East 61st Street South and South 76th East Avenue

The applicant is proposing an 11,200 SF restaurant (Landry's Seafood House) on a lot which wraps around the existing QuikTrip store at the southeast corner of East 61st Street South and South 76th East Avenue. One hundred and sixty-five parking spaces are provided and 13.6% of the lot is in open space. The site plan complies with the PUD and landscape requirements, but Staff would recommend that three parking spaces which are entered directly from mutual access easement be eliminated for safety reasons. Their oblique angle relative to the mutual access easement makes seeing oncoming traffic quite difficult. With that change, Staff recommends **APPROVAL** of the Detail Site Plan.

Mr. Stump informed that the applicant has submitted a revised site plan which complies with changes in the parking arrangement as requested by Staff, and the applicant has increased open space to slightly over 20%.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE** PUD 202 **DETAIL SITE PLAN** as recommended by Staff.

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**PUD-516-1:** Minor Amendment - southeast corner of East 101st Street South and South Yale Ave - 101 Yale Village

The applicant is requesting a reallocation of land area to bring the development areas of the previously approved PUD into conformance with the approved preliminary plat. The proposed floor area does not change from the original.

**Statistical Summary:**

<u>Retail/Office</u>	<u>Net Area As Approved</u>	<u>Floor Area/DU's As Approved</u>	<u>Net Area Proposed</u>	<u>Floor Area/DU's Proposed</u>
Lot 18			1.2793 AC	15,308 SF
Lot 19			1.4363 AC	17,192 SF
<b>Dev. Area A:</b>	3.08 AC	*32,500 SF	2.7156 AC	*32,500 SF

\* Maximum 22,500 SF of retail floor area

**Office Park**

Lot 16			0.9615 AC	7,756 SF
Lot 17			1.2993 AC	10,494 SF
<b>Dev. Area B:</b>	1.70 AC	18,250 SF	2.2608 AC	18,250 SF

**Residential/Detention**

Lots 1-15				
<b>Dev. Area C:</b>	3.66 AC	15 DU's	3.4636 AC	15 DU's

Based on a reallocation and not an increase, Staff recommends **APPROVAL**.

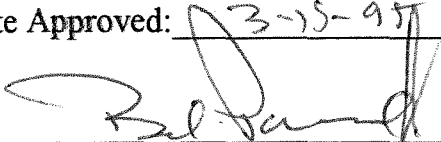
**TMAPC Action; 9 members present:**

On **MOTION of HORNER**, the TMAPC voted 9-0-0 (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Pace, Parmele, Taylor "aye"; no "nays"; no "abstentions"; Midget, Selph "absent") to **APPROVE** PUD 516-1 MINOR AMENDMENT as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 1:45 p.m.

Date Approved: 3-15-95  
  
\_\_\_\_\_  
Chairman

ATTEST:

  
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Secretary

