

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2008

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

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Carnes, 2nd Vice
Chairman
Doherty
Gray
Horner
Midget, Mayor's
Designee
Pace
Parmele
Chairman
Selph
Taylor
Wilson

Members Absent

Ballard

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, January 31, 1995 at 12:10 p.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 1:38 p.m.

Minutes:

Approval of the minutes of January 18, 1995, Meeting No. 2006:

On **MOTION** of, **CARNES** the TMAPC voted **7-0-1** (Carnes Doherty, Gray, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; Horner "abstaining"; Ballard, Midget, Pace "absent") to **APPROVE** the minutes of the meeting of January 18, 1995 Meeting No. 2006.

REPORTS:
Committee Reports:

Budget and Work Program Committee

Ms. Wilson reported that the Budget and Work Program Committee met today and unanimously approved the FY 96 budget.

TMAPC Action; 9 members present:

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Carnes, Doherty, Gray, Horner, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining" Ballard, Midget "absent") to **APPROVE** the FY 96 Tentative Budget.

Ms. Wilson informed that the Budget and Work Program Committee also reviewed the participants' evaluations of the January training workshop. It was decided that the two-hour format was well-received, as was holding the workshop on a Tuesday evening. Ms. Wilson advised that there was discussion on holding a Code Enforcement Workshop in April. Ms. Wilson circulated a form for each Planning Commissioner to indicate topics they would like presented at monthly training sessions for the Planning Commission.

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Comprehensive Plan Committee

Mr. Carnes informed that the Comprehensive Plan Committee met today to review the Capital Improvement Project (CIP) requests for FY 96, and found them to be in conformance with the Comprehensive Plan. He announced that this item will be on next week's agenda.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee met today to review the proposed Bed and Breakfast facilities amendments, at the request of the City Council, and to consider if they have the potential of becoming rooming and boarding houses in single-family zoned areas. He reported that after discussion, the Rules and Regulations Committee supported its previous recommendation and he will attend the Council Committee meeting February 7 to explain the review.

Mr. Doherty informed that at the request of Commissioner Selph, the Rules and Regulations Committee considered deleting ostriches from the Wild and Exotic Animal list regulated by the Tulsa County Zoning Code. He informed that Staff pointed out a subsequent amendment to the State Statutes classifying ostriches as farm animals, and the Rules and Regulations Committee voted unanimously to recommend that this item be set for public hearing.

Chairman Parmele instructed Staff to set this item for public hearing for February 22, 1995.

Mr. Doherty disclosed that amendments to the Rules of Procedure were also discussed, with the Committee voting by a split vote to recommend to the Planning Commission the inclusion of additional items to the Rules of Procedure relating to duties of the Chairman.

He suggested this be added to a subsequent agenda for the full Planning Commission to consider.

Mr. Doherty questioned whether it would be possible to include a form letter to be sent with building permits informing contractors of PUDs on the property and informing them that conditions are available for their review. He informed of receiving a phone call from a contractor expressing concern because he was into the process before knowing there was a PUD on the lot. Mr. Doherty questioned whether, while conducting a record search, a form letter could be included with the building permit. Mr. Doherty informed that this item can be discussed at the next Rules and Regulations Committee meeting.

Director's Report:

Mr. Gardner informed the Planning Commission of items to be heard by the City Council February 2.

SUBDIVISIONS:

CHANGE OF ACCESS ON RECORDED PLAT:

Stanley Commercial Center (1693)

(PD-6)(CD-7)

Northwest corner of East 31st Street South & South Pittsburg Avenue.

Staff Comments

Mr. Jones referred to a location map in the agenda depicting the existing access points to be vacated, as well as the proposed new access points. He informed that the access point on South Pittsburg is being moved south and the East 31st Street access is being moved approximately 10' to the east. Mr. Jones advised that Traffic Engineering has reviewed the change of access and recommends approval. He informed that Staff recommends **APPROVAL** subject to the plot plan as presented.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** the CHANGE OF ACCESS for Stanley Commercial Center as recommended by Staff.

FINAL APPROVAL AND RELEASE:

Memorial Crossing (PUD-378)(2683)

(PD-26)(CD-8)

Southwest corner of East 101st Street South & South Memorial Drive.

Chairman Parmele announced that there are interested parties present who have requested a continuance of this item.

Staff Comments

Mr. Jones informed that Staff has reviewed the plat and all necessary release letters have been received; therefore, Staff recommends **APPROVAL** of the final approval and release of Memorial Crossing. He informed that the Planning Commission reviewed this plat on a preliminary plat as Albertson's 2400. Mr. Jones advised that Jerry Ledford was present as the engineer representing Albertson's and that Jack Page and Cecil Cotner from the Department of Public Works were also present to answer questions the Planning Commission might have concerning stormwater.

Interested Parties

Jane Allingham, Planning District 26 Chair **10142 South 77th East Avenue 74133**

Ms. Allingham, resident of Bridle Trails Estate, requested a continuance to allow area residents the opportunity to meet with representatives of Public Works to explain why they would allow additional surface runoff into a flood zone instead of requiring the developer to install a detention pond. She informed that the Homeowners Association (HOA) has grave concerns about the adequacy of surface water drainage measures and would like additional information concerning lighting.

Jack Page, Department of Public Works

Mr. Page informed that he would be glad to meet with the HOA regarding the merits of this project. He explained why, in 1984, on-site detention was required, whereas with the proposed development on-site detention is not required, due to the modification of plans diverting water to the north away from the Bridle Trails Addition.

Chairman Parmele asked Legal Counsel, if the Planning Commission has any choice but to approve it, if the applicant has met all the conditions and Staff has reviewed the plat and found it to be in compliance with the conditions.

Mr. Linker informed that the Planning Commission always has discretion on a request for continuance; however, there is no discretion in approving a subdivision plat if it meets the subdivision regulations, and in this case the PUD requirements. He disclosed that the City Council has the same standard of approval; however, the Council can deny a subdivision plat on the basis of dedication, and they can refer the subdivision to the Planning Commission if they desire further hearing.

Mr. Midget noted that the Planning Commission requires that stormwater drainage requirements be met, but how they are met is not for the Planning Commission to decide. He then made a motion for a one-week continuance. Ms. Wilson seconded the motion.

Applicant's Comments

Mike Slate, real estate manager for Albertson's, informed of receiving the letter of request for continuance on January 30. He informed that he met with area residents on January 31 and presented a set of working plans for their review. Mr. Slate informed that there is property to west, which was planned for detention in the past; he agreed to not develop that area for the next several months and agreed to install detention rather than the fees-in-lieu-of, if that should be required.

Chairman Parmele suggested that the Planning Commission take action, since all conditions have been met, forward the application to the City Council and in the interim, the HOA meet with representatives from Public Works and Albertson's. This will not delay the applicant and will give area residents time to meet with representatives prior to the City Council hearing.

Jerry Ledford

Mr. Ledford, project Civil Engineer, informed that construction is ready to begin and this \$12 million project will be delayed if a continuance is granted.

Mr. Midget withdrew his request for continuance in light of Mr. Slate's agreement to install detention rather than fees-in-lieu-of, if required.

Mr. Jones informed that if this item is approved, it is anticipated to appear on the City Council agenda for February 8.

Gary Geppelt

10232 South 77th East Avenue

Mr. Geppelt, President of the HOA that abuts this property, informed that the original plans Albertson's presented to area residents have been extensively changed. Of primary concern was the effect of water runoff on Fry Ditch and the effect it may have on erosion. Mr. Geppelt requested a continuance to allow residents to meet with the developer and Public Works representatives in order to arrive at an agreeable solution for all parties.

There was discussion among the Planning Commission over whether there is the need to delay this project in order to protect the neighborhood.

Mr. Page presented an overhead depicting the subject tract and existing and proposed detention for the area. He explained in great detail how the stormwater will be diverted. He explained that if the developer took the water as it naturally drains to the southwest, they would still be required to have on-site detention; however, since they are diverting the flow they are not required to have on-site detention and are being allowed to pay a fee-in-lieu-of. Mr. Page declared that if during development it is determined there is inadequate design or that it will overflow existing systems and cause structures to become flooded, then detention facilities would be required. He explained that the policy is not to require detention unless there is an identified adverse impact, and at this time Public Works is unaware of any.

Mr. Page answered questions from the Planning Commission regarding detention and how it is determined whether on-site detention is needed on a project.

Alyne Eiland

7515 East 106th Street 74133

Ms. Eiland, Vice President of the Bridle Trails Neighborhood Association, reiterated concerns regarding flooding in the area, as well as erosion of the creek bank. She explained efforts made in the past to alleviate erosion problems which have plagued the area. Ms. Eiland reported that representatives from Albertson's met with area residents and they were responsive to homeowners' concerns regarding flooding and erosion. She informed that these representatives were in agreement to do what homeowners felt necessary, including agreeing to constructing two detention ponds on the site west of Memorial Crossing. Ms. Eiland expressed concern that the Public Works Department would recommend fees-in-lieu-of. She expressed concern that construction not begin until area residents' questions have been addressed and a review of the process has been conducted.

Responding to questions from the Planning Commission, Mr. Page informed that he can stop a building permit after it has been issued if something is not in accordance with the standards. He assured the Planning Commission that the erosion problem will be investigated, and the velocity problem will be addressed before this item goes to City Council. He agreed to meet with area residents to address their concerns.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** the Final Plat of Memorial Crossing and **RELEASE** same as having met all conditions of approval as recommended by Staff

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- L-17977 Mary Turvey (2092) (PD-9)(County)
3232 S. 49th W. Ave. AG
- L-18022 Joel Irvine (2782) (PD-22)(County)
3117 W. 111th St. S. AG
- L-18023 Kishor Meths (City of Tulsa)(2903) (PD-3)(CD-3)
2302 N. Harvard Ave. CS
- L-18024 QuikTrip Corporation (D. Frantz)(1994) (PD-5)(CD-5)
Southwest corner of E. 31st St. S. & Highway 169 CS

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; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD-525/Z-6473**
Applicant: Robert J. Nichols
Location: South of the southwest corner of East 53rd Street South & South Sheridan Road.
Date of Hearing: February 1, 1995

Present Zoning: RS-2
Proposed Zoning: RM-1/PUD

Chairman Parmele announced that the applicant has requested a continuance to February 15.

Lloyd Hobbs, District 18 Chair, expressed agreement with the request for continuance.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **CONTINUE** PUD-525/Z-6473 to February 15, 1995.

ZONING PUBLIC HEARING:

Application No.: **PUD-489**
Applicant: Joe E. Donelson
Location: West of the northwest corner of E. 71st Street South east of S. 101st East Ave.
Date of Hearing: February 1, 1995

Detail Site Plan Review

The applicant is requesting Site Plan approval for a portion of Lot 6 which includes "Home Place", "Ultimate Electronics" and an unidentified retail space.

Staff review shows that the plan as submitted conforms to parking, landscape, circulation, access and square footage standards.

Therefore, Staff recommends **APPROVAL**.

NOTE: - *This recommendation does not constitute signage or landscape approval. Landscape plans have not been submitted for the whole of Lot 6.*

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** PUD 489 **DETAIL SITE PLAN** as recommended by Staff.

Application No.: **PUD-512**
Applicant: Al McCreary & Associates
Location: Southwest corner of East 71st Street South & South Garnett Road.
Date of Hearing: February 1, 1995

Detail Site Plan Review

The applicant is requesting site plan approval for Git-n-Go.

Staff has reviewed the request and finds that the plan as submitted conforms to the setback, floor area, circulation, access, and parking requirements of the PUD.

Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, Selph, Taylor, Wilson "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** PUD 512 SITE PLAN REVIEW as recommended by Staff.

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OTHER BUSINESS:

Discussion regarding permitting new ground signs and/or trees along the south side of East 71st Street South east of South Memorial Drive and west of the Outback Steak House.

Staff Comments

Mr. Stump explained that this request is being made due to the widening of the south side of 71st Street and relocation of overhead power lines into the utility easements. He informed that Staff would like to coordinate this as best as possible to prevent erecting ground signs that later must be removed for relocation of power lines and that installation of trees not be required prior to occupancy, to prevent those trees from being damaged by moving power lines. Mr. Stump informed that the Public Works Department has declared a moratorium on signage in this area. He suggested that the Planning Commission instruct Paula Hubbard that, due to these unique circumstances, it is permissible with the Planning Commission to allow occupancy with all plantings installed except for trees along 71st Street, which will be installed once the widening is complete.

Chairman Parmele advised that the Planning Commission needs to review allowing signs within utility easements which are causing expense to the City to compensate the owners to relocate their signs during widening projects. He instructed Staff to inform Ms. Hubbard that occupancy will be allowed before trees are installed in this area.

Ms. Wilson informed that an item on the Budget and Work Program Committee is easement standards and they could discuss and evaluate how easements are being used. She informed that this can be addressed in the work program.

Mr. Stump advised that he will inform Ms. Hubbard that the Planning Commission has no objection to allowing conditional occupancy while work is being done in the area without the trees being installed to avoid damage to them.

There being no further business, the Chairman declared the meeting adjourned at 2:45 p.m.

Date Approved: 2-22-95



Chairman

ATTEST:



Secretary

