

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2011

Wednesday, February 22, 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
Midget, Mayor's
Designee
Pace
Selph
Taylor

Members Absent

Horner
Parmele

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, February 21, 1995 at 12:42 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:34 p.m.

Minutes:

Approval of the minutes of February 1, 1995, Meeting No. 2007 and February 8, 1995, Meeting No. 2008:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle Carnes, Doherty, Pace, Selph, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Gray, Horner, Midget, Parmele "absent") to **APPROVE** the minutes of the meeting of February 1, 1995, Meeting No. 2007 and February 8, 1995 Meeting No. 2008.

REPORTS:

Chairman's Report:

Chairman Carnes welcomed Gary Boyle to the Planning Commission.

Committee Reports:

Director's Report:

Mr. Gardner informed of items on the City Council agenda for February 23, 1995.

SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Boatmen's Bank I (PUD-206)(2283)

(PD-18)(CD-8)

South of the southwest corner of East 91st Street South & South Sheridan Road.

Staff Comments

Mr. Jones informed that all release letters have been received and Staff recommends **APPROVAL** subject to final language approval by the Legal Department of the Deed of Dedication Restrictive Covenants.

TMAPC Action; 7 members present:

On **MOTION** of **SELPH**, the TMAPC voted **7-0-0** (Boyle, Carnes, Doherty, Midget, Pace, Selph, Taylor, "aye"; no "nays"; no "abstentions"; Ballard, Gray, Horner, Parmele "absent") to **APPROVE** the Final Plat of Boatmen's Bank I and **RELEASE** same as having met all conditions of approval as recommended by Staff subject to final approval by the Legal Department.

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Braden Park (2283)

(PD-18)(CD-8)

Southeast corner of East 91st Street South & South Braden Avenue.

Staff Comments

Mr. Jones informed that Bill Lewis was in attendance representing the application. He informed that all release letters have been received; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the **FINAL PLAT** of Braden Park and **RELEASE** same as having met all conditions of approval as recommended by Staff.

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101 Yale Village (PUD-516)(2783)

(PD-26)(CD-8)

Southeast corner of East 101st Street South & South Yale Avenue.

Staff Comments

Mr. Jones announced that Ted Sack and Roy Johnsen were present representing the application. Mr. Jones informed that all release letters have been received, but noted that a minor amendment is pending on this tract, which is not scheduled to be heard until March 1. He advised that presently, without the minor amendment the subdivision plat does not meet Subdivision Regulations or the Zoning Code.

Applicant's Comments

Mr. Johnsen informed that the PUD was approved some time ago with a small area on the corner identified as retail/office. Subsequent to the establishment of the PUD, a contract was entered into to sell two tracts from the retail/office area. Mr. Johnsen explained that the arrangement of the line has been changed to meet requirements of the future owners for the parcels. He revealed that when the minor amendment is approved, this pending subdivision plat would meet both the Zoning Regulations and the Subdivision Regulations. Mr. Johnsen requested that this plat be given a conditional release to permit the signature process to go forward, but not be released to the developer to record the document until the minor amendment is approved, thereby streamlining the process by approximately one week.

Mr. Doherty asked Legal Counsel if the Planning Commission can take action making an approval contingent upon a minor amendment or streamline the process and bring it back for a final vote.

Mr. Linker advised that the Planning Commission can give conditional approval on a final plat. He advised having discussed this matter with Mr. Johnsen earlier and sees no problem with his proposal.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the FINAL PLAT of 101 Yale Village and **RELEASE** same as having met all conditions of approval as recommended by Staff and conditioned on approval of the minor amendment and directing Staff to sign the document and transmit it for other signatures and set for the City Council docket, but not release it until the minor amendment is approved.

PRELIMINARY PLAT:

Penix Place (3314)

(PD-15)(County)

East of the southeast corner of East 76th Street North and North 129th East Avenue

Jones presented the plat with Rohn Munn in attendance at the TAC meeting.

Considerable discussion was given to the 17.5' perimeter easement and if it could be reduced. It was the consensus of the TAC to require the 17.5' easement.

Rains stated that access point locations were acceptable.

Penix Place is a one-lot subdivision that contains 6.634 acres and is zoned *AG*. The Tulsa County Board of Adjustment approved children's day care use on December 20, 1994, subject to the plot plan submitted. Although the property is located in the unincorporated area of Tulsa County, the applicant is proposing to serve the subdivision with City of Owasso water and sewer service.

Staff would offer the following comments and/or recommendations:

1. City of Owasso release as to water and sewer service for the property.
2. The Tulsa County Zoning Code requires a 35' setback from the dedicated right-of-way. Since the plat shows 40', this would be voluntary.
3. Show "STREET RIGHT-OF-WAY DEDICATED BY THIS PLAT" on the face of the plat.
4. All conditions of Tulsa County Board of Adjustment case CBOA-1313 shall apply.
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 shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the City of Owasso prior to release of final plat. (Include language for W/S 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 drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.
9. Street names shall be approved by the 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 N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
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 plat as approved by the County Engineer. Include applicable language in covenants.
14. 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 plat release.)
15. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
16. 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.
17. The method of water supply and plans therefore shall be approved by the City/County Health Department.
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, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
22. This plat has been referred to the City of Owasso 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.

On the **MOTION** of **RAINS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat on Penix Place, subject to all conditions listed above.

TMAPC Action; 9 members present:

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

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Baldwin Acres (684)

(PD-18)(CD-8)

South of the southeast corner of East 61st Street South and South Mingo Road.

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

After discussion, it was determined to provide a 17.5' utility easement along Mingo Road and the applicant will work with the individual utility companies to determine additional perimeter easements.

French stated that access points were acceptable.

Baldwin Acres is a two-lot commercial subdivision that contains a total of 6.1 acres. The property is zoned *CO* (Corridor) and corridor site plan Z-5903-SP-1 is pending for approval. The site plan proposes three tracts (see site plan).

Staff would offer the following comments and/or recommendations:

1. All conditions of Corridor Site Plan Z-5903-SP-1 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat.
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 shall be tied to or related to property line and/or lot lines.
3. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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 & Sewer) prior to release of final plat.
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
11. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
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 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 plat release.)
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, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
19. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
20. This plat has been referred to 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.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of Baldwin Acres, subject to all conditions listed above.

TMAPC Comments

Mr. Doherty questioned the reason for a 17.5' utility easement around the entire perimeter.

Mr. Jones informed that this is the standard that utility companies request. He advised that this matter was discussed at length at the TAC meeting, and because Lot 2 is undeveloped, they thought it would be best to ask for the full 17.5' and work with property owners at a later date should they need to reduce the easement.

TMAPC Action; 9 members present:

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

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Richmond Hills II (PUD-88-B)(483)

(PD-18)(CD-8)

North of the northwest corner of East 71st Street South and South Richmond Avenue.

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

Somdecerff stated that the owner's name on the title and deed of dedication don't match.

Pierce requested an additional 5 and 5 feet utility easement between Lots 2 and 3 and a 10' utility easement along the north side of Lot 1.

Richmond Hills is a seven-lot residential single-family subdivision that contains 2.18 acres and is part of PUD-88-B. The plat was reviewed in 1991 and was given preliminary plat approval by the TMAPC on December 18, 1991 before it expired in 1992.

Staff would offer the following comments and/or recommendations:

1. Since the property is a replat, the applicant should satisfy himself that the Title 11, Oklahoma Statutes, 42-106 have been properly met.
2. It is recommended that the underlying plat be vacated in accordance with accepted procedures (not a requirement for release of this plat).
3. All conditions of PUD-88-B shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
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 shall be tied to or related to property line and/or lot lines.

5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
10. A topo map shall be submitted for review by TAC (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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
17. 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 plat release.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.

20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. 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.
24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of Richmond Hills II, subject to all conditions listed above.

TMAPC Action; 9 members present:

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

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QuikTrip #35 (1182)

(PD-8)(CD-2)

Southwest corner of West 71st Street South and U.S. Highway 75 (Beeline).

Jones presented the plat with several representatives of Tanner Engineering present at the TAC meeting.

Brown stated that a Board of Adjustment application was filed last week for the "land-locked" property.

Tanner stated that discussions are ongoing with the City Water Department and Creek Rural Water District #2. It is proposed to serve the building with a 2" service line and to extend a 10" main for fire protection only.

Herbert noted that a PFPI would be required for water drainage.

Changes in the deed of dedication and legal description were recommended.

Miller recommended that a relocation of the pipeline easement be kept out of the perimeter easement.

French noted that access appeared to be fine and that a median opening is anticipated along the west boundary.

This plat was reviewed by the TAC on December 1, 1994 and was recommended for **SKETCH PLAT** approval, subject to a number of conditions. The applicant has resubmitted for preliminary plat approval and has added an abutting "Lot 2" to the east. At the time of writing, no Board of Adjustment application had been filed to permit the property to the south to be "landlocked". No site plan has been submitted.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a 1"=30' scale.
2. Creek Rural Water District #2 approval for water use.
3. Board of Adjustment approval to allow the balance of the tract to have no frontage.
4. Show book/page information for all existing easements and rights-of-way.
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 shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).

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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
17. 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 plat release.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. The zoning application Z-6468 shall be approved and the ordinance or resolution therefor published before final plat is released. (Plat shall conform to the applicable zoning approved.)
24. This plat has been referred to Jenks and Sapulpa 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.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat for QuikTrip #35, subject to all conditions listed above.

Jones noted that this plat would not be transmitted to the TMAPC until after the rezoning ordinance and the Board of Adjustment variance are approved.

TMAPC Action; 9 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the **PRELIMINARY PLAT** of QuikTrip #35 as recommended by Staff and **WAIVER** of Subdivision Regulations to permit the plat to be drawn at a 1" = 30' scale.

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Valley Crossing (PUD-521)(784)

(PD-18)(CD-8)

Southwest corner of East 71st Street South and the Mingo Valley Expressway.

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

Sack indicated that the two existing buildings on Lot 4 will remain. Lot 4 will be platted into two separate lots.

Miller stated an existing gas line is along 71st Street.

Somdecerrff requested the corners for South 101st East Avenue have the correct radius. In addition, the reference to streets was omitted from Section I of the Deed of Dedication. Book and page shown for previous 71st Street dedication.

Herbert stated a PFPI would be required for stormwater drainage.

After discussion, it was recommended by French that Limits of No Access be shown on South 101st East Avenue for a 100' distance from East 71st Street South. Also, the curve on South 101st East Avenue be designated for 30 miles per hour. French added this would affect the lot size.

Miller requested a 17.5' utility easement along 71st Street.

Valley Crossing is a 26-acre commercial subdivision plat that is proposed to be developed under PUD-521 (pending). The plat proposes to close an existing street, South 103rd East Avenue, and relocate a street to the west.

Staff would offer the following comments and/or recommendations:

1. South 103rd East Avenue property be closed and the ordinance published.

2. Since the subdivision plat contains a replat, the applicant should assure himself that 11 O.S. 42-106 has been properly met.
3. A waiver of the Subdivision Regulations is required in order to permit the plat to be drawn at a scale of 1"=60'.
4. All conditions of PUD-521 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
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 shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.

17. 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 plat release.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. The zoning application Z-6469 shall be approved and the ordinance or resolution therefore published before final plat is released. (Plat shall conform to the applicable zoning approved.)
24. This plat has been referred to 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.
25. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
26. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the preliminary plat of Valley Crossing, subject to all conditions listed above. Jones reminded the applicant that the plat would not be transmitted to the TMAPC until the rezoning ordinance is published and South 103rd East Avenue is closed.

TMAPC Action; 9 members present:

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

Memorial Eagle Ridge Mini-Storage (PUD-529)(1483)

(PD-18)(CD-8)

North of the northwest corner of East 91st Street South and South Memorial Drive.

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

Jones explained that no perimeter easement was shown on the plat and that each utility would be contacted by the engineer to determine the amount needed.

Cotner requested that the development permit water drainage from the buildings to the middle of the development to prevent flooding of abutting properties. Sack stated he would try and design that into the project.

French reminded Sack that access would be right-turn only onto South Memorial Drive.

Somdecerrff requested that the book and page for the existing Memorial right-of-way be shown on the face of the plat.

French stated that the City Legal Department may add language to the limits of no access wording on the deed of dedication.

Miller asked Sack to review the legal description to make sure it does not conflict with the legal for abutting ONG property.

This plat contains 3.38 acres in one lot and block and is under the control of PUD-529. The TMAPC approved the PUD on December 14, 1994 with City Council action pending. This request for preliminary plat approval will not be forwarded to the TMAPC until the rezoning ordinance is published.

Staff would offer the following comments and/or recommendations:

1. All conditions of PUD-529 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
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 shall be tied to or related to property line and/or lot lines.
3. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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 & Sewer) prior to release of final plat.

6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
11. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
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 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 plat release.)
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, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
19. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
20. The zoning application Z-6475 shall be approved and the ordinance or resolution therefore published before final plat is released. (Plat shall conform to the applicable zoning approved.)

21. This plat has been referred to 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.
22. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
23. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee recommended **APPROVAL** of the Preliminary Plat of Memorial Eagle Ridge Mini-Storage, subject to all conditions listed above.

Jones reminded Sack that the plat would not be transmitted to the TMAPC until the rezoning ordinance was published and notice to abutting property owners had been given.

TMAPC Action; 9 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the PRELIMINARY PLAT of Memorial Eagle Ridge Mini-Storage as recommended by Staff.

* * * * *

PLAT WAIVER, SECTION 213:

Z-6455 (Huffman Heights Addition)(3503)

(PD-16)(CD-3)

6914 East Pine Street

Jones presented that application with Dan Downey and Jerome Lamers in attendance at the TAC meeting.

Herbert stated that drainage must go to East Pine Street or East 69th Street and away from the abutting residential district.

The applicant provided an original plat of survey that shows 50' of right-of-way for Pine Street, meeting the Major Street Plan.

Z-6455 approved *CG* zoning on a 60' X 153' lot in September 1994. The applicant is now requesting a plat waiver to permit an addition to an existing warehouse and business. Staff has no objection to the request since the property is platted and less than 2.5 acres in size. In addition, there is an existing Board of Adjustment application pending for this property which if approved, will be per site plan submitted.

Staff recommends **APPROVAL** of the plat waiver for Z-6455 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.

On the **MOTION** of **HERBERT**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for Z-6455, subject to all conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the **PLAT WAIVER** for Z-6455 as recommended by Staff.

* * * * *

Z-6464 (Unplatted)(2993)
2511 East 51st Street South

(PD-18)(CD-6)

Jones presented the application with Sharon Strauss in attendance at the TAC meeting.

Jones told the TAC that the applicant had provided a book and page to satisfy condition 1, but he had not had an opportunity to obtain a copy.

Z-6464 rezoned a 0.3982 acre tract located on the north side of East 51st Street South from *RM-2* to *OM*. As the attached site plan will show, the request is to remodel an existing structure to permit a chiropractic clinic. Since the tract is for the most part developed and less than 2.5 acres in size, Staff is supportive of the plat waiver request subject to the following conditions.

1. Dedication of additional right-of-way for East 51st Street South to meet the Major Street Plan.
2. Access control agreement approved by the Department of Public Works and filed of record.
3. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
4. Utility extensions and/or easements if needed.
5. The applicant should assure herself that the development will meet off-street parking requirements if additional right-of-way is dedicated.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver for Z-6464, subject to all conditions listed above.

Staff Comments

Mr. Jones informed that the applicant has provided documents confirming that 51st Street has the full 50' of right-of-way required and an access control agreement has been executed, thereby addressing conditions # 1 and 2.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** the **PLAT WAIVER** for Z-6464 as recommended by Staff.

* * * * *

CHANGE OF ACCESS ON RECORDED PLAT:

El Paseo (1283)

(PD-18)(CD-8)

East of the southeast corner of East 71st Street South & South Memorial Drive.

Mr. Jones referred to a location map depicting the existing and new access points to be modified. He informed that Traffic Engineering has signed off on the access change; therefore, Staff recommends **APPROVAL** of the access change as presented.

TMAPC Action; 9 members present:

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

* * * * *

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-18021 Raymond Lomax (2873)
16312 S. Yale Ave.

(PD-20)(County)
AG

L-18025 Glen Taylor (M. Purnell)(2402)
2620 N. Madison Ave.

(PD-2)(CD-3)
IM

L-18028 Peter Walter (S. Schuller)(1993)
1319 E. 35th St.

(PD-6)(CD-9)
OL/PK

Staff Recommendation

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

CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD-525/Z-6473**

Present Zoning: RS-2

Applicant: Robert J. Nichols

Proposed Zoning: RM-1/PUD

Location: South of the southwest corner of East 53rd Street South & South Sheridan Road.

Date of Hearing: February 22, 1995

Presentation to TMAPC: Robert J. Nichols

The applicant's revised PUD proposal is for a townhouse development of 16 units on the 2.1 acre tract.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds revised PUD-525 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD-525 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. **Development Standards:**

Land Area (Gross):	111,486 SF
(Net):	91,686 SF
Permitted Uses:	Use Unit 7a
Maximum Dwelling Units:	16
Maximum Building Height:	35'
Minimum Livability Space in PUD:	40,000 SF
Minimum Building Setbacks	
From centerline of Sheridan Road:	85'
From north boundary of PUD:	160'
From south boundary of PUD:	20'
From west boundary of PUD:	20'
Minimum Lot Area for Each Townhouse:	1,200 SF

Signs:

One sign is permitted in the PUD, which shall be at the Sheridan Road entrance and shall not exceed 4' in height nor 32 SF of display surface area.

3. The townhouses shall be oriented to minimize the number of units which have windows above the first floor which face west.
4. Primary access to the PUD shall be from Sheridan Road.
5. A screening fence shall be provided along the west boundary of the PUD south of the drainage easement.
6. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. A Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
8. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
9. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
10. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 8 feet.

11. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
12. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

and

Z-6473: South of the southwest corner of 53rd Street S. & S. Sheridan Road

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity - Residential.

According to the Zoning Matrix the requested RM-1 may be found in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 2.57 acres in size. The tract is partially wooded and slopes north to a creek which bisects the north portion of the property; there is a single-family dwelling on the south end of the property, and the property is zoned RS-2. The area north of 54th Street South is within the 100-year floodplain.

Surrounding Area Analysis: The subject tract is abutted on the north by and west by single-family dwellings, zoned RS-2; to the east across S. Sheridan by single-family dwellings, zoned RS-3; and to the south by vacant property zoned RM-T and single-family dwellings, zoned RS-2 are south of the RM-T zoned tract.

Zoning and BOA Historical Summary: RM-T zoning has been granted on the property abutting the subject tract to the south and OL zoning was granted northeast of the tract across Sheridan Road. A request to rezone the property from RS-2 to RM-1 and PUD for office use was denied in 1985 and a request to rezone the property from RS-2 to RM-T zoning was denied in 1986 and again in 1987.

Conclusion: Although the requested RM-1 zoning is a "may be found" in accordance with the Comprehensive Plan, the existing land use and physical facts do not support the requested zoning. This case is submitted with a revised companion PUD which proposes to spread townhouse uses across the entire tract which has an east/west depth of approximately 234 feet. The 16 dwelling units proposed in the PUD could be permitted if the property were zoned RS-4, rather than RM-1. Therefore, the Staff recommends **DENIAL** of Z-6473 for RM-1 zoning and **APPROVAL** of RS-4 zoning.

Staff Comments

Mr. Gardner informed that interested parties have requested a continuance to March 1, 1995.

Applicant's Comments

Mr. Nichols requested that the request for continuance be denied since two continuances have already been granted.

Interested Parties

Lloyd Hobbs

5846 South Hudson Place 74135

District 18 Planning Team Chair

Mr. Hobbs informed that Stormwater Management is currently obtaining appraisals on the subject tract and will not have the final figures until the end of March; therefore, he asked for a continuance to April 12.

Responding to a question from Mr. Doherty, Mr. Hobbs advised that the land will be more expensive for the City to acquire if the requested zoning is approved.

Responding to a question from Mr. Doherty, Mr. Linker advised that the Planning Commission should not take action in order to control pricing.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **DENY** the request for **CONTINUANCE**..

Mr. Gardner presented the Staff recommendation and answered questions regarding townhouse platting.

Applicant's Comments

Mr. Nichols presented a rendering of the proposed project. He noted that RT zoning currently exists on the tract immediately south of the subject tract. Mr. Nichols requested that RT zoning be granted and noted that as long as the PUD is in place the same result is achieved on this tract as permitted under RS-4 zoning.

Mr. Stump explained that if the PUD were to be abandoned and it were zoned RT more units than the 16 permitted under RS-4 would be allowed as a matter of right. Staff's intent was to use the underlying zoning as a cap on density. Mr. Stump disclosed that if the applicant desires only 16 units, RS-4 allows them the density of development they have requested; however, RT zoning potentially could allow more units.

Interested Parties

Mike & Lisa Friedemann
Glenn Solomon
Charles Small
Harold Bockelken
Jack Hamilton
Norman Ryser
James Lamb
Lloyd Hobbs

5320 South Sheridan 74145
6410 East 53rd Street 74135
5908 South 68th East Avenue 74145
5411 South Oxford 74135
5425 South Oxford 74135
5917 East 54th Street 74135
5435 South Oxford 74135
5846 South Hudson Place 74135

The above-listed individuals were opposed to rezoning the subject property and made the following comments:

Residences in the surrounding area are all single-family, detached dwellings, lot sizes are $\frac{1}{4}$ of an acre or larger, the majority of the residences are owner-occupied with no building heights in excess of 25'. In contrast, the proposed development is single-family, according to the zoning; it has two common-wall eight-unit buildings; density would be $\frac{1}{8}$ of an acre per unit, with the maximum allowable height of 35'.

Residents are not opposed to developing the subject tract; however, they would encourage construction in harmony with existing residents in the area, and the proposed development does not.

Area residents believe that the proposal would be a case of spot zoning.

Concern was expressed over the proposed development adding to existing traffic congestion in the area.

Flooding problems in the area were addressed and residents expressed concern over the development adding to the existing flooding.

Some residents expressed support of utilizing the subject tract for a detention pond as recommended in the *Little Joe Creek Stormwater Management Report*.

Residents expressed concern over the detrimental effect the proposed development may have on property values.

Residents pointed out that this tract has been refused rezoning several times in the past and questioned why its owners continue to make new applications.

Some residents believe that the most appropriate use for the property would be for a cul-de-sac from 54th Street with four homes lying across Sheridan and on both sides of the east and west sides of Sheridan at 56th Place and 58th Place. Such a plan would mean there would be no traffic entering or exiting onto Sheridan with water runoff flowing down 54th Street, bypassing the major flood-prone area to the north.

One resident declared that the only compromise acceptable would be for RS-3 zoning if the Planning Commission does not deem RS-2 zoning to be feasible.

Residents were concerned that the City may have to pay a substantial sum of money for this tract of land designated as a detention pond site, and declared that now is not the time to consider changes in zoning.

One resident asked that the Planning Commission consider the over 200 letters of protest when considering this application.

One resident revealed promises made by officials in the past that with citizen involvement that spot zoning would not be permitted in this area and flooding would be controlled.

Applicant's Rebuttal

Mr. Nichols advised that this application is in accord with the Comprehensive Plan and requested that the Planning Commission approve the application.

Commissioner Selph asked the applicant to address suggestions for RS-3 zoning.

Mr. Nichols informed that RS-3 would have been acceptable 25 years ago. He noted that to suggest single-family homes would allow four or five lots, three of which would probably have to be discounted and would not be practical or economically feasible.

Ms. Gray noted that the plat presented appears to have been drawn to accommodate potential flooding, whereas construction of single-family homes would place them in the floodplain.

Mr. Nichols acknowledged that it would be more difficult to develop a plan for single-family homes and not infringe upon the floodplain in some matter.

In response to inquiry from Mr. Boyle regarding increased traffic from the proposed development, Mr. Nichols informed that Sheridan is a secondary arterial and only sixteen more residences is what the applicant is proposing. He noted that under RS-3 zoning the maximum number of units would be eight; therefore, only eight additional units would be affecting the traffic flow, which is an insignificant amount.

There was discussion among the Planning Commission regarding density with the various types of zoning proposed and detention for the area.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 6-2-1 (Boyle, Carnes, Doherty, Gray, Midget, Pace, "aye"; Ballard, Selph "nays"; Taylor "abstaining"; Horner, Parmele "absent") to recommend **APPROVAL** of Z-6473 for RS-4 zoning as recommended by Staff and PUD 525 as recommended by Staff.

LEGAL DESCRIPTION

Beginning at a point 759' North of the Southeast corner of the NE/4 of Section 34, T-19-N, R-13-E, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof; thence North 396' to a point, 165' South of the Southeast corner of the NE/4, NE/4; thence West 281.53'; thence South 396'; thence East 281.53' to the Point of Beginning, all in Section 34, T-19-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, containing 2.57 acres, more or less and located at 5346 South Sheridan Avenue, Tulsa, Oklahoma.

* * * * *

ZONING PUBLIC HEARING:

Public Hearing to consider amending Section 1703.E of the City of Tulsa Zoning Code and Section 1730.5 of the Tulsa County Zoning Code to increase fees for publishing zoning amendment ordinances and resolutions.

TULSA COUNTY ZONING CODE

SECTION 1640. FEES

An application for an appeal from the County Inspector or any variance or special exception shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of the Board of County Commissioners of Tulsa County, Oklahoma.

1730.5 County Commission Action on Zoning Map Amendments

The County Commission shall hold a hearing on each application transmitted from the Planning Commission and on any proposed Zoning Map amendment initiated pursuant to Section 1730.2. The County Commission shall approve the application as submitted, or as amended, or approve the application subject to modification, or deny the application. Prior to the hearing on the proposed rezoning ordinance before the County Commission, the applicant shall remit to the office of the County Clerk a ~~\$50~~ **publication fee, said fee shall be in accordance with the schedule of fees adopted by resolution of the Board of County Commissioners.** In case of a written protest against any proposed change, signed by the owners of 20% or more of the area of land in such proposed change, or by the owners of 20% or more of the frontage within 1,000 feet to the right or left of the frontage proposed to be changed, or by the owners of 20% or more of the frontage directly opposite the frontage proposed to be changed, or in cases where the land affected lies within one and one-half miles of the limits of a municipality having a zoning ordinance, by the governing body of such municipality filed with the Commission, such amendment or change may not be made except by the unanimous favorable vote of all members of the Board of County Commissioners.

or

Prior to the hearing on the proposed rezoning ordinance before the County Commission, the applicant shall remit to the office of the County Clerk a \$75.00 publication fee.

CITY OF TULSA ZONING CODE

Section 1703

E. City Commission Action on Zoning Map Amendments

The City ~~Commission~~ Council shall hold a hearing on each application transmitted from the Planning Commission and on any proposed Zoning Map amendment initiated pursuant to Section 1703.B. The City ~~Commission~~ Council shall approve the application as submitted, or as amended, or approve the application subject to modification, or deny the application. Prior to the hearing on the proposed rezoning ordinance before the City Council, the applicant shall remit to the office of the City Clerk a publication fee said fee shall be in accordance with the schedule of fees adopted by resolution of the City Council of the City of Tulsa. In case of a protest against such zoning change filed at least three days prior to said public hearing by the owners of 20% or more of the area of the lots included in such proposed change, or by the owners of 50% or more of the area of the lots **within a 300' radius of the exterior boundary of the territory included in a proposed change**~~immediately abutting any side of the territory included in such proposed change, or separated therefrom only by an alley or street less than 300 feet wide~~, such amendment shall not become effective except by the favorable vote of **three-fourths** of all the members of the City Council.

or

Prior to the hearing on the proposed rezoning ordinance before the City Council, the applicant shall remit to the office of the City Clerk a \$100.00 publication fee.

Staff Comments

Mr. Gardner informed that this public hearing is to consider amending the Zoning Code as it relates to the amount of fees required to publish either a Zoning Ordinance or the County Zoning Resolution. He noted that the Legal Department has pointed out additional changes that must be made in the City's portion of this amendment; therefore, Staff would recommend that at the conclusion of this public hearing the County Zoning Code be amended and sent forward. He suggested the decision on how to handle fees for the City be determined and the balance of the public hearing be continued to March 15. Mr. Gardner explained the portion which cannot be changed.

It was the consensus of the Planning Commission to allow the City officials to establish the fees and therefore decided that fees be adopted by resolution.

TMAPC Action; 8 members present:

On **MOTION** of, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele, Selph "absent") to **CONTINUE AMENDMENT** of the City Zoning Code to March 15, 1995, adopt fees by resolution of the City Council and recommend **APPROVAL** of the County Zoning Code as recommended by Staff as follows:

TULSA COUNTY ZONING CODE

SECTION 1640. FEES

An application for an appeal from the County Inspector or any variance or special exception shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of the Board of County Commissioners of Tulsa County, Oklahoma.

1730.5 County Commission Action on Zoning Map Amendments

The County Commission shall hold a hearing on each application transmitted from the Planning Commission and on any proposed Zoning Map amendment initiated pursuant to Section 1730.2. The County Commission shall approve the application as submitted, or as amended, or approve the application subject to modification, or deny the application. Prior to the hearing on the proposed rezoning ordinance before the County Commission, the applicant shall remit to the office of the County Clerk a publication fee, said fee shall be in accordance with the schedule of fees adopted by resolution of the Board of County Commissioners. In case of a written protest against any proposed change, signed by the owners of 20% or more of the area of land in such proposed change, or by the owners of 20% or more of the frontage within 1,000 feet to the right or left of the frontage proposed to be changed, or by the owners of 20% or more of the frontage directly opposite the frontage proposed to be changed, or in cases where the land affected lies within one and one-half miles of the limits of a municipality having a zoning ordinance, by the governing body of such municipality filed with the Commission, such amendment or change may not be made except by the unanimous favorable vote of all members of the Board of County Commissioners.

* * * * *

Public Hearing - amendment of Wild and Exotic Animals provision of the Tulsa County Zoning Code to remove certain animals from this listing.

Wild or Exotic Animals, as regulated by this Code, are:

Primates: Any non-human primate

Carnivore: Non-domestic flesh-eating mammals

~~Struthioformes: Only ostriches and cassowaries~~

Venomous Reptiles: Venomous snakes and lizards

Non-Venomous Reptiles: Those reaching 8 feet or more in length and/or weighing 40 pounds or more at maturity.

Staff Comments

Mr. Gardner announced that Staff recommends deleting references to Struthioformes from the list of Wild or Exotic Animals since the State Statutes have been changed to reflect these animals as domestic animals. He reported on conversation with the Tulsa Zoo Director who advised more experience has been acquired in the raising of ostriches and cassowaries in the state. Mr. Gardner informed that the director did caution that these animals do need to be properly fenced and cared for; however, he saw no reason not to remove them from the list.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele, Selph "absent") to recommend **APPROVAL** of deleting *Struthioformes: Only ostriches and cassowaries* from the list of Wild or Exotic Animals as recommended by Staff

Application No.: **PUD-260-B-3**
Applicant: McDonald's/Bruce Anderson
Location: 7103 South Yale Avenue
Date of Hearing: February 22, 1995

Minor Amendment
Lot 1, Block 1, Hyde Park 2nd Addition

The applicant is requesting an increase to the maximum allowable wall signage for McDonald's. The requested increase is from 1 SF per linear foot to 1½ SF per linear foot.

Staff has reviewed the request and finds that the original PUD was approved in 1981. Since that time, the allowed intensity of use has been increased through major amendments. Previous minor amendments have been approved which increased the height and area of allowed ground signs. Staff recommended approval at that time based on the changes in use and similarities with signage in the surrounding area, located in more recently approved projects.

The increase from 1 SF/LF to 1½ SF/LF is consistent with the more moderately-signed PUDs in the City.

Based on the above, Staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to **APPROVE** 260-B-3 **MINOR AMENDMENT** as recommended by Staff.

Application No.: **PUD-261-C**

Applicant: Darin Frantz

Location: East of the northeast corner of East 71st Street South & South Riverside Drive.

Date of Hearing: February 22, 1995

Presentation to TMAPC:

Major Amendment

The applicant is proposing to add Use Unit 13 and to alter the sign requirements for a portion of Development Area B of PUD-261-A. Development Area B currently allows uses permitted in the *OM* district and Use Unit 12 uses. Use Unit 12 uses are limited to 16,000 SF of building floor area and no more than 85,975 SF of total building floor area is permitted in Development Area B. A 0.6965 acre tract at the northwest side of Development Area B is not included in PUD-261-C. Development Area B currently requires 18% of the net area to be landscaped open space.

The applicant is proposing to increase the size and height of the one pole sign permitted from 20' and 120 SF to 22' and 140 SF. The two monument signs presently allowed at public street entrances to Development Area B are proposed to be deleted.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD-261-C to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD-261-C subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
2. **Development Standards:**

PUD Land Area (Net): 3.879 acres

Lot 1:

Land Area (Net):	1.773 acres
Permitted Uses:	Use Units 10 and 11
Maximum Building Floor Area:	38,713 SF
Maximum Stories:	4
Maximum Height:	56'
Minimum Landscaped Open Space:	18% of lot
Minimum Building Setbacks	
From Development Area C boundary:	50'
From other lot boundaries:	10'

Minimum Off-Street Parking:	As required for the applicable Use Unit by the Tulsa Zoning Code
Maximum Number of Ground Signs*:	1
Maximum Wall Signage:	none

** The ground sign shall be of a monument style no greater than 4' in height and containing no more than 48 SF of display surface area.*

Lot 2:

Land Area (Net):	0.841 acres
Permitted Uses:	Use Units 10, 11, 12 and 13
Maximum Building Floor Area:	5,000 SF
Minimum Landscaped Open Space:	18% of lot
Minimum Building Setbacks	
From centerline of 71st Street:	110'
From other lot boundaries:	10'
Minimum Off-Street Parking:	As required for the applicable Use Unit by the Tulsa Zoning Code
Maximum Number of Access Points onto 71st Street:	1

Lot 3:

Land Area (Net):	1.256 acres
Permitted Uses:	Use Units 10, 11, 12 and 13
Maximum Building Floor Area:	5,000 SF
Minimum Landscaped Open Space:	18% of lot
Minimum Building Setbacks	
From centerline of 71st Street:	110'
From Development Area C boundary:	30'
From other lot boundaries:	10'
Minimum Off-Street Parking:	As required for the applicable Use Unit by the Tulsa Zoning Code
Maximum Number of Access Points onto 71st Street:	1*

** Does not include the private street at the boundary between Development Areas B and C.*

3. Within Lots 2 and 3, a wall sign shall not exceed 1½ SF per linear foot of building wall to which it is attached. Also, only one ground sign shall be permitted in the area encompassed by Lots 2 and 3. This sign may be shared by the businesses on Lots 2 and 3. It shall not exceed 22' in height nor 140 SF in display surface area.
4. Mutual access shall be provided between Lots 2 and 3.
5. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and

required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

6. A Detail Landscape Plan for each development area shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for that development area prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
7. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
8. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
9. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
10. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants.
11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to recommend **APPROVAL** of PUD 261-C MAJOR AMENDMENT as recommended by Staff.

LEGAL DESCRIPTION

Lot 7, Section 6, T-18-N, R-13-E, Tulsa County, Oklahoma, being more particularly described as follows, to wit: starting at the Southwest corner of said Lot 7; thence North 89°25'55" East along the Southerly line of Lot 7 for 600.00' to the Point of Beginning of said tract of land; thence continuing North 89°25'55" East along said southerly line for 442.85'; thence North 0°24'39" West for 104.94' to a point of curve; thence Northerly and Northwesterly along a curve to the left with a central angle of 44°35'21" and a radius of 146.34', for 113.89' to a point of tangency; thence 45°00'00" West along said tangency for 452.88' to the most Easterly corner of Lot 1, Block 1 of River Wood Office Park, an Addition to the City of Tulsa, Tulsa County,

Oklahoma; thence South 45°00'00" West along the Southerly line of said Lot 1 for 394.53' to the most Southerly corner of said Lot 1; thence due South a parallel to the Westerly line of Lot 7 in Section 6, T-18-N, R-13-E, for 55.00'; thence 89°25'55" East for 200.00'; thence due South for 200.00' to the Point of Beginning of said tract of land, less and except the South 60.00' thereof, and located East of the northeast corner of East 71st Street South and South Peoria Avenue, Tulsa, Oklahoma.

* * * * *

Application No.: **Z-6078-SP-2**

Applicant: Connie Baldwin

Location: North of the northwest corner of East 66th Street South and South 101st East Avenue.

Date of Hearing: February 22, 1995

Presentation to TMAPC: Mae Baldwin

The applicant is requesting approval of a corridor site plan for a single mobile home on a 2.7 acre tract on 101st East Avenue. An earlier request for a skating facility on this tract was not approved by TMAPC. This appears to be an interim use for the tract until the area transitions to non-residential uses. There are no other mobile homes in the immediate area, but because the area is in transition, Staff can support the use. Therefore, Staff recommends **APPROVAL** of Z-6078-SP-2.

Interested Parties

Mae Bowes

6404 South 101 East Avenue 74133

Ms. Bowes, who resides north of the subject property, expressed opposition to having a mobile home placed on the subject property since it is zoned corridor. She explained that in 1985 area residents jointly paid for the rezoning of this property. Ms. Bowes noted that the property would use septic tank and she was concerned over the ability of the land to accommodate septic use. She was also concerned over the negative effect a mobile home may have on the value of the surrounding properties.

Responding to inquiry from Ms. Gray, Mr. Stump advised that septic tank would have to be approved by the City/County Health Department.

Responding to questions from Mr. Boyle, Mr. Stump explained why it is expected that the existing houses will eventually be removed and the area will become more compatible for mobile home use.

Applicant's Comments

Connie Baldwin

8609 South 74 East Avenue 74133

Ms. Baldwin explained that she purchased the property anticipating to rezone the tract commercial; however, commercial zoning was denied. She now wants to place a mobile home on the property for her daughter to live in until the area makes the transition to commercial use.

Mr. Midget expressed concern over allowing mobile home use until the area becomes commercial. He also was concerned that a mobile home might compromise the integrity of existing neighborhoods and suggested imposing a time limit for the mobile home use.

TMAPC Action; 9 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to recommend **APPROVAL** of **CORRIDOR SITE PLAN** for Z-6078-SP-2 as recommended by Staff with skirting and tie-downs and Health Department approval for the mobile home required.

LEGAL DESCRIPTION

South 47' of Lot 4, all of Lot 5, except the East 150' of the South 105' thereof, Block 7, Union Gardens Addition, and located at 6325 South 101st East Avenue, Tulsa, Oklahoma.

* * * * *

Application No.: **Z-6479**
Applicant **Kevin C. Coutant**
Location: Northwest corner of East Admiral Boulevard. & I-244.
Date of Hearing: February 22, 1995

Present Zoning: **RS-3**
Proposed Zoning: **CS**

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity - Commercial.

According to the Zoning Matrix the requested CS is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately two-tenths of an acre in size. It is non-wooded, gently sloping, vacant, and zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by commercial businesses, zoned CH; to the west by single-family homes, zoned CS; and to the southeast by the interstate highway, I-244, zoned RS-3.

Zoning and BOA Historical Summary: This area is developed primarily as commercial.

Conclusion: Based on the Comprehensive Plan and the existing development patterns in this area, Staff can support the requested CS zoning. Therefore, Staff recommends **APPROVAL** of CS zoning for Z-6479.

Interested Parties

Mark Cohen

K-MART, 5305 East Admiral Place 74115

Mr. Cohen, who manages the K-MART store across the street from the subject property, expressed concern that the proposed transmission tower will interfere with transmission wires within his store used for computers, cash registers, etc.

Mr. Doherty assured Mr. Cohen that the amount of power used in a celluer tower site is below that used in a C.B. radio, and he anticipates that it should cause no interference to the store.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Selph, Taylor "aye"; no "nays"; no "abstentions"; Horner, Parmele "absent") to recommend **APPROVAL** of CS zoning for Z-6479 as recommended by Staff.

LEGAL DESCRIPTION

Lots 11 and 12, Block 32, White City Addition to the City of Tulsa, Tulsa County, State of Oklahoma, less I-244 right-of-way.

* * * * *

OTHER BUSINESS:

Request to close right-of-way along the north side of Pine between Memorial and Mingo (Twenty First Properties, Inc.)

Staff Comments

Mr. Gardner informed that it cannot be determined why 80' of right-of-way was taken from this property, and the applicant is requesting that the north 30' be vacated, which Staff supports.

TMAPC Action; 8 members present:

On **MOTION** of **PACE**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Taylor, "aye"; no "nays"; no "abstentions"; Horner, Parmele, Selph "absent") to recommend **CLOSING** of right-of-way along the north side of Pine between Memorial and Mingo (Twenty First Properties, Inc.) as recommended by Staff.

* * * * *


Rules and Regulations Committee

Mr. Doherty noted that there is a regional conference in Branson, Missouri, March 8 - 10, that some of Commissioners may be interested in attending. He noted that with two of the Planning Commissioners not attending the Toronto conference, there appears to be funding for the option of attending this conference.

Ms. Ballard informed that she would like to attend that conference.

Mr. Carnes authorized Planning Commissioners to attend the Branson conference with any remaining travel budget funds available.

There being no further business, the Chairman declared the meeting adjourned at 4:00 p.m.

Date Approved: 3-8-95


Chairman

ATTEST:



Secretary
135 VICK

