

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2107

Wednesday, April 2, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

### Members Present

Ballard  
Carnes, Chairman  
Doherty, 1st Vice Chairman  
Gray  
Ledford  
Pace  
Westervelt, Secretary

### Members Absent

Boyle  
Dick  
Horner  
Midget

### Staff Present

Almy  
Gardner  
Jones  
Stump

### Others Present

Romig, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Thursday, March 27, 1997 at 2:28 p.m., in the office of the County Clerk at 2:25 p.m., as well as in the Reception Area of the INCOG offices at 2:30 p.m.

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

## Minutes:

### Approval of the minutes of March 19, 1997, Meeting No. 2105:

On **MOTION** of **BALLARD**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Horner, Midget "absent") to **APPROVE** the minutes of the meeting of March 19, 1997 Meeting No. 2105.

\*\*\*\*\*

**REPORTS:**

**Committee Reports:**

**Budget and Work Program Committee**

Chairman Carnes informed the Commission that the Budget and Work Program Committee will meet today in Room 1103 immediately following the TMAPC meeting. Chairman Carnes asked that all Commissioners attend.

**Rules and Regulations Committee**

Mr. Doherty stated the City Council Legislative Committee met yesterday afternoon to finalize the regulation of communication towers. He stated the ordinance is scheduled for second reading at the April 3, 1997 City Council meeting.

Mr. Doherty stated he will attend the City Council meeting to answer any questions in regard to the regulation of communication towers.

**SUBDIVISIONS:**

**Lot-Split Ratification of Prior Approval:**

- L-18396 Billy Walker** (3384) 13305 South 139th East Avenue (PD-19) (County)
- L-18414 Rita Schluneger** (194) 177th East Avenue and 11th Street (PD-17) (CD-6)
- L-18434 Donald Black** (974) 13625 South 129th East Avenue (PD-19) (County)
- L-18435 Southland Association** (2793) 5524 East 41st Street (PD-6) (CD-7)
- L-18437 Transtrak Inc** (1592) 2700 West 21st Street (PD-7) (County)
- L-18440 Pine & Mingo Inc** (3603) Southwest corner Pine and Mingo (PD-16) (CD-3)
- L-18441 A.G. Miller** (1763) Northwest corner So. 211th St. & Harvard (PD-21) (County)
- L-18443 Jack Ramsey** (2682) West 108th Street and South Houston (PD-22) (County)
- L-18449 South Tulsa Land** (2283) 9200 South Yale (PD-18b) (CD-8)
- L-18453 City of Tulsa** (2194) 13409 East 38th Street (PD-17) (CD-6)

**Staff Comments:**

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **RATIFY** these Lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

\*\*\*\*\*

## **Preliminary Plat:**

### **Columbia Place Amended (PUD-295-A)**

(PD-18) (CD-9)

South of the southeast corner of East 51st Street and South Columbia Place

### **TAC Comments:**

Jones presented the plat with Nick Enterline and Otis Courtright in attendance.

Jones pointed out several changes to be made on the face of the plat.

Somdecerrf noted that "S. Columbia Avenue and East 51st Street" be removed from the dedication language.

McCormick requested the PFPI plans be reviewed by his office for drainage.

Columbia Place Amended is a resubdivision of part of Columbia Place and Bethel Union Heights Subdivisions. The plat contains approximately 3.8 acres and 22 residential single-family lots. An earlier version of the plat was reviewed by the TAC at the December 19, 1996 meeting and approved for sketch plat only.

Staff would offer the following comments and or recommendations:

1. Since the property is a replat, it is subject to Oklahoma Statutes Title 11, Section 42-106.
2. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1"=40' (1" = 100' required).
3. A letter from an attorney is required in regards to the Limited Liability Company (L.L.C.).
4. Renumber lots in Block One starting with "1".
5. East 51st Place South (private street) should be a reserve area including private street and utility easement similar to East 52nd Street.
6. Add legend to face of plat.
7. Correct number of lots and acres on face of plat.
8. Correct general description under title.
9. Show addresses for each lot with disclaimer.
10. Increase front size for streets on key map.
11. Add footnote for lots 3 and 12, block 2 regarding garage access from South Columbia Place.

12. Show lot lines and numbers for abutting Columbia Place.
13. Correct building lines on north and south sides of East 51st Place South, PUD requires 22' from centerline.
14. All conditions of PUD-295A 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.
15. 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.
16. 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.)
17. 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).
18. 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.
19. 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.
20. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
21. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
22. Street names shall be approved by the Department of Public Works and shown on plat.
23. All curve data, including corner radii, shall be shown on final plat as applicable.
24. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
25. 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.
26. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
27. 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.

28. 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.)
29. 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.
30. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
31. The key or location map shall be complete.
32. 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.)
33. 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.)
34. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
35. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat for Columbia Place Amended, subject to all conditions listed above.

**TMAPC Comments:**

Mr. Doherty requested clarification of the private street. Mr. Jones replied that all the streets within the entire subdivision are private streets. He stated East 51st Place South will be extended and will also be a private street, as will the private drive to the east, cul-de-sac and 52nd Street.

Mr. Doherty asked what 52nd Street and 51st Place tie to. Mr. Jones replied both tie to South Columbia Place, on the west side of the property, which is a public street.

**TMAPC Action; 7 members present:**

On **MOTION** of **BALLARD**, the TMAPC voted **6-1-0** (Ballard, Carnes, Gray, Ledford, Pace, Westervelt "aye"; Doherty "nay"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVE** the Preliminary Plat for Columbia Place Amended, subject to the conditions as recommended by TAC and waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 40'.

\*\*\*\*\*

**Mr. Westervelt informed the Commission he would be abstaining from the item and left the dais.**

**QuikTrip 83R (684)**

(PD-18) (CD-8)

West of the southwest corner of East 61st Street and South Garnett Road

**TAC Comments:**

Jones presented the plat with Jack Hubbard present.

McCormick requested a storm sewer easement and a channel easement for the area containing the drainage box and channel. In addition, a channel easement for that portion of the channel be located south of the proposed plat which will contain the improvements.

Lee pointed out that a water main extension would be required along the east side of the unnamed street to the south property line.

French stated that a PFPI would be required for median modification.

Somdecerff pointed out wrong street names in the deed of dedication.

QuikTrip 83R is a one lot commercial subdivision plat which contains 1.66 acres. The TAC reviewed a sketch plat which contained the unplatted property to the south on February 6, 1997. The applicant is now requesting preliminary plat approval.

Staff would offer the following comments and or recommendations:

1. A corridor site plan must be approved by the City prior to the issuance of a building permit. Conditions of the site plan should be included in the deed of dedication portion of the subdivision plat.
2. Identify existing right-of-way of East 61st Street South with book/page information.
3. Dedicate radius corner at intersection.
4. The face of the plat should note that no building permit will be issued until a corridor site plan is approved by the City.
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. 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.
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. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of McGill, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat for QuikTrip 83R, subject to all conditions listed above.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Ballard, Carnes, Doherty, Gray, Ledford, Pace "aye"; no "nays"; Westervelt "abstaining"; Boyle, Dick, Horner, Midget "absent ") to **APPROVE** the Preliminary Plat for QuikTrip 83R, subject to the conditions as recommended by TAC and review of final Deed of Dedication of Restrictive Covenants language by Legal Department.

\*\*\*\*\*

**Living Word Missions (PUD-555) (3383)** (PD-18) (CD-8)  
 East of the northeast corner of East 91st Street and South Memorial Drive

**TAC Comments:**

Jones presented the plat with Bill Lewis present.

McCormick recommended that all FEMA floodplains be shown on the face of the plat.

McGill stated that a water main extension may be required for fire protection depending on building location.

Pierce stated that overhead service may be needed along the west property line and Lewis agreed.

Living Word Missions subdivision plat contains one lot and is approximately 13 acres in size. Planned Unit Development 555 permitted church and related uses on the subject tract.

Staff would offer the following comments and or recommendations:

1. Show Lot 1, Block 1 within subject property.



2. Label "RIGHT-OF-WAY DEDICATED BY THIS PLAT" for 91st Street right-of-way.
3. Identify 30' pipeline easement.
4. Show book/page information for Williams Pipeline.
5. All conditions of PUD-555 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.
6. 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.
7. 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.)
8. 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).
9. 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.
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
12. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
13. Street names shall be approved by the Department of Public Works and shown on plat.
14. All curve data, including corner radii, shall be shown on final plat as applicable.
15. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
16. 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.
17. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

18. 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.
19. 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.)
20. 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.
21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
22. The key or location map shall be complete.
23. 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.)
24. 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.)
25. 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.
26. 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.)
27. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
28. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of French, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Living Word Mission, subject to all conditions listed above.

**TMAPC Action; 7 members present:**

On **MOTION** of **LEDFORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent ") to **APPROVE** the Preliminary Plat of Living Word Mission, subject to the conditions as recommended by TAC.

\*\*\*\*\*

**Oak Hill (PUD-547) (3383)**

(PD-26) (CD-8)

East 114th Street South at South Sandusky Avenue

**TAC Comments:**

Oak Hill is a large lot residential single-family subdivision with five lots and 10.33 acres. The property is zoned RE and PUD 547. The TAC reviewed the sketch plat on April 18, 1996. The applicant is now requesting preliminary plat approval.

Staff would offer the following comments and or recommendations:

1. A waiver of the Subdivision Regulations is required to permit a cul-de-sac greater than 500' in length.
2. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1"= 50' (1" = 100' required).
3. Label street with name and show as private street and utility easement.
4. Final gated entry design shall be approved by Traffic Engineering.
5. All conditions of PUD-547 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.
6. 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.
7. 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.)
8. 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).
9. 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.
10. 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.
11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
12. Street names shall be approved by the Department of Public Works and shown on plat.

13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
15. 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.
16. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
17. 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.
18. 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.)
19. 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.
20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
21. The key or location map shall be complete.
22. 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.)
23. 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.)
24. This plat has been referred to Jenks, Bixby and Glenpool 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 motion of Lee, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Oakhill, subject to all conditions listed above.

### **Interested Parties Comments:**

**Bobby Latimer**, 4309 East 118th Street, 74137, stated his home is located just below the proposed development. He commented the neighborhood is dealing with problems with the recent Lexington Development in regard to stormwater runoff and erosion. He stated the Lexington Development is located above the proposed development.

Mr. Latimer stated the Lexington Development is a perfect example where the engineers and developers, with good intentions, calculated and predicted the runoff and stated the development would work within the sensitive, sandy loam area. Unfortunately, the dam and retaining walls have not worked and his home has been flooded twice and his property gutted due to the runoff from the Lexington Development.

Mr. Latimer stated the City allowed the Lexington developers create a detention pond next to Yale Avenue and route the stormwater runoff to the detention pond. He feels this is very unusual. He stated the Lexington Development has created severe problems and would request the proposed development be developed in the proper manner to avoid more drainage problems.

Mr. Latimer feels the water should be piped to the river. He believes a bond has been approved for the piping of water to the river, but he feels the developer should be responsible for their developments.

Mr. Latimer feels there should be some type of law to regulate and give special attention to stormwater runoff. He stated he does not oppose the proposed project as long as the project is developed correctly and special attention to the drainage problems. He would like to see the developer or the City be accountable for this project.

**Don Blaser**, 4610 East 118th Street, 74137, stated he is the chairman for the Brittany Estates Homeowner Association. He feels Brittany Estates is in the watershed of the proposed development and the Lexington Development.

Mr. Blaser stated he informed the City and various Boards in person and in writing of the stormwater runoff and erosion that would occur if the Lexington Development was permitted. He stated no one would respond to his correspondence or telephone calls until after the development was completed.

Mr. Blaser pointed out that the proposed area is located in Special District 1 of District 26 of the Comprehensive Plan. The Special District 1 category requires that special care be given to minimize disturbing the vegetation and land profiles. He stated the entire area is a very steep sand hill. He stated the disruption of the vegetation during the development of Lexington caused severe siltation, flooding and erosion in the area. He feel the proposed development will do the same.

Mr. Blaser noted certain laws in Title 11a, Sections 300 and 304 that regulate siltation, erosion and flooding. He stated on the east side of the Lexington Development the water flow was increased and according to the number from South Tulsa Basin and Drainage Study it was increased by approximately 30 percent. He stated he has information available should anyone review or discuss it. He feels any future development will increase the flooding and erosion in the area.

In regard to silt, Mr. Blaser noted the law states that silt is not allowed to run off the property during the development; it should be retained on the property. He feels the bales of hay and the plastic retaining dams do not provide adequate retention of the silt. He feels the developer should maintain effective retention of the silt on the property during construction.

Mr. Blaser feels the flooding and other related problems would be avoidable if large detention ponds are constructed or by piping of the runoff water to the river. He feels there are many things that could be done to ensure the proper handling of runoff.

Mr. Blaser feels the proposed development should follow the Title 11a laws to avoid the type of problems that occurred with the Lexington Development.

**Bill Lewis**, 5879 South Garnett, stated he is the engineer for the applicant. He stated the proposed development is a ten-acre tract with five lots. He stated at meetings with the City, the developer was given the choice of installing a detention or not. He stated the developer elected to install the detention.

Mr. Lewis stated plans for the detention and controls for silt retention have been included in the development. Also the developer has contributed to a fund that will be used to build a box to the river from 121st and Yale. All of this has been worked out and approved by the City.

Mr. Lewis stated the proposed development is very low-intensity. He stated the developer will minimize disruption to the natural state of property. The existing road will be widened and improved. He informed the Commission there is a lift station located in the middle of the site. He stated 300 feet of sewer line will be installed as well as water lines running parallel to the street. He stated any soil being disturbed will be resodded as soon as possible to avoid siltation. However, there still may be some siltation that bypasses the dam, silt fences, hay bales and the detention pond, but it will be minimized.

Mr. Lewis feels the developer has taken the necessary precautions and asked the Commission to consider approving the request.

**Robert Lemmons**, 5541 East 107th Street, 74137, stated he is the owner and developer of the property. He clarified that he did not develop Lexington.

Mr. Lemmons stated that he has tried very hard to provide some detention on his proposed development and chose to have a detention facility due to persons downstream having drainage and flooding problems. The detention facility will mitigate some of the flooding problems.

Mr. Lemmons stated the developer is always blamed for flooding problems whether they contributed or not. In the case of the proposed development, Mr. Lemmons has volunteered to contribute approximately \$50,000, based on \$4,000 per acre, to solve the major drainage problem along Yale between 111th and 121st Street. He stated he contributed this amount due to the existing problem, not because of the demand by the homeowners in the area.

Mr. Lemmons stated he is also responsible for approximately \$500,000 of improvements on 121st Street that will make the solution to the problem possible. He stated that he and another developer obtained the easements necessary to transport the stormwater to the river. He stated he is also contributing \$300,000+ for a drainage fee and 1,500 feet of off-site storm sewer that will enable the entire area to drain more efficiently.

Mr. Lemmons reminded the Commission he is proposing five houses on a ten-acre tract, which he feels is very low density.

Mr. Lemmons feels the interested parties could also make monetary contributions for the purpose of resolving the drainage problems if they so choose, but he feels they would rather blame the developer and the City. He feels the City, land developers, planners, and engineers can only do so much, and the individual has to be somewhat responsible for his or her own property.

Mr. Lemmons feels, as the developer, he has done everything that is responsible, somewhere in between economics and being a good citizen. He stated he has obtained all necessary approvals from the City. He requested the Commission to consider approval of his application.

#### **TMAPC Comments:**

Ms. Gray asked whether Mr. Latimer had been flooded prior to the Lexington Development. Mr. Latimer replied in the negative.

Mr. Doherty asked whether there is a detention facility on the proposed development. Mr. Jones replied there is a reserve area, Area A, that is an overland easement that will catch the water runoff. Mr. Jones stated the TAC reviewed the easement during the sketch plat stage and determined the requirement of an on-site detention and dedication of a reserve area.

Mr. Jones stated the Floodplain Determination Report from the Department of Public Works noted the developer must provide an on-site detention with disposal of drainage in an approved system that requires downstream improvement and final stabilization control. These requirements are noted and made a part of the conditions. Mr. Jones stated there have been meetings between the developer and Public Works in regard to the flooding problems.

Chairman Carnes feels, for any land uses, the two-acre lot size is the best protection for the downstream neighbors. In regard to silt, he feels it is the responsibility of the contractor to retain it.

Chairman Carnes asked what protection the homeowners have in regard to flooding, erosion and siltation. Mr. Lewis replied there is natural erosion that cannot be stopped. However, the developer has drafted a Siltation Pollution Prevention Plan to deal with the siltation from the development activities. He stated the prevention measures are checked and maintained on a regular basis. He stated the developer abides by the laws mentioned by Mr. Blazer, in addition to laws outlined and enforced by EPA.

Ms. Gray questioned who is responsible for the maintenance of the siltation dams and fences once the development is complete. Mr. Lewis stated once the development is complete, the houses built and ground cover established, there is not a need for the siltation dams and fences. Ms. Gray then questioned if, for some reason, maintenance is required, who is responsible. Mr. Lewis replied there is a clause in the restrictive covenants that it is the duty of the homeowners association to maintain the detention pond, and if the homeowners association neglects to maintain, then the City can correct the problem and file liens against the property.

Mr. Jones stated the standard language that Legal Department requires in all plats where there is a reserve area or overland drainage easement regarding responsibility and maintenance of the reserve area or overland drainage easement.

In regard to the Lexington Development, Mr. Jones encouraged the interested parties to contact Jim Zachery, Department of Public Works, Stormwater Division.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt “aye”; no “nays”; none “abstaining”; Boyle, Dick, Horner, Midget “absent”) to **APPROVE** the Preliminary Plat of Oak Hill, subject to the conditions as recommended by TAC and Waiver of the Subdivision Regulations to permit a cul-de-sac greater than 500’ in length and to permit the plat to be drawn at a scale of 1” = 50’.

\* \* \* \* \*

**Plat Waiver, Section 260:**

**CBOA-1485 (2984)**

(PD-19) (County)

South and east of the southeast corner East 101st Street South and South Garnett Road

**TAC Comments:**

Jones presented the request with Kevin Coutant present.

Tulsa County Board of Adjustment case 1485 approved a special exception to permit a cellular tower in an RE-zoned district. The approval triggered the platting requirement and the applicant is now requesting a plat waiver.

Staff recommends **APPROVAL** of the plat waiver for CBOA-1485, subject to the following conditions:

1. Grading and/or drainage plan approval by the County Building Inspections in the permit process.
2. Utility extensions and/or easements if needed.



**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVAL** the Plat Waiver for CBOA-1485 subject to the conditions as recommended by TAC.

\*\*\*\*\*

**Final Approval:**

**4100 Garnett Center (3094)**

(PD-17) (CD-5)

Southwest corner of East 41st Street South and South Garnett Road

**Staff Comments:**

Mr. Jones presented the Final Plat for 4100 Garnett Center with Ted Sack in attendance. He stated all release letters have been received and everything is in order. Therefore, staff recommends approval subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

**TMAPC Action; 7 members present:**

On **MOTION** of **LEDFORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVE** the Final Plat for 4100 Garnett Center subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

\*\*\*\*\*

**TTCU South (PUD-531) (784)**

(PD-18) (CD-8)

East of the northeast corner of East 91st Street South and South Mingo Road

**Staff Comments:**

Mr. Jones presented the Final Plat for TTCU South with Ted Sack in attendance. He stated all release letters have been received and everything is in order. Therefore, staff recommends approval subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

**TMAPC Action; 7 members present:**

On **MOTION** of **LEDFORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVE** the Final Plat for TTCU South subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

\*\*\*\*\*

**The Arbors (PUD-552) (2783)**

(PD-26) (CD-8)

South of the southeast corner of East 101st Street South and South Sheridan Road

**Staff Comments:**

Mr. Jones presented the Final Plat for The Arbors with Ted Sack in attendance. He stated all release letters have been received and everything is in order. Therefore, staff recommends approval subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

**TMAPC Action; 7 members present:**

On **MOTION** of **BALLARD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVE** the Final Plat for The Arbors subject to Legal's final wording of the Deed of Dedication of Restrictive Covenant language.

\*\*\*\*\*

**I-44 Auto Auction Two (304)**

(PD-17) (CD-6)

16015 East Admiral Place

**Staff Comments:**

Mr. Jones informed the Commission this is the final plat for I-44 Auto Auction Two. A reduced copy of the final subdivision plat was included in the agenda packets. He stated this is a one-block, one-lot industrial subdivision plat with a detention area being dedicated to the City of Tulsa.

Mr. Jones stated everything is in order and all release letters have been received. However, Legal Department has not reviewed the Deed of Dedication of Restrictive Covenant final language. Staff recommends approval subject to Legal Department review of the final language.

**TMAPC Action; 7 members present:**

On **MOTION** of **BALLARD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent ") to **APPROVE** the Final Plat for I-44 Auto Auction Two, subject to Legal Department review of the Deed of Dedication of Restrictive Covenant final language.

\* \* \* \* \*

**Mr. Westervelt informed the Commission he would be abstaining from the item and left the dais.**

**ZONING PUBLIC HEARING:**

**Application No.:** PUD-202-2

(PD-18) (CD-7)

**Applicant:** Gina Hitz

**Location:** 7626 East 61st Street

**Presented to TMAPC:** Gina Hitz

*(Minor Amendment to increase the permitted height of a ground sign to 30 feet.)*

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to permit a 30-foot ground sign with a display surface area of 80.0\* feet. The PUD Standards permit a 25-foot sign for Development Area H if set back a minimum of one-half the street right-of way. A 30-foot sign would be allowed if set back an additional five feet or 55 feet from the centerline of East 61st Street South.

The applicant is also requesting 80.0\* feet of display surface area. The requirements for display surface area in the PUD are two square feet of aggregate display surface per lineal foot of street frontage if one sign is installed. Street frontage on East 61st Street South is 245 feet, and therefore, the proposed surface display area is well below the maximum allowed.

When the PUD Ordinance was originally adopted it allowed signs with a maximum 25-foot height in any PUD. Subsequent amendments to the PUD Chapter allowed signs with a maximum height of 40 feet with additional setback of one foot for each foot over 25 feet.

Staff review of the surrounding area indicates that other signage along East 61st Street South occurs 150 feet to the east with a 22-foot high ground sign for a restaurant. The restaurant ground sign appears higher when viewed from of the Quik Trip parcel due to the rise in ground elevation to the east. Because the proposed signage is within the

requirements specified for by the PUD ordinance, Staff could support a 30-foot ground sign with the appropriate setback if the location of the sign was no greater than 55\* feet from the eastern property boundary to maintain the maximum distance possible from the RS-3 district to the northwest.

Therefore, based on the information submitted and the existing signage along East 61st Street, Staff recommends **APPROVAL** of the Minor Amendment with the following conditions:

1. That the maximum height of the Quik Trip sign be 30 feet, if set back at least one foot from the right-of-way for every foot of height above 25 feet.
2. That the sign be located no greater than 55\* feet from the eastern property line.
3. That a detailed Sign Plan be submitted TMAPC showing display area, location and height of the proposed sign.

\* Modified at the TMAPC meeting.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Ballard, Carnes, Doherty, Gray, Ledford, Pace “aye”; no “nays”; Westervelt “abstain”; Boyle, Dick, Horner, Midget “absent”) to **APPROVE** the Minor Amendment PUD-202-2 to permit a 30-foot ground sign with a display surface area of 80 feet subject to the conditions as recommended by staff and as modified by the TMAPC.

\*\*\*\*\*

**Mr. Westervelt informed the Commission he would be abstaining from the item and left the dais.**

**OTHER BUSINESS:**

**AC-014 Gina L. Hitz**

(PD-16) (CD-3)

519 North Sheridan

*(Alternative Landscape Compliance to permit the substitution of two trees for a required tree at the front entry door.)*

**Staff Recommendation:**

The applicant is requesting Alternative Landscape Compliance from the landscape requirements of the Zoning Code to permit the substitution of two trees for a required tree at the front entry door.

Staff has reviewed the proposal and finds that the applicant's landscape plan meets all requirements of the code except that four parking spaces immediately in front of the store entry are not within 50 feet of a tree. The size of the lot and the placement and configuration of the building and parking make it difficult, if not impossible, to meet the 50-foot requirement of the Landscape Chapter. The substitution of two trees to the north of the building, while not meeting the technical requirements of the chapter, is equivalent to or better than those requirements.

Staff, therefore, recommends **APPROVAL** of the request to substitute two trees for one required tree in front of the entry doors as indicated on the Landscape Site Plan submitted.

**TMAPC Action; 7 members present:**

On **MOTION** of **BALLARD**, the TMAPC voted **6-0-1** (Ballard, Carnes, Doherty, Gray, Ledford, Pace "aye"; no "nays"; Westervelt "abstain"; none "absent") to **APPROVE** AC-014 to permit the substitution of two trees for a required tree at the front entry door as recommended by staff.

\* \* \* \* \*

**AC-015 Tom Harris**

(PD-16) (CD-3)

1211 North Mingo Road

*(Alternative Landscape Compliance to permit the use of an existing hedge to meet the street yard tree requirements and the landscaping be irrigated by hose.)*

**Staff Recommendation:**

The applicant is requesting a waiver from the landscaping requirements of the Zoning Code to use an existing hedge to meet the street yard tree requirements. The applicant is also requesting that all landscaping be irrigated by hose.

Staff has reviewed the proposal and finds that the applicant's landscape plan indicates an existing tree and bush located at or near the applicant's property along North Mingo. Grassed areas are also indicated along the front and rear of the lot. No hose bib location is shown on the submitted plan.

The Landscape Chapter requires a minimum of seven (7) street yard trees. The applicant's request for a waiver from all requirements of the Landscape Chapter of the Zoning Code does not constitute Alternative Compliance in that not only does the plan submitted not meet the requirements of the chapter, but no alternative is offered that is equivalent to or better than requirements of the Code.

Staff, therefore, recommends **DENIAL** of the request to waive the landscape requirements of the Zoning Code. This issue may be more appropriately addressed by the Board of Adjustment.

**Applicant's Comments:**

**Tom Harris**, 13404 East 91st Street, stated upon completion of the development, the majority of the lot will be gravel with only two small areas for vegetation. He feels these two areas are too small to accommodate four trees, let alone seven trees.

Mr. Harris stated the proposed development is a boat facility. He feels the tree requirement will create a concern for safety in regard to visibility of the vehicles pulling out of the facility with boats in tow.

Mr. Harris stated that other businesses in the area do not currently have landscaping and the area, in general, is "run down".

**TMAPC Comments:**

Mr. Doherty asked whether BOA approval was given for the use of gravel at this location. Mr. Harris replied in the affirmative.

Mr. Stump commented the visibility issue is not a factor, as the trees are required on his property and the curb line for Mingo is a significant distance from his front property line.

Mr. Stump reminded the Commission that the TMAPC has to determine if the proposal is as good as or better than the letter of the law. If the applicant wants to be relieved of the requirement entirely, then Mr. Stump suggested applying for a variance through the Board of Adjustment.

Chairman Carnes suggested a variance would be more appropriate.

Mr. Doherty feels the tract is over-built and there were no accommodations in the original design for landscaping. He stated the applicant has already been relieved from the requirement of concrete and allowed to use gravel.

Ms. Pace asked what the property is zoned. Mr. Stump replied the property is zoned IL.

**TMAPC Action; 7 members present:**

On **MOTION** of **PACE**, the TMAPC voted **6-1-0** (Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; Ballard "nay"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **DENY** AC-015 to permit the use of an existing hedge to meet the street yard tree requirements and the landscaping be irrigated by hose, as recommended by staff.

\*\*\*\*\*

**Resolution No. 2102:795**

A resolution amending the Tulsa Metropolitan Major Street and Highway Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area to designate the portion of South 263rd West Avenue north of State Highway 51 as a secondary arterial street. (TMAPC approved the amendment on 02-26-97.)

**Staff Comments:**

Ms. Matthews presented Resolution No. 2102:795 as follows:

RESOLUTION NO. 2102:795

**A RESOLUTION AMENDING  
THE TULSA METROPOLITAN MAJOR STREET AND HIGHWAY PLAN,  
A PART OF THE COMPREHENSIVE PLAN  
FOR THE TULSA METROPOLITAN AREA**

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 28th day of February, 1968 this Commission, by Resolution No. 696:289, did adopt the Tulsa Metropolitan Major Street and Highway Plan as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, a Public Hearing was held on the 26th day of February, 1997, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to modify its previously adopted Tulsa Metropolitan Major Street and Highway Plan to designate the portion of South 263rd West Avenue north of State Highway 51 as a secondary arterial street.

NOW, THEREFORE, BE IT RESOLVED by the TMAPC, that the amendments to the Tulsa Metropolitan Major Street and Highway Plan Map and Text, as above set out, be and are hereby adopted as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

DATED THIS 2ND DAY OF APRIL, 1997

TULSA METROPOLITAN AREA PLANNING COMMISSION

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TULSA,  
OKLAHOMA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1997.

\_\_\_\_\_  
Chairman

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Assistant District Attorney

**TMAPC Comments:**

Mr. Doherty commented that the Planning Commission voted to recommend approval of the amendments and forward to the County for consideration. In the mean time, the Transportation Policy Committee reviewed the request and is recommending denial. Therefore, the County Commissioners will have to make the determination.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Horner, Midget "absent") to **APPROVE** Resolution No. 2102:795 as presented.

\*\*\*\*\*

There being no further business, the Chairman declared the meeting adjourned at 2:30 p.m.

Date Approved: 4/16/97

[Signature]  
Chairman

ATTEST: [Signature]  
Secretary