

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2117

Wednesday, June 18, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Gray	Almy	Linker, Legal
Carnes	Ledford	Gardner	Counsel
Dick		Jones	
Doherty		Matthews	
Horner		Stump	
Jackson			
Midget, Mayor's Designee			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, June 13, 1997 at 1:41 p.m., in the Office of the City Clerk at 1:33 p.m., as well as in the office of the County Clerk at 1:30 p.m.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:33 p.m.

Minutes:

Approval of the minutes of June 4, 1997, Meeting No. 2115:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-1** (Boyle, Carnes, Dick, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; Gray, Ledford "absent") to **APPROVE** the minutes of the meeting of June 4, 1997 Meeting No. 2115.

Reports:

Director's Report:

Mr. Gardner stated there is a zoning item scheduled for the June 19, 1997 City Council meeting and Mr. Stump will be in attendance.

Subdivisions:

Lot-Splits for Ratification of Prior Approval:

- L-18483 (2892) Kenneth Waits** (PD-9) (County)
4505 West 43rd Street
- L-18484 (794) Liberty Bank** (PD-5) (CD-5)
1140 South 107th East Avenue
- L-18489 (1083) Cedar Homes** (PD-18b) (CD-8)
South 76th Court and Kingston Place
- L-18490 (1323) Dan Perkins** (PD-14) (County)
9441 East 156th Street North
- L-18491 (3094) 21st Properties** (PD-17) (CD-5)
Southwest corner 41st and South Garnett

Staff Comments:

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

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Preliminary Plat:

- Garnett South (3104)** (PD-5) (CD-6)
Northwest corner of East Archer Street and North Garnett Road

TAC Recommendation:

Jones presented the plat with Jake Floyd in attendance.

McCormick stated that the floodplain should be dedicated to the City and should be a defined area.

French recommended that the 50' access point be modified to the standard 40'.

Garnett South is a one-lot industrial subdivision plat which contains five acres. An earlier version of the plat was reviewed by the TAC at the February 6, 1997 meeting and given sketch plat approval only. The applicant is again requesting preliminary plat approval.

Staff would offer the following comments and/or recommendations:

1. Correct general location under title.
2. Show abutting utility easements and identify.
3. Certificate of Dedication is not complete and acceptable.
4. Show legend and number of lots/acres.
5. Show distance to section corner.
6. Reserve area should be a specific area and not identified by contour lines.
7. Utility easements shall meet the approval of the utilities. Coordinate with Sub-surface 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.
8. 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.)
9. 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).
10. 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.
11. 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.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
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 the 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 Catoosa 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 McGill, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of Garnett South, subject to all conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of Garnett South, subject to the conditions as recommended by TAC.

* * * * *

Community Place (PUD-397A) (183) (PD-18) (CD-7)

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

TAC Recommendation:

Jones presented the plat with Jerry Emanuel present.

Somdecerrf recommended that the existing rights-of-way be shown with book/page information.

French stated that final access should be approved by Traffic Engineering and subject to the PUD site plan.

Community Place is a one-lot office subdivision plat which contains 1.63 acres. Major amendment PUD 397-A is being processed at this time to permit a bank with drive-in as a permitted use. Building lines are permitted by the PUD.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 40' (1" = 50' required).
2. Show book/page information for separate instrument easement to be filed of record.
3. Provide for 17.5' utility easement along the north and west property lines.
4. All conditions of PUD 397-A 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. 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. Street names shall be approved by the Department of Public Works and shown on plat.
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
13. Bearings, or true N/S, etc., shall be shown on the perimeter of land being platted or other bearings as directed by the Department of Public Works.
14. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
15. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, 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 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.
23. 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.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Shelton, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of Community Place, subject to all conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of Community Place, subject to the conditions as recommended by TAC; waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 40'; and subject to the approval of PUD-397-A.

Forest Hills Estates (3483)

(PD-26) (CD-8)

North and east of the northeast corner of east 121st Street South and South Yale

TAC Recommendation:

Jones presented the plat with Greg Breedlove and Bill Lewis present.

Several additional utility easements were requested with Lewis agreeing.

Considerable discussion was given in regards to the utility easement and overland drainage easement. It was determined that Jones would visit with City legal staff and Pierce would try and work out a compromise with the engineer.

Additional language was requested by Pierce in regards to tree trimming and Lewis agreed.

After discussion regarding sidewalks and the letter from Charles Hardt stating that sidewalks would be required, it was determined that the subdivision should meet the Subdivision Regulations.

McGill recommended a "T" turnaround at the east end of East 118th Street South.

Forest Hills Estates is a residential single-family subdivision which contains 41 lots and 27.07 acres. A sketch plat which contains this property and additional property was reviewed by the TAC as Hawthorne Estates on April 25, 1996. The TMAPC approved the sketch plat on November 13, 1996 and a waiver of the Subdivision Regulations to permit East 116th Street South, a residential collector to be less than 60 feet of right-of-way width and 36 feet of paving. No additional waivers of the Subdivision Regulations have been requested at this time.

Staff would offer the following comments and/or recommendations:

1. Correct general location under title.
2. Lot 8, Block 2 needs a waiver of the subdivision regulations to permit the creation of a lot with more than three side lot lines.
3. A letter from the developer's attorney is required concerning the L.L.C.
4. Utility easements shall meet the approval of the utilities. Coordinate with Sub-surface 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 the 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. 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.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, 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 Bixby, Broken Arrow and Jenks because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, with the Department of Public Works abstaining, the Technical Advisory Committee voted to recommend Approval of the Preliminary Plat of Forest Hills Estates, subject to all conditions listed above.

Staff Comments:

Mr. Jones stated the applicant is requesting that the sidewalk requirement be waived.

Mr. Jones informed the Commission that East 118th Street is a stub that continues into an unplatted tract to the east. The stub is over 300 feet in length; therefore, TAC and the Fire Department recommended that a T-intersection be installed to permit fire trucks to access this area.

Applicant's Comments:

Jeff Levinson, 35 East 18th Street, requested the Commission approve staff's recommendation with the exception of the sidewalk requirement and the T-intersection.

In regard to the sidewalks, Mr. Levinson feels the sidewalks are not necessary or productive. He reminded the Commission that the sidewalks would not lead to anywhere. The subdivision, Fieldstone, directly to the north, which is already developed and completed, does not have sidewalks. Also this area will be extremely low-density. Forest Hills Estates will consist of larger lots with a maximum of 41 homesites.

Mr. Levinson feels sidewalks would be desirable if used for the purpose of accessing schools, church, parks, or related destinations. In this particular case, there are not any schools, parks or related sites within walking distance.

Mr. Levinson stated there are very few, if any, subdivisions in this area that have the required sidewalks, even on collector streets. He pointed out a letter from Mr. Hardt, Public Works, in which he recommended that the sidewalks not be required for Forest Hills Estates.

Mr. Levinson pointed out that if the sidewalks are required, then the green space would be reduced by one-third of an acre.

Mr. Levinson reminded the Commission that his client agreed to install the collector street, demonstrating his willingness to work with staff and City personnel. Therefore, he requested waiver of the sidewalks. Bill Lewis, the applicant, stated when he agreed to the collector street it would require an additional ten feet of pavement. He stated if he had known a collector street required sidewalks, he might not have agreed to the collector street.

In regard to the T-intersection or turn-around, Mr. Levinson stated the major point is that this is a public-dedicated street. The stub is to an undeveloped tract that he feels will be developed and the street will be extended through the area. However, he feels due to the topography and the large ditch on the east side of the property, there will be a need for a cul-de-sac and the stub and turn-around will be unnecessary.

Mr. Levinson stated there is also a high-pressure gas line in this area.

TMAPC Comments:

Mr. Doherty asked whether Erie Avenue accesses from 111th Street and will be extended to 121st Street. Mr. Jones replied in the affirmative.

Mr. Doherty stated that he does not recall the Commission ever waiving the sidewalk requirement during his twelve years on the Commission. Mr. Levinson replied that maybe the sidewalk requirements were not waived, but the requirement was not enforced during construction.

Chairman Carnes commented this is the first time he recalls TAC requesting a T-intersection when the street will be connected. He stated he would agree with the applicant in that the T-intersection is not necessary.

Mr. Doherty stated he also agrees the street will be connected. He stated there are only four lots fronting the stub street and in the case of a fire, he feels a fire truck could back out of the stubbed area.

Mr. Stump explained a T-intersection or turn-around could be designed within the 50-foot right-of-way to provide a turn-around for people who inadvertently access this street. The turn-around could be easily removed when the street is extended.

Mr. Doherty stated a turn-around within the 50-foot right-of-way would be not shown on the plat.

Mr. Doherty asked Legal to clarify if the plat is approved as presented, without waiving any regulations, then the applicant would be required to install sidewalks, but not required to install a T-intersection. Mr. Linker replied in the affirmative.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of Forest Hills Estates as presented, subject to the conditions as recommended by TAC omitting the condition requiring a T-intersection.

Mr. Jones asked for clarification on the motion as to whether it included a turn-around in the 50-foot right-of-way. Mr. Doherty replied it was not included in the motion because this is a plat waiver and it should be addressed by Traffic Engineering.

Mr. Jones reminded the Commission that the T-intersection was a TAC recommendation and he needs to inform Traffic Engineering whether or not they need to look for the turn-around within the 50-foot right-of-way. He will make a special effort to ensure that Traffic Engineering is aware of any condition in regard to the turn-around.

Mr. Westervelt expressed the need to clarify the motion.

Mr. Doherty suggested the motion should include a condition to ensure there is an adequate turn-around for vehicles making a wrong turn onto the street.

After further discussion in regard to the T-intersection/turn-around, Mr. Boyle made a motion to reconsider the motion.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **RECONSIDER** the motion for the Preliminary Plat of Forest Hills Estates.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of Forest Hills Estates as presented, subject to the conditions as recommended by TAC and require a "T" turn-around be constructed in the 50-foot right-of-way at the east end of 118th Street.

The Reserve at Forest Hills (PUD-548) (3483) (PD-26) (CD-8)

North and east of the northeast corner of East 121st Street South and South Yale

TAC Recommendation:

Jones presented the plat with Greg Breedlove and Bill Lewis present.

French recommended that the reserve areas be shaded so they could more easily be seen on the plat.

Pierce noted the same concerns about the utility easement and overland drainage easement. Also, he had concerns about additional language to trim trees from the easement.

The Reserve At Forest Hills is a residential single-family subdivision which contains 15.2 acres and 43 lots. The development proposes private streets as provided in the PUD and is abutted on the north by East 116th Street South which is public. This property was reviewed as a sketch plat when it was included in the Hawthorne Estates development.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit a cul-de-sac greater than 500 feet in length.
2. Show address disclaimer on face of plat.
3. All conditions of PUD-548 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 Sub-surface 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 the 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. 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.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, 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 Bixby, Broken Arrow and Jenks because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Rains, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of The Reserve At Forest Hills, subject to all conditions listed above.

Applicant's Comments:

Jeff Levinson pointed out that because of the unique design, a sketch plat was previously brought before the Commission to resolve issues in regard to access.

TMAPC Comments:

Mr. Doherty questioned whether there was an agreement for a permanent access and not just emergency access during the sketch plat stage. Mr. Jones recalled it was a requirement for an emergency access point.

Mr. Doherty reminded the Commission that the interim policy is for 20 units for a single point of access and this is in excess of the 20 units. Mr. Stump stated that is why a second emergency access point is made a requirement.

Chairman Carnes feels the emergency access should be made an exit access. Mr. Doherty stated since this is preliminary, an exit would allow the applicant to remove from the radius of the cul-de-sac and have a little more lot area.

Mr. Stump stated capacity is a factor in determining the number of accesses. He noted the major entrance and exit points are on a collector street, which is designed to accommodate the traffic movements.

Mr. Doherty asked whether the interim policy is too conservative. Mr. Stump replied it depends on the access points, what type of streets they access and the capacity.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Preliminary Plat of The Reserve At Forest Hills, subject to the conditions as recommended by TAC and waiver of Subdivision Regulations to permit a cul-de-sac greater than 500 feet in length.

Plat Waiver, Section 213:

BOA-17718 (Unplatted) (894)
12150 East 11th Street South

(PD-17) (CD-6)

TAC Recommendation:

Jones presented the plat waiver with representative from the school present.

Board of Adjustment case 17718 is a special exception request to expand East Central Senior High School to allow for additional off-street parking. The school is adding additional stadium seating for the football field and this request is to provide additional off-street parking for that seating. The total tract size is slightly over forty acres.

Although the subject tract is unplatted and larger than 2.5 acres in size, staff can see no benefit to the City in requiring a new subdivision plat on the property. Because no new substantial construction is proposed other than the parking lot, no new easements should be required to serve the property.

Staff recommends approval of the plat waiver for BOA-17718 subject to the following condition:

Grading and/or drainage plan approval by the Department of Public Works in the permit process.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for BOA-17718, subject to the condition listed above.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Plat Waiver for BOA-17718, subject to the condition as recommended by TAC.

BOA-17737 (Unplatted) (183)

(PD-18) (CD-7)

North of the northwest corner of East 71st Street South and South Mingo Road

TAC Recommendation:

Jones presented the request with Dave Huey present.

BOA-17737 is a special exception request for Union Public Schools to permit additional off-street parking which is being displaced for new classroom facilities and to allow additional off-street parking for the football stadium. A previous Board of Adjustment case permitted school use on the subject tract and this application includes new property abutting the existing school facility to the south for school use.

Based on the proposed use of off-street parking, staff can see no benefit to the City in requiring a replat or subdivision plat of the subject tract. Staff recommends approval of the plat waiver for BOA-17737 subject to the following condition:

Grading and/or drainage plan approval by the Department of Public Works in the permit process.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for BOA-17737, subject to the conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Plat Waiver for BOA-17737, subject to the condition as recommended by TAC.

BOA-17738 (Unplatted) (2793)

(PD-18) (CD-7)

4620 South Irvington

TAC Recommendation:

Jones presented the request with Steve Schuller present.

Jones informed the TAC of the TMAPC decision for the church plat waiver on South Yale Avenue.

It was determined that what set this application apart from others was the "substantial" new construction.

Miller recommended that in order to be consistent, TAC should continue to use the TMAPC guidelines regarding plat waivers until changed.

BOA-17738 is a special exception request to permit a parochial school and accessory chapel in an RS-2 zoned district. This is the former Robert Louis Stevenson Elementary School, which was closed by Tulsa Public Schools in 1989. This case was heard by the Board of Adjustment on June 10, 1997.

After review of the applicant's submitted site plan, it can be seen that the subject tract is larger than 2.5 acres in size and substantial new construction is proposed to go along with the existing building and facilities.

Based on the size of the tract and substantial new construction proposed, staff is not supportive of the requested plat waiver and would recommend a Lot 1, Block 1 subdivision plat be filed on the subject tract. Staff recommends denial of the plat waiver for BOA-17738.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend Denial of the Plat Waiver for BOA-17738.

Applicant's Comments:

Steve Schuller, 320 South Boston, 74103, stated he is representing the property owners, Islamic Society of Tulsa. He stated the subject tract is a ten-acre parcel of land, square in shape, bounded by 46th Street on the north and Irvington Avenue on the east side. The surrounding properties have all been

developed, so there are no gaps between this property and the adjacent properties. The property was previously owned and operated as a Tulsa Public School.

Mr. Schuller stated there are no plans to add to the school building; however, a chapel and prayer hall are proposed. The proposed development was approved by the Board of Adjustment last week. He presented a site plan which displays the proposed building and parking lot and would be constructed as shown. He stated any changes to the site plan or use of the property would have to be approved by the Board of Adjustment.

Mr. Schuller stated the closest construction of any building to a property line is 80 feet. The existing streets around the property are already in place and none of them are arterial streets. No additional land is necessary to be dedicated for the streets. If access to the property, as shown on the site plan, has to be limited to those shown, it could be easily accomplished by a simple instrument limiting the access to those points. This could be filed of record and made a condition of the plat waiver if necessary.

Mr. Schuller stated any utility easements serving the property are already in place. If any additional easements are necessary they could be easily granted by a simple instrument. Stormwater detention or drainage issues are addressed in the building permit process. He stated the engineers and architects are already working with the Stormwater Department to work out the details.

Mr. Schuller feels there is no compelling public purpose to be served by requiring the applicant to go through the platting process on this project, since all the objectives that a plat would give are already met or could easily be met by some simple instruments being prepared and filed of record. This would serve to meet the stated purpose of the Subdivision Regulations in that it would establish a process that is as expeditious, efficient and cost effective as possible while providing to the public health, safety and general welfare.

Therefore, Mr. Schuller requested approval of the plat waiver.

Interested Parties Comments:

Marvin Cooke, TDA, 110 South Hartford, 74120, stated the development of this site is a part of the relocation plan for the Kendall-Whittier School and park site development.

Mr. Cooke stated before the school can move forward with construction, the relocation plans for the Islamic Society have to be completed. He feels the plat waiver is a key part in completing the plans.

Mr. Cooke encouraged the Commission to approve the plat waiver.

TMAPC Comments:

Mr. Gardner stated the plot plan that was reviewed by the Board of Adjustment reflects a road along the western boundary that takes traffic to 46th Street, which is a collector, so that it does not depend on Irvington Avenue as the sole access. It was important to the BOA that the Islamic Society have multiple ways to access the tract.

Mr. Doherty expressed concern with the plat waiver. He stated any plat can be accomplished by separate instrument; however, it is very difficult to track the instruments or they may be lost. Therefore, he feels it would be more difficult to enforce.

Mr. Doherty pointed out there is significant construction proposed, as well as future expansion of buildings and more stormwater issues. He feels there is too much proposed to waive the platting requirement.

Mr. Boyle feels there is nothing to be gained by platting the property.

Mr. Jones noted the three plat waivers on today's agenda. He pointed out that TAC does not differentiate between public or private schools, but base their decisions on the three rules established by the TMAPC.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-2-0** (Boyle, Carnes, Dick, Horner, Jackson, Midget, Pace "aye"; Doherty, Westervelt "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** the Plat Waiver for BOA-17738.

Change of Access on Recorded Plat:

Unplatted (3194)

(PD-18) (CD-8)

North of the northeast corner of East 61st Street South and South Mingo Road

Staff Comments:

Mr. Jones stated this is a change of access; it's assigning an access point.

Mr. Jones pointed out the applicant was required to establish access points on the property to the north that they are not platting with a 23-foot separation.

Mr. Jones stated staff and Traffic Engineering has reviewed and signed off on the change of access. Therefore, staff recommends approval subject to the document, Exhibit "A", which was included in the agenda packets.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt “aye”; no “nays”; none “abstaining”; Gray, Ledford “absent”) to **APPROVE** the Change of Access on Recorded Plat, subject to Exhibit “A”, attached hereto.

Continued Zoning Public Hearing:

Application No.: PUD-397-A

(PD-18) (CD-7)

Applicant: Roy D. Johnsen

Location: Southeast corner 91st East Avenue and East 61st Street South

Presented to TMAPC: Roy D. Johnsen
(Major Amendment to allow a drive-in bank.)

Staff Recommendation:

This major amendment to PUD-397 is to include drive-in banking as a use permitted in a portion of Development Area B which was originally approved for office use excluding drive-in banking.

The site at the southeast corner of 61st Street South and South 91st East Avenue is surrounded by areas within PUD-397 planned for office use and is across 61st Street from a townhouse development. Staff feels this location is adequately separated from residential areas to permit a drive-in banking facility without causing harm to existing or future planned development. Development Area B of PUD-397 would be reduced in size by 26% with the dividing of the area included in PUD-397-A. Therefore, staff would recommend reducing the permitted building floor area in the remainder Development Area B by the same amount.

Staff finds the uses and intensities of development proposed to be harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-397-A 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-397-A, subject to the following conditions.

1. The requirements of PUD-397 shall apply unless modified herein.
2. Development Standards

Land Area (Net)	1.6 acres
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Permitted Uses:	Uses permitted by right in an OL district and drive-in bank facilities but excluding funeral homes.
Maximum Building Floor Area:	28,500 SF
Minimum Off-street Parking:	As required for the use by the Tulsa Zoning Code.

REMAINDER OF DEVELOPMENT AREA B NOT INCLUDED IN PUD-397-A

Maximum Building Floor Area: 103,420 SF

3. 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.
4. 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.
5. No sign permits shall be issued for erection of a sign for 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.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 30 feet.
8. 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 have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.
9. No Building Permit shall be issued until the requirements of Section 1107F 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.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Applicant's Comments:

Roy Johnsen stated he met with the neighborhood and since no one is in attendance, he assumes the neighborhood has no objections.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to recommend **APPROVAL** of Major Amendment PUD-397-A to allow a drive-in bank, subject to the conditions as recommended by staff.

Legal Description for PUD-397-A:

A tract of land that is part of the NW/4, NE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows to-wit: starting at the Northwest corner of the NE/4 of said Section 1; thence S 00°02'13" W along the Westerly line of the NE/4 for 50.00' to a point on the Southerly right-of-way line of East 61st Street South; thence S 89°59'42" E along said right-of-way line and parallel with the Northerly line of Section 1 for 497.79' to the Point of Beginning of said tract of land; thence continuing S 89°59'42" E along said right-of-way line and parallel with the Northerly line of Section 1 for 220.00'; thence S 00°00'18" W for 285.00'; thence N 89°59'42" W and parallel with the Northerly line of Section 1 for 250.00' to a point on the Easterly right-of-way line of South 91st East Avenue; thence N 00°00'18" E along said right-of-way line for 255.00' to a point of curve; thence Northeasterly along a curve to the right with a central angle of 90°00'00" and a radius of 30.00' for 47.12' to the point of beginning of said tract of land and in on the southeast corner of East 61st Street South and South 90th East Avenue, Tulsa, Oklahoma.

Other Business:

AC-020 QuikTrip

(PD-17) (CD-5)

Southwest corner 41st Street South and South Garnett
(Alternative Landscape Compliance.)

Mr. Westervelt left the dais and indicated he would be abstaining from this item.

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance from the required 50-foot distance of parking lot trees for six parking spaces in front of two building entrances. The applicant is proposing to plant two parking lot trees in addition to the four that are required.

Staff has reviewed the proposal and finds that the applicant’s landscape plan meets all requirements of the code except that a total of six parking spaces immediately in front of the north and south store entrances are not within 50 feet of a landscape area containing 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 without utilizing parking areas directly opposite the store entrances.

The additional two trees to the west of the building, while not meeting the technical requirements of the chapter, are equivalent to or better than those requirements in that they provide landscaping in excess of that required by the Landscape Chapter.

Staff, therefore, recommends **APPROVAL** of the request to eliminate trees in front of the two entrances and the planting of a total of six parking lot trees as indicated on the Landscape Site Plan submitted.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-1** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace “aye”; no “nays”; Westervelt “abstaining”; Gray, Ledford “absent”) to **APPROVE** Alternative Landscape Compliance AC-020 to eliminate trees in front of the two entrances and the plating of a total of six parking lot trees as recommended by staff.

TMAPC Resolution No. 2117-799

Finding that the widening of North Peoria Avenue North of Pine Street is in accord with the Major Street and Highway Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area and in accord with the North Peoria Corridor Study.

Staff Comments:

Ms. Matthews stated Public Works expressed concerns with the work they were doing on North Peoria being in accord with the plan. After several discussions with Public Works informing them they were actually implementing the plan, they still had some concerns.

Ms. Matthews and Dwain Midget felt a resolution might satisfy Public Works' concerns.

Ms. Matthews presented Resolution No. 2117-799 as follows:

**RESOLUTION 2117-799
FINDING THAT THE WIDENING OF NORTH PEORIA AVENUE
NORTH OF PINE STREET IS IN ACCORD WITH
THE MAJOR STREET AND HIGHWAY PLAN,
A PART OF THE COMPREHENSIVE PLAN FOR
THE TULSA METROPOLITAN AREA AND
IN ACCORD WITH THE
NORTH PEORIA CORRIDOR STUDY**

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 Major Street and Highway Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma; and the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, the TMAPC is required to review and approve all proposed plans for Capital Improvement Projects of a type embraced within the recommendations of the master plan; and

WHEREAS, North Peoria Avenue is designated on the Major Street and Highway Plan for the Tulsa Metropolitan Area as a Secondary Arterial; and

WHEREAS, the widening of North Peoria north of Pine Street will be to Secondary Arterial standards, according to the Major Street and Highway Plan for the Tulsa Metropolitan Area;

NOW, THEREFORE, BE IT RESOLVED by the TMAPC, that the widening of North Peoria Avenue north of Pine Street to Secondary Arterial standards is IN ACCORD WITH the Comprehensive Plan for the Tulsa Metropolitan Area.

APPROVED AND ADOPTED THIS ___ DAY OF _____, 1997.

TULSA METROPOLITAN AREA PLANNING COMMISSION

ATTEST:

Chair

Secretary

Mr. Midget stated the resolution is as a result of the work for realigning Peoria to the west and the question as to whether or not the Major Street and Highway Plan would be changed. He stated the plan would not be changed.

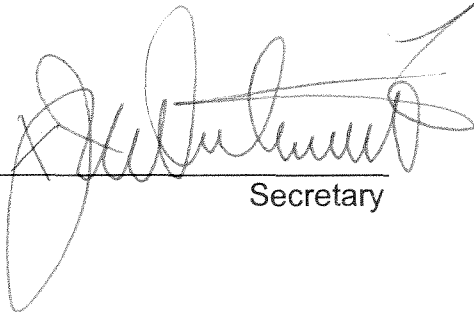
TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford "absent") to **APPROVE** Resolution No. 2117-799 as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:26 p.m.

Date Approved: 9-2-97


Chairman

ATTEST: 
Secretary



South Mingo Road

50'

18'
39.05'

107'

72'

72'

72'

N 72, S 144, N 216, S 431
LESS W 50 FOR ST.
SEC. 31, T-19-N, R-14-E

EXISTING ACCESS
POINTS TO BE VACATED.

60'

East 61st St. So.

EXISTING

South Mingo Road

50'

150.13'

190'

72'

72'

23'
40'
LINA
ACCESS
LINA

DDX
6-11-99

N 72, S 144, N 216, S 431
LESS W 50 FOR ST.
SEC. 31, T-19-N, R-14-E

REQUESTED ACCESS
POINTS.

60'

East 61st St. So.

REQUESTED