

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2125

Wednesday, August 20, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes	Boyle	Almy	Linker, Legal
Dick		Dunlap	Counsel
Doherty		Jones	
Gray		Lasker	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, August 15, 1997 at 3:57 p.m., in the Office of the City Clerk at 3:44 p.m., as well as in the office of the County Clerk at 3:50 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 August 6, 1997, Meeting No. 2123:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Carnes, Dick, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; Boyle, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of August 6, 1997 Meeting No. 2123.

Reports:

Chairman's Report:

Chairman Carnes acknowledged the letter from Jennifer Myers. He feels the situation is getting out of hand and asked the Commissioners whether a response was needed. The Commissioners feels a "letter-war" is inappropriate and recommended not to respond.

Committee Reports:

Budget and Work Program Committee:

Mr. Horner reminded the Commission there would be a brief Budget and Work Program Committee meeting immediately following the TMAPC meeting.

Rules and Regulations Committee:

Mr. Doherty stated there would also be a Rules and Regulations Committee meeting today to discuss several items.

Mr. Doherty feels since the only items scheduled for the August 21 City Council meeting are subdivision items there is no need for a TMAPC representative.

Director's Report:

Mr. Lasker informed the Planning Commission of the recent staff changes due to the retirement of Bob Gardner. He noted that Jay Stump is the Director of the TMAPC/BOA Programs and Manager of the Development Services Division.

Mr. Lasker stated that two positions have been created that are equal in classification that will assist and work with Mr. Stump. First, Dane Matthews' position will be split between planning duties and zoning/PUD duties. Also, Jim Dunlap, an 18-year INCOG employee, will share the development services and TMAPC program duties.

Mr. Lasker reminded the Commission that the INCOG offices are being remodeled to better accommodate customers. He notes that a larger conference room is being constructed on the 5th floor.

Subdivisions:

Preliminary Plat:

The Villages of Highland Park (PUD-460) (1283) (PD-18) (CD-8)
North and west of the northwest corner of East 81st Street South and South Mingo Road

TAC Recommendation:

Jones presented the plat with Greg Weisz present.

Liechie recommended that handicap ramps be installed with the sidewalks.

French noted that the sidewalk plan had been approved by Traffic Engineering but did suggest one small section at the southwest corner of Mingo and East 78th Street be added. French also recommended that the index map be included on each page.

The Villages at Highland Park is a 107-acre residential single-family subdivision plat that contains a total of 332 lots. The development proposes both a public and private street system and was reviewed by the TAC and TMAPC and given sketch plat approval, subject to a number of conditions. The applicant has now incorporated those changes into this revised plat and is requesting preliminary plat approval.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'.
2. Waiver of the Subdivision Regulations to permit the residential collectors (East 79th Street and East 78th Street) to have a paving width of less than 36'.
3. Waiver of the Subdivision Regulations to permit the residential collector on the east side of the existing school to have 54' of right-of-way and a paving width less than 36'.
4. Correct PUD number under title should be PUD-460, not 460-A.
5. All conditions of PUD-460 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 reference to Sections 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 and 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 or 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. (All building lines 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 Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.

25. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
26. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
27. 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 The Villages of Highland Park, subject to all conditions listed above.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Midget "absent") to **APPROVE** the Preliminary Plat of The Villages of Highland Park, subject to all conditions as recommended by TAC and Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'; to permit the residential collector (East 79th Street and East 78th Street) to have a paving width of less than 36'; and to permit the residential collector on the east side of the existing school to have 54' of right-of-way and a paving width less than 36'.

Garnett North (3204)

(PD-16) (CD-6)

South of the southeast corner of East Pine Street and North Garnett Road

TAC Recommendation:

Jones presented the plat with Jake Floyd in attendance.

Somedecerff noted several changes to the deed of dedication language.

French recommended a 40' access point instead of the 50' shown.

After discussion, it was determined that the underlying plat would be vacated along with the existing right-of-way along the east property line. The utility easement would then be relocated to the property line.

Lee stated that a 15' restricted waterline easement would be required along the north side of the proposed 17.5' utility easement along the south side.

Floyd noted that the tract would utilize a septic system and a perc test has been approved by the DEQ.

Garnett North is a one-lot industrial subdivision plat that contains approximately 8.62 acres. A previous plat was reviewed by the TAC on February 6, 1997 and only given sketch plat approval. The revised preliminary plat is still lacking but is reviewed for preliminary plat approval.

Staff would offer the following comments and/or recommendations:

1. Since the property is a replat of an existing subdivision plat, it is subject to Title 11, Section 42-106 of the Oklahoma Statutes.
2. Staff would recommend that the underlying plat be vacated in accordance with accepted legal procedures.
3. If private sewage system is proposed, a reserve area to include the lateral field must be shown on the face of the plat. Appropriate language must be included in the deed of dedication. A percolation test must be approved by the DEQ prior to preliminary plat approval.
4. Drainage must be to an approved site.
5. Water and sewer line extensions will be required.
6. Existing street dedication along the east property line must be vacated or additional property dedicated to meet the Major Street Plan.
7. Identify distance to section corner.
8. Change developer name to owner on the face of the plat.
9. Stop limits of no access to Garnett at northern frontage point.
10. 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.
11. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
12. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water and sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
13. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
14. 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.

15. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
16. Street names shall be approved by the Department of Public Works and shown on plat.
17. All curve data, including corner radii, shall be shown on final plat as applicable.
18. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
19. 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.
20. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
21. 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.
22. 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.)
23. 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 phases and/or clearing of the project. Burning of solid waste is prohibited.
24. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
25. The key or location map shall be complete.
26. 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.)
27. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Includes subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
28. 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.
29. 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.)

30. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.

31. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Garnett North, subject to all conditions listed above.

Interested Parties Comments:

Maryann Yarbrough, 1225 North Garnett Road, 74116, stated most of her questions have already been answered. However, she questioned the change in the setbacks at a previous meeting and how the setback requirements will be enforced. She asked whether the setback requirements could be placed on the face of the plat.

Rebecca Kerby, 11316 East Newton Place, 74116, presented pictures and expressed concern of the existing drainage problems in the area of the subject property. She feels the proposed development will only increase the problems with drainage.

Ms. Kerby noted the required fence between her property and the subject property has not been completed.

TMAPC Comments:

In regard to Ms. Yarbrough's request to have the setback requirements placed on the face of the plat, Mr. Jones replied the BOA reduced the 75' setback to 49-1/2' setback and that typically setbacks relating to zoning code requirements are not placed on the face of the plat because if the plat is amended, the plat will have to be physically changed each time.

Chairman Carnes reminded the Commission that Stormwater Management will require on-site detention, which should help Ms. Kerby's current situation.

In regard to the fence, Mr. Jones stated the six-foot screening fence is required to separate the industrial from the residential use. He noted the fence has not been completed and advised the interested parties to contact Code Enforcement.

Mr. Doherty asked if the property is still owned by the owners at the time of the zoning change. Mr. Jones replied in the affirmative.

Mr. Westervelt suggested forwarding the pictures of the drainage problems to Paul Zachery in Stormwater Management Department.

Mr. Doherty feels this tract has been a problem since the beginning of the zoning change and feels the complaints expressed by the neighborhood are legitimate.

TMAPC Action; 11 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **11-0-0** (Ballard, Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Preliminary Plat of Garnett North, subject to the conditions as recommended by TAC.

Crestview (2402)

(PD-25) (CD-1)

South of the southeast corner of East 36th Street North and North Cincinnati Avenue

TAC Recommendation:

Jones presented the plat with Jerry Emanuel present.

McCormick stated that the northwest corner of the property contained regulatory floodplain that must be dedicated.

Emanuel noted that duplex use was proposed on the south lot and no specific use for the north lot.

French recommended 125' separation between access openings on Cincinnati Avenue (measured from the center of the openings).

Somdecerff pointed out that additional right-of-way existed for Cincinnati at the north end and might be vacated. Also, the legal description in the deed of dedication did not match the face of the plat.

French recommended that a mutual access easement may be required at the south end of the property abutting Cincinnati to assure the unplatted tract to the south has access due to the proposed expressway.

Crestview is a two-lot subdivision plat which contains a total of 19.26 acres. Lot 1 is zoned RM-1 and lot 2 is zoned RS-3. Staff is not aware of a site plan for the property.

Staff would offer the following comments and/or recommendations:

1. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 60' (1" = 100' required).
2. Show existing 10' utility easement on south side of Carl's Commercial Center.
3. The 50' building setback from North Cincinnati Avenue is greater than that required in the zoning code. This restriction would be private and not enforceable by the City.

4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and 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. 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 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. 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.)
23. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
24. 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 Crestview, subject to all conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Preliminary Plat of Crestview, subject to the conditions as recommended by TAC and Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 60'.

Brighton Gardens (3293)

(PD-18) (CD-9)

South of the southeast corner of East 81st Street South and South Lewis Avenue

TAC Recommendation:

Jones presented the plat with Greg Weisz present.

Somdecerff noted changes in the owners name and deed of dedication language to be made.

McCormick stated that an on site detention requirement applies and noted drainage problems in the area.

French noted that access points were acceptable to Traffic Engineering and recommended a solid line instead of dashed line for Lewis be shown on the plat.

Brighton Gardens in a one-lot subdivision plat that contains a total of 5.26 acres. A pending planned unit development major amendment will be heard by the TMAPC on August 13, 1997 to permit an assisted living facility-type use. Staff has a concern with the TAC reviewing the preliminary plat prior to TMAPC consideration of the PUD, however, would note that any additional requirements or conditions would be made a condition to approval of the preliminary plat.

Staff would offer the following comments and/or recommendations:

1. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 30' (1" = 100' required).
2. Show book/page information for existing South Lewis right-of-way.
3. Show lots and easements for abutting subdivisions.
4. All conditions of PUD-482A 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 reference to Sections 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 and 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 and 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. 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 Brighton Gardens, subject to all conditions listed above.

Interested Parties Comments:

Charles Sublett, stated he is representing and a friend of K. E. McNeal, 5231 South Lewis. He stated he is personally familiar with the problems of flooding and drainage on Mr. McNeal's property.

Mr. Sublett stated there are current problems with flooding and drainage in the area. He noted there is a natural watershed across the eastern half of the property that meets in the middle of Mr. McNeal's property. He presented pictures taken when there was a one-inch rain fall.

Mr. Sublett stated that Mr. McNeal does not oppose the zoning change, but requested that the current flooding problem not be made worse by the proposed development.

In closing, Mr. Sublett noted the current runoff problem will be more serious if the project is not closely monitored.

Lois Gatchell, 5208 South Atlanta Avenue, stated her property abuts the subject property. On the surface, she feels the use of the subject property seems appropriate.

Ms. Gatchell requested that the dead-end street on the north of her lot not be opened to general traffic. She feels with Atlanta Avenue not being a through-street and only two blocks long it cannot stand an increase in traffic flow. She requested that both ingress and express to the subject property be from Lewis Avenue.

Ms. Gatchell noted that drainage from her property is directly onto the property under consideration. She feels an adequate detention pond should be constructed and that any fencing at the back of the property must be designed to allow free drainage.

Ms. Gatchell also requested that the aesthetic nature of the property be preserved as much as possible. She feels the large pecan trees are an asset to the urban setting and make the property valuable and beautiful.

In closing, Ms. Gatchell feels with these provisions, she would concur with the proposed use of the property and requests the management of the proposed development be good neighbors and cooperative with the Lewis Crest Neighborhood Association.

TMAPC Comments:

Chairman Carnes stated that during the PUD application, the water from rooftops and parking lots will be diverted to Lewis Avenue. Mr. Sublett questioned how the water can be diverted. Mr. Doherty replied that curbing and guttering can be used to direct the water into a storm sewer and conduct the storm sewer to Lewis Avenue. Mr. Doherty feels the applicant is aware of the difficulty the downstream neighbors are having.

Mr. Westervelt suggested these pictures of the drainage problems be forwarded to Paul Zachery.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Preliminary Plat of Brighton Gardens, subject to the conditions as recommended by TAC and Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 30'.

Honey Creek Blocks Ten through Twelve (PUD-523) (1383) (PD-18) (CD-8)
South of the southeast corner of East 81st Street South and South Memorial Drive

Mr. Ledford stated he would be abstaining from this item.

TAC Recommendation:

Jones presented the plat with Jerry Ledford, Jr. present.

Somdecerff recommended that existing right-of-way be identified by book/page. Standard LNA language should be used.

Pierce stated that an additional utility easement may be required on the west side of the residential project. Ledford agreed.

Honey Creek Blocks Ten through Twelve is the third and final phase of the residential portion of this development, and as permitted in the PUD, office use on Block 12, Lot 14.

Staff would offer the following comments and/or recommendations:

1. Identify distance of utility easement on the north side of Block 10.
2. Correct Section II, B.1 of the restrictive covenants to provide for office use.
3. All conditions of PUD-523 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 reference to Sections 1100-1107 of the Zoning Code in the covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to lines and/or lot lines.

5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and 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 and 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. 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 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 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.
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, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Honey Creek Blocks Ten through Twelve subject to all the conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Preliminary Plat of Honey Creek Blocks Ten through Twelve, subject to the conditions as recommended by TAC.

Plat Waiver, Section 213:

BOA-17795 (Unplatted) (2283) (PD-18) (CD-8)
Northwest corner of South Canton Avenue and the Creek Turnpike

Staff Comments:

Mr. Jones stated that the applicant has requested a continuance of this Plat Waiver to August 27, 1997. The application is for a PSO substation at this location. If approved, it would trigger the platting requirement. The application was continued by the BOA.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **CONTINUE** the Plat Waiver, Section 213 for BOA-17795 to August 27, 1997.

BOA-17792 (Unplatted) (183)

(PD-18) (CD-7)

Southwest corner of East 61st Street South and South 89th East Avenue

TAC Recommendation:

Jones presented the plat waiver with no representative present.

The subject tract is being considered by the Tulsa Board of Adjustment for church use, specifically additional off-street parking. If approved by the Board, the property will be subject to the platting requirement.

Based on the size of the tract and the proposed use, staff is supportive of the requested plat waiver, subject to the conditions listed below.

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

On motion of Lee, the Technical Advisory Committee voted unanimously to approve the Plat Waiver for BOA-17792 subject to all conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Plat Waiver for BOA-17792, subject to the conditions as recommended by TAC.

Z-6585/PUD-556 (LaBarge Addition and Unplatted) (394) (PD-17) (CD-6)

West of the southwest corner of East Admiral Place and South 161st East Avenue

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

TAC Recommendation:

Jones presented the request with Jerry Ledford, Jr. present.

McCormick stated that an overland drainage easement would be accepted instead of dedication.

Lee recommended an additional fire hydrant be installed at the northeast corner of the property.

Somdecerff noted an incorrect legal description.

Considerable discussion was given to the need for platting.

Z-6585 was a rezoning request which rezoned the north 350' of the subject tract from SR to IL and PUD-556 permitted recreational vehicle storage and related uses on the subject tract.

After review of the applicant's submitted site plan, staff does not support the request and feels it violates the intent of the plat waiver process. Staff would note the following problems with the plat waiver:

1. The property is approximately 4.5 acres in size (2.5 acres is used as the maximum per TMAPC policy.)
2. The development involves "substantial" new construction.
3. The project will require floodplain to be identified and dedicated to the City with appropriate provisions for maintenance.
4. PUD restrictions which are part of the subdivision plat, must be filed on record with the County Clerk's office.
5. A minor amendment to the PUD should be processed in order to waive the platting requirement. Section 1107.F states, "A Planned Unit Development subdivision plat shall be filed with the Planning Commission..."
6. A new access control agreement would need to be processed and filed of record.

On motion of French, the Technical Advisory Committee voted unanimously to deny the Plat Waiver for Z-6585/PUD-556.

Applicant's Comments:

Jerry Ledford, Jr., Tulsa Engineering and Planning, reviewed the history of the site. He noted that floodplain has existed since the time of the platting of the LaBarge Addition and that floodplains are not always dedicated. He feels the floodplain issue is something that can be overcome.

Mr. Ledford, Jr. stated the site was previously zoned scientific research. He stated his client wants to establish an enclosed storage area for RV's, so the zoning would have to be changed under a classification for RV and boat storage. The zoning was changed to IL/PUD to accommodate the storage, which includes a place to refuel with propane gas and a dump site for sewage.

Mr. Ledford, Jr. stated the utilities were another factor in choosing this site. Sanitary sewer and water lines exist along Admiral Place, and all the required right-of-way is fully dedicated. He stated the utility companies were asked at the TAC meeting if additional easements were needed. ONG, PSO and SWB stated they would not need additional easements. The Water Department required an additional fire hydrant. The Stormwater Department expressed the need for dedication of easement for overland drainage flow.

In regard to the TMAPC policy for plat waivers, Mr. Ledford, Jr. feels the 2-1/2 acres were derived based on the old State statute for lot-splits. The State statute for lot-splits has been changed to five acres. He feels the 4.5 acre tract meets the five-acre lot-split requirement.

Mr. Ledford, Jr. stated he does not know how to quantify substantial construction, but he noted that the building plans and earth change documents have been submitted to the City and approved.

Mr. Ledford, Jr. requested approval of the plat waiver for Z-6585/PUD-556.

TMAPC Comments:

Chairman Carnes questioned if Mr. Ledford, Jr. would have any problems in supplying the needed instruments in regard to the required documents of the plat. Mr. Ledford, Jr. replied in the negative.

Mr. Doherty stated he understands TAC recommendation is based on the TMAPC policy and feels that the policy needs to be reviewed and modified. He noted that the TMAPC policy on plat waivers is scheduled for today's Rules and Regulations Committee meeting.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-1** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Boyle "absent") to **APPROVE** the Plat Waiver for Z-6585/PUD-556.

PUD-405F (9100 Memorial) (292)

(PD-18) (CD-8)

9344 South Memorial Drive

TAC Recommendation:

Jones presented the request with George Hogman present.

Planned Unit Development 405F was a major amendment to permit an outdoor advertising sign in an existing lot of 9100 Memorial subdivision.

Based on the proposed use, subdivision plat and size of the lot, staff can see no benefit to the City with a replat.

Staff recommends approval of the plat waiver for PUD-405F, subject to the condition that utility extensions and/or easements be dedicated if needed.

On motion of Lee, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for PUD-405F, subject to the condition listed above.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGE**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Plat Waiver for PUD-405F, subject to the condition as recommended by TAC.

* * * * *

Change of Access on Recorded Plat:

Food Lion (1694)

(PD-17) (CD-6)

East of the northeast corner of east 31st Street South and South 129th East Avenue

Staff Comments:

Mr. Jones stated the proposed change of access was included in the agenda packets. He noted the applicant is not adding or deleting an access, but simply shifting the two 40-foot access points and making a 60-foot separation in lieu of a 93-foot separation.

Mr. Jones stated staff and Traffic Engineering have reviewed and signed off on the change of access.

TMAPC Comments:

Mr. Doherty stated Traffic Engineering normally likes accesses farther apart and questioned the reasons for the change. Mr. Jones feels the change of access is to reflect the correct location of the accesses that currently exist.

Ms. Gray feels the map that was included in the agenda packet is incorrect in that there is a mini-storage facility that has recently been constructed on the subject property. She feels the change in access is to accommodate the mini-storage facility with an entrance. Mr. Jones stated the applicant is not adding an access, only shifting the existing accesses. He noted that there are three accesses shown on the original subdivision plat and the applicant is realigning the two middle access points.

Ms. Gray expressed concern with the mini-storage facility not having access to 31st Street. Mr. Jones stated the mini-storage facility may have an agreement for joint access.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Change of Access for the Food Lion, subject to the document in the agenda packet. (See Exhibit A - Food Lion).

Lot-Splits for Ratification of Prior Approval:

L-18511 Bob Phillips (3194) (PD-18c) (CD-5)
5500 block South 108th East Avenue

L-18531 Ron Ross (2603) (PD-16) (CD-3)
1717 North 75th East Avenue

L-18534 Heilbronn Development LLC (793) (PD-4) (CD-4)
1124 South Lewis

Staff Comments:

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

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Lot-Split for Waiver of Subdivision Regulations:

L-18519 Charles Schusterman (1993)

(PD-6) (CD-9)

4025 South Yorktown Place

Staff Recommendation:

This is a request to split Lots 3 and 4, Block 1, Royal Oaks. A portion of Lot 3 will be added to Lot 4 and a portion of Lot 4 will be added to Lot 3. Staff has determined that each new tract will meet bulk and area requirements of the Zoning Code. However, because of the configuration of the lots, each will have more than three side lot lines. The applicant is requesting a waiver of this requirement.

Technical Advisory Committee and staff recommend approval of the request since it will not have an adverse effect on the surrounding properties.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Lot-Split for Waiver of Subdivision Regulations for L-18519 as recommended by TAC.

Zoning Public Hearing:

Application No.: PUD-128-E-4

Applicant: Kerry Miller (PD-18) (CD-2)

Location: West and South of Riverside Drive and East 71st Street South, Development Areas A-E and H, 67.29 acres, City of Tulsa Parks Department - Helmerich Park

Presented to TMAPC: Kerry Miller
(Minor Amendment to allow public park and related facilities.)

Staff Recommendation:

The applicant is requesting a minor amendment to allow public park and related facilities use on 67.29 acres of undeveloped land between the Arkansas River and Riverside Drive. The PUD Development standards called for office and office/retail uses in Development Areas A - E and open space uses in Area H. Only Development Areas F - G have been developed as apartments, in accordance with the PUD standards.

Staff has reviewed the request and finds the decrease in intensity of use will not adversely affect the character of the PUD, benefits the surrounding area and expands River Parks facilities for public use.

Staff, therefore, recommends **APPROVAL** of the minor amendment to allow a public park and related facilities in Development Areas A - E and H of PUD-128-E.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Ledford "absent") to **APPROVE** Minor Amendment PUD-128-E to allow a public park and related facilities in Development Areas A - E and H as recommended by staff.

Application No.: PUD-523

(PD-18) (CD-8)

Applicant: Sack and Associates

Location: Southeast corner East 81st Street and South Memorial Drive

Presented to TMAPC:

(Site Plan for medical clinic.)

Staff Recommendation:

The applicant is proposing a 14,450 square foot single-story medical clinic within Development Area A. A recently-filed preliminary plat designates the portion of the development area as Lot 1.

Staff has reviewed the site plan submitted and finds that it conforms to the bulk, area, setback, parking, sign number/location, access, mutual access and landscaped area standards of the PUD and of Lot 1, Block 1, Development Area A.

Staff, therefore, recommends **APPROVAL** of the site plan subject to the acceptance of the preliminary plat for Lot 1.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Detailed Site Plan for PUD-523 for a medical clinic within Development Area A, subject to the acceptance of the preliminary plat for Lot 1 as recommended by staff.

Application No.: PUD-532

(PD-1) (CD-4)

Applicant: W. Maurice Clyma

Location: Northwest corner West Archer and North Denver

Presented to TMAPC: W. Maurice Clyma

(Site Plan for Salvation Army Transitional Living Facility.)

Staff Recommendation:

The applicant is requesting site plan approval for a 37,013 square foot three-story building expansion to the existing 33,396 square foot two-story facility located in a CBD Zoning District.

Staff has reviewed the request and finds the site plan conforms to the approved PUD standards for building floor area, height, setback, access, parking and minimum landscaped area with the exception of the required five-foot landscape along Archer Street.

Staff, therefore, recommends **APPROVAL** of the site plan for PUD-532, subject to the revision of the site plan to reflect a five-foot landscape strip along the 20 parking spaces that abut Archer Street.

NOTE: Site Plan approval does not constitute Detailed Sign or Landscape Plan approval.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **APPROVE** the Detailed Site Plan for PUD-532, subject to the revision of the site plan to reflect a five-foot landscape strip along the 20 parking spaces that abut Archer Street as recommended by staff.

* * * * *

Other Business:

Request by Mr. Charlie Burris to discuss Kelly Ann subdivision plat.

Staff Comments:

Mr. Jones stated that Mr. Burris has requested a continuance to August 27, 1997.

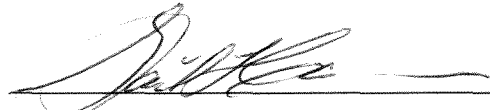
TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Carnes, Dick, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle "absent") to **CONTINUANCE** of the request by Mr. Charles Burris to discuss Kelly Ann subdivision plat to August 27, 1997.

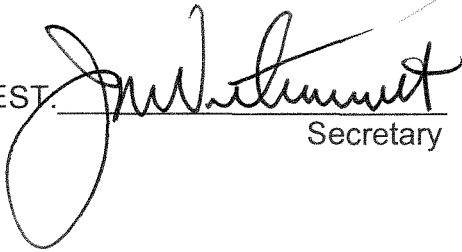
* * * * *

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

Date Approved: 9-3-97



Chairman

ATTEST. 

Secretary