

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2137

Wednesday, November 19, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 17, 1997 at 9:57 a.m., in the Office of the City Clerk at 9:51 a.m., as well as in the office of the County Clerk at 9:47 a.m.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:35 p.m.

Minutes:

Approval of the minutes of November 5, 1997, Meeting No. 2135:

On **MOTION** of **WESTERVELT**, the TMAPC voted **5-0-1** (Boyle, Doherty, Gray, Pace, Westervelt "aye"; no "nays"; Jackson "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of November 5, 1997 Meeting No. 2135.

Reports:

Chairman's Report:

Chairman Doherty stated that Mr. Norman contacted him in regard to a plat the Planning Commission approved last week. He stated there was a problem with the plat in regard to the proximity to a pipeline and certain conditions and restrictions between the developer and the pipeline owner.

Chairman Doherty, upon advice from Legal Counsel, stated he directed the application to be forwarded on to the City Council for consideration. However, he would like the Planning Commission to be advised of the problems.

Mr. Stump reported the subdivision plat was for a residential area located at 101st Street, just east of Yale Avenue. There is a high-pressure pipeline easement running through the property. Normally, a release letter is obtained from the provider of the pipeline, which releases the developer to use the property. However, an agreement has not been reached between the pipeline provider and the developer.

Mr. Stump stated that staff suggests that all construction and crossing of the subject pipeline easement is done in accordance with Corporation Commission Regulations and Federal Transportation Commission Regulations to ensure the safety of everyone involved.

Mr. Stump noted that the pipeline provider does not want any type of landscaping in the easement area. There is also some concern with the location and installation of the water and sewer lines in this area.

Mr. Stump stated staff feels if the developer operates within the guidelines of the regulating Commissions, there is not a need to have further restrictions imposed or to delay the forwarding of the application until the pipeline provider furnishes the release letter.

Mr. Boyle noted, in regard to the pipeline provider prohibiting planting on top of the line, that many pipeline providers perform fly-over inspections of the pipelines to check for pipelines that have been exposed and other items. Mr. Stump stated that with the pipeline being located so close to a residential area, the area residents would notify the pipeline provider about any exposed pipe or other such conditions.

Mr. Charles Norman stated the pipeline is an Explorer Pipeline that has been at this location for over 20 years. The pipeline extends from Glenpool, across the river, and through all the subdivisions located south and west of 101st and Yale Avenue. It then crosses the Jenks schoolyard, runs behind the bank building on the southeast corner of 101st and then through more subdivisions to the Mingo Valley Expressway.

Mr. Norman stated the conditions by Explorer Pipeline were a complete surprise since the same type of release letter has been obtained for other developments in the area for the same pipeline. He stated the easement is not a fee-simple title and he has suggested alternative solutions to Explorer Pipeline Company.

Mr. Norman stated this is the first time he has encountered this type of document, especially this late in the process. He wished to make the Commission aware of the problem, but requested the application move forward subject to final Legal approval.

Chairman Doherty feels Rules and Regulations Committee may need to look into establishing some type of guidelines in regard to development around pipelines.

Chairman Doherty stated this is an information item only and no action is required.

Chairman Doherty noted that special residential facilities would be an issue before the Planning Commission within the next few weeks. There are also other areas of infill and reuse to also come before the Commission. He feels, with Mr. Boyle's experience as Chair for the Riverside Task Force, he demonstrated an ability to develop consensus with conflicting constituencies. He has also demonstrated the energy and tenacity to see these types of projects through. Therefore, Chairman Doherty feels it would be in the best interest of the Commission for him to step down as Chairman and ask Mr. Boyle to assume the Chairmanship.

Mr. Boyle thanked the Commission and noted that Mr. Doherty would be the Chairperson for the Rules and Regulations Committee and all other committee appointments would remain the same.

Committee Reports:

Rules and Regulations Committee:

Mr. Doherty stated that Councilor Doverspike requested the Commission to research the spacing requirement for special residential facilities. However, he stated the City Council has not made such a request, which is the policy of the Commission. He feels Councilor Doverspike should be notified of the policy.

Mr. Stump requested that the Commission call for a Zoning Text Public Hearing to consider amendments in regard to Use Units 17 and 12a, tents, daycare centers and mini-storage facilities for the County.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **SCHEDULE** a Zoning Text Public Hearing for December 3, 1997.

Community Participation Committee:

Mr. Gray stated the Community Participation Committee is in the process of rescheduling the training/work session for February 1998.

Director's Report:

Mr. Stump stated the receipts and deposits for the month of October 1997, were included in the agenda packet. He noted that they continue to average around \$12,000 per month.

Mr. Stump there are no zoning items scheduled for the November 20, 1997 City Council meeting; therefore, staff will not be in attendance.

Subdivisions:

Plat Waiver, Section 213:

Z-6612 (Cherokee Heights Addition) (3103)

(PD-2) (CD-3)

733 North Xanthus

TAC Comments:

Z-6612 is an application to rezone two lots from RM-1 to PK to permit expansion of an abutting parking lot. The proposed parking lot would serve the industrial facility to the north across Haskell Place.

After review of the submittals, staff can see no benefit to the City in a replat.

Beach presented the plat waiver with no representative present.

Somdecerrf requested dedication of a 25-foot radius curve at the northwest corner of the property, which is the southeast corner of the intersection of North Xanthus Avenue and East Haskell Place.

On motion of Somdecerrf, the Technical Advisory Committee voted unanimously to support approval of the Plat Waiver for Z-6612, subject to all conditions listed.

Staff recommends approval of the plat waiver for Z-6612, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.
3. Dedication of a 25-foot radius curve at the northwest corner of the property as described above.

TMAPC Action; 6 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **APPROVE** Plat Waiver for Z-6612, subject to the conditions as recommended by staff.

PUD-568 (Unplatted) (1562)

(PD-21) County

Southwest corner Highway 75 South and West 206th Street South

TAC Comments:

Planned Unit Development 568 permitted mobile home storage and sales on a 2.41-acre tract. The PUD provided for 25 units to be allowed on the property. Three will be displayed along the Highway 75 frontage and will be skirted. The remainder will be stored behind an eight-foot high screening fence. Access to the site will be from a street along the north side of the property, which is proposed to be dedicated by separate instrument but privately maintained. The applicant is now requesting a plat waiver for the subject tract.

This is the first major, full-scale development in the area and there will likely be more in the future. To promote orderly, well-planned development and to properly plan to serve the abutting properties with streets and utilities, a plat should be required.

Beach presented the plat waiver with John Moody present.

Moody explained that the landowner will dedicate a 30' right-of-way along the north side of the property but will retain private maintenance responsibilities. He stated that because of the small size of the current proposal for development, he is requesting a temporary plat waiver until the remainder of the property is developed. Whenever there is additional development on the property, he will file a subdivision plat.

Rains stated that he is in agreement with the temporary waiver until there is additional development in the future.

French asked if the 30' dedication would be entirely on the subject property.

Moody replied in the affirmative.

On motion of Rains, the Technical Advisory Committee voted unanimously to support approval of a temporary Plat Waiver for PUD-568, subject to all conditions listed.

Staff recommends approval of the plat waiver for PUD-568, subject to the following conditions:

1. Grading and/or drainage plan approval by the County Engineer in the permit process.
2. Utility extensions and/or easements if needed.
3. Dedication of 30' of right-of-way along the north boundary of the subject tract.
4. No additional development permitted without a subdivision plat.

Applicant's Comments:

John Moody, 7146 South Canton, 74136, stated he is in agreement with the staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **APPROVE** the Plat Waiver for PUD-568, subject to the conditions as recommended by staff.

Lot-Splits for Ratification of Prior Approval:

- L-18565 Jeff and Mary Erb (1094)** (PD-17) (CD-6)
15520 East 11th Street
- L-18566 City of Tulsa (2602)** (PD-2) (CD-1)
2547 North Boston Avenue
- L-18567 City of Tulsa (2303)** (PD-25) (CD-1)
Northwest corner Apache and Boston Place
- L-18568 City of Tulsa (2602)** (PD-2) (CD-1)
2546 North Cincinnati
- L-18569 City of Tulsa (2302)** (PD-25) (CD-1)
2626 North Denver Avenue
- L-18571 Phillip Conley (764)** (PD-20) County
10200 block East 201st Street South
- L-18572 Robert Price (1793)** (PD-6) (CD-9)
2838 East 29th Street

Staff Comments:

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

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Zoning Public Hearing:

Application No.: PUD-571

CS/RM-1 to CS/RM-1/PUD

Applicant: Roy Johnsen

(PD-18) (CD-8)

Location: East of northeast corner 81st Street and South Memorial Drive
(A Planned Unit Development for commercial use.)

Chairman Boyle stated that Mr. Johnsen has requested a continuance to December 3, 1997.

There were no interested parties wishing to comment.

TMAPC Action; 6 members present:

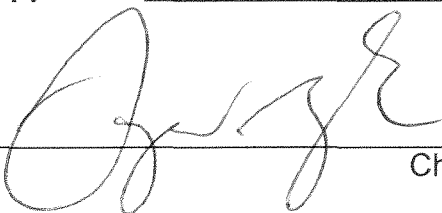
On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Ledford, Midget "absent") to **CONTINUE** the Zoning Public Hearing for PUD-571 to December 3, 1997.

In closing, Mr. Westervelt encouraged the Planning Commission to review the information Ms. Matthews distributed in regard to special residential facilities.

Chairman Boyle asked Mr. Westervelt to keep the Commission apprised of any further development on special residential facilities.

There being no further business, the Chairman declared the meeting adjourned at 1:50 p.m.

Date Approved: 12-3-97



Chairman

ATTEST: Gray Pace
Secretary