

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2147

Wednesday, February 18, 1998, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, February 16, 1998 at 10:00 a.m., posted in the Office of the City Clerk on Tuesday, February 17, 1998 at 9:55 a.m., as well as in the office of the County Clerk at 9:52 a.m.

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

Minutes:

Approval of the minutes of January 28, 1998, Meeting No. 2144:

On **MOTION** of **CARNES** the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Westervelt, "aye"; no "nays"; none "abstaining"; Selph, Midget, "absent") to recommend **APPROVE** the minutes of the meeting of January 28, 1998 Meeting No. 2144.

Approval of the minutes of February 4, 1998, Meeting No. 2145:

On **MOTION** of **CARNES** the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, "aye"; no "nays"; Westervelt "abstaining"; Midget, Selph, "absent") to recommend **APPROVE** the minutes of the meeting of February 4, 1998, Meeting No. 2145.

Reports:

Chairman's Report:

Mr. Boyle reported the City Council confirmed the reappointment of Mr. Jerry Ledford to the TMAPC for a new three-year term on February 12, 1998. He indicated Mr. Doherty will be attending the City Council Meeting on February 19, 1998.

Committee Reports:

Special Residential Facilities Task Force:

Mr. Westervelt stated the TMAPC received a recent transmittal for the February 26, 1998 meeting. He informed the TMAPC there will be a tour and invited the members to tour the residential facilities. He urged TMAPC members to review the packet to familiarize themselves with the various locations and Use Units of these facilities.

Budget and Work Program Committee:

Mr. Horner stated there will be a brief meeting in Room 1102 following the adjournment of the TMAPC meeting.

Comprehensive Plan Committee:

Mr. Ledford stated there will be a work session after the TMAPC meeting.

Rules and Regulations Committee:

Mr. Doherty reminded TMAPC members that the Conservation District proposal from staff is on the agenda for the Committee Work Session and urged everyone to attend.

Director's Report:

Mr. Stump reported there will be several TMAPC cases on the City Council meeting, February 19, 1998.

Mr. Stump informed TMAPC that the Urban Development Committee requested that the TMAPC add to their next year's work program an analysis of the Use Units allowed in the CH district and possible modifications of some of the Use Units allowed. This will go before the full Council to get their recommendation.

Commissioner Selph in at 1:35 p.m.

Subdivisions:

LOTSPLITS FOR RATIFICATION OF PRIOR APPROVAL

L-18598 Chad Cline (2692)

Northeast corner 49th Street and Union.

(PD-9) (CD-9)

L-18602 Andrew Chavez (2523)

14101 North Memorial.

(PD-14) (County)

L-18603 Riverbend Development (1883)
2121 East 83rd Street.

(PD-8) (CD-2)

L-18604 Roger Eaton (3123)
12705 North Peoria.

(PD-13) (County)

L-18605 City of Tulsa (2203)
3504 North Erie Avenue.

(PD-16) (CD-3)

L-18606 City of Tulsa (1083)
8012 South Sheridan.

(PD-18b) (CD-8)

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Selph, Westervelt, "aye"; no "nays"; none "abstaining"; Midget, "absent") to recommend **APPROVAL** of Lot splits for ratification of prior approval on the following cases: L-18598, L-18602, L-18603, L-18604, L-18605, L-18606, as recommended by staff.

PLAT WAIVER, SECTION 213:

BOA 17846 (683)
6845 South Peoria.

(PD-18) (CD-2)

Staff Recommendations:

The Board of Adjustment approved the subject tract on 10/14/97 for church use. Approval of Use Unit 2, Church, triggers the platting requirement. The church will occupy a leased space in an existing strip shopping center and there will be no substantial alterations to the building or the site.

This property has never been platted. All rights-of-way are in place and utilities are adequate to serve the area. In staff's opinion, the addition of a church to the existing building does not provide a compelling reason to require the plat at this time and the City would have nothing to gain. **Staff recommends approval of the plat waiver.**

Staff Comments:

Mr. Beach stated the subject property is an existing strip shopping center on Peoria at approximately 68th Street. The Board of Adjustment approved one of the leased spaces in the shopping center for a church use, and approval of the Use Unit 2 triggers the platting requirement. The church has applied for a plat waiver. Staff does not see anything to be gained by requiring the plat on the subject property, although the entire property is unplatted.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Selph, Westervelt, "aye"; no "nays"; none "abstaining"; Midget, "absent") to recommend **APPROVAL** of the plat waiver, Section 213, as recommended by staff.

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PRELIMINARY PLAT:

Darlington West (2283)

(PD-18b) (CD-8)

West of East 92nd Street and South Darlington Avenue.

Staff Comments:

This is a two-lot subdivision to be developed as single-family residential.

Staff recommends approval of the preliminary plat subject to the following comments and/or recommendations:

1. 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.
2. 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.)
3. 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).
4. 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.
5. 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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).

7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
11. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works/County Engineer.
12. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
13. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
15. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
16. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
17. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
18. The method of water supply and plans therefor shall be approved by the City/County Health Department.
19. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
20. The key or location map shall be complete.

21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. The zoning application Z-6615 shall be approved and the ordinance or resolution therefor published before final plat is released. (Plat shall conform to the applicable zoning approved.)
24. This plat has been referred to Jenks, Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
25. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
26. All other Subdivision Regulations shall be met prior to release of final plat.
27. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Selph, Westervelt, "aye"; no "nays"; none "abstaining"; Midget, "absent") to recommend **APPROVAL** of the preliminary plat for Darlington West, subject to the conditions noted by TAC.

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Cornerstone Plaza (PUD-539) (594)

(PD-17) (CD-6)

Northeast corner of East 11th Street and 123rd East Avenue.

Staff Comments:

This is a three-lot subdivision to be developed commercially. The PUD proposed boat sales in Development Area A and a mini-storage in Development Area B. Development Area C will be open space to accommodate the floodplain at the north end of the site.

Staff recommends approval of the preliminary plat subject to the following comments and/or recommendations:

1. The existing floodplain area must be dedicated as a reserve area.
2. Additional dedication of right-of-way to create a 25' radius at the northwest corner and 30' radius at the southwest corner of the property.
3. All conditions of PUD-539 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.

13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works/County Engineer.
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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
20. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
21. The method of water supply and plans therefor shall be approved by the City/County Health Department.
22. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
23. The key or location map shall be complete.
24. 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.)
25. 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.)

26. 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.
27. 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.)
28. All other Subdivision Regulations shall be met prior to release of final plat.
29. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

There were no interested parties wishing to speak.

TMAPC Comments:

In response to Mr. Doherty's concerns regarding notices, Mr. Beach indicated he received several phone calls and he was able to answer questions through telephone conversations.

Ms. Gray asked staff if Lot 1 was included in the proposal and if the provision for the new five lanes was considered. Mr. Stump stated the 100' existing right-of-way would accommodate the five lanes.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Selph, Westervelt, "aye"; no "nays"; none "abstaining"; Midget, "absent") to recommend **APPROVAL** of the preliminary plat for Cornerstone Plaza (PUD-539), subject to all of the conditions noted by TAC.

Balmoral (PUD-582) (583)

(PD-18b) (CD-9)

Southwest of East 66th and South Birmingham Avenue.

Staff Comments:

This is a single-family residential subdivision with 23 lots in two blocks on 5.6 acres. It will be a PUD and will have private streets and a gated entry.

Staff recommends approval of the preliminary plat subject to the following additional comments and/or recommendations:

1. Entry drive from Birmingham Avenue must have median and L.N.A. should include note indicating such divided access.
2. A Privately Financed Public Improvement (PFPI) will be required to upgrade Birmingham Avenue.
3. A water main extension will be required.
4. All conditions of PUD-582 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.)
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27. 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.)
28. All other Subdivision Regulations shall be met prior to release of final plat.
29. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

Staff Comments:

Mr. Stump reminded the TMAPC that the City Council has not approved PUD-582 at this time and so any action will be contingent upon the City Council approval.

Mr. Midget in at 1:42 p.m.

Interested Parties:

Jay Cox, 7935 East 57th, stated he is the engineer for the proposal. He explained he had no objections to the staff recommendations. He stated he made some assumptions with regard to the location and the widths of the easement shown on the plat. The final location and width will be determined as required by the utility companies.

Charles Norman, 2900 Mid-Continent Tower, stated he represented the applicant for PUD-582. He reminded TMAPC that Birmingham Avenue has no permanent pavement from south of the subject project extending to the Southern Hills Country Club property. He stated his client is not in the position to pave both sides of Birmingham Avenue with curbs and gutters from 68th Street North, but his client is prepared to make some improvements. He explained that this issue will come back before the TMAPC before the final plat is released.

Mr. Boyle asked Mr. Norman if he had a problem with the TMAPC approving the preliminary plat. Mr. Norman stated he would prefer it be approved, with the upgrade of Birmingham Avenue subject to further refinement. He explained his client is not sure what will be required for Birmingham Avenue. Mr. Boyle asked Mr. Norman if he did not find the language to be vague. Mr. Norman responded he wanted to make the point so the TMAPC would remember the qualifications that he has expressed.

TMAPC Action; 11 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **10-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Pace, Selph, Westervelt, "aye"; no "nays"; Midget "abstaining"; none "absent") to recommend **APPROVE** the preliminary plat for Balmoral (PUD-582); subject to conditions recommended by TAC and noting Mr. Norman's comments.

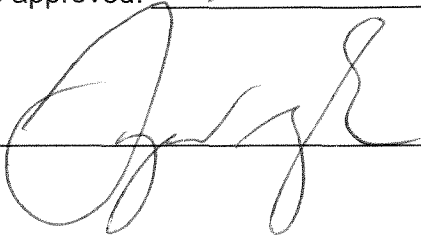
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MATTERS NOT FORESEEN DURING PREPARATION OF THE AGENDA:

Mr. Linker answered TMAPC's questions regarding the summons served from Mr. Spinks to the TMAPC members during the meeting.

There being no further business, the Chairman declared the meeting adjourned at 1:45 p.m.

Date approved: 3-4-98

 Chair

ATTEST: 
Secretary