

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2171

Wednesday, August 19, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Gray	Beach	Romig, Legal
Carnes		Dunlap	Counsel
Harmon		Huntsinger	
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 Friday, August 14, 1998 at 3:43 p.m., posted in the Office of the City Clerk at 3:38 p.m., as well as in the office of the County Clerk at 3:32 p.m.

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

Minutes:

Approval of the minutes of August 5, 1998, Meeting No. 2169:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Selph "absent") to **APPROVE** the minutes of the meeting of August 5, 1998 Meeting No. 2169.

Approval of the minutes of August 12, 1998, Meeting No. 2170:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining", Gray, Selph "absent") to **APPROVE** the minutes of the meeting of August 12, 1998 Meeting No. 2170.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford reported that there was a work session before the meeting at 11:30 a.m., regarding the updates for the City of Tulsa Flood and Stormwater Management Plan. The updated plan will come before the Planning Commission on August 26th, 1998 with a staff recommendation.

Rules and Regulations Committee

Mr. Westervelt reported that there will be a meeting immediately following today's meeting. He stated that the committee will be looking at proposed changes to the Sign Code.

Director's Report:

Mr. Stump reported that the infill groups are continuing to meet and there will be a tour on Monday, August 24th, 3:30 p.m. from the INCOG offices. He explained that the tour will look at infill sites, examples of landscaping and Urban Development Department areas where they have used incentives. He stated that the tour should last approximately one and one half-hours.

Mr. Stump indicated that there are no zoning cases on the City Council agenda.

TMAPC Comments:

Mr. Midget asked Mr. Stump if he had a map of the tour. In response, Mr. Stump stated that he is still trying to put a map together.

Mr. Midget requested a map be sent to his office when it is ready. He explained that he will not be able to attend the tour, but would like a map.

Mr. Boyle requested Mr. Stump to send a map to all of the Commissioners.

Subdivisions:

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

<u>L-18674 - Larry Bauer (963)</u>	(PD-20 (County))
Northeast corner 201 st Street South and Harvard	
<u>L-18686 – Shawn Lawhorn (2183)</u>	(PD-18) (CD-8)
3612 East 91 st Street	
<u>L-18691 – John D. Owens (1322)</u>	(PD-13) (County)
925 East 161 st Street North	
<u>L-18697 – Mike Parrish (283)</u>	(PD-18C) (CD-7)
North and northeast corner East 71 st Street and 69 th East Avenue	
<u>L-18699 – Sack & Associates, Inc. (3094)</u>	(PD-17) (CD-5)
4122 South Garnett Road	

<u>L-18703 City of Tulsa (684)</u> 6425 South Mingo Road	(PD-18) (CD-7)
<u>L-18704 – Nancy Hawk (994)</u> 14302 East 12 th Street	(PD-17) (CD-6)
<u>L-18706 – Tulsa Development Authority (3602)</u> 441 East King	(PD-2) (CD-1)

Staff Recommendation:

Mr. Beach stated that these lot-splits are all in order and the staff recommends approval.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

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

PRELIMINARY PLAT:

<u>United States Cellular Corporation Center (PUD 550) (1390)</u> Between South 87 th East Avenue and South 91 st East Avenue, north side East Skelly Drive	(PD-2) (CD-1)
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Staff Recommendation:

The Technical Advisory Committee had the following comments:

1. Miller, ONG noted there is a conflict between the drainage easement and the utility easement shown at the north side of the plat;
2. Somdecerff, Transportation stated that there are discrepancies between the face of the plat and the legal description in the Deed of Dedication;
3. Sack, applicant stated that he would resolve that to satisfy;
4. Sack, applicant said he would resolve that too;
5. Lee, Water stated that a hydrant analysis would be done to determine if water extension would be required at rear of building;
6. Eshelman, Traffic stated that LNA should be shown along the 30' segment of property line on the west side of the plat.

Staff recommends approval of the preliminary plat subject to the following:

1. All conditions of PUD-550 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.
2. 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.
3. 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.)
4. 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).
5. 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.
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
8. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
12. 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.
13. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.

14. 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.
15. 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.)
16. 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.
17. 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.)
18. 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.)
19. The method of water supply and plans therefor shall be approved by the City/County Health Department.
20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
21. The key or location map shall be complete.
22. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
23. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean waters Act.
26. If this is a resubdivision of already platted property, this plat is subject to Oklahoma Statute 42-106.

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

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray "absent") to **APPROVE** the Preliminary Plat for United States Cellular Corporate Center, subject to the conditions as recommended by staff.

Oak Tree Village (1884)

(PD-18) (CD-8)

West of South Garnett Road at East 85th Street South

TMAPC Comments:

Mr. Boyle stated that this item is not ready to be heard today. He indicated that the applicant needs a two-week continuance.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray "absent") to **CONTINUE** the Preliminary Plat for Oak Tree Village to September 1, 1998.

Radison Acres (594)

(PD-5) (CD-6)

East of southeast corner South Garnett Road and East Archer Street

Staff Recommendation:

The Technical Advisory Committee had the following comments:

1. Miller, ONG asked that the existing utility easement containing a gas line along the *south property line* be shown on the plat.

Staff recommends approval of the preliminary plat subject to the following:

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.
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 therefore 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 therefore 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. 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.
24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
26. If the owner is a Limited Liability Corporation (L.L.C.) a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
27. All other Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HARMON** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray "absent") to **APPROVE** the Preliminary Plat for Radison Acres, subject to the conditions as recommended by staff.

* * * * *

PLAT WAIVER:

BOA-18070 (703)
4601 North Peoria.

(PD-25) (CD-1)

Staff Recommendation:

Approval of a Special Exception for Use Unit 2, Temporary Outdoor Sales by the Board of Adjustment triggered the platting requirement. **Staff recommends approval of the plat waiver** subject to dedication of additional right-of-way to meet the Major Street and Highway Plan and subject to the filing of a current ALTA/ACSM/NSPS Land Title Survey.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1) Has property previously been platted? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|-------------------------------------|--------------------------|
| 4) Is right-of-way dedication required to comply with major street and highway plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|

- | | | |
|--|--------------------------|---|
| 5) Will restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | ✓ |
| 6) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | <input type="checkbox"/> | ✓ |
| ii) Is an internal system or fire line required? | <input type="checkbox"/> | ✓ |
| iii) Are additional easements required? | <input type="checkbox"/> | ✓ |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | <input type="checkbox"/> | ✓ |
| ii) Is an internal system required? | <input type="checkbox"/> | ✓ |
| iii) Are additional easements required? | <input type="checkbox"/> | ✓ |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | <input type="checkbox"/> | ✓ |
| ii) Is an Overland Drainage Easement required? | <input type="checkbox"/> | ✓ |
| iii) Is on-site detention required? | <input type="checkbox"/> | ✓ |
| iv) Are additional easements required? | <input type="checkbox"/> | ✓ |
| 7) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | <input type="checkbox"/> | ✓ |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | <input type="checkbox"/> | ✓ |
| 8) Change of Access | | |
| a) Are revisions to existing access locations necessary? | <input type="checkbox"/> | ✓ |
| 9) Is the property in a P.U.D.? | <input type="checkbox"/> | ✓ |
| a) If yes, was plat recorded for the original P.U.D.? | N/A | |
| 10) Is this a Major Amendment to a P.U.D.? | <input type="checkbox"/> | ✓ |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | N/A | |

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

Applicant's Presentation:

Mr. Chance Johnson, 4601 North Peoria, stated he is in agreement with the staff recommendation. He informed the Planning Commission that the Board of Adjustment approved his request for three years.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Midget asked how long the temporary vendors will be operating. In response, Mr. Johnson stated that the vendors operate the first fourteen days of every month.

Ms. Pace asked the applicant if this was a flea market setup. Mr. Johnson that the vendors will have a table and there will not be any tents or structures.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray "absent") to **APPROVE** the Plat Waiver for BOA-18070, subject to conditions as recommended by staff.

CBOA-1573 (1792)

(PD-9) (County)

2327 South 65th West Avenue

Staff Recommendation:

Approval of a Special Exception for church use by the County Board of Adjustment triggered the platting requirement. The approval is to allow expansion of an existing church. **Staff recommends approval of the plat waiver** subject to dedication of 10' of additional right-of-way to meet the Major Street and Highway Plan.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|---|-----|--------------------------|
| 11) Has property previously been platted? | ✓ | <input type="checkbox"/> |
| 12) Are there restrictive covenants contained in a previously filed plat? | ✓ | <input type="checkbox"/> |
| 13) Is property adequately described by surrounding platted properties or street R/W? | ✓ | <input type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|-------------------------------------|-------------------------------------|
| 14) Is right-of-way dedication required to comply with major street and highway plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15) Will restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system or fire line required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an Overland Drainage Easement required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Is on-site detention required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18) Change of Access | | |
| a) Are revisions to existing access locations necessary? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19) Is the property in a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, was plat recorded for the original P.U.D.? | N/A | |
| 20) Is this a Major Amendment to a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | N/A | |

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

The applicant indicated he was in agreement with the staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; "abstaining"; Gray "absent") to **APPROVE** the Plat Waiver for CBOA-1573 subject to conditions as recommended by staff.

CBOA-1594 (991)
13026 West Southard

(PD-23) (County)

Staff Recommendation:

Approval of a Special Exception for church use by the County Board of Adjustment triggered the platting requirement. The approval is to allow expansion of an existing church. **Staff recommends approval of the plat waiver.**

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|-----|--------------------------|
| 21)Has property previously been platted? | ✓ | <input type="checkbox"/> |
| 22)Are there restrictive covenants contained in a previously filed plat? | ✓ | <input type="checkbox"/> |
| 23)Is property adequately described by surrounding platted properties or street R/W? | ✓ | <input type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|--------------------------|---|
| 24)Is right-of-way dedication required to comply with major street and highway plan? | <input type="checkbox"/> | ✓ |
| 25)Will restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | ✓ |

26)Infrastructure requirements

a) Water

- i) Is a main line water extension required? ✓
- ii) Is an internal system or fire line required? ✓
- iii) Are additional easements required? ✓

b) Sanitary Sewer

- i) Is a main line extension required? ✓
- ii) Is an internal system required? ✓
- iii) Are additional easements required? ✓

c) Storm Sewer

- i) Is a P.F.P.I. required? ✓
- ii) Is an Overland Drainage Easement required? ✓
- iii) Is on-site detention required? ✓
- iv) Are additional easements required? ✓

27)Floodplain

- a) Does the property contain a City of Tulsa (Regulatory) Floodplain? ✓
- b) Does the property contain a F.E.M.A. (Federal) Floodplain? ✓

28)Change of Access

- a) Are revisions to existing access locations necessary? ✓

29)Is the property in a P.U.D.?

- a) If yes, was plat recorded for the original P.U.D.? ✓
N/A

30)Is this a Major Amendment to a P.U.D.?

- a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? ✓
N/A

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES** the TMAPC voted **9-0-1** (Boyle, Carnes, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; Harmon "abstaining"; Gray "absent") to **APPROVE** the Plat Waiver for CBOA-1594 subject to conditions as recommended by staff.

Continued Zoning Public Hearings:

PUD-585-2 – Charles Norman

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial
(Minor Amendment)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to increase the maximum building height from 38 feet to 39.5 feet; to decrease the minimum building setback from the west boundary for portions of the building from 30 feet to 17 feet for the northwest wing of the building and from 30 feet to 26 feet for the southwest wing; to permit wall signs to be located on four sides of the tower element of the hotel at a height of 44.8 feet (in lieu of any other wall signs), and; to increase the square footage of the tower architectural element from 150 square feet to 164 square feet.

Staff has reviewed the request and examined information submitted with the application for each of the four requests and finds the following:

1. Maximum Building Height - Elevations of the building indicate a main ridge roof height at 39.75 feet. Staff is of the opinion that the increase of 1.75 feet due to a standardized design not recognized at the time of the original approval constitutes a minor modification to the height limitation and recommends **APPROVAL** thereby modifying the maximum height from 38 feet to 39.75 feet.
2. West Boundary Building Setback - West boundary setback distances for surrounding buildings to the north and south of the subject site are at 25 feet and 22 feet respectively. The request indicates portions of both the north and south wings at 17 feet and 26 feet respectively from the west boundary. The west boundary abuts a private internal access street adjacent to a parking area farther to the west that serves the Triad Office Center. Staff is of the opinion that the requested modification to the 30-foot west boundary setback is minor in nature, will not negatively impact surrounding areas and will not alter the character or intent of the original approval. Staff, therefore, recommends **APPROVAL** of the west boundary setback distances per the Detail Site Plan to 17 feet and 26 feet for portions of the north and south wings of the proposed building.
3. Permit Wall Signs on the Hotel Tower - The applicant is proposing an aggregate surface display area of tower wall signage of 173.16 SF which exceeds the 1.5:1/75% building wall standard of the original approval. Two 49.71 SF tower signs facing north-south and two 36.87 SF signs facing east-west are proposed. The signs would be approximately five feet in height with the sign tops at 44.8 feet on four sides of a 50-foot tower

The applicant is requesting approval of tower signage in lieu of any additional wall signage. Staff is of the opinion that an overall net reduction of wall signage from the 890 SF that would be allowed to the 173 SF of tower signage proposed will positively

impact The development while maintaining the character of the PUD and the surrounding office development to the west.

The Code, however, allows two SF of display area for each lineal foot of building wall within Planned Units. The applicant is proposing a total of 73.74 SF for east-west tower faces and 99.42 SF for north-south faces. The Code would permit a maximum of 49.84 SF on east-west tower faces and 51.84 SF on north-south faces. Although TMAPC could approve a modification of the display surface from 1.5:1 to 2:1 and the required 75% length of signage, Board of Adjustment Special Exception approval would be required to increase the display area for tower signage in excess of the 2:1 maximum allowed in the PUD Chapter.

Staff, therefore, recommends **APPROVAL** of the request subject to Board of Adjustment approval and, further, that no additional wall signage is allowed. Staff notes that the 80% reduction in the maximum allowed wall signage would appear to substantially improve the character of the hotel development.

4. Increase Tower Square Footage - The applicant is requesting an increase in allowed square footage for the tower architectural element from 150 SF to 164 SF. Staff finds the request to be minor in nature and recommends **APPROVAL** per the submitted site and elevation plans.

In summary, staff recommends **APPROVAL** of PUD 582-2 increasing the building height to 39.5 feet, reducing the west boundary building setback from 30 feet to 17 feet and ~~26~~ 22 feet for the north and south wings, permitting an increase in the display area of tower wall signage subject to BOA approval, eliminating additional wall signage on remaining building walls and increasing the square footage of the tower architectural element from 150 SF to 164 SF.

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

AND

PUD-585 – Charles Norman

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial Drive
(Detail Site Plan)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 59,413 square foot three-story structure and 164 square foot architectural tower within the 74,520 square feet of Development Area A. The proposed hotel would contain a total of 89 studios and suites with no accessory gift shops, restaurant, or bar.

Staff has reviewed the request and finds the site plan conforms to use, building area, parking, circulation, and total landscaped area standards of the PUD. In related requests the applicant is seeking Minor Amendment approval to modify the building

height, building setback, allowed signage and architectural tower square footage. In an Alternative Landscape Compliance request the applicant is proposing a modification to the required five-foot landscape strip abutting South Memorial Drive.

Staff has reviewed the Detail Site Plan, Minor Amendment 585-2 and Alternative Compliance AC-038 and recommends **APPROVAL** subject to the following condition:

TMAPC approval of PUD-585-2 modifying height, setback, signage, and square footage standards of the PUD **and** approval of AC-038 reducing the Memorial Drive landscape strip.

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

AND

AC-038 – Charles Norman (PD-18) (CD-8)
South of Southwest corner East 61st Street and South Memorial Drive
(Alternative Landscape Plan)

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance approval to reduce the required landscape strip for a portion of PUD-585, Development Area A, abutting South Memorial Drive from five feet to three feet.

Staff has examined the landscape plan submitted with the application and finds an existing three-foot landscape strip with planters along the east boundary of the entire PUD including Development Area A.

Development Area A and properties to the north and south were improved in the early 1980's prior to the adoption of the Landscape Chapter of the Zoning Code. A continuous curb three feet inside the property line or west street right-of-way was installed with tree planter boxes extending along the entire Memorial Drive frontage. The applicant does not want to disrupt the continuity of the adjoining properties and the mutual access provided to the north and south.

The landscape plan indicates an 18-foot wide landscape strip in front of the hotel entrance as well as a total landscaped area of 14.5% for the overall site. The applicant will remove two of the existing four planter boxes but will maintain two boxes with new trees in the northeast and southeast corners of the site.

Staff finds the landscape plan meets streetyard tree requirements but falls short of the five-foot strip and 15% street yard landscaped area requirement. Staff is of the opinion that the 22 trees within the streetyard area (including two in planters), the 14.5% overall landscaped area which exceeds the code and the desire by the applicant to maintain the continuity and internal mutual access to the north and south along Memorial Drive are in keeping with the character and intent of the original approval.

Further, staff believes the proposal meets or exceeds the requirements of the Landscape Chapter with additional trees and landscaped area. Staff, therefore, recommends **APPROVAL** of AC-038 per the submitted landscape plan.

Applicant's Presentation:

Mr. Charles Norman, 2900 Mid-Continent Tower, stated Dr. Mark Able owns the property to the south of the subject property. He explained that the original covenants on the deed of dedication of plat restricted a building height to two stories. The covenant was not a part of the PUD, but was simply a self-imposed covenant by the original developer. As part of the negotiations with Dr. Able's attorney, Kevin Coutant, they have entered into several agreements. One of the agreements is to increase the setback on the north element of the hotel from 17' to 22', which would line the element of the hotel with the same setback that Dr. Able's building has to the south. He stated that he is asking for less relief, as mentioned by the staff.

Mr. Norman stated that on the detail site plan, he has agreed to delete the access drive at the southeast corner of the hotel site, which would allow vehicles from the hotel to park within the medical office parking lot. He explains that he intends to install a curb at the southeast corner of the hotel site, which will confine parking to the hotel in the hotel parking lot.

Mr. Norman requested that the Planning Commission authorize the staff to give administrative approval of the revised site plan when it is permitted. He explained that the north element of the hotel, which is a U-shape, will be moved five feet to the east in able to accomplish the desired setback. The east movement will still be within the required setback from the centerline of South Memorial.

TMAPC Comments:

Mr. Boyle asked staff if they were in agreement with the provisions proposed by Mr. Norman. In response, Mr. Stump stated that staff agrees with the provisions proposed and the revisions will be within the definition of a minor revision, which staff is allowed to review. He explained that the Planning Commission will not be approving this specific detail site plan, but with the modifications of the setback that was mentioned.

Mr. Norman stated that the only exterior change is that the wing will be moved five feet to the east.

Mr. Norman stated that he advised Mr. Kevin Coutant that he would make the changes to the plans as submitted.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining";,

Gray, "absent") to recommend **APPROVAL** of the Minor Amendment for PUD-585-2, Detail Site Plan for PUD-585 and the Alternative Landscape Plan for AC-039, subject to the conditions as recommended by staff. (Language deleted is shown as strikeout type, language added or substituted is underline type.)

* * * * *

Mr. Westervelt announced that he will abstain on the following item.

AC-039 – Stephen Schuller
10738 East 61st Street South
(Alternative Landscape Plan)

(PD-18) (CD-8)

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance approval to permit the substitution of an additional parking lot tree and increase in total landscaped area for a required tree at the front entry door of a convenience store.

Staff has reviewed the proposal and finds the applicant's landscape plan meets the requirements of Chapter 10 except that three parking spaces immediately in front of the entry are not within 50 feet of a landscaped area containing a tree. Staff finds that the size and configuration of the lot and the building design make it difficult, if not impossible, to meet the 50-foot requirement of the Landscape Chapter for three parking spaces.

Staff notes that the Corridor Site standards required a minimum of 10% total landscaped open space. The applicant is providing 34% landscaped open space. The Code requires three parking lot trees for the 32 parking spaces indicated on the site plan. The applicant is providing four trees.

Although the landscape plan does not meet the technical requirements of the Zoning Code, the increase in landscaped open space and the additional parking lot tree (in substitution for the tree required for the three entry parking spaces) is equivalent to or better than those requirements.

Staff, therefore, recommends **APPROVAL** of AC-039 as submitted.

There were no interested parties wishing to speak.

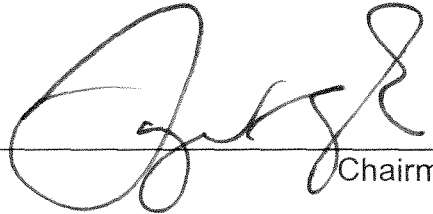
The applicant was present and indicated his agreement with staff's recommendation.

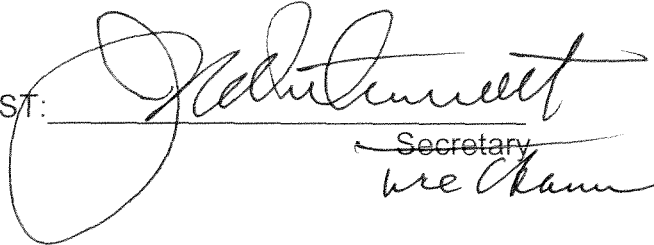
TMAPC Action; 10 members present:

On **MOTION** of **HORNER** the TMAPC voted **10-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph "aye"; no "nays"; Westervelt "abstaining"; Gray "absent") to **APPROVE** the Alternative Landscape Plan for AC-039 as recommended by staff.

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

Date approved: 9-2-98


Chairman

ATTEST: 
Secretary
wre Cham