

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2175

Wednesday, September 16, 1998, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

| Members Present | Members Absent | Staff Present | Others Present |
|-----------------|----------------|---------------|----------------|
| Boyle | | 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 Monday, September 14, 1998 at 1:50 p.m., posted in the Office of the City Clerk at 1:45 p.m., as well as in the office of the County Clerk at 1:41 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 September 2, 1998, Meeting No. 2173:

On **MOTION** of **HORNER** the TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Horner, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; Ledford "abstaining"; Midget "absent") to **APPROVE** the minutes of the meeting of September 2, 1998 Meeting No. 2173.

REPORTS:

Chairman's Report:

Mr. Boyle stated that the TMAPC has received a letter relating to political signs and has been dispersed to all the Commissioners.

Mr. Boyle announced that there is a continuance request on AC-042. In response, Mr. Stump informed the TMAPC that the applicant is not in agreement with the continuance request and would like to be heard today.

Director's Report:

Mr. Stump stated that there will be several cases on the City Council agenda. He indicated that Jim Dunlap will represent INCOG.

Mr. Boyle stated Mr. Ledford will represent TMAPC at the City Council meeting.

Mr. Stump reported that the Infill Task Force had an interim report meeting with various committee chairmen. He stated that Mayor Susan Savage attended the meeting and was very complimentary of the work of the committees. He commented that all committees have had a meeting except one and they are meeting today.

Mr. Stump stated the recommendations from the committees should be ready to report in late October.

Subdivisions:

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- L-18711 – Sack and Associates (2483)** (PD-18C) (CD-8)
9519 South 88th East Avenue
- L-18712 – Jerry Woffard (2490)** (PD-23) (County)
3726 South 179th West Avenue
- L-18716 – Le Scanlon, Sr. (1863)** (PD-21) (County)
20102 South Lewis
- L-18717 – John L. Williams (3124)** (PD-14) (County)
12831 North 97th East Avenue
- L-18718 – Sisemore Hall & Weisz, Inc. (3094)** (PD-18C) (CD-5)
10001 East 51st Street South
- L-18719 – City of Tulsa (2194)** (PD-17) (CD-6)
Northeast corner of 41st Street and 129th East Avenue

Staff Recommendation:

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

TMAPC Action; 9 members present:

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

PRELIMINARY PLAT:

Union Pines – (PUD-312-A) (3094)

(PD-18c) (CD-5)

Southwest corner South Garnett Road and East Broken Arrow Expressway.

Staff Recommendation:

This is a one-lot, one-block subdivision of 14.886 acres to be developed for office uses. It is Development Area A of PUD 312-A, which is a major amendment to PUD 312. It will consist of a two-story office building, approximately 130,000 square feet with accessory parking.

The Technical Advisory Committee had the following comments:

1. Jones, Applicant, described the project and stated that the collector street along the south side of the property will be extended to Garnett Rd. He asked if a traffic signal will be required at Garnett Rd. Eshelman, Traffic, stated he is uncertain until there is further study of the Broken Arrow Expressway ramp reconstruction.
2. Somdecerff, Transportation, asked if the collector will be dedicated by this plat. Jones, Applicant, said it would be dedicated by separate instrument before the final plat is file of record.
3. Eshelman, Traffic, stated that sidewalks would be required along both sides of the collector street. Jones agreed.
4. Somdecerff, Transportation, stated that dedication of right-of-way to form a 30' radius curve at the corner of the collector street and Garnett Rd. would be required.
5. Lee, Water, asked if a water line easement would be dedicated. Jones, Applicant, said yes and he would meet with the Water Dept. to determine location.
6. Miller, ONG, requested that the 11' utility easement shown along the south property line be changed to 17.5'
7. Nelson, SWB, requested that the word "installation" be added to the landscape paragraph (2nd paragraph, Section 1.) in the Deed of Dedication to read, "Pavement or landscape repair **or installation.**"

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

1. A waiver of the Subdivision Regulations to allow the plat to be drawn at a scale of 1"=80".
2. All conditions of PUD-312-A shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
3. 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.

4. 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.)
5. 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).
6. 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.
7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
9. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
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. 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.)
19. 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.)
20. The method of water supply and plans therefore shall be approved by the City/County Health Department.
21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
22. The key or location map shall be complete.
23. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
24. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
25. 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 regarding Section 404 of the Clean waters Act.
27. 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.
28. All other Subdivision Regulations shall be met prior to release of final plat.

Applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the Preliminary Plat for Union Pines, subject to the conditions as recommended by the TAC, subject to a dedication of right-of-way to form a 30' radius curve at the corner of the collector street and Garnett Road and waiver of Subdivision Regulations to permit a scale other than 1" = 100'.

Mathis Park – (PUD-595) (684)

(PD-18c) (CD-8)

West side of Mingo Valley Expressway, ¼ mile north of East 71st Street.

Staff Recommendation:

This is a one-lot, one-block subdivision of 19.0 acres to be developed for a retail furniture store. It is PUD 595, which is not yet approved. It will consist of a two-story retail and warehouse building, approximately 300,000 square feet with accessory parking. There will be other smaller out-parcels containing buildings that could have Use Unit 11, Offices and Studios; Use Unit 12, Entertainment Establishments and Eating Establishments Other Than Drive-ins; Use Unit 13, Convenience Goods and Services or Use Unit 14, Shopping Goods and Services.

The Technical Advisory Committee had the following comments:

1. Somdecerrf, Transportation, stated that language pertaining to right-of-way dedication needs to be in the Deed of Dedication.
2. There was discussion about the extension of S. 101st E. Ave. north to E. 66th St. Staff will recommend this be a requirement of the PUD. Weisz, Applicant, expressed reluctance on the part of the developer.
3. Eshelman, Traffic, reiterated the City's desire for this extension and stated that it would be resolved in the PUD hearing before the Planning Commission. He also stated that sidewalks would be required along both sides of 101st E. Ave. since it would be a collector street.
4. Lee, Water, stated that a water main extension would be required for fire protection and domestic service.

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

1. A waiver of the Subdivision regulations to allow the plat to be drawn at a scale of 1"=60'.

2. All conditions of PUD-595 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.
3. 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.
4. 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.)
5. 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).
6. 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.
7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
9. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
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. 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.)
19. 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.)
20. The method of water supply and plans therefore shall be approved by the City/County Health Department.
21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
22. The key or location map shall be complete.
23. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
24. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
25. 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 regarding Section 404 of the Clean waters Act.
27. 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.
28. All other Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties wishing to speak.

The applicant indicated his agreement with the staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Leford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the Preliminary Plat for Mathis Park, subject to the conditions as recommended by the TAC and waiver of Subdivision Regulations to permit a scale other than 1" = 100'.

* * * * *

Wenwest Estates (3402)

(PD-11) (CD-1)

South side of West Newton Street, ¼ mile east of North 25th West Avenue.

Staff Recommendation:

This is a subdivision of six lots in one block on 4.79 acres to be developed for single-family residential uses. It is a resubdivision of part of Lot 1, Block 1, Oak Creek. It is being rezoned from OL to single-family zoning.

The Technical Advisory Committee had the following comments:

1. McCormick, Stormwater, asked if the previously approved detention pond is complete. Sack, Applicant answered yes.
2. McCormick, Stormwater, stated that detention would be required and will check to see if what was approved for the previous plat would be sufficient now. He also stated that an Overland Drainage Easement would be required.
3. Lee, Water, stated that a hydrant exists north of Newton Street near the northeast corner of this property. The existing 2" water line will need to be upgraded to 6".
4. Pierce, PSO, said they will serve this project from an existing overhead line on the north side of Newton. He wants language in the Deed of Dedication to address overhead lines. He also wants to locate electric lines in the existing sewer easement along the south and wants a 17.5' utility easement along the west side.

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).
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8. Street names shall be approved by the Department of Public Works and shown on plat.
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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.
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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.
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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 regarding Section 404 of the Clean Waters Act.
25. 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.
26. All other Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties wishing to speak.

The applicant indicated his agreement with the staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **PACE** the TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Horner, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; Leford "abstaining"; Midget "absent") to recommend **APPROVAL** of the Preliminary Plat for WenWest Estates, subject to the conditions as recommended by the TAC.

* * * * *

FORDWAY (3592)

(PD-8) (CD-2)

South side of West 51st Street South, ½ mile west of South Elwood Avenue.

Staff Recommendation:

This is a subdivision of 1.089 acres into five lots in one block. It is zoned RM-2 and will be developed for residential uses. It will contain a private drive serving Lots 1,2,4 &5. Lot 3 will have its access from West 51st Street.

The Technical Advisory Committee had no particular comments.

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

1. A waiver of the Subdivision regulations to allow the plat to be drawn at a scale of 1"=30'.
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).
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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.
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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 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.

The applicant indicated his agreement with the staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Horner, Jackson, Leford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the Preliminary Plat for Fordway, subject to the conditions as recommended by the TAC and waiver of Subdivision Regulations to permit a scale other than 1" = 100'.

Further TMAPC Comments:

Mr. Westervelt asked if the aerial photos could be included with the Preliminary Plats in the future. In response, Mr. Beach answered affirmatively.

Mr. Midget in at 1:40 p.m.

PLAT WAIVER:

Z-6648 – (694 & 3104)

(PD-5) (CD-6)

Northwest corner East Admiral Place and Mingo Valley Expressway.

Staff Recommendation:

This property was rezoned from CS to CG and will be redeveloped for research and technology related uses. It is the site of the former Wal-Mart store northeast of the traffic circle at Admiral Place and Mingo Road. It is part of Lot 1, Block 1, Crosstown Center. The rezoning triggered the platting requirement.

The Technical Advisory Committee provided the answers to the questions below and expressed concerns regarding the flood plain and that FEMA will have several requirements in the area of the out-parcels on this site. Miller, ONG noted that there

PLAT WAIVER:

Z-6648 – (694 & 3104)

(PD-5) (CD-6)

Northwest corner East Admiral Place and Mingo Valley Expressway.

Staff Recommendation:

This property was rezoned from CS to CG and will be redeveloped for research and technology related uses. It is the site of the former Wal-Mart store northeast of the traffic circle at Admiral Place and Mingo Road. It is part of Lot 1, Block 1, Crosstown Center. The rezoning triggered the platting requirement.

The Technical Advisory Committee provided the answers to the questions below and expressed concerns regarding the floodplain and that FEMA will have several requirements in the area of the out-parcels on this site. Miller, ONG, noted that there might be a conflict between the proposed construction and an existing gas line along the north and east sides of the property.

Staff recommends approval of the plat waiver. If the Planning Commission were inclined to waive the plat for this project, the waiver should be subject to compliance with all requirements of FEMA regarding development in the floodplain and subject to satisfying all utility company requirements for location of lines and easements.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat? | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Will restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- 6) 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?
- 7) Floodplain
- a) Does the property contain a City of Tulsa (Regulatory) Floodplain?
 - b) Does the property contain a F.E.M.A. (Federal) Floodplain?
- 8) Change of Access
- a) Are revisions to existing access locations necessary? ✓
- 9) Is the property in a P.U.D.?
- 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.?
- 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.

TMAPC Comments:

In response to Mr. Harmon, Mr. Beach stated that in the southwest corner of the subject property there are two buildings that are being proposed. Mr. Beach explained that the proposed area for the buildings is currently a paved parking lot. Mr. Beach commented that it is his understanding that the entire subject property is in the floodplain. Mr. Beach stated that the proposed two buildings create concerns regarding the detention characteristics being changed.

In response to Ms. Pace, Mr. Johnsen stated he submitted a site plan to the Board of Adjustment, which indicates landscaping along Admiral and that is the site plan his client will have to follow.

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”; none “absent”) to **APPROVE** the Plat Waiver for Z-6648, subject to the conditions as recommended by TAC.

Zoning Public Hearings:

PUD-541-3 – Roy D. Johnsen

(PD-6) (CD-9)

East of Southeast corner East 43rd Court and South Peoria
(Minor Amendment)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to modify the PUD development standards to allow ~~second floor windows~~ obscure windows on the second floor with a fixed bottom sash and a limitation of twelve inches down from the top for the upper sash on the southerly and easterly building walls of two office buildings under construction. The applicant is also requesting the elimination of the six-foot high masonry screening wall five feet north of the southern boundary of Area F, a reduction of the eight-foot high masonry screening wall five feet north of the southern boundary of Area E-1 and a gradual step down (reduction) of the eight-foot masonry wall along the southeast boundary of area E and E-1 to an eventual height of four feet at the southeast corner of Area E-1 (northwest corner of East 44th Place and South Quaker Avenue).

Staff has reviewed the request and finds the reduction of setback by Minor Amendment from 40 feet to 25 feet along the eastern boundary of Development Area E maintained the prohibition of second floor south- and east-facing windows to provide privacy to proposed adjacent single-family residential uses. The prohibition was noted on the Detail Site Plan approved for two two-story office buildings approved in March 1998. Single-family homes have now been built in Area G adjacent to Area E.

PUD-541-A allowed parking uses for all of Lot 4, Block 6 of the Wilder Addition (included in the PUD as Development Area E-1) and required an eight-foot masonry wall along the eastern and southern boundary of the lot. The required screening wall was to match the existing wall surrounding the residential uses within Development Area G. No access was permitted to East 44th from Area E-1 or Area F. The intent of all required masonry screening walls was to buffer and sight-screen the commercial and commercial/office uses and accessory parking from the existing residential uses to the south and southeast.

Staff notes that the conditions surrounding the prohibition of second floor east and south facing windows for office uses continue to exist and recommends **DENIAL** of this portion of the request. Staff notes that opaque windows with five-foot ledges could allow light to enter offices but restrict any view of abutting residential uses from within the building. The type of windows, however, was not specified in the request.

With regard to the masonry wall, staff notes that the residential district immediately south of Area F has been rezoned to CS. Residential areas south and east of Area E and E-1, however, remain residentially zoned. Staff, therefore, recommends **APPROVAL** of the elimination of the six-foot masonry wall along the southern boundary of Area F and **DENIAL** of the gradual reduction of the required eight-foot masonry wall close to the southern/southeastern boundary of area E and E-1. Staff notes that a five-foot landscape area is required within the area of the wall setback along the southern and southeastern property boundaries of Areas E and E-1.

Applicant's Presentation:

Mr. Roy Johnsen, 201 West 5th Street, Suite 440, Tulsa, Oklahoma, 74013, stated that the south boundary of the existing office development abutted an existing single-family dwelling. The requirement that there be no windows on the second level has been removed by the removal of the single-family dwelling, which is now a part of the PUD and approved for parking. He explained that there are no residential abutting properties on the north, south or west.

Mr. Johnsen stated that there are single-family properties abutting to the east of the office building and the requirement of no second story windows becomes more difficult. He commented that there was some support from the residents abutting the subject property because they felt that the windows improved the esthetics of the building. He stated that there is one resident who will be directly affected by the proposal of windows on the second level. He explained that the issue is privacy for the homeowner. He indicated that his client explored two alternatives with the architect: 1.) Raise the sill height up so that a person in the office building, standing, would not be able to look down into someone's backyard. Mr. Johnsen stated that the first option would not work because of the configurations and roof pitch. 2.) The interested party suggested opaque windows, which allows light in, but one cannot see outside or inside. Mr. Johnsen stated that he proposes shuttered-windows on the east wall, second level being opaque and be a double-hung window in order to open the top-half of the window. He explained that even though the upper portion of the window can be opened it would still have a good sill height, but let in fresh air and more light.

Mr. Johnsen concluded that that request is to allow windows on the second level, east wall, opaque windows, top portion of the window able to open.

Mr. Johnsen stated that with regard to the wall, when the application was originally approved the residential lot was not in the application. The wall came to the north line of the lot, then west along the north line of the lot then stopped. He explained that when

the residential lot was purchased, the staff recommendation was to extend the wall along Quaker and along 44th Place. He stated the original approval allowed a fence four feet in height along the west portion of the subject property and eight feet in height along the east portion of the subject property. He explained that since the property to the south is currently zoned CS without any PUD or requirements of screening it would be an appropriate request to remove the requirement for the wall on the 200 feet on the west and east of the wall have four feet in height, abutting parking, then going north with a fence eight feet in height. Mr. Johnsen commented that staff feels that the eight-foot wall should remain on the east part of 47th Street frontage, but he would like the Planning Commission to give consideration of removing the eight-foot wall on the portion across from the recently-rezoned commercial property.

Mr. Stump stated that staff agrees to removing the eight-foot wall from the portion across from the newly zoned CS property and the compromise on the second-story windows.

TMAPC Comments:

Mr. Horner suggested the windows should be obscure, which will let light in but one cannot see any object six inches on the other side. In response, Mr. Johnsen agreed with the word "obscure" rather than "opaque" with regard to the windows.

Mr. Westervelt asked what the sill height will be for the top half of the window when it is opened. In response, Mr. Johnsen stated that the sill height will be approximately five feet from the floor.

Interested Parties:

Sam Morales, 1410 East 43rd Court, Tulsa, Oklahoma 74105, stated he represents the Brooktowne Homeowners' Association. He indicated that Mr. Hamilton and the developer have come to an agreement regarding the windows and he will support their agreement.

Jim Hamilton, 1338 East 43rd Court, Tulsa, Oklahoma 74105, stated the subject building looks over his backyard. He explained that he originally objected to windows on the subject building because the window would look directly into his bedroom. He stated that he is in agreement with the obscure windows, which will only allow the upper portion of the window to open. He commented that he did not want the upper portion of the window to be allowed to open more than twelve inches.

Mr. Boyle asked Mr. Hamilton if he was in agreement with the proposal from Mr. Johnsen. In response, Mr. Hamilton stated he is in agreement, but he wanted assurances that the upper portion of the window can only open twelve inches. In response, Mr. Boyle stated that the Planning Commission would make sure that the limitation was included.

Mr. George Matson, 4424 South Quaker, Tulsa, Oklahoma, 74105, stated he is in agreement with the subject building having windows on the second story. He commented that the building esthetics is improved with the windows.

TMAPC Comments:

Mr. Horner stated that a double-hung window means that both sashes can move. He suggested that the bottom sash be fixed and the upper sash operable.

Mr. Boyle asked Mr. Johnsen if he would agree with the twelve-inch limitation regarding the upper portion of the window opening. In response, Mr. Johnsen stated his client is in agreement.

Mr. Harmon asked staff to further explain the height of the fence and the boundaries of the wall. In response, Mr. Stump stated that if the Planning Commission agrees to withdraw the requirement of an eight-foot wall on the abutting south CS property, then the remainder of the wall will be eight feet tall.

Mr. Selph asked Mr. Morales if he was in agreement with the wall issue. In response, Mr. Morales answered affirmatively.

TMAPC Action; 10 members present:

On **MOTION** of **HARMON** to recommend **APPROVAL** of the Minor Amendment of PUD-541-3, subject to an eight-foot fence on the south and east boundary, windows being limited twelve inches down from the top with obscure glass and a fixed lower sash as proposed by applicant.

Mr. Johnsen stated that the staff recommendation was written for the two buildings under construction; however, there is an additional pad site for a third office building. He requested that the same requirements would be the same for the third office building. In response, Mr. Boyle asked staff if they would have a problem with the request. Mr. Stump indicated that staff would not have a problem with the same requirements being applied to the third office building.

Mr. Boyle stated that the request from Mr. Johnsen that the same requirements for the subject office building will be applied to the third proposed office building will be the intent of the motion.

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"; none "absent") to recommend **APPROVAL** of the PUD-541-3, subject to an eight-foot fence on the east boundary of Area E, the south and east boundary of Area E-1 and eliminate the south wall requirement from Area F, windows being limited twelve inches down from the top with obscure glass and a fixed lower sash and all the above requirements be applied to the proposed third office building as requested by the

applicant. (Language deleted is shown as strikeout type, language added or substituted is underline type.)

PUD-567-1 – Buster Crumpton

(PD-18) (CD-8)

Southeast corner East 71st Street and South Highway 169
(Minor Amendment)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to allow two 19.5 tall marquee-style ground signs with ~~95~~ 250 square feet of display surface area each immediately in front of the theater complex, which received site plan approval in March 1998.

The approved PUD sign standard for Development Area B permits marquee wall signage with a surface display area of 280 square feet plus two square feet of additional display area for each lineal foot of building wall to which attached. The marquee signage could not exceed 75% of the building frontage and was not allowed on south- or east-facing building walls. Finally, marquee signage was not allowed on west-facing building walls within 300 feet of the south boundary of Development Area B. Two monument-style ground signs were also permitted at each collector street entry not to exceed 64 square feet each.

Staff notes that the Board of Adjustment approved the transfer/substitution of 280 square feet of an allowed 35-foot tall ground sign feet from the northwest corner of Area B to permit the marquee signage. Under the approved standards and with the BOA approved transfer, marquee signage could easily exceed a maximum total display area of 500 square feet.

The current request seeks to eliminate all collector ground signage and all marquee wall signage and substitute two marquee ground signs with a total display area of ~~480~~ 500 square feet. Staff has reviewed the request and the overall signage plan for the entire theater complex and finds the freestanding marquee ground signs conform to the intent and purpose of the original approval as well as the requirements of the Zoning Code. The proposal also results in an overall net reduction in allowed signage on the north-facing building wall. Staff, therefore, recommends **APPROVAL** of the Minor Amendment with a modification of the sign standard for Development Area B as follows:

SIGNS:

- 1) Two marquee ground signs shall be permitted immediately in front of the north entry to the theater complex with a total maximum surface display area of ~~480~~ 500 square feet and maximum height of ~~19.5~~ 20 feet each. No marquee wall signs are allowed on any building walls and wall signage on the north-facing wall shall not exceed 2 square feet per lineal foot of building wall.

2) No ground signs are allowed at either collector street entry of Development Area B.

TMAPC Comments:

Mr. Harmon stated that 500 square feet is a large sign for this type of location. Mr. Harmon asked if the 500 square feet is customary. In response, Mr. Stump stated that there will be two signs at 250 square feet each. Mr. Stump stated that the signs are large, but the building is also very large and quite a distance from the arterial street. Mr. Stump commented that the applicant was originally approved for a large marquee on the building walls, but they are eliminating the large marquee on the wall and will put it slightly out in front of the building, which makes it a ground sign and is in a different category. Mr. Stump stated that the net signage will probably be less than what has been proposed previously, counting wall and ground signs.

Ms. Pace asked staff which street the proposed signs will face. In response, Mr. Dunlap stated that the signs will face 71st Street, overlooking the parking lot.

Mr. Ledford stated that even though the Planning Commission may approve the sign for 250 square feet, because of the shape it is not really a 250-square-foot sign. In response, Mr. Stump stated that a ground sign is calculated differently from wall signs. He explained that it is the smallest rectangle that will enclose the entire sign.

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”; none “absent”) to recommend **APPROVAL** of the Minor Amendment for PUD-567-1 subject to conditions as recommended by staff. (Language deleted is shown as ~~strikeout type~~, language added or substituted is underline type.)

Other Business:

PUD-581 – Jon Clayton

(PD-26) (CD-8)

Southwest corner Creektown Park and South Memorial
Detail Site Plan

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 292 unit multifamily development on 14.81 (net) acres.

Staff has reviewed the Detail Site Plan and finds conformance to building area and height, livability space, setback, parking, access, circulation, screening and total landscaped area standards approved for PUD 581. Staff notes that the Tulsa Traffic Engineer reviewed and approved the gate details submitted with the application.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-581 as submitted.

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

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET** the TMAPC voted **9-0-1** (Boyle, Carnes, Harmon, Horner, Jackson, Midget, Pace, Selph, Westervelt "aye"; no "nays"; Ledford "abstaining"; none "absent") to recommend **APPROVAL** of the Detail Site Plan for PUD-581 as recommended by staff.

AC-042 – Ted Sack

(PD-18) (CD-5)

Northeast corner East 61st Street and South 118th East Avenue
Alternative Compliance

Staff Recommendation:

Mr. Stump stated that this is a request for alternative landscape compliance primarily in the area of the strip of land which abuts 118th Street. It is two feet in width rather than the required five feet in width.

Mr. Stump stated that staff did not have information on the following and therefore requested a continuance to September 23, 1998:

1. Will there be overhead power lines?
2. Will there be a sprinkler system?
3. Need totals by lots if subdivided into separate lots.
4. The Oklahoma Redbuds are too close to the Lace Bark Elms and would not survive well.

Applicant's Presentation:

Ted Sack, 111 South Elgin, stated that the subject tract is under one ownership. He explained that there are eight separate lots. He stated that the two north buildings have been built and a building permit was issued for the two buildings. The owner of the property submitted a landscape plan for the two buildings. He explained that the owner hired an architect to do the landscape plans; however, the plans did not comply with the ordinance.

Mr. Sack stated that while working on the south building it was determined that the landscaping plans did not comply. He explained that he is trying to bring the total site

into compliance, although it may have to be accomplished through an alternative compliance to the landscaping ordinance.

Mr. Sack indicated that by providing the additional spaces instead of parking all the way across the frontage of the property, there is more space than would be provided if the five feet was along 118th East Avenue.

Mr. Sack stated that there will be five additional trees than what is required if the five-foot space was available. He requested the Planning Commission to approve the landscaping plan as it is submitted.

Staff Comments:

Mr. Stump stated that areas provided on the corner of 61st and 118th are not large enough to provide for three crabapple trees. He suggested that the applicant may need to transfer some of the trees to the new areas that they are proposing.

Ms. Pace asked Mr. Sack why he did not remove the whitebud trees. In response, Mr. Sack stated he could move the whitebud trees to the front of the subject property. He explained that he did not remove the trees because he was concerned that there would be a shortage of trees if the lot were to be split later. He explained that the previous landscaping plan indicated that some of the trees were being planted in the city right-of-way in order to meet the requirement, which is not accepted by Code.

After a lengthy discussion it was determined that this case should be continued to September 23, 1998 to enable the applicant to submit a landscaping plan in order for the staff to review and prepare a staff recommendation.

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"; none "absent") to **CONTINUE** case AC-042 to September 23, 1998.

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Approval of the 1999 TMAPC Meeting Schedule

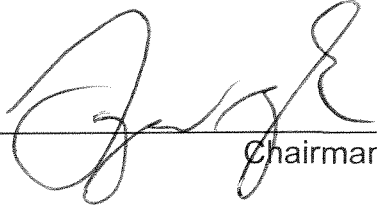
TMAPC Action; 10 members present:

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"; "absent") to **APPROVE** the 1999 TMAPC Meeting Schedule.

* * * * *

There being no further business, the Chairman declared the meeting adjourned at 2:15 p.m.

Date approved: 10-7-98


Chairman

ATTEST: 
Secretary