

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2292**

Wednesday, November 14, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Harmon	Bruce	Boulden, Legal
Carnes	Ledford	Dunlap	
Hill	Pace	Huntsinger	
Horner	Selph	Stump	
Jackson			
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, November 9, 2001 at 8:45 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

**REPORTS:**

**Chairman's Report:**

Mr. Westervelt reported that the following items will be stricken from the agenda: Preliminary plat for Hunters Hollow and the lot-split for waiver of the platting requirement and Subdivision Regulations. The minor amendment for PUD-527-B-1 should be continued to December 19, 2001.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Ledford, Pace, Selph "absent") to **CONTINUE** the minor amendment for PUD-527-B-1 to December 19, 2001 at 1:30 p.m.

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Mr. Westervelt reported that the Planning Commission received a letter requesting a continuance of the plat waiver for PUD-639 for further review. He explained that he received another letter stating that the continuance isn't necessary; however, the applicant is not present and the plat waiver will have to be continued to November 28, 2001.

**There were no interested parties wishing to speak.**

**Applicant was not present.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Ledford, Pace, Selph "absent") to **CONTINUE** the plat waiver for PUD-639 to November 28, 2001 at 1:30 p.m.

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**SUBDIVISIONS:**

**LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:**

**L-19293 – Herbert Graybill (1294)** (PD-17) (CD-6)  
1323 South 177<sup>th</sup> East Avenue

**Staff Recommendation:**

***Staff presented the following information at the Technical Advisory Committee (TAC) meeting of 11/01/01.***

The proposal is to split the subject property into two tracts as shown on the attached exhibit. A waiver of the Subdivision Regulations would be required to approve the lot-split because Tract B would have more than three side-lot lines.

**Zoning:**

The property is zoned RS-1. Both new tracts would meet the bulk and area requirements.

**Streets/access:**

Both tracts would have access on to 177<sup>th</sup> East Avenue.

**Sewer:**

Septic

**Water:**

City of Tulsa

**Staff provides the following information from TAC.**

**Streets:**

A five-foot right-of-way should be dedicated along the north side of 13<sup>th</sup> Street, bringing the width to 25'.

Based on the comments of TAC, conformance with bulk, area and access requirements and the nature of the request staff recommends **APPROVAL** subject to dedication of the requested five-feet along the north side of 13<sup>th</sup> Street.

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

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the lot-split for waiver of the Subdivision Regulations for L-19293, subject to dedication of five-feet along the north side of 13<sup>th</sup> Street as recommended by staff.

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**L-19311 – Troy Burnett (404)**  
6539 North 137<sup>th</sup> East Avenue

(PD-15) (County)

**Staff Recommendation:**

The applicant has applied to split their 223' X 414' property into two tracts. Both tracts meet the AG-R bulk and area requirements; however, the required right-of-way has not been given.

The right-of-way on 137<sup>th</sup> East Avenue is required to be 60'; however, Tulsa County Engineering has stated that the existing 50' right-of-way is sufficient. A waiver of the Subdivision Regulations requiring the additional five-foot right-of-way along 137<sup>th</sup> East Avenue is requested. Also, East 66<sup>th</sup> Street North is designated as a secondary arterial, requiring 100' of right-of-way. Tulsa County Engineering has requested the full 50' right-of-way, which would be an additional 25' to the existing 25' dedicated right-of-way. The applicant is requesting a waiver of the Subdivision Regulations requiring the additional 25' of right-of-way along East 66<sup>th</sup> Street North.

Staff would recommend **APPROVAL** of the waiver of Subdivision Regulations for the five feet of required right-of-way along 137<sup>th</sup> East Avenue, and of the lot-split, with the condition that an additional 25' right-of-way be given to Tulsa County along East 66<sup>th</sup> Street North.

**Applicant's Comments:**

Troy David Burnett, 6539 North 137<sup>th</sup> East Avenue, Tulsa, Oklahoma 74116, stated that he is opposed to dedicating 25 feet of right-of-way on 66<sup>th</sup> Street. He commented that the County should have to purchase the 25 feet of right-of-way from him when they are ready to improve the street.

**TMAPC Comments:**

Mr. Westervelt explained that this is the manner in which the County and City acquire their rights-of-way. He stated that the same is required of developers or owners when they plat their property. This is standard practice and it is done all of the time. He stated that the staff is not refusing, but doing what they are supposed to do, which requires mandatory dedication of the right-of-way.

Mr. Burnett stated that he doesn't mind giving up the 25 feet of right-of-way as long as he is paid back for the land that he is giving to the County. In response, Mr. Westervelt stated that the process doesn't function in that way.

Mr. Carnes explained to Mr. Burnett that he either dedicate the 25 feet and be approved for the lot-split or withdraw the request entirely.

**Mr. Burnett withdrew his lot-split request.**

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**L-19313 – Linda Crockett (2873)**  
4705 East 171<sup>st</sup> Street

(PD-21) (County)

**Staff Recommendation:**

The applicant has applied to split their five acres into two tracts for the purpose of adding a second dwelling.

East 171<sup>st</sup> Street is designated as a primary arterial, requiring 120' of right-of-way, and Tulsa County Engineering has requested the full 60' right-of-way from the centerline of the street. Yale Avenue is designated as a secondary arterial, requiring 100' of right-of-way, of which Tulsa County Engineering has requested the full 50' right-of-way from the centerline of that street. The applicant is requesting a waiver of the Subdivision Regulations requiring the additional right-of-way along East 171<sup>st</sup> Street and along Yale Avenue, from the existing 24.75' statutory easement.

With the proposed lot-split, Tract A will need a variance of the average lot width (from 200' to 165'); and Tract B will need a variance of the lot area (from two acres to 1.47 acres) and a variance of the land area (from 2.2 acres to 1.95 acres) if the required right-of-way dedication is required. Tulsa County Board of

Adjustment will consider these variances or a variance to allow two dwellings on one lot of record at their November 20, 2001, meeting.

Staff would recommend **DENIAL** of the waiver of Subdivision Regulations for the required right-of-way along East 171<sup>st</sup> Street and along Yale Avenue, and of the lot-split. However, should the Planning Commission be inclined to approve the lot-split, it should be approved on the condition that the additional right-of-way be given to Tulsa County along East 171<sup>st</sup> Street and on Yale Avenue, and on the condition that the required variances are approved by the Tulsa County Board of Adjustment.

**Applicant's Comments:**

**Leonard Crockett**, 4705 East 171<sup>st</sup> Street, stated that he lives on the house that is on Yale Avenue. He explained that his house is 45 feet from the street. He stated that his daughter-in-law would like to put a home on the second lot. He opposed the required easement because if the road were ever built it would go through his existing home.

Mr. Crockett asked if the County would do anything with the easement until the highway is actually built. He asked if the land would still be his until that time. In response, Mr. Stump stated that the County would accept a roadway easement, but when the County needs the easement they would utilize it for roadway purposes.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the lot-split for L-19313, subject to the County Board of Adjustment granting the appropriate variances and **DENY** the waiver of the Subdivision Regulations.

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**PRELIMINARY PLAT:**

**JIM NORTON CENTER WEST - (PUD-603-A)** (PD-26) (CD-8)

**Location:** Southwest corner of East 98<sup>th</sup> Street South and South Memorial Drive.

**Staff Recommendation:**

This plat consists of two lots in one block with Reserve A on 10.1 acres.

Staff presented the following at the Technical Advisory Committee (TAC) meeting of 11/01/01:

## **GENERAL**

The original Jim Norton Center West plat received preliminary approval on April 4, 1999. The preliminary approval has lapsed since that time. The currently proposed plat significantly increases the area to be platted. The southern boundary line has remained the same. The original plat was 248' in length from south to north. The current proposal reaches to East 98<sup>th</sup> Street South, a length of over 800' along Memorial Drive.

The site is located south of the intersection of East 98<sup>th</sup> Street South and Memorial Drive. It is bounded on the west by the Audubon Park Addition, on the north by East 98<sup>th</sup> Street South with vacant land beyond, on the east by Memorial Drive and on the south by vacant land.

The site falls approximately 30 feet from southeast to northwest and appears to include a natural drainageway running east to west in the area of the boundary between Lots 1 and 2.

## **ZONING**

The project carries Corridor Zoning and a PUD and is broken into four Development Areas. Those uses allowed in the CS and OM districts with the exception of 12A (adult entertainment) are allowed.

The approved site plan shows 12,500 square feet of auto sales area, 51,000 square feet of office floor area, lube service and auto wash totaling 5,700 square feet and two other retail buildings totaling 24,000 square feet.

The areas to the south and to the east across Memorial are also zoned CO. The area to the west is zoned RS-3 and the area to the north across East 98<sup>th</sup> Street South are zoned RS-3.

## **STREETS**

The plat shows three access points along Memorial. None are shown onto East 98<sup>th</sup> Street South. The site plan shows two access points onto East 98<sup>th</sup> Street South.

## **SEWER**

The PUD concept shows the site connecting to the existing sewer line that serves Audubon along its common boundary with this project.

## **WATER**

The PUD concept shows connection to a 12" line on the east side of Memorial Drive.

## **STORM DRAIN**

The plat indicates Reserve Area A to be used for drainage purposes. It is also available to be used for utility purposes and is available to be dedicated to the City for street purposes.

## **UTILITIES**

The plat shows 17.5' easement to the north, east and south and an 11' easement along the western boundary, which is the common boundary with Audubon.

Staff presents the following comments from TAC:

### **1. Zoning:**

No comments

### **2. Streets/access:**

Sack, Engineer: East 98<sup>th</sup> Street South is currently a private street and will be dedicated to the public at a later date. Language in the covenants will be revised to delete references to public streets, similar to that of the Audubon development.

French, Traffic: The proposed 30' dedication should be reviewed to assure coverage of the existing paving. Access points are subject to traffic review.

### **3. Sewer:**

No comments

### **4. Water:**

A 15' easement along Reserve A or language clarifying location in and use of Reserve A is needed.

### **5. Storm Drainage:**

Public Works Staff: noted the need for onsite detention or an overland drainage easement.

Sack, Engineer: noted that the detention area in the Audubon Addition was sized to handle this. Public Works staff indicated that they would verify.

### **6. Utilities:**

Cox and AEP indicated that they would require additional easement to the interior of the property – such easement would be discussed during the final plat review process.

**7. Other:**

None.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. Language in the covenants pertaining to streets should be revised to reflect the private/public street timing.
2. The proposed 30' dedication along 98<sup>th</sup> Street should cover the existing paved area.
3. Access point locations will be subject to Public Works approval.
4. Easement for water line location in the area of Reserve A should be addressed to the satisfaction of Public Works.
5. Detention and overland easements will be verified by and are subject to approval by Public Works
6. Utility easement access to the interior of the project is subject to review by the providers.

**Standard Conditions:**

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 Public Works Department 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. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.

5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. 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.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.

19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

**Applicant's Comments:**

**Ted Sack**, 111 South Elgin, Tulsa, Oklahoma 74120, stated that he is in agreement with the staff recommendation; however, he believes that staff is using the wrong standards. He explained that the PUD has been amended and he requests that the latest standards be applied.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the preliminary plat for Jim Norton Center West, subject to special conditions and standards conditions, and subject to the most recent PUD standards being applied.

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**ZONING PUBLIC HEARING**

**APPLICATION NO.:** PUD-230-3

**MINOR AMENDMENT**

**Applicant:** Ricky Jones

(PD-17) (CD-5)

**Location:** North of northeast corner of East 41<sup>st</sup> Street and South 103<sup>rd</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting an amendment to reallocate floor area within a PUD for a proposed lot-split. The proposal requests that Development Area B be split into two tracts. The Planned Unit Development allows a total of 160,000 square feet of floor area in Development Area B. Two new tracts would allow the floor area to be split to allow 46,400 square feet in one tract, and 113,600 square feet in the other tract. No remaining Planned Unit Development standards will be changed.

Staff recommends **APPROVAL** of the requested reallocation of floor area as proposed. The types of uses and other standards will be per the existing approved PUD.

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

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the minor amendment for PUD-230-3 as recommended by staff.

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**OTHER BUSINESS:**

**APPLICATION NO.: PUD-601**

**DETAIL SITE PLAN**

**Applicant:** Mike Hughes

(PD-18) (CD-8)

**Location:** Northwest corner of East 71<sup>st</sup> Street and South 109<sup>th</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting detail site plan approval for a new 7,243.55 square foot restaurant. The use proposed is in conformance with the development standards for the PUD.

The detail site plan proposed meets the development standards approved for the Planned Unit Development in which it is located. Staff recommends **APPROVAL** of the detail site plan submitted.

*Note: Detail site plan approval does not constitute sign or landscape plan approval.*

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

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the detail site plan for PUD-601 as recommended by staff.

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Review/Accept TMAPC Meeting dates for 2002

**2 0 0 2 SCHEDULE**  
**Tulsa Metropolitan Area Planning Commission (TMAPC)**

Regular meetings of the TMAPC are held on Wednesdays at 1:30 p.m. in the Francis F. Campbell City Council Room, Plaza Level, Tulsa Civic Center.

Regular work sessions of the TMAPC Comprehensive Plan Committee, Rules and Regulations Committee, Community Participation Committee and/or Budget and Work Program Committee are held on the third meeting of each month following regular TMAPC business in Room 1102 of City Hall.

<b>JANUARY</b>	<b>FEBRUARY</b>	<b>MARCH</b>
2 <sup>nd</sup>	6th	6th
16 <sup>th</sup>	20th	20th
23rd (Work session)	27th (Work session)	27th (Work session)
<b>APRIL</b>	<b>MAY</b>	<b>JUNE</b>
3 <sup>rd</sup>	1st	5th
10 <sup>th</sup>	15th	19th
24 <sup>th</sup> (Work session)	22nd (Work session)	26th (Work session)
<b>JULY</b>	<b>AUGUST</b>	<b>SEPTEMBER</b>
3 <sup>rd</sup>	7 <sup>th</sup>	4th
17 <sup>th</sup>	21st	18 <sup>th</sup>
24th (Work session)	28th (Work session)	25th (Work session)
<b>OCTOBER</b>	<b>NOVEMBER</b>	<b>DECEMBER</b>
2 <sup>nd</sup>	6 <sup>th</sup>	4 <sup>th</sup>
16 <sup>th</sup>	13th	18th (Work session)
23rd (Work session)	20th (Work Session)	

**There were no interested parties wishing to speak.**

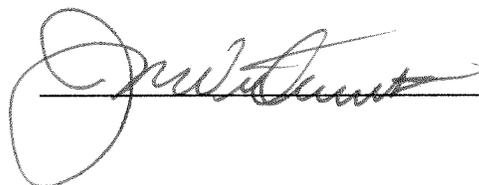
**TMAPC Action; 7 members present:**

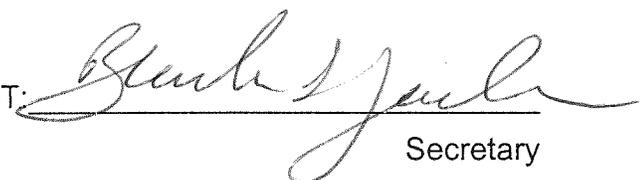
On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Bayles, Carnes, Hill, Horner, Jackson, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Ledford, Midget, Pace, Selph "absent") to **APPROVE** the TMAPC 2002 meeting dates as recommended by staff.

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There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date Approved: 11-28-01

  
\_\_\_\_\_  
Chairman

ATTEST:   
\_\_\_\_\_  
Secretary

