

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2468

Wednesday, January 17, 2007, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ard	Bayles	Alberty	Boulden, Legal
Cantees	Miller	Fernandez	
Cantrell	Wofford	Huntsinger	
Carnes			
Harmon			
Midget			
Shivel			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, January 11, 2007 at 1:55 p.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 Ard called the meeting to order at 1:34 p.m.

Mr. Ard read the opening statement and rules of conduct for the TMAPC meeting.

REPORTS:

Chairman's Report:

On behalf of the Planning Commission, INCOG and staff, Mr. Ard recognized Mr. Brandon Jackson for his many years of service on the Planning Commission. Mr. Jackson served as a Planning Commissioner from 1997 to October 2006. Mr. Jackson was a great servant to the City of Tulsa, Tulsa County and the neighborhoods. Mr. Ard commented that he appreciated Mr. Jackson's service and learned a great deal from him. The City of Tulsa was lucky to have someone who was committed to TMAPC and planning over the last ten years. (Ovation.)

Mr. Jackson thanked the Planning Commission.

Mr. Ard reminded the Planning Commission that next Wednesday there will be a worksession next Wednesday prior to the regular TMAPC meeting. This will be a

lunch/working worksession at the INCOG offices on the 5th Floor. Development Services is making a presentation to the Planning Commission.

Mr. Ard reported that he submitted the statistics from the Tulsa Preservation Commission for 2006 and this is for information only. Mr. Ard reminded the Planning Commission that Ms. Cantrell will be the new representative on the Tulsa Preservation Commission. Mr. Carnes has agreed to serve on the Transportation Policy Committee and Mr. Ard will be on the Tax Increment Review Committee. Steve Bradshaw will continue to serve on the River Parks Authority.

Director's Report:

Mr. Alberty reported on the TMAPC receipts for the month of December 2006. In comparison to 2005, the receipts are off approximately \$5,000.00 for the year to date.

Mr. Alberty explained to the Planning Commission that Development Services will be giving a presentation at the next TMAPC training/worksession prior to the TMAPC regular meeting and a worksession will immediately follow the TMAPC regular meeting as well.

In response to Mr. Harmon, Mr. Alberty stated that staff and elected officials will meet to discuss the sidewalk issues in the County. Later there will be a meeting or worksession to regroup on this issue.

Minutes:

Approval of the minutes of December 20, 2006 Meeting No. 2466

On **MOTION** of **HARMON**, the TMAPC voted 7-0-0 (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** the minutes of the meeting of December 20, 2006, Meeting No. 2466.

Minutes:

Approval of the amended minutes of July 5, 2006 Meeting No. 2451

On **MOTION** of **CARNES**, the TMAPC voted 6-0-1 (Ard, Cantees, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; Cantrell "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** the amended minutes of the meeting of July 5, 2006, Meeting No. 2451.

Mr. Ard announced that there are several requests for continuance:

Application No.: Z-7045

AG to RS-4/CS

Applicant: Jerry Ledford, Jr./Tulsa Engineering & Planning (PD-17) (CD-6)

Location: Southeast corner East 11th Street and South 161st East Avenue

STAFF RECOMMENDATION:

The applicant has requested a continuance to March 7, 2007.

TMAPC COMMENTS:

Mr. Ard stated that the Planning Commission received a letter requesting a continuance. The letter indicated that the applicant and interested parties have met and agreed to a continuance.

INTERESTED PARTIES:

Debbie Waid, 14677 East 11th Place, 74108, stated that she did take off work today, but it is important to her to have a meeting and work things out. Ms. Waid explained that she was unable to attend the neighborhood meeting and wasn't aware that they agreed to continue this case.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **CONTINUE** Z-7045 to March 7, 2007.

Shipley Subdivision – (8305)/Preliminary Plat

(PD 18) (CD 2)

6336 South Harvard (**continued from 12/6/06, 1/17/07, and another continuance is requested until 2/7/07 to allow for City Council review of PUD standards**)

STAFF RECOMMENDATION:

Mr. Alberty explained that the accompanying PUD has not been heard by the City Council and therefore the preliminary plat is prematurely before the Planning Commission.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **CONTINUE** the preliminary plat for Shipley Subdivision to February 7, 2007.

REVIEW OF THE PROPOSED URBAN RENEWAL PLAN AMENDMENT

Applicant's Comments:

Jim Coles, 111 South Greenwood, Tulsa Development Authority, presented a plan amendment for the downtown area. The subject property is located at 214 South Cheyenne, Tower View Apartments. The Planning Commission will be asked to decide whether designating a specific parcel within the area for acquisition by the Development Authority is in conformance with the Comprehensive Plan. Mr. Coles explained the three-step process. Ultimately the City Council will determine if the Urban Renewal Authority will acquire the property by any means necessary.

Mr. Cole explained the process of amending the Urban Renewal Plan and finding it in conformance with the Comprehensive Plan.

INTERESTED PARTIES:

Mark Schwartz, 119 North Robinson, Suite 777, Oklahoma City, 73102, stated that he is representing the owners of the Tower View Apartments. He requested that the Planning Commission defer any action on the subject property until next week since this is the first step in eminent domain.

After a lengthy discussion, Mr. Ard announced that today is simply a presentation and that the Planning Commission will not be taking any action on this issue until next week during their regular meeting.

CONSENT AGENDA:

Mr. Ard requested that Item 7c, South Tulsa Medical Office Center be removed from the Consent agenda.

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

- a. **Stone Creek Commercial Center – (9425)/Final Plat** (PD 17) (CD 6)
Northwest corner of East 51st Street South and 193rd

East Avenue

STAFF RECOMMENDATION:

This plat consists of four lots in one block on 13.20 acres.

All release letters have been received and staff recommends **APPROVAL**.

- b. **Cypress Creek (revised) – (9425)/Final Plat** (PD 17) (CD 6)

West of the southwest corner of East 41st Street and
193rd East Avenue

STAFF RECOMMENDATION:

This plat consists of 169 lots in nine blocks on 68.88 acres.

All release letters have been received and staff recommends **APPROVAL**.

- d. **L-20052 – Sisemore Weisz & Associates (9426)/Lot-Split** (PD-18) (CD-5)

7620 East 42nd Place South

- e. **LC-37 – DeShazo, Tang & Associates (8326)/Lot-Combination** (PD-26) (CD-8)

8005 East 106th Street South

TMAPC COMMENTS:

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** the consent agenda Items 7.a., 7.b., 7.d. and 7.e. per staff recommendation.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

South Tulsa Medical Office Center – (8419)/Final Plat (PD-18) (CD-8)

10102 East 91st Street South

STAFF RECOMMENDATION:

This plat consists of ten lots in one block on 4.4 acres.

All release letters have been received and staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **6-0-1** (Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; Ard "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** the final plat for South Tulsa Medical Office Center per staff recommendation.

CONTINUED ZONING PUBLIC HEARING:

Application No.: PUD-625-4/Z-6735-SP-1d

**MINOR AMENDMENT
CORRIDOR SITE PLAN**

Applicant: Sisemore Weisz & Assoc.

(PD-18c) (CD-8)

Location: East of the southeast corner of South Mingo Road and East 81st Street South

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to PUD-625 for the purpose of creating three lots from Lot 3, Block 1, College Center at Meadowbrook and creating three new development sub-areas with correlating development standards, including allocation of floor area.

PUD-625 was originally approved in January 2000 with two development areas which permitted a mix of commercial and office uses and mini-storage. In August, 2002, the two development areas were combined, four lots and a reserve area were created, office and mini-storage uses were deleted from a portion of the PUD, and floor area was reallocated and setbacks established per approval of PUD-625-1. In October of the same year, PUD-625-2 was approved deleting the reserve area, adding the reserve area to Lot 3, amending the development standards for Lot 3, and establishing building setbacks, landscaping, screening, and lighting standards for Lot 3.

The purpose of minor amendment request, PUD-625-4, is to:

1. Subdivide Lot 3 into three new lots;
2. Create new sub-development areas corresponding with each new lot; and
3. Establish development standards for each new sub-area of Lot 3.

Staff finds the proposed amendment to be minor in nature and in conformity with the original spirit and intent of PUD-625 and, therefore, recommends **APPROVAL** of PUD-625-4/Z-6735-SP-1d subject to the following conditions:

1. Development Standards:

Development Area A-3-A:

LAND AREA (NET): 0.727 AC (31,668 SF)

PERMITTED USES:

Uses permitted in Use Unit 10, Off-Street Parking; 11, Offices, Studios and Support Services; 12, Eating Establishments Other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 18, Drive-In Restaurants; and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA: 5,974 SF

MAXIMUM LAND COVERAGE BY BUILDINGS WITHIN A LOT: 30%

MAXIMUM BUILDING HEIGHT: 30 FT*
**Architectural elements may exceed the maximum building height with Detail Site Plan approval.*

MINIMUM LOT FRONTAGE ON EAST 81ST ST.: 100 FT

OFF-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From the centerline of East 81 st Street South	100 FT
From the east boundary of Development Sub-Area A-3-A	5 FT
From the west boundary of Development Sub-Area A-3-A	22 FT
From the south boundary of Development Sub-Area A-3-A	15 FT

MINIMUM LANDSCAPED OPEN SPACE:

A minimum of ten percent of the net lot area shall be improved as internal landscaped open space in accord with the provisions of the PUD Chapter and Landscape Chapter of the Tulsa Zoning Code.

Development Area A-3-B:

LAND AREA (NET): 0.582 AC (25,346 SF)

PERMITTED USES:

Uses permitted in Use Unit 10, Off-Street Parking; 11, Offices, Studios and Support Services; 12, Eating Establishments Other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 18, Drive-In Restaurants; and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA: 4,782 SF

MAXIMUM LAND COVERAGE BY BUILDINGS WITHIN A LOT: 30%

MAXIMUM BUILDING HEIGHT: 30 FT*
**Architectural elements may exceed the maximum building height with Detail Site plan approval*

MINIMUM LOT FRONTAGE ON EAST 81ST ST.: 100 FT

OFF-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From the centerline of East 81 st Street South	100 FT
From the east boundary of Development Sub-Area A-3-A	11 FT
From the west boundary of Development Sub-Area A-3-A	5 FT
From the south boundary of Development Sub-Area A-3-A	15 FT

MINIMUM LANDSCAPED OPEN SPACE:

A minimum of ten percent of the net lot area shall be improved as internal landscaped open space in accord with the provisions of the PUD Chapter and Landscape Chapter of the Tulsa Zoning Code.

Development Area A-3-C:

LAND AREA (NET): 2.342 AC (102,003 SF)

PERMITTED USES:

Uses permitted in Use Unit 10, Off-Street Parking; 11, Offices, Studios and Support Services; 12, Eating Establishments Other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreation use, and uses customarily accessory to permitted principal uses.

MAXIMUM BUILDING FLOOR AREA:

Hotel	60,000 SF
Other Uses	19,244 SF

MAXIMUM LAND COVERAGE BY BUILDINGS WITHIN A LOT:

30%

MAXIMUM BUILDING HEIGHT:

Hotels	75 FT*
Other permitted uses	30 FT*

**Architectural elements may exceed the maximum building height with Detail Site plan approval*

MINIMUM LOT FRONTAGE ON A MUTUAL ACCESS EASEMENT:

50 FT

OFF-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From the north boundary of Development Sub-Area A-3-C	15 FT
From the east boundary of Development Sub-Area A-3-C	11 FT
From the west boundary of Development Sub-Area A-3-C	20 FT
From the south boundary of Development Sub-Area A-3-C	100 FT**

***Buildings within Lot 3 shall have no windows or doors in any of the south-facing building walls, except in corridors, if building wall is within 170 feet of the south boundary.*

MINIMUM LANDSCAPED OPEN SPACE:

A minimum of ten percent of the net lot area shall be improved as internal landscaped open space in accord with the provisions of the PUD Chapter and Landscape Chapter of the Tulsa Zoning Code.

The south 80 feet of Sub-Area A-3-C shall be maintained as internal landscaped open space.

Development Areas A-3-A, A-3-B, and A-3-C:

LIGHTING:

Light standards within the south 25 feet of Development Sub-Area A-3-C are prohibited. Light standards within the north 75 feet of the south 100 feet of Development Area A-3-C shall not exceed 8 feet in height. Light standards within the remainder of Development Sub-Area A-3-C and within Sub-Areas A-3-A and A-3-B shall not exceed 35 feet in height. Lighting shall be hooded and directed downward and away from adjacent residential uses. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography must be included in the calculations.

SCREENING AND REFUSE:

A solid masonry wall six feet in height and double row of trees shall be placed along the south boundary of Development Sub-Area A-3-C and the south 25 feet of the east boundary of Development Sub-Area A-3-C. All trash, mechanical and equipment areas, including building-mounted shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. Trash dumpsters within development Sub-Area A-3-C shall be located a minimum distance of 250 feet from the south boundary of Development Sub-Area A-3-C.

SIGNAGE:

- (a) One (shared) ground sign identifying uses within Sub-Areas A-3-A and A-3-B shall be permitted along the East 81st Street frontage with a maximum display surface area of 160 square feet and 25 feet in height.
- (b) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of tenant space to which attached. The length of a tenant wall sign shall not exceed 75% of

the frontage of the tenant space. No wall signs shall be permitted on south-facing walls.

- (c) One ground sign (existing) identifying hotel uses within Lots 3 and 4 shall be permitted at the principal entrance from East 81st Street South with a maximum of 180 square feet of display surface area and 35 feet in height; (99 square feet of display surface area has already been allocated for Marriott Courtyard, located on Lot 4).
2. An owners association or a common area maintenance agreement shall be created to provide for the maintenance of the private street and common landscaped area.
 3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
 4. A detail landscape plan for each lot shall be approved by the TMAPC with notice given to the interested parties (not staff approval) prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot prior to issuance of an occupancy permit; or, the landscape architect may certify to the zoning officer that landscaping will be installed within a specified period of time.
 5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
 6. There shall be no outside storage of retail display fixtures, merchandise, recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.
 7. All other development standards for PUD-625 and Corridor District Site Plan Z-6735-SP-1 no herein amended shall remain in full force and effect.

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 **CARNES**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** the minor amendment for PUD-625-4 and corridor site plan for Z-6735-SP-1d per staff recommendation.

PUBLIC HEARING

Union Elementary No. 13 – (8418)/Preliminary Plat (PD 18) (CD 8)

Southeast corner of East 84th Place South and U.S. 169

STAFF RECOMMENDATION:

This plat consists of two lots, one block, on 16.34 acres.

The following issues were discussed January 4, 2007 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CO-Z-6054-SP-7. All requirements of the CO site plan as approved must be met. Show highway on location map.
2. **Streets:** Roadway dedication label needs to be consistent with covenants language. Section I paragraph needs to include public streets in addition to utilities. Show LNA on 107th East Avenue along the future parking per the Corridor Plan. Dedicate for public use the "street right-of-way" in Section I A to be consistent with the "R/W" label shown on the face of the plat. Change the LNA from 145th to 107th East Avenue in Section IG. Provide for a special ten-foot wide raised crosswalk per the Corridor Plan and three striped standard crosswalks at the 84th Place intersection.
3. **Sewer:** The ten-foot sanitary sewer easement in Lot 1 Block 1 must be increased to 15 feet in width. The eleven-foot utility easement along the south boundary of the same lot must be increased to 17.5 feet because it is adjacent to unplatted property. In addition, book and page for the existing 15-foot and 20-foot utility easement that are shown in Lot 1 Block 2 need to be added to the plat. Add the dimensions of the easement that is shown perpendicular to the same 15-foot utility easement and tie it to some known point. Please identify the use of the 60-foot dimension that is shown within the 100-foot GRDA easement. Add language describing the sanitary sewer easement, which should include similar language as described for the waterline and storm sewer easements.

4. **Water:** Reference book and page number for the 15-foot utility easement located along the eastern boundary of the plat. Is the waterline along the east property line necessary, if not: cut and plug line between tie-ins at East 84th Place South and East 86th Street South abandon waterline easement. Move waterline out of the parking lot.
5. **Storm Drainage:** Offsite drainage that flows onto the site from the west and the south must be collected at the property line and conveyed in a public storm sewer within an easement, or must be conveyed in an overland drainage easement. It is not acceptable to sheet flow this drainage across the proposed public streets. The drainage must be piped under the streets. A written agreement with Oak Tree Village and a supporting "detention and drainage report" will be required before the additional drainage from this site can be conveyed into the private stormwater detention facility that is located in Reserve A of that subdivision. Does Reserve A extend to the east property lines of this plat? Please show the limits of Reserve A adjacent to this subdivision. Add a note to the face of plat which states where the stormwater detention for this site is being provided and show and label that offsite location. Please note that the existing facility in Reserve A is located in the north Garnett Haikey Creek Tributary, City of Tulsa Regulatory floodplain. Plot and label the limits of that floodplain. Label the 20-foot wide stormwater detention easement between the two utility easements on Lot 1 Block 2. Add a legend to define the abbreviations and lines that are being used on the face of plat. Please add the number 5 to the last, unnumbered, sentence in Section ID. Expand Section I H 1, to include all platted areas where the new overland drainage easements are less than two and one-half inches in Section IH3. The title in Section 1K must be amended and indicate that it is off-site stormwater detention in Reserve A of Oak Tree Village Subdivision. Items 1, 4, 5 and 6 of this subsection must correctly identify who is responsible for the maintenance of the existing stormwater detention facility. Will the Oak Tree Village Homeowners Association no longer be responsible for any of the maintenance of their facility? Item 2 indicates that construction will occur. Is this correct? Note comments relative to conveyance of off-site drainage across this site and under the streets.
6. **Utilities: Telephone, PSO, ONG, Cable:** Additional 17.5-foot utility easements may be necessary. Other additional easements may be necessary.
7. **Other: Fire:** No comment. **GIS:** Complete location map. Use solid line for boundary. Remove the metes and bounds part of the legal from the face of plat. Show missing lot dimension on north side of Block 2. Include the CO plan number in the description under the plat title.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 therefor 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 therefor 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.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

TMAPC COMMENTS:

In response to Mr. Midget, Mrs. Fernandez stated that she believes the pedestrian circulation plan has been approved and the Subdivision Regulations require sidewalks.

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 **HARMON**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to recommend **APPROVAL** of the preliminary plat for Union Elementary No. 13, subject to special conditions and standard conditions per staff recommendation.

Westgate – (1327)/Preliminary Plat (County)

South of the southeast corner of East 83rd Street North and Yale (Whirlpool Drive)

STAFF RECOMMENDATION:

This plat consists of 27 lots, two blocks, on 20.08 acres.

The following issues were discussed January 4, 2007 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE. Sidewalks required per Subdivision Regulations.
2. **Streets:** Provide for a 30-foot arterial intersection radius. Right-of-way dedication of 50 feet conforms to the MSHP (Major Street and Highway Plan).
3. **Sewer:** Septic is proposed.

4. **Water:** Rural water district # 3 in Washington County will be used. A 20-foot easement on the east side of Yale will be needed. Water line may need to be looped.
5. **Storm Drainage:** The overland drainage easements across Lots 3, 4 and 7 of Block 2 should be labeled and include distances and bearings on all sides of the ODE. Add all abbreviations to the legend. Article 1, Section 1.4, should include title for water mains, sanitary sewer and storm sewer services and to include the applicable standard language. In addition, standard language for overland drainage easement should be added to this article.
6. **Utilities: Telephone, PSO, ONG, Cable:** Additional easements will be needed.
7. **Other: Fire:** A release letter from the appropriate fire service will be needed before Final Plat approval. Complete location map. Correct both dimensions for the lot lines between Lot 8 and Lot 9, Block 1. Use standard language to declare legal ownership of a described tract of land. **County Engineer:** Yale is secondary arterial and only requires 50-foot right-of-way. Show LNA (limits of no access) along Yale with 40-foot access at street. Need drainage easement across Lot 7, Block 2. Extend all drainage easements to lot lines and dimension. Street names and addresses as per E911, to be shown on face of plat. Minimum driveway culvert size to be shown on plat. Change Aspen to Yale, Section 1.5. Standard language for drainage easement. As per procedures adopted by the Tulsa County Board of County Commissioners, sidewalks will not be required in this development. Reference reserve areas for each phase of development.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 therefor 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 therefor 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.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

TMAPC COMMENTS:

The Planning Commission expressed concerns regarding the conflicting language regarding sidewalks. Mrs. Fernandez explained that the engineer for this development has stated that he would include in the covenants that sidewalks would be built by the builders as the subdivision is developed. Mrs. Fernandez stated that the reference is the position of the Assistant County Engineer and that is why it is in the staff recommendation, rather than modifying it. There is a difference between what City staff and County staff are looking at as far as sidewalks and the technicalities involved. There will have to be a meeting to discuss this further because it is very confusing.

Mr. Boulden stated that the minutes will reflect that the Planning Commission and staff are requiring sidewalks. The minutes further reflect that the applicant has not requested a waiver of the sidewalks. If the applicant chooses to request a waiver for sidewalks, he would be required to come before the Planning Commission.

Mr. Midget suggested that the staff report be corrected because there is a tendency to look at the report rather than the minutes to find the recommendation and requirements.

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 **HARMON**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to recommend **APPROVAL** of the preliminary plat for Westgate, subject to special conditions, standard conditions and regardless of the language in the TAC comments (No. 7), staff and the Planning Commission are requiring sidewalks per staff recommendation.

Mr. Alberty stated that he appreciates the comments and the suggestions of Mr. Boulden. However, the problem for staff is that when staff receives a recommendation from another agency, staff doesn't feel that they have the liberty to modify that. Staff will reflect the issue in the minutes, but the recommendations that come to the Planning Commission will remain as is.

Crossing at 86th Street Phase III – (1326)/Preliminary Plat

(County)

South and east of southeast corner of East 86th Street North and 67th East Avenue

STAFF RECOMMENDATION:

This plat consists of 27 lots, five Blocks, on 25.54 acres.

The following issues were discussed January 4, 2007 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE. Sidewalks required per Subdivision Regulations.
2. **Streets:** No comment.
3. **Sewer:** Septic is proposed.
4. **Water:** Rural Water District # 3 in Washington County is to serve water.
5. **Storm Drainage:** If Reserve B was platted with Phase II, then it should not be within the proposed Phase III platted area or it should be labeled as Phase III. Offsite drainage flowing onto this site should be collected and conveyed within a storm sewer easement and/or an overland drainage easement adjacent to the stormwater detention facilities and/or an existing public storm drainage system. Is the overland drainage being conveyed within street right-of-way to the roadway drainage structures? Article I, Section 1.7, should contain the standard language for stormwater detention facility maintenance along with the prorated responsibility for the maintenance and any liens related thereto. If overland drainage easements are required, then the standard language should be added to the covenants.
6. **Utilities: Telephone, PSO, ONG, Cable:** Additional easements may be necessary.
7. **Other: Fire:** A release letter will be required from the appropriate fire service. **GIS:** Needs a basis of bearing on the face of plat. Show the point of curve and the point of tangent along the curves. Remove the metes and bounds part of the legal description of the face of the plat. **County Engineer:** Street names and addresses as per E-911, to be shown on face of plat. Minimum driveway culvert size to be shown on plat. Need drainage easement between Lots 5 and 6, Block 5. Section 1.5, there are no LNAs on this phase, remove. Standard language for drainage easement is necessary. No Reserve A on plat, remove reference in Section 1.7. As per procedures adopted by the Tulsa County Board of County Commissioners, sidewalks

will not be required in this development.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 therefor 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 therefor 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.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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 **CARNES**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to recommend **APPROVAL** of the preliminary plat for Crossing at 86th Street Phase III, subject to special conditions, standard conditions and regardless of the language in the TAC comments (No. 7), staff and the Planning Commission are requiring sidewalks per staff recommendation.

Application No.: CZ-384

AG to RE

Applicant: Breisch & Associates, Inc.

County

Location: Abutting southeast of West Skyline Drive and west of South 65th West Avenue

STAFF RECOMMENDATION:

CZ-305 March 2002: All concurred in a request to rezone property to the southeast of the subject property from AG to RS for single-family residential uses.

PUD-566/CZ-237 August 1997: All concurred in approval of a request to rezone a parcel northeast of the subject property from AG to RS, OL and CS for church and related uses.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately ten acres in size and is located near West Skyline Drive and west of South 65th West Avenue. The property appears to be in large-lot single-family residential use, and is zoned AG.

A water feature appears to be located on the property at the northwest corner. The southern and eastern portions of the site are wooded.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 65th th West Avenue	Secondary arterial	100 feet	Four

UTILITIES: The subject tract has municipal water available and no sewer.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land and large-lot single-family residential development zoned AG; on the north by an eating establishment/bar, zoned CS; on the south by large-lot single-family residential development, zoned RS; and on the west by vacant land and large-lot single-family residential development, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This area lies outside of any TMAPC Planning Districts and outside of the Sand Springs Comprehensive Plan, 1999-2004. However, it would fall within the Development Guidelines for the Tulsa Metropolitan Area, which designates non-nodal development at Low Intensity-No Specific land use. According to the Development Guidelines, the requested RE zoning is in accord with the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff can support the requested rezoning and therefore recommends **APPROVAL** of RE zoning for CZ- 384.

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 **HARMON**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to recommend **APPROVAL** of the RE zoning for CZ-384 per staff recommendation.

Legal Description for CZ-384:

Northeast quarter, southeast quarter, northeast quarter, Section 30, T-19-N, R-12-E, Tulsa County, Oklahoma, **From AG (Agriculture District) To RE (Residential Single Family Estate District).**

CONTINUED RECONSIDERATION:

Application No.: Z-7020

AG to IL

Applicant: Robert Johnson

(PD-16) (CD-3)

Location: West of the southwest corner of East 56th Street North and North
145th East Avenue

STAFF RECOMMENDATION:

Mr. Alberty stated that this application was continued from the January 17, 2007 meeting. This application has been sent back from the City Council and approximately August 2006 is when the Planning Commission received the request for reconsideration from the City Council. The action that the Planning Commission can take today is to only reconsider their original vote, which was a recommendation for denial of the IL zoning.

TMAPC COMMENTS:

Ms. Cantrell stated that she recalls voting to reconsider, but never made a final decision after voting to reconsider it. In response, Mr. Alberty stated that the only purview the Planning Commission has is to reconsider their original vote. The Planning Commission did vote to reconsider it and that reconsideration has been continued several times until last week when there was a motion to take some sort of action today.

Mr. Midget asked if the applicant has the right to seek an appeal to the City Council if the Planning Commission denies the IL zoning again. In response, Mr. Alberty stated that this item is pending on appeal with the City Council. The only thing that has happened is that the Councilor for this district has requested that the Planning Commission reconsider that recommendation for denial.

Mr. Midget stated that if the Planning Commission decides to uphold their original decision, then the City Council has the authority to reverse that decision or uphold the decision. In response, Mr. Alberty agreed with Mr. Midget's comments. Mr. Midget stated that the Planning Commission is still only a recommending body and he is confused why this case keeps coming back to the Planning Commission when the City Council can do what they think is best.

Applicant's Comments:

Ron Cates, 400 Petroleum Club Building, 601 South Boulder, 74119, stated that this case has come before the Planning Commission many times and he would like to thank the Planning Commission and staff for being accommodating. Mr. Cates explained that his client is reconfiguring this project and trying to remove some of the obstacles that have been encountered. His client is exploring the possibility of doing a PUD on the subject property with a smaller area than what was originally presented to the Planning Commission. Mr. Cates asked the

Planning Commission if they would consider waiving the costs of the submission of an application for a PUD, considering that Mr. Johnson has spent considerable sums of money getting this application this far.

Ms. Cantrell asked if the applicant will be able to follow through with this without any frontage. In response, Mr. Alberty stated that there will still be an issue regarding access to a major arterial street. Mr. Cates is aware of this issue and that is one of the roadblocks the applicant is dealing with. It will have to be met. The minimum area for a private street is currently 30 feet and he will have to file a PUD if he would like to have a private street. A public street requires a minimum of dedication is 50 feet. The fundamental issue with this application has been getting access to the subject property. Staff would prefer access come from 145th East Avenue.

After a lengthy discussion it was determined that the Planning Commission previously approved waiving the \$900.00 application fee for a PUD.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **6-1-0** (Ard, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; Cantees "nay"; none "abstaining"; Bayles, Miller, Wofford "absent") to **DENY** reconsideration of the Z-7020 request for IL zoning.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-0-0** (Ard, Cantees, Cantrell, Carnes, Harmon, Midget, Shivel "aye"; no "nays"; none "abstaining"; Bayles, Miller, Wofford "absent") to **APPROVE** waiving the \$900.00 application fee toward a new PUD application.

OTHER BUSINESS:

Commissioners' Comments:

Ms. Cantees asked Legal if they were able to do any research on the sidewalk issue and the word "residential". In response, Mr. Boulden stated that he has looked at the Subdivision Regulations. Mr. Boulden cited the Subdivision Regulations regarding sidewalk provisions in residential areas.

After discussion it was determined that the Planning Commission is on solid ground regarding the sidewalk issue.

There being no further business, the Chair declared the meeting adjourned at 2:49 p.m.

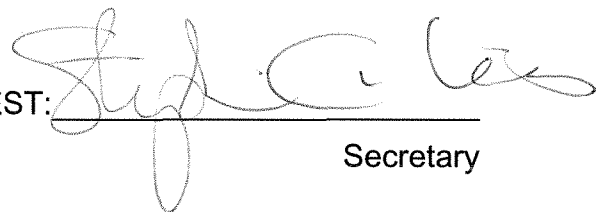
Date Approved:

2-27-07

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above a horizontal line.

Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Steph C. Lee', positioned above a horizontal line.

Secretary