

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2512

April 23, 2008

1:30 PM

Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

REPORTS

Chairman's Report:

Worksession Report:

Comprehensive Plan Report:

Report on the update of the Comprehensive Plan

Director's Report:

1. Minutes of April 2, 2008, Meeting No. 2510

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.

2. **L20197** – Demetrius Thompson (8234)/Lot-Split (County)
West of South 26th Avenue and South of 11th Street, 11214 South
26th West Avenue
3. **Plaza del Sol** – (8419) Final Plat (PD-18) (CD-8)
Northeast corner of East 101st Street South and Mingo Road
4. **PUD-136-A – Tanner Consulting, LLC** (PD-18B) (CD-8)
East 76th Street South and Vandalia Avenue (Detail Site Plan for
the replacement of the existing crash gates.)

5. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

PUBLIC HEARINGS

6. **BOA-20670** – (9327)/Plat Waiver (PD-18B) (CD-7)
North of East 51st Street and east of South Fulton Avenue

OTHER BUSINESS

7. **Endorsement of proposed Fee-In-Lieu Sidewalk Ordinance**
8. **Commissioners' Comments**

ADJOURN

PD = Planning District/CD = Council District

NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringling/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region's current and future residents.

TMAPC Mission Statement

A G E N D A

TULSA METROPOLITAN AREA PLANNING COMMISSION

TRAINING SESSION

INCOG

**201 West 5th, Suite 550
5th Floor Conference Room**

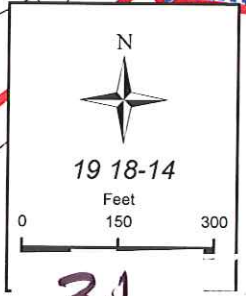
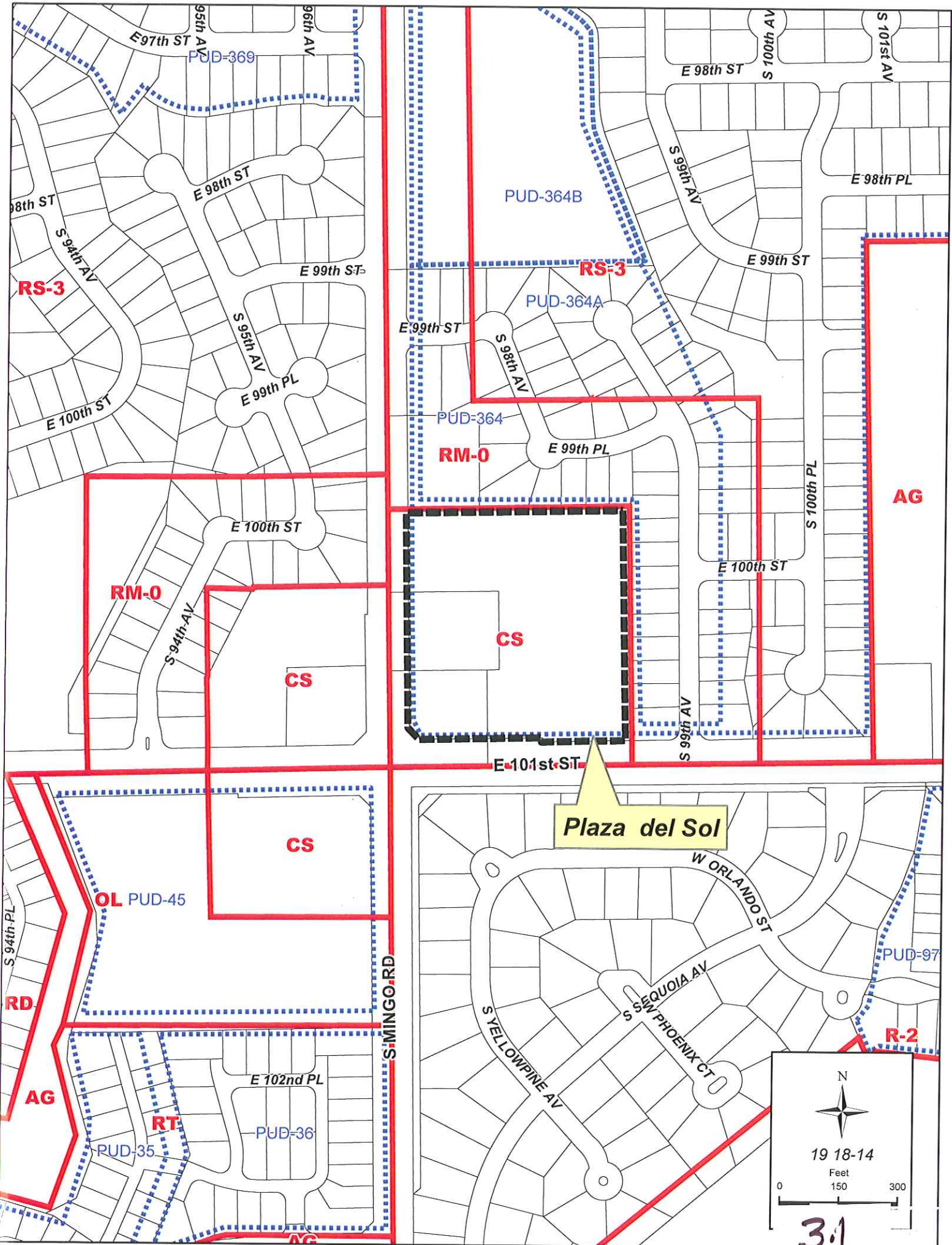
**Wednesday, April 23, 2008
11:00 a.m.**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Planning Made Easy - continue Ethics and Introduction to Planning (Staff)

Adjourn

www.tmapc.org



3.1



95th AV
E 97th ST
96th AV
E 98th ST
98th ST
S 94th AV
E 99th ST
S 99th AV
E 99th PL
E 100th ST
S 94th AV
E 100th ST

S 101st AV
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S 99th AV
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E 99th ST
S 98th AV
E 99th PL
S 99th AV
S 100th PL
E 100th ST

S 94th PL
S 94th PL
E 102nd PL

E 101st ST
S MINGO RD
S YELLOWPINE AV
S SEQUOIA AV
S W PHOENIX CT
W ORLANDO ST

N

19 18-14

Plaza del Sol

Feet

0 150 300

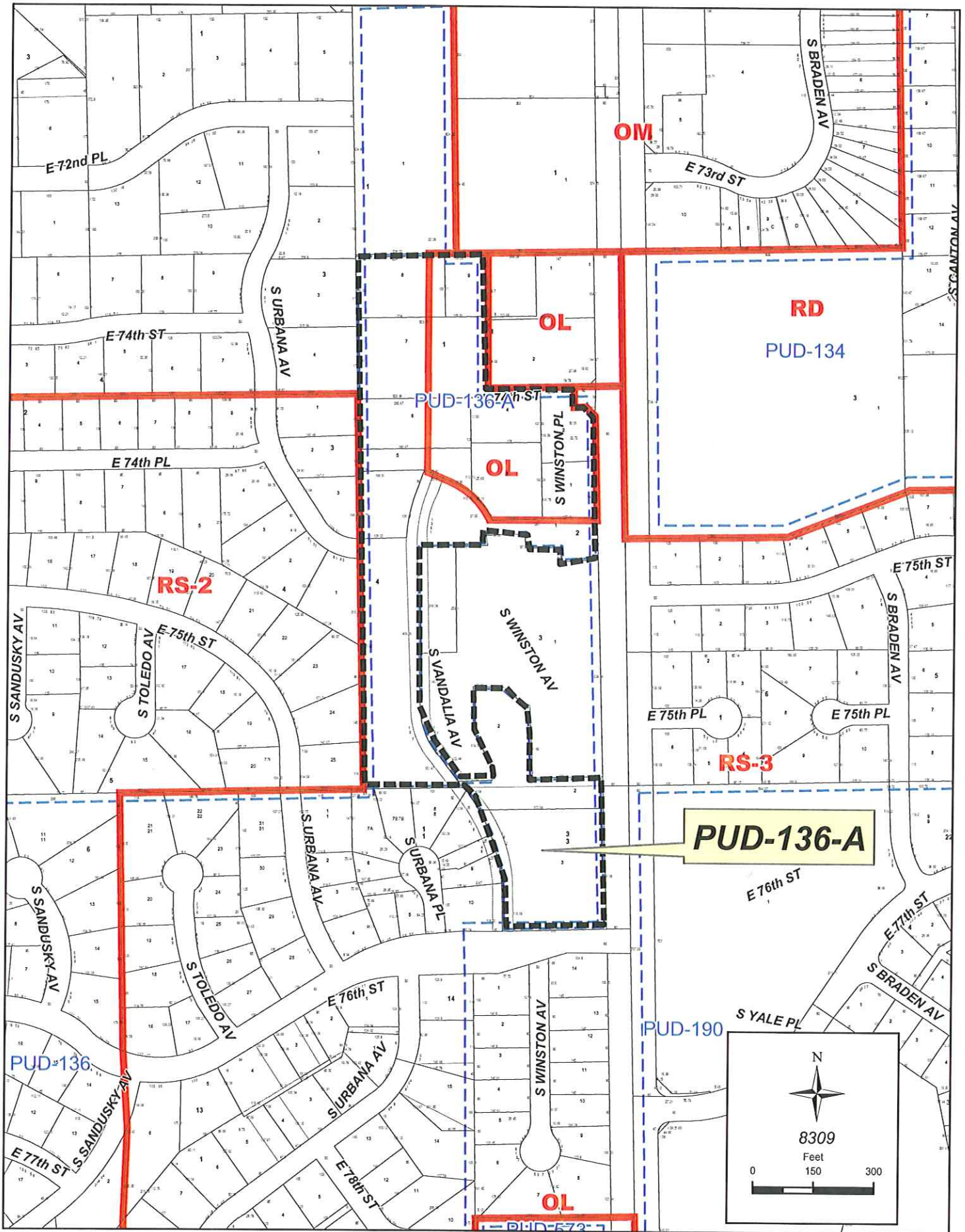
3.2

Final Subdivision Plat

Plaza del Sol - (8419) (PD 18) (CD 8)
Northeast corner of East 101st Street South and Mingo Road

This plat consists of 1 Lot in 1 Block on 7.74 acres.

Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.





April 23, 2008

STAFF RECOMMENDATION

PUD-136-A: Detail Site Plan – East 76th Street South and Vandalia Avenue; Lots 1 and 3, Block 5 – Silver Oaks; TRS 8309; CZM 52; Atlas 1134; PD 18B CD 8; RS-3/PUD.

The applicant is requesting approval of a detail site plan for the replacement of the existing crash gates located at Vandalia Avenue at 76th Street South. The proposed use is in conformance with Development Standards of PUD-136-A.

Vandalia Avenue was closed at the intersection of 76th Street South per Ordinance #13764 and filed on January 7, 1977 (See attached Exhibit A). The proposed replacement gates will not be placed in any public right-of-way and have received the approval of both the City of Tulsa Fire Marshall and Tulsa Traffic Engineering.

Therefore, staff recommends APPROVAL of the detail site plan for the crash gates located at Vandalia Avenue and East 76th Street South, PUD-136-A.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

BLOCKS 1 THROUGH 5

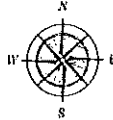
SILVER OAKS

AN ACCESSION TO THE CITY OF TULSA, OKLAHOMA, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER AND A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION-9, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA.

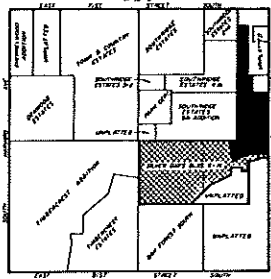
A PORTION OF P.L.D. NO. 135

DEVELOPER:
B. J. EDWARDS
4720 SISKIYOU AVENUE
TULSA, OKLAHOMA 74122
PHONE (918) 749-0218

ENGINEER:
PLUMMER-BROOKS, INC.
2504 EAST 14TH PLACE
TULSA, OKLAHOMA 74122
PHONE (918) 808-2251



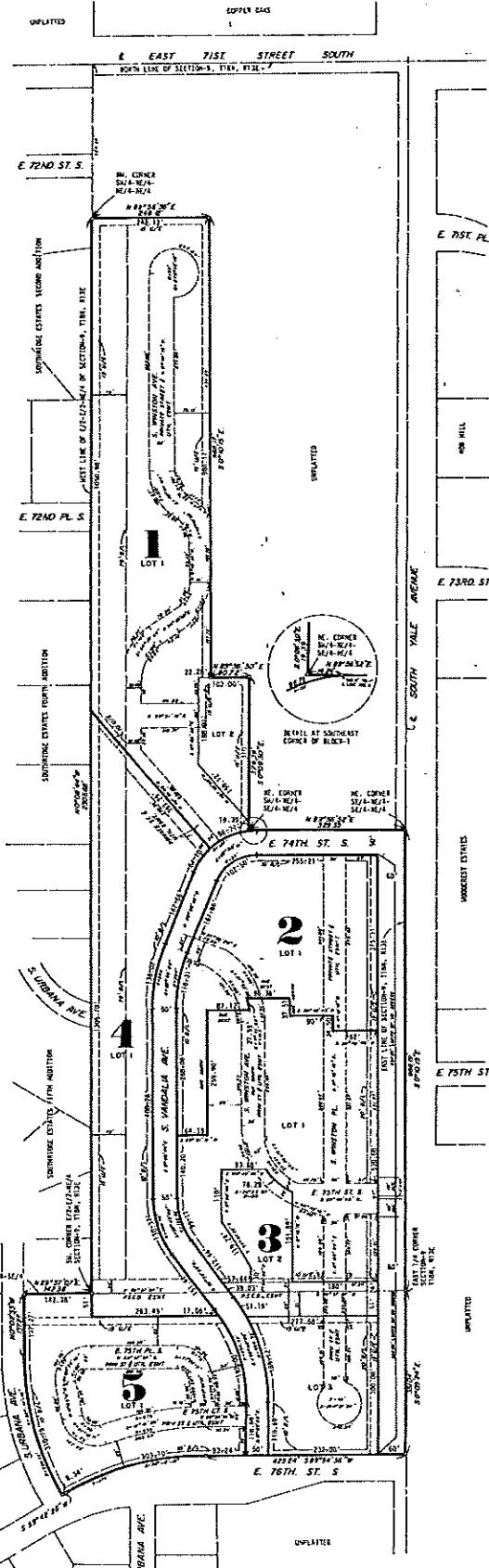
AREA OF SUBDIVISION - 29.435 ACRES



LOCATION MAP

NOTE: THERE IS NO SANITARY SEWER SERVING BLOCKS 1, 2, 4 & 5 AT THE TIME OF RECORDING OF THIS PLAT. NO BUILDINGS SHALL BE CONSTRUCTED ON THESE BLOCKS UNTIL SANITARY SEWERS ARE CONSTRUCTED TO SERVE THEM.

LM = LOTS OF NO ACCESS
AC = ACCESS PERMITTED
RL = ROLLING LEAS
VE = VELOCITY EASEMENT



Doc #
771200
771020
Closed
1977

4.4

Passed & Recorded
1-7-77
No fee
CITY OF TULSA
FILED
9 JAN 7 1977
HARRIS
HARRIS & HARRIS, City Attorney

532182

BOOK 4246 PAGE 838

ORDINANCE NO. 13764

TULSA COUNTY CLERK

AN ORDINANCE CLOSING A PUBLIC WAY DEDICATED TO THE CITY OF TULSA, OKLAHOMA, AFFECTING A PORTION OF SILVER OAKS ADDITION TO TULSA, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED HEREINAFTER; PROVIDING FOR THE RESERVATION OF RIGHTS WITHIN THE CLOSED PUBLIC WAY; AND DECLARING AN EMERGENCY.

WHEREAS, application has been made for the closing of a public way dedicated to the City of Tulsa, Oklahoma, and filed of record in the office of the County Clerk of Tulsa County, Oklahoma; and

WHEREAS, the request is reasonable and it will be for the best interest of all parties concerned that said public way be closed.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TULSA, OKLAHOMA, to wit:

Section 1. That the following described public way:

East 74th Street South and South Vandalia Avenue as platted in Blocks 1 through 5, Silver Oaks Addition to Tulsa, Oklahoma, according to the duly recorded plat thereof, and more particularly described as follows:

Beginning at the Northeast corner of Lot 1, Block 2; thence S 89°56'52" W 255.21 feet to a point of curve; thence on a curve to the left, having a radius of 87 feet, a distance of 192.5 feet; thence S 22° 26'40" W 167.66 feet to a point of curve; thence on a curve to the left, having a radius of 295 feet, a distance of 116.31 feet; thence S 0°08'44" E 408.26 feet to a point of curve; thence on a curve to the left, having a radius of 158.92 feet, a distance of 99.17 feet; thence S 35°53'53" E 151.47 feet to a point of curve; thence on a curve to the right having a radius of 384.52 feet, a distance of 240.31 feet; thence S 0°05'24" E 118.69 feet to the southwest corner of Lot 3, Block 3; thence Westerly a distance of 50 feet to the southeast corner of Lot 1, Block 5; thence N 0°05'24" W 118.69 feet to a point of curve; thence on a curve to the left, having a radius of 334.52 feet, a distance of 209.06 feet; thence N 35°53'53" W 151.47 feet to a point of curve; thence on a curve to the right, having a radius of 208.92 feet, a distance of 130.37 feet; thence N 0°08'44" W 408.26 feet to a point of curve; thence on a curve to the right having a radius of 345 feet, a distance of 136.02 feet; thence N 22° 26'40" E 167.66 feet to a point of curve; thence on a curve to the right, having a radius of 137 feet, a distance of 161.41 feet; thence N 89° 56'52" E 255.11 feet to a point 60 feet West of the Northeast corner of the SE¼ NE¼ SE¼ NE¼, Section 9, T18N, R13E; thence S 0°10'15" E 60 feet to the point of beginning

be and the same is hereby closed.

Return To
Hettie Green
CITY OF TULSA
AUDITING DEPT.
200 CIVIC CENTER - ROOM 919
TULSA, OKLAHOMA 74103

4.7
EXHIBIT A

12e

BOOK 4246 PAGE 839

Section 2. That the City of Tulsa retains the absolute right to reopen the closed public way without expense to the City of Tulsa.

Section 3. The closing of said public way shall not affect the right to maintain, repair, reconstruct, operate or remove utility public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

Section 4. That an emergency exists for the preservation of the public health, safety and peace, by reason whereof this Ordinance shall take effect immediately upon its passage, approval and publication.

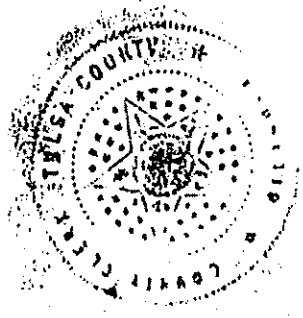
PASSED, and the emergency clause ruled upon separately and approved this 7th day of January, 1977.

APPROVED, this 7th day of January, 1977.

Robert G. LaFollette
Mayor

Campbell
City Auditor

APPROVED:
Walter Sales
City Attorney

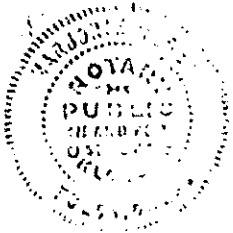


4.8

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

Before me, a Notary Public, in and for said County and State, on this 7th day of January, 1977, personally appeared Robert J. LaFortuno, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Mayor and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free act and deed of such municipal corporation, for the uses and purposes therein set forth.

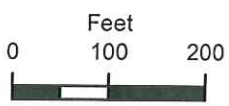
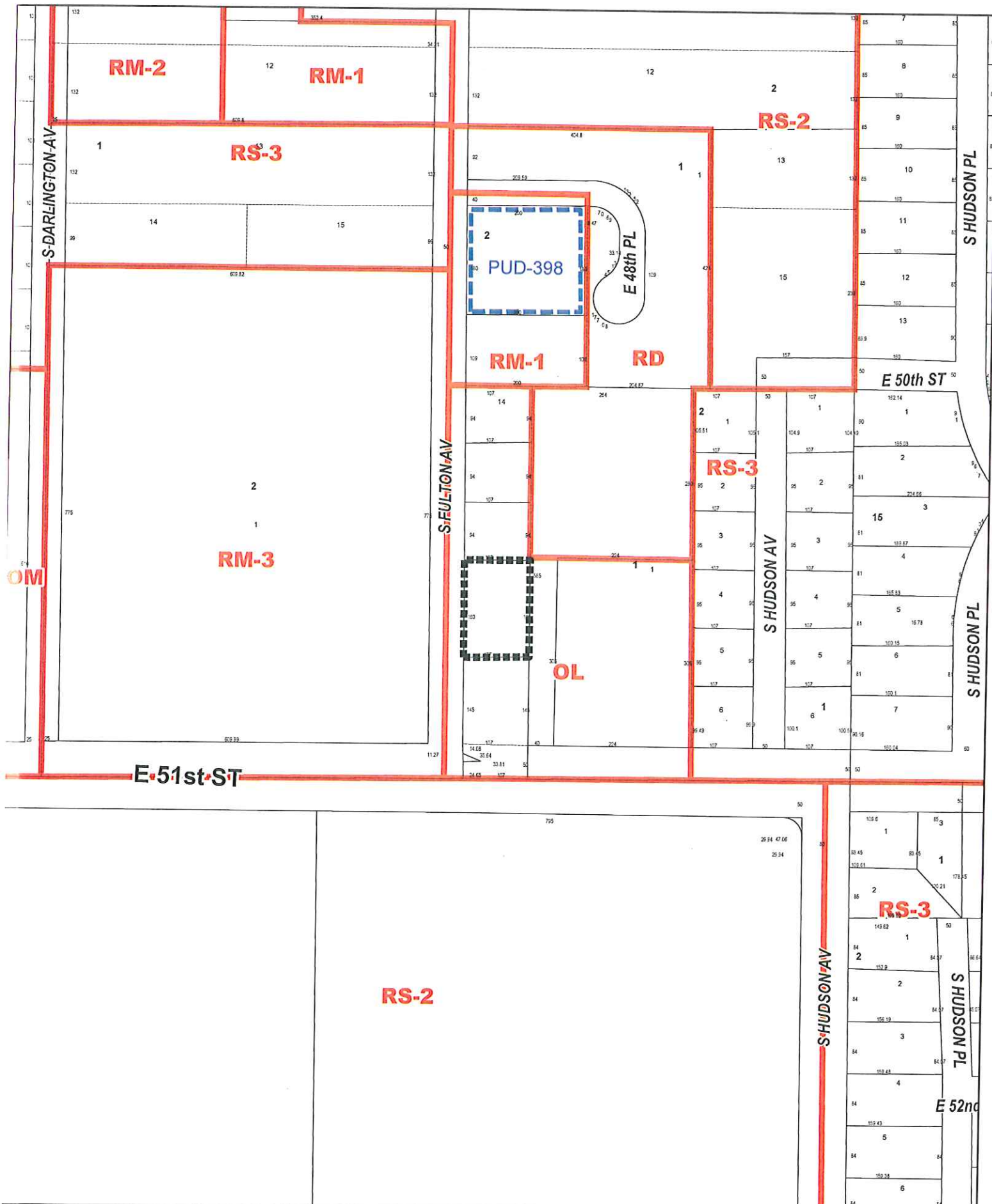
WITNESS my hand and official seal the day and year last above written.



Maryanne Weber
NOTARY PUBLIC

My Commission Expires:

Dec 15, 1980

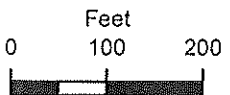
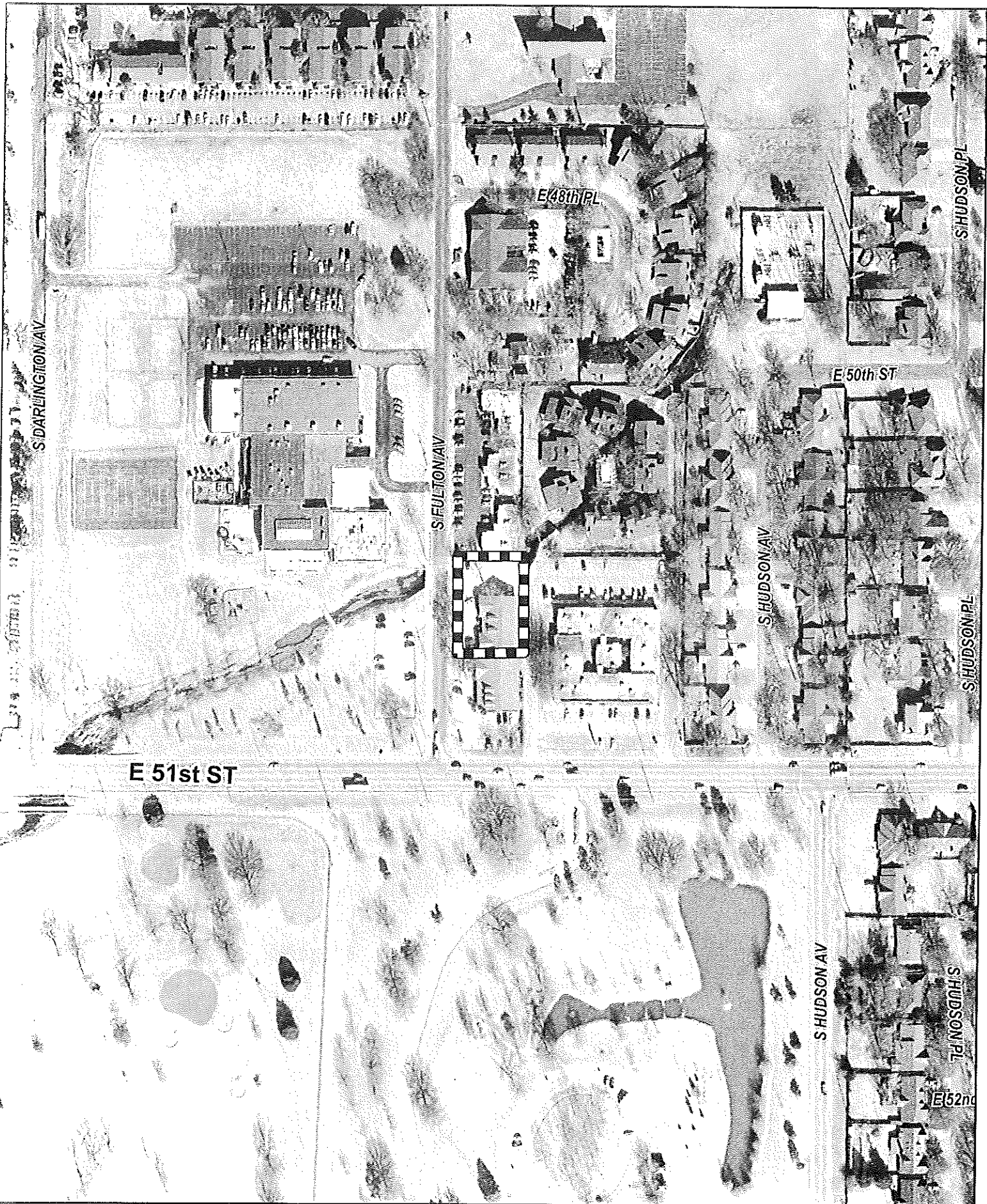


BOA-20670

19-13 27

6.1

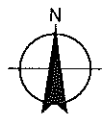




BOA-20670

19-13 27

6.2



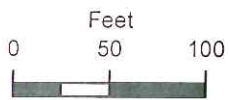


SUBJECT TRACT

S FULTON AV

E 48th

E 51st ST



BOA-20670

19-13 27

6.3



PLAT WAIVER

April 16, 2008

BOA 20670 - (9327) (PD 18B) (CD 7)

North of East 51st Street and East of South Fulton Avenue

The platting requirement is being triggered by a Special Exception (BOA 20670) to permit a church and related uses in an OL zoning district with a parking variance to be heard by the Board of Adjustment on April 22, 2008.

Staff provides the following information from TAC at their April 3, 2008 meeting:

ZONING:

- TMAPC Staff: The Board of Adjustment will consider granting the Special Exception and parking variances at their April 22, 2008 meeting.

STREETS:

- 48th Place is a residential street with a minimum right-of-way requirement of 25 feet for each side. The existing right-of-way is 20 feet. Additional right-of-way of 5 feet is needed. Sidewalks required along 48th Place. No objection. Confirm an existing License Agreement for the parking lot encroachment.

SEWER:

- No comment.

WATER:

- No comment.

STORM DRAIN:

- No comment.

FIRE:

- No comment.

UTILITIES:

- No comment.

Staff is favorable towards the plat waiver per the TAC comments, but the TMAPC agenda preparation occurs before the Board reviews the Special Exception request on April 22nd. The Board may require other conditions that may affect the waiver recommendation resulting in a revised staff recommendation for TMAPC at the April 23, 2008 meeting.

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

6.4

- | | Yes | NO |
|---|-----|----|
| 1. Has Property previously been platted? | X | |
| 2. Are there restrictive covenants contained in a previously filed plat? | X | |
| 3. Is property adequately described by surrounding platted properties or street right-of-way? | X | |

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

- | | YES | NO |
|---|-----|----|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | X* | |
| 5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? | | X |
| 6. Infrastructure requirements: | | |
| a) Water | | |
| i. Is a main line water extension required? | | X |
| ii. Is an internal system or fire line required? | | X |
| iii. Are additional easements required? | | X |
| b) Sanitary Sewer | | |
| i. Is a main line extension required? | | X |
| ii. Is an internal system required? | | X |
| iii. Are additional easements required? | | X |
| c) Storm Sewer | | |
| i. Is a P.F.P.I. required? | | X |
| ii. Is an Overland Drainage Easement required? | | X |
| iii. Is on site detention required? | | X |
| iv. Are additional easements required? | | X |
| 7. Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | | X |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | | X |
| 8. Change of Access | | |
| a) Are revisions to existing access locations necessary? | | X |
| 9. Is the property in a P.U.D.? | | X |
| a) If yes, was plat recorded for the original P.U.D.? | | |
| 10. Is this a Major Amendment to a P.U.D.? | | X |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | | |
| 11. Are mutual access easements needed to assure adequate access to the site? | | X |
| 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? | | X |

X* Development Services requests additional right-of-way.

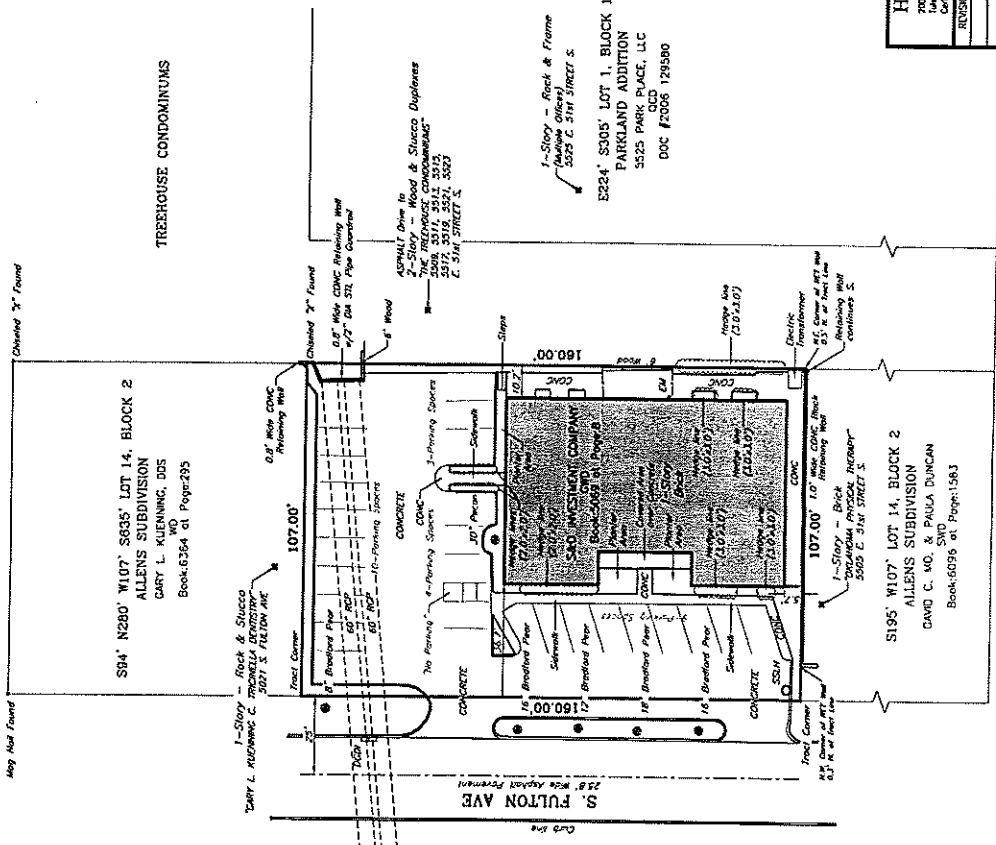
EXHIBIT

OF: The North 160 feet of the West 107 feet of the South 355 feet of Lot Fourteen (14), Block Two (2), ALLENS SUBDIVISION, a Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma

5043 SOUTH FULTON AVENUE

2-Story - Rock, Stucco, Pre-Cast Concrete & Brick
 "Rock & Stucco" Addition
 5000 S. FULTON AVE.
 184.6' W. & 184.4' N. OF N.W. TRACT CORNER

LOT 1, BLOCK 2
 SOUTHEAST Y.M.C.A. ADDITION
 YOUNG MEN'S CHRISTIAN ASSOCIATION

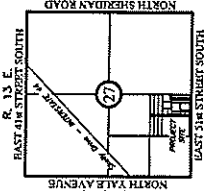


GENERAL NOTES

- The bearings shown hereon are based on the West line of Lot 14, Block 2, ALLENS SUBDIVISION, assumed due North.
- Fieldwork completed April 1, 2008.

SYMBOL LEGEND

- ⊗ - Electric Box
- ⊕ - Electric Transformer
- ⊙ - Sewer Manhole
- ⊚ - Storm Sewer Inlet (Double)
- ⊛ - Deciduous Tree (All Types)
- ⊜ - Coniferous Tree (All Types)
- ⊝ - Bush (All Types)
- ⊞ - Fence Line (All Types)
- ⊟ - Utility Sewer Line
- ⊠ - Storm Sewer Line
- - Bench Mark
- ⊙ - Survey Control Point Found
- ⊚ - Survey Control Point Set
- RCP - Reinforced Concrete Pipe



LEGAL DESCRIPTION

The North 160 feet of the West 107 feet of the South 355 feet of Lot Fourteen (14), Block Two (2), ALLENS SUBDIVISION, a Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma

HARDEN & ASSOCIATES Surveying and Mapping, P.C. 7300 South 141st East Avenue Tulsa, Oklahoma 74138 Certificate of Authorization No. 4525 Expires June 30, 2009				
BY	DATE	Survey By: MAA	Drawn By: MAA	Checked By: MAA
REVISIONS:				EXHIBIT
Title:				Book:
Date: 04/01/08				Scale: 1" = 40'
Plot No.: 007252				Sheet: 1 of 1

6.4

(Published in the Tulsa Daily Commerce
& Legal News,

_____, 2007.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 35, CHAPTER 2, TULSA REVISED ORDINANCES, ENTITLED "SIDEWALKS AND DRIVEWAYS," ADDING SECTION 213 THERETO TO PROVIDE FOR A FEE-IN-LIEU OF PARKWAY AND ARTERIAL STREET SIDEWALKS UNDER CERTAIN CONDITIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 35, Chapter 2, Tulsa Revised Ordinances, be and the same is hereby amended by adding thereto Section 213, to read as follows:

"SECTION 213. FEE-IN-LIEU OF PARKWAY AND ARTERIAL STREET SIDEWALKS

A. Fee-in-Lieu Option. Parkway and arterial street sidewalk construction, required pursuant to ordinance, City regulation, or Subdivision Regulations of the Tulsa Metropolitan Area Planning Commission, may be deferred by the Director upon approval by the Planning Commission of a waiver of Subdivision Regulations which imposes the fee-in-lieu as a condition of the waiver; the payment of the fee-in-lieu, as calculated hereafter; and the Director determining as follows:

1. The developer elects not to construct the subject sidewalk but to pay the fee-in-lieu of sidewalk, as provided hereafter.

2. Factors are known by the Director which will make likely the impracticability of present construction at the site in question, such as, but not limited to, the following:

a. Anticipated construction, known to the Director to be planned for the subject site, will substantially damage or cause the replacement of sidewalks, if presently constructed, and/or

b. Geographical (topographical) conditions/formations make present construction impractical;

- c. Drainage issues and other surface conditions make present construction impractical;
- d. Existing or planned utility-related construction make present construction impractical; and
- e. Other factors deemed by the Director to make present construction of sidewalks at the site in question imprudent and/or impractical.

B. Payment of Fee-in-Lieu.

- 1. Should a parkway or an arterial street sidewalk be deferred by the Director, a fee-in-lieu of sidewalk construction shall be paid by the developer.
- 2. The fee shall be equal to the amount required, at the time of deposit, pursuant to the City of Tulsa's contract with its engineering services provider to construct a sidewalk appropriate for the site in question as determined by the Director.
- 3. The fee-in-lieu of sidewalk shall be paid into a fund entitled the "Parkway - Arterial Street Sidewalk Fund." This fund shall be appropriated and available for use at the discretion of the Director for sidewalk repair or construction throughout the City at other parkway or arterial street locations without site preference.

C. Sidewalk Installation. Sidewalk installation by the City at the site where a sidewalk would have been required, but for the payment of a fee-in-lieu of sidewalk, shall occur as street and related public infrastructure development is completed at the site."

Section 2. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its adoption, approval, and publication.

ADOPTED by the Council: _____
Date

Chairman of the Council

ADOPTED as an emergency measure: _____
Date

Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Kathy Taylor, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date
at _____
Time

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

Interim City Attorney