

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1831
Wednesday, April 3, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Coutant	Carnes	Gardner	Linker, Legal
Doherty	Harris	Russell	Counsel
Draughon, 2nd Vice Chairman	Horner	Stump	
Midget, Mayor's Designee		Wilmoth	
Neely			
Parmeale, Chairman			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 2, 1991 at 11:50 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmeale called the meeting to order at 1:36 p.m.

Minutes:

Approval of the minutes of March 20, 1991, Meeting No. 1829:

On **MOTION** of **WOODARD**, the TMAPC voted **4-0-3** (Neely, Parmeale, Wilson, Woodard, "aye"; no "nays"; Coutant, Doherty, Draughon, abstaining"; Carnes, Harris, Horner, Midget "absent") to **APPROVE** the minutes of the meeting of March 20, 1991 Meeting No. 1829.

REPORTS:

Chairman's Report:

Chairman Parmeale advised the Planning Commission that Marilyn Wilson will be the TMAPC designee to the Historic Preservation Commission.

Chairman Parmeale presented a resolution honoring Mr. Bob Paddock for his service on the TMAPC from July 27, 1984 through July 24, 1990.

Committee Reports:

The **Comprehensive Plan Committee** met prior to the TMAPC meeting to discuss the Kendall-Whittier Master Plan. The comments made at the public hearing on March 20, 1991 were considered. Modest language changes were made as a result.

Mr. Doherty advised that the **Rules and Regulations Committee** would meet following the TMAPC meeting on April 3, 1991, location to be announced at a later date.

Ms. Wilson informed the Planning Commission that the **Budget and Work Program Committee** would meet at 11:30 a.m. on April 10, 1991 to consider the proposed draft of the budget. She invited the full commission to attend.

Director's Report:

The annual TMAPC training session will be held on April 20, 1991 according to Mr. Gardner. The session will be from 8:15-noon at the Helmerich Center. The topics for discussion are: slide presentation, TMAPC Work Program, re-visit the City Charter, and discuss the home occupation ordinance.

SUBDIVISIONS:

PRELIMINARY PLAT:

Dickens Commons (PUD 467)(2893) 3837 E. 51st St. S. (CO Pending)

Staff Recommendation:

This tract was reviewed by the TAC as a "PUD Review" on 7/13/89 under the name "Berkshire Center" (PUD 451 and Z-6255). Those applications were never completed and the project was put on hold. The present application is essentially the same one presented before, with a slight modification in the concept plan of the buildings. The comments from the previous review were provided with staff comments in the margin. Staff also noted that the PUD hearing on this application is scheduled for 2/27/91 and the City Council hearing would be after that. Notices for TMAPC approval of the plat have not been mailed, pending approval of the PUD by City Council.

The Staff presented the plat with the applicant represented by Phil Smith and Adrian Smith.

On MOTION of BELANGER, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of Dickens Commons, subject to the following conditions:

1. All conditions of PUD 467 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat.
2. On face of plat show building lines in agreement with PUD including: 80' on 51st St., 55' on Pittsburg, 20' along I-44 and 20' on the west side of Lot 1. (If PUD conditions or setbacks change in hearing, amend plat to fit)
3. Not a condition for approval of this plat, but the underlying plat of Lot 3, Block 1, Morland Addition should be vacated in accordance with current legal procedures.

4. Utilities shall meet the approval of the utilities. Coordinate with Sub-surface Committee if underground plant is planned. Additional utility easements are required, including an additional 2.5' on each side of the existing 10' easement to total 15'. Show easement along I-44 as 11' minimum. (Other easements subject to Sub-surface Committee requirements, including perimeter easements if required.)
5. Lot 3 which contains a proposed restaurant, also shows a conflict with an existing 48" storm sewer. No easement width thereof was shown, but it appears that the building location is over the storm sewer. It would appear that there are two choices:
 - a) Relocate the proposed building and show the easement width on the plat.
 - b) Relocate the storm sewer at applicant's expense, subject to approval of the (D.P.W.) Department of Public Works (Stormwater Management.) Department of Public Works previously advised that the existing 48" storm sewer is now a private line. D.P.W. recommends this line be made a public line, with accompanying easement. Inspection of the line is required and it must be constructed to City Standards and acceptable to the City for maintenance.
6. Water plans shall be approved by Department of Public Works (Water and Sewer) prior to release of final plat. (If required)
7. 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)
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (If required.)
9. Paving and/or drainage plan shall be approved by the Department of Public Works including storm drainage, detention design, and Watershed Development Permit application, subject to criteria approved by the City of Tulsa. On-site detention or fee-in-lieu is acceptable.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works. (If required.)

11. Access points shall be approved by Department of Public Works (Traffic) and shown on plat accordingly. Traffic Engineering advised applicant to review the access at the northeast corner (to Pittsburg) with their staff. The access points on 51st are acceptable as proposed.
12. Covenants:
 - a) Make sure the covenants agree with PUD as approved by TMAPC and City.
 - b) Include language regarding prohibition of structures on easements in Section I-A.
 - c) Include provisions in the language on ground signs that they should not encroach on easements.
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. Fire Department advises that a hydrant may be needed on the interior of the tract. (Subject to review of actual site plan in the permit process.)
15. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
16. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

The applicant was represented by Mr. Louis Levy, attorney.

Mr. Wilmoth advised that the applicant has complied with all building lines, the PUD and no waivers are involved. Staff recommended approval subject to the conditions as listed.

TMAPC ACTION: 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Coutant, Doherty, Draughon, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no abstentions"; Carnes, Harris, Horner, Midget "absent") to APPROVE Preliminary Plat for Dickens Commons subject to the conditions as recommended by staff.

8800 Quebec Extended (1683)

East 87th Street and S. Pittsburg Avenue

(RS-3)

Staff Recommendation:

This plat had a preliminary approval on 1/18/84, and a final approval on 2/5/86, but was never filed of record. It had numerous extensions of approval but finally expired on 2/5/90. The plat is being resubmitted, being exactly the same plat as previously approved. It is not a PUD, nor were there any particular problems with the plat as previously submitted. The corner building setbacks of 15' on several lots was approved by the Board of Adjustment (#13567 on 5/16/85) but this is no longer necessary since those setbacks are included in the zoning ordinances amended. The applicant wishes to pick up where the plat was previously (Final approval) so it can be filed of record. For information, the Staff provided a list of releases that had been received and the dates applicable. A copy of the microfilmed minutes with staff comments in the margin applicable to this resubmittal, was also provided.

Staff presented the plat to TAC noting the applicant was not represented.

D.P.W. (Stormwater) advised that the drainage area in the northwest corner of the plat should be shown as "Reserve" maintained by the homeowners. (This may reduce the net lot size below 6900 sq. ft. so may be a problem. Applicant will be advised to work with D.P.W. for a solution. (See #5 below).

Some additional easements will be required by utilities. (See #1 below)

A preliminary approval only will be recommended at this time with a "draft final" to follow after coordination with the TAC members and agencies.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of 8800 Quebec Extended subject to the following 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. (17 1/2' on lots next to the creek.) Existing easements should be tied to or related to property lines and/or lot lines.
2. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.

3. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
5. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa. (Show measurements on drainageway.)
6. Up-date location map.
7. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
8. 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.
9. Covenants -- Dedication:
 - (a) Include provisions prohibiting structures on easements.
 - (b) Include provisions regarding paving and landscape repair in easements.

Omit Sections 20 and 21 with reference to Reserve "A", since that was platted with Harvard Pointe and is not a part of this plat. (Unless a "Reserve" is a part of this plat -- See comments in TAC review above)
8. Applicant is advised that sidewalks are required on collector streets. (Subdivision Regulations 4.3.1.) (86th & Pittsburg)
9. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
10. All Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

The applicant was not present.

Mr. Wilmoth stated that TMAPC had given continuances to this plat for the past five years. It finally expired and now the applicant has begun to go ahead. It will be soon be followed by a Final Plat.

TMAPC ACTION: 7 members present:

On MOTION of DOHERTY, the TMAPC voted 7-0-0 (Coutant, Doherty, Draughon, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no abstentions"; Carnes, Harris, Horner, Midget "absent") to APPROVE Preliminary Plat for 8800 Quebec Extended subject to the conditions as recommended by staff.

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Sixty-Two-Hundred Trenton Square Amended (PUD324) (683)

E. 63rd Street and S. Trenton Avenue

(RS-3)

Staff Recommendation:

This plat is being filed to show adjustments in lot lines and to reduce the total building lots from 16 to 13 in the area being replatted. These will be single-family homes and the plat will comply with the approved PUD. No amendment is required. All conditions of the PUD and the dedications made with the previous plat remain the same as per statement on plat. No easements and/or building lines are being changed.

Applicant should ascertain if he owns enough lots to amend this plat. (Covenants on Plat #4470 indicate in Paragraph 21 that amendment will require 90% of the owners approvals.) Lot 21, the common area and private street, is shown as owned by the Security Bank, not G.L.E., Inc. so the lot ownership would not meet the 90% requirement. There could be several solutions such as:

- (a) Have the other lot owners also be a part of this plat or:
- (b) file a separate instrument indicating approval of the resubdivision in compliance with paragraph 21 of the covenants.

None of this affects the PUD or easement dedications, but does affect the chain of title. Since Staff is not in a position to do title work, this is advisory and not a condition of approval of the Preliminary Plat. This should be worked out prior to filing the FINAL plat of record however.

The Staff presented the plat noting the applicant was not represented. Applicant has advised staff that they now own enough of the lots so that amendment is no problem.

On MOTION of BELANGER, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of 6200 Trenton Square Amended subject to the following conditions:

1. Since Lot 21 (the common area/private street) is shown as part of this plat, it should be given a new lot number. If not part of this plat, then show a heavy line around the exterior and show the old, existing lot number.
2. On face of plat show: "13 Residential lots, 1 common lot; 1.9 acres" (or whatever the total is based upon how # 1 above is handled).
3. Make sure that the plat shows all the lots being replatted, including Lot 21. (Depends on how #1 above is handled.) This refers to the lots listed in the legal and under the title block. Also show on face of plat under title block: "A Part of PUD #324".
4. 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 should be tied to or related to property lines and/or lot lines. (If relocations are required, it shall be at owners expense.)
5. Verify street name. Although private, it should fit the sequence of city street names. Plat shows "Trenton Square Court". "Trenton Court" may be more applicable.
6. 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 owners(s) of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (If required)
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division). (If required)
10. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

11. The location map should show the larger subdivisions in this general area. (See Staff for sample)
12. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
13. All Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Wilmoth advised that staff was recommending approval subject to the conditions as listed.

TMAPC ACTION: 7 members present:

On MOTION of WOODARD, the TMAPC voted 6-0-1 (Coutant, Doherty, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon abstaining"; Carnes, Harris, Horner, Midget "absent") to APPROVE Preliminary Plat for Sixty-Two-Hundred Trenton Square Amended subject to the conditions as recommended by staff.

WAIVER REQUEST, SECTION 213:

BOA-15679 and Z-6115 Johansen Acres (1493)

6505 E 25th Place

(OL)

Staff Recommendation:

This is a request to waive plat on Lot 16, Block 4 of the above named subdivision at the northeast corner of 25th Place and S. Sheridan Road. The property will be used as a day care center. As of 3/19/91, no new plot plan had been submitted and the existing building may be used instead of building a new one. Right-of-way is 50' from centerline on Sheridan and meets the Street Plan requirements. Since this is already a platted lot and adequate right-of-way already exists, staff saw no objection to the waiver, subject to the following:

- (a) Access points shall be approved by Department of Public Works (Traffic), including an "Access Control Agreement". (Applies to existing building or if a new one is built.)
- (b) Grading and/or drainage plan approval required by Department of Public Works (Stormwater and/or Engineering) for any new construction and/or grading. DPW recommends that surface drainage tie into Sheridan Road storm sewer. Extension may be made in street right-of-way through a PFPI. Fee-in-lieu for net increase in imperviousness may be made.

(c) Fire Hydrant required if not already in place. (150' minimum separation required.)

Staff provided a reduced copy of a new plot plan which had been obtained from the Board of Adjustment case file. The above conditions would apply for the new building as shown on the plan. Staff also advised for the record that this request also covers the underlying OL zoning approved in Z-6115.

The applicant was represented to the TAC by Mr. Charles Norman. Mr. Norman Advised that for the record, his client would be opposed to the off-site storm drain as recommended by D.P.W. in condition (b).

On MOTION of HEMPHILL, The Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the waiver of plat on BOA-15679 and Z-6115, subject to the conditions outlined by Staff and TAC.

Comments & Discussion:

The applicant was not present.

This request is for a day care center at 25th Place and Sheridan Road. Protestants were present at the Board of Adjustment application concerning access to 25th Place. The Board of Adjustment approved the use with the limitation that only two access points be provided onto Sheridan and none to the side street. Staff recommends approval subject to the three conditions listed and the recommendation by the Board of Adjustment. An agreement will be required limiting the access to Sheridan and no access to the side street.

TMAPC ACTION: 7 members present:

On MOTION of DOHERTY, the TMAPC voted 7-1-0 (Coutant, Doherty, Midget, Neely, Parmele, Wilson, Woodard, "aye"; Draughton, "nay"; no abstentions"; Carnes, Harris, Horner, "absent") to **APPROVE** Waiver Request for BOA-15679 and Z-6115 subject to the conditions as recommended by staff.

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OTHER BUSINESS:

PUD 346-3: Minor Amendment to reduce required number of parking spaces - Detail Site Plan review, Detail Sign Plan review and Detail Landscape Plan review Lots 1 and 2, Block 1, Lewis Center East Addition

PUD 346 is a 4.7 (gross) acre development located south of the southeast corner of East 88th Street South and South Lewis Avenue

and has been approved for 133 units of elderly housing and related uses. The facility has been in existence since approximately 1985.

The applicant is requesting a minor amendment of the required parking for the high-rise elderly apartment building from 100 parking spaces to 84 which have actually been constructed. The Tulsa Board of Adjustment approved a variance of the required 100 parking spaces on Lot 2 to 84 on February 26, 1991, BOA #15665. The existing 84 spaces appear to be sufficient to serve the elderly housing project. In addition to the 84 spaces devoted exclusively to elderly housing the applicant is providing an area for future expansion of parking, if needed, on Lots 1 & 2 by mutual access and parking easement. The portion of this mutual access and parking easement on Lot 2, can, however, only be used as parking for the elderly housing and accessory uses.

After review of the proposed minor amendment, Staff recommends **APPROVAL** of a reduction of the required off-street parking spaces for the 133 elderly housing units on Lot 2 from 100 to 84.

If the Planning Commission approves minor amendment PUD 346-3, staff would also recommend **APPROVAL** of the *Detail Site, Sign and Landscape Plans for Lot 2*, since all these plans would then meet or exceed the development standards of the PUD.

Staff also would recommend **APPROVAL OF Detail Site Plan for Lot 1**, but the parking areas shown should only be allowed to be used as overflow parking for the elderly housing project. If Lot 1 is to have a building constructed on it, a new Detail Site Plan would need to be submitted and approved.

Comments & Discussion:

Mr. Coutant declared he had a conflict of interest and would not be participating in consideration of this case.

TMAPC ACTION: 7 members present:

On **MOTION** of **WOODARD**, the TMAPC voted **5-0-3** (Doherty, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; Coutant, Draughon, Midget "abstaining"; Carnes, Harris, Horner, "absent") to **APPROVE** the Minor Amendment to reduce the required parking spaces from 100 to 84, and to **APPROVE** the Detail Site Plan for Lots 1 & 2, Block 1, and the Detail Sign Plan for Lot 2, Block 1 and the Detail Landscape Plan for Lot 2, Block 1 of Lewis Center East Addition as recommended by staff.

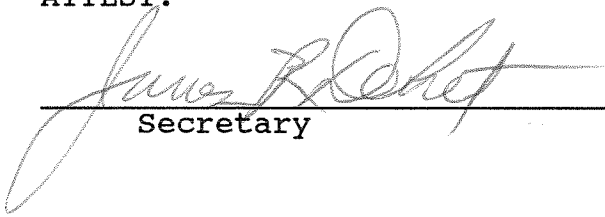
There being no further business, the Chairman declared the meeting adjourned at 1:55 p.m.

Date Approved: April 17, 1991



Chairman

ATTEST:



Secretary