

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2050
Wednesday, January 3, 1996, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Boyle, 2nd Vice
Chairman
Carnes,
Chairman
Dick
Doherty, 1st Vice
Chairman
Gray, Secretary
Horner
Ledford
Midget, Mayor's
Designee
Pace
Taylor

Members Absent

Ballard

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, December 29, 1995 at 2:19 p.m., in the office of the County Clerk at 2:14 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:35 p.m.

Minutes:

Approval of the minutes of December 13, 1995, Meeting No. 2048 and December 20, 1995 Meeting No. 2049:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace, Taylor "aye"; no "nays"; Dick "abstaining"; none Ballard, Midget "absent") to **APPROVE** the minutes of the meeting of December 13, 1995 Meeting No. 2048 and December 20, 1995 Meeting No. 2049.

REPORTS:

Committee Reports:

Rules and Regulations Committee

Mr. Doherty reported that Councilor Cleveland requested an update of the status of the apartment density study which the City Council requested. He suggested that until the study can be completed, perhaps a general statement can be incorporated in the Comprehensive Plan to disperse those densities and avoid concentrations for reasons of traffic, overloading infrastructure, etc.

Mr. Gardner informed that it is estimated to take approximately 40 to 50 Staff-hours to compile the data that the City Council has requested. He anticipates work to begin on the study shortly and that preliminary data may be available in February.

SUBDIVISIONS:

PRELIMINARY PLAT:

STAR CENTER 4 (2983)

(PD-26) (CD-2)

Southeast corner of East 101st Street South & South Delaware Avenue.

Jones presented the plat with Adrian Smith in attendance at the TAC meeting.

Star Center 4 is a commercial plat which contains 2.238 acres and is part of a 9.14 acre tract. The proposed use is a convenience store and no site plan has been submitted as yet.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations to permit the plat to be drawn at a scale of 1"=30' (1"=100' required).
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
3. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.

6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
11. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
12. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
13. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
15. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
16. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
17. The key or location map shall be complete.
18. 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.)
19. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
20. This plat has been referred to Jenks because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.

21. 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.)

22. All other Subdivision Regulations shall be met prior to release of final plat.

On the Motion of Miller, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Preliminary Plat of Star Center 4, subject to all conditions listed above.

Staff Comments

Mr. Jones informed that the applicant has presented a revised plat depicting the dedication of South Delaware Avenue and East 101st Street South as being different from that shown in the agenda. However, he informed that the City is still receiving required right-of-way.

TMAPC Action; 9 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **9-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard Midget, "absent") to **APPROVE** the **PRELIMINARY PLAT** for Star Center 4 as recommended by Staff and **WAIVER** of the Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 30'.

PLAT WAIVER, SECTION 213:

Z-5960 (Unplatted) (1293)
8349 East 21st Street South.

(PD-5) (CD-5)

Jones presented the request with C. H. Seawright present at the TAC meeting.

Somdecerrf recommended additional right-of-way be dedicated to meet the major street plan and the applicant was in agreement.

Z-5960 rezoned this and the abutting tract to the west to CS in 1988. The applicant resides on the subject tract and proposes to construct a 20' x 36' building for commercial sales. As the submitted site plan shows, there are a number of additional buildings on the property and off-street parking will be provided on a gravel area (not permitted without Board of Adjustment approval). According to the plan, the property utilizes a septic system and lateral field. Discussions with the applicant revealed that the building and use will be similar in nature to a hobby type use.

Based on the size of the tract and the limited nature of the use, Staff would be supportive of the plat waiver per the following conditions:

1. Plat waiver be for the use (knife sales) and building only.
2. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
3. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
4. Utility extensions and/or easements if needed.
5. Dedication of right-of-way for East 21st Street South to meet the major street plan.

On the Motion of Somdecerrf, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for Z-5960, subject to all conditions listed above. (This approval is for the east half of the original Z-5960 application only).

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** the PLAT WAIVER for Z-5960 as recommended by Staff.

Z-5972 (Unplatted) (694)

(PD-5) (CD-5)

West of the northwest corner of East Admiral and Garnett Road.

Jones presented the plat waiver request with Ted Sack in attendance at the TAC meeting.

Herbert pointed out that the north portion of the subject tract is in a floodplain and requests it be dedicated to the City. Ted Sack was in agreement.

French noted that based on the median opening, access may be right-turn only. Any access should be approved by Traffic Engineering.

Z-5972 rezoned an approximate 5 acre tract from RMH to CS in 1986. The request now is to waive the platting requirement on the west half and construct a commercial building.

On the motion of Pierce, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for Z-5972, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Dedication of floodplain portion of tract to the city.
3. Access point approved by Traffic Engineering.
4. Utility extensions and/or easements if needed.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** the PLAT WAIVER for Z-5972 as recommended by Staff.

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PUD 530 (Woodward Park) (793)

(PD-6) (CD-4)

1920 South Lewis Avenue

Staff Comments

Mr. Jones announced that the applicant has requested a continuance to January 10, 1996.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **CONTINUE** PUD 530 to January 10, 1996.

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LOT-SPLITS FOR WAIVER:

L-18193 Myrtlewood Development Corp. (T. Roberts) (2883)
East of the southeast corner of South Louisville & East 107th Street South.

(PD-26)(CD-8)
RS-1

Jones presented the request with two representatives present at the TAC meeting.

It was stated by the applicant that the reason for the split is to permit a wall and drainage structure.

Edwards noted that since a utility easement exists, problems may arise in regards to utilities.

Payne stated that a license agreement may be required in order to construct in a utility easement and that a wall over 4' in height requires a building permit.

It is proposed to split an approximate 111.48 SF wedge from the rear of Lot 2, Myrtlewood and attach it to the unplatted lot to the west as presented. Both lots abut public water and both lots are on septic systems. Staff has determined both lots proposed will meet the standards for the RS-1 district. Since the wedge is triangularly shaped, both Lot 2, Myrtlewood and the unplatted tract will have more than three side lot lines, and therefore do not comply with Tulsa Subdivision Regulations requiring that residential lots have no more than three side lot lines. Applicant is requesting waiver of this requirement.

On the Motion of Edwards, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of lot-split L-18193.

Applicant's Comments

Jim Ferris, 320 South Boston, attorney for the applicant, advised that the applicant is aware that should the utility easement need to be accessed, the drainage pipe and wall the applicant intends to install might have to be moved. He informed that the applicant agrees with Staff conditions.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **APPROVE** the **WAIVER** for L-18193 of the requirement that residential lots contain no more than three side lot lines as recommended by Staff.

L-18202 Darrell & Barbara Mullins (G. Suppes) (2383)
19202 E. 111th Street.

(PD-26)(CD-8)
RS-1

It is proposed to split a one-acre tract from a four-acre tract and attach it to the adjacent property to the west as depicted. Both lots are on septic systems and abut public water. However, the lot being split may be on a water well. Staff has determined both lots proposed will meet the bulk and area requirements for the RS-1 district. Due to the configuration of the split, the western tract will have more than three side lot lines. Therefore it does not comply with Tulsa Subdivision Regulations requiring that residential lots have no more than three side-lot lines. Applicant is requesting waiver of this requirement.

On the Motion of Herbert, the Technical Advisory Committee voted unanimously to recommend **APPROVE** the lot split L-18202.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor “aye”; no “nays”; none “abstaining”; Ballard “absent”) to **APPROVE** the **WAIVER** of the limitation that residential lots have no more than three side lot lines for L-18202 as recommended by Staff

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

<u>L-18201 Twenty-First Properties</u> (R. Johnsen) (3194)	(PD-18c)(CD-5)
South & east of the southeast corner of E. 51st St. & S. Mingo	IL
<u>L-18205 STS Building Corporation</u> (B. Mizener) (2393)	(PD-18c)(CD-5)
6353 E. 38th St. S.	IL
<u>L-182075 General Signal Corporation</u> (City of Tulsa) (2393)	(PD-18c)(CD-5)
4041 S. Sheridan	IL

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor “aye”; no “nays”; none “abstaining”; Ballard “absent”) to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations

ZONING PUBLIC HEARING:

Application No.: PUD 507-7
Applicant: Roy Johnsen
Location: East of the southeast corner of east 71st Street.
Date of Hearing: January 5, 1996

Staff Comments

Chairman Carnes announced receipt of a request from the applicant for a two-week continuance.

Interested Parties

Mark Reents 5416 South Yale Avenue, Suite 600 74135
Mr. Reents, attorney for Stone Gate Apartments Limited Partnership, was present representing the property located south of the subject property and he expressed no objection to the request for continuance.

TMAPC Action; 10 members present:

On **MOTION of BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **CONTINUE PUD 507-7** to January 17, 1996.

OTHER BUSINESS:

Proposed amendment to the TMAPC Rules of Procedure and Code of Ethics, Section I.E. "Committees", establishing an additional standing committee titled "Public Participation"

TMAPC Comments

Chairman Carnes reported that due to low participation at Planning District elections over the years, the Comprehensive Plan Committee suggested establishing a standing committee to consider ways of expanding representation and improving the information system within the districts.

Ms. Gray announced that the Comprehensive Plan Committee met December 20, 1995, and they decided that it would best serve the City to consider a means for better representation from all neighborhoods. She commented on the expense incurred to hold elections compared to the low turn-out of citizens. Ms. Gray informed that the committee concurred that there needs to be better representation, as well as a better way of informing citizens of activities within their districts.

Mr. Doherty referred to a Citizen Participation Study completed in 1994, in which there was discussion over changing the structure of receiving neighborhood input. He reported that there was much opposition to change from civic and social organizations and participation increased somewhat. Mr. Doherty acknowledged that better citizen participation is needed from the districts that are not sufficiently represented.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Carnes, Dick, Doherty, Gray, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Ballard "absent") to **ADOPT** an amendment to the TMAPC Rules of Procedure and Code of Ethics, Section I.E. "Committees", establishing an additional standing committee titled "Public Participation".

Schedule date for election of Planning District Chairs and Vice Chairs

TMAPC Comments

Chairman Carnes announced that at the December 20, 1995 Comprehensive Plan Committee meeting it was decided to postpone the elections until the new Public Participation Committee suggests an appropriate date.

Interested Parties

Carmen Lyman

8314 East 56th Place

Ms. Lyman expressed opposition to postponing the elections. She explained that citizens in her area are dissatisfied with representation from the Vice Chairs in Planning District 18.

Mr. Doherty informed that area residents should contact their TMAPC liaison with complaints she mentioned.

There being no further business, the Chairman declared the meeting adjourned at 2:10 p.m.

Date Approved: 1-17-96



Chairman

ATTEST:



Secretary