

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2129

Wednesday, September 17, 1997, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Dick	Almy	Linker, Legal
Carnes		Beach	Counsel
Doherty		Dunlap	
Gray		Jones	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, September 12, 1997 at 8:49 a.m., in the Office of the City Clerk at 8:39 a.m., as well as in the office of the County Clerk at 8:45 a.m.

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

Minutes:

Interested Parties Comments:

A. Craig Abrahamson, 7518 South 107th East Avenue, 74133, stated, in reviewing the minutes as drafted, he had some concern with the intent of the Planning Commission. He noted page 24, Area B and page 36, in regard to the screening fence. He feels Mr. Norman was misquoted in regard that the smooth side of the fence be constructed to the inside to prevent persons at the theater from scaling the fence.

Mr. Abrahamson noted page 29, Area F, item 7 in regard to the occupancy permit and believed a condition was added to Area F stating the landscaping has to be installed for Area F prior to issuance of the occupancy permit.

Mr. Abrahamson feels there was a misquote on the density of the apartments and the private restrictive covenants.

Mr. Abrahamson noted a misquote in regard to the trash compactor, page 41. He feels the minutes should reflect the southern wall of the building and not the southern boundary, and that the compactor be enclosed by a masonry wall.

TMAPC Comments:

Mr. Doherty stated he believes the intent was that Development Area B will require its own landscaping. If the easement is eliminated and should the landscape plan relocate the landscaping to Area F, it will be connected to Area B, but Area B landscaping will still have to be in place prior to issuance of the occupancy permit. Mr. Abrahamson feels the intent was that the landscaping would have to be in place in both Areas B and F prior to issuance of the occupancy permit.

Mr. Carnes suggested review of the tape of the meeting.

Mr. Doherty feels the intent was to allow extensive landscaping in Area F to substitute for Area B if the easement were not required and other conditions are met. He noted the Planning Commission requested review of the landscaping plans. Mr. Stump stated the conditions read as follows: "the exact location and design of this buffer strip shall be determined by TMAPC during landscape plan approval process." Mr. Stump feels if the intent was to imply both Area B and Area F could be determined at the landscape plan process. However, he feels if there is not an agreement reached on the easement issue, Area B could be landscaped as required and an occupancy permit issued.

Mr. Doherty stated the Planning Commission's position was to agree with staff's recommendation on the density and that a private covenants might be an ideal way to deal with any dispute. He noted there was not a requirement for the private covenants, and if an agreements were not reached, the PUD conditions would stand. Mr. Westervelt stated his intent was not to change the density of the apartments, whether a private covenants were agreed upon or not.

Mr. Doherty directed staff to make the corrections to the minutes as discussed.

Approval of the minutes of September 9, 1997, Meeting No. 2129:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-2** (Boyle, Carnes, Doherty, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Gray, Ledford "abstaining"; Dick "absent") to **APPROVE** the minutes of the meeting of September 9, 1997, Meeting No. 2129 as corrected by the TMAPC.

Reports:

Chairman's Report:

Chairman Doherty stated, with the Gail Carnes stepping-down as Chairman, he would fulfill the role of Chairman; Gary Boyle will serve as 1st Vice Chairman; Joe Westervelt as 2nd Vice Chairman; and Fran Pace as Secretary for the balance of the year.

Chairman Doherty stated there are nine items scheduled for the September 18, 1997 City Council meeting. He noted City Council will not meet on September 25, 1997.

Chairman Doherty feels the Rules and Regulations Committee has been overburdened with everything that did not fall under the Comprehensive Plan Committee's purview and suggested forming a standing committee to address the statutory functions of the Subdivision Regulations and Zoning Code and a committee to address Internal Rules, Procedures and Policies. He suggested to consider and/or taken action on splitting the Rules and Regulations Committee at the September 24, 1997 meeting.

Committee Reports:

Comprehensive Plan Committee:

Mr. Ledford stated there will be a Comprehensive Plan Committee meeting immediately following the Planning Commission meeting.

Rules and Regulations Committee:

Mr. Boyle stated there will also be a Rules and Regulations Committee meeting today.

Subdivisions:

Mr. Jones introduced Jim Beach as the person to take over the duties and responsibilities of subdivision plats upon Mr. Jones' resignation.

Sketch Plat:

Mr. Ledford left the dais and indicated he would be abstaining from this item.

Carroll Addition (2683)

(PD-26) (CD-8)

North of the northwest corner of East 111th Street South and South Memorial Drive

TAC Recommendation:

Jones presented the plat with Jerry Ledford, Jr. present.

Ledford stated that a water main would be extended along Memorial from the Albertson's tract to the north to provide water service. For sewer service, a lift station will be constructed and piped to the new southeast station.

French asked about access from Memorial to the proposed residential areas to the west. After considerable discussion, French recommended that a public street be dedicated through the property, with final location approved by Traffic Engineering, to provide the access.

French also recommended that mutual access be provided for all lots.

McCormick noted that on-site detention would be required.

French suggested that a "master plan" PUD be submitted for the total 40 acres.

After discussion, it was decided to approve the sketch plat only and let the applicant return with a revised preliminary plat to show street location.

Carroll Addition is a four-lot office subdivision plat which contains a total of 2.78 acres. The property is abutted to the north by the Champions Athletic Complex and to the west and south by unplatted property.

Staff would offer the following comments and/or recommendations:

1. Waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 30' (1" = 100' required).
2. Extend building setback line to north and south property line.
3. Show 17.5' utility easement on south side of Champions Athletic Complex plat.
4. Utility easement 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.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. (Include language for Water/Sewer facilities in covenants.)
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 owner(s) of the lot(s).
7. 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.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).

9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
12. 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.
13. All adjacent streets, intersections and/or widths there of shall be shown on plat.
14. 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.
15. 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.)
16. 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.
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. 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.)
21. This plat has been referred to Bixby, Jenks and Broken Arrow 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.
22. 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.)

23. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.

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

On motion of French, the Technical Advisory Committee voted unanimously to approve the Sketch Plat of Carroll Addition, subject to all conditions listed above.

Applicant's Comments:

Jerry Ledford, Jr., Tulsa Engineering and Planning, 8209 East 63rd Place, Tulsa, stated the PUD was heard last week and it was recommended for approval. He stated the preliminary plat will indicate three lots plus the location of the streets. He stated he anticipates a PUD application within the next 30 to 60 days.

Mr. Ledford, Jr. stated that Traffic Engineering is requesting/requiring a left-turn bay on Memorial Drive. However, he stated he is comfortable with the conditions as recommended by staff.

TMAPC Comments:

Mr. Doherty questioned the ownership on the adjacent parcel where the roadway will be constructed. Mr. Jones replied the property is owned by the same owners and they are splitting out and platting only 2.78 acre of the entire 40 acre tract.

Mr. Doherty asked whether imposing the conditions for the roadway will impose a condition on someone who will not have any benefit from this development. Mr. Jones replied in the negative.

Mr. Boyle requested clarification of the TAC recommendation in regard to the conditions. Mr. Jones replied the TAC recommendations consist of the numbered conditions, as well as any other conditions listed or outlined in the text.

Mr. Stump commented, since the PUD only allows three lots, the development will look significantly different since it is platted as four lots.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick "absent") to **APPROVE** the Sketch Plat of Carroll Addition, subject to the conditions as recommended by the TAC and Waiver of Subdivision Regulations to permit the plat to be drawn at a scale of 1" = 30'.

Plat Waiver, Section 213:

Z-6597 (Unplatted) (2492)

(PD-6) (CD-9)

1128A and 1128B East 37th Place South

TAC Recommendation:

Jones presented the request with no representative present.

Z-6597 rezoned a 60' lot from RS-3 to PK to permit additional off-street parking for the "Brookland Center". Based on the size of the tract and the proposed use, staff can see no benefit to the City in a replat.

Staff recommends approval of the plat waiver for Z-6597, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for Z-6597, subject to all conditions listed above.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **APPROVE** the Plat Waiver for Z-6597, subject to the conditions as recommended by the TAC.

Lot-Split for Waiver of Subdivision Regulations:

L-18533 Charles A. Logan (3291)

(PD-23) (County)

5711 South 155th West Avenue, Sand Springs

TAC Recommendation:

This is a request to split a 165' x 660' tract, with each new tract measuring 165' x 330'. The east tract will be added to the property to the north. The properties have septic and water, with existing homes. Staff has determined that the new tracts will meet bulk and area requirements of the Zoning Code. However, because of the configuration of the lots, Tract 2 will have more than three side lot lines. The applicant is requesting a waiver of this requirement.

Technical Advisory Committee and staff recommends approval of this request since it will not have an adverse affect on the surrounding properties.

Applicant's Comments:

Charles Logan, 5711 South 155th West Avenue, Sand Springs, 74063, stated he is in agreement with staff recommendation.

Interested Parties Comments:

Pat Grode, 5800 South 155th West Avenue, Sand Springs, 74063, stated she owns the property directly west and across the street from the subject tract. She stated she did not received notification of the application and is not aware of the nature of the application.

Ms. Grode expressed concern with changing the continuity of the neighborhood and allowing less than 2.5-acre tracts. She feels splitting the lots will allow more residents.

Ms. Grode questioned whether the mobile home will be removed completely after the construction of the new residents.

Harold Sutterfield, 5800 South 153rd West Avenue, Sand Springs, 74063, expressed concerns with the drainage ditch that runs north behind the subject property. He requested that the drainage ditch not be covered or filled during the development of the subject property.

Applicant's Rebuttal:

Charles Logan stated the mobile home has currently been moved to make room for the new home. He stated the mobile home will be removed from the site after the completion of the home.

TMAPC Comments:

Mr. Doherty stated the underlying zoning is AG-R and permits subdivision of lots. He feels the split of this lot is to meet the requirement that all lots have frontage on a dedicated street.

Mr. Jones stated since Ms. Grode is located across the street and not an abutting property owner, she did not receive notification of the application. He noted the properties involved meet the Zoning Code requirements; therefore, it is a prior-approval lot-split and the only item before the Commission is Waiver of Subdivision Regulations to allow a lot with more than three lot lines.

Mr. Doherty suggested, in regard to the drainage ditch, the individual contact County Commissioner Selph and the County Inspector to make them aware of the proposed development and to keep watch on the existing drainage ditch during development.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt “aye”; no “nays”; none “abstaining”; Dick “absent”) to **APPROVE** the Lot-Split for Waiver of Subdivision Regulations for L-18533 as recommended by the TAC.

Lot-Splits for Ratification of Prior Approval:

- L-18526 Richard Ahrend (2883)** (PD-26) (CD-8)
10412 South Richmond Avenue
- L-18530 Bridgeman (2013)** (PD-12) (County)
3048 East 96th Street North, Sperry
- L-18538 Harry R. Eberline (1193)** (PD-5) (CD-5)
1920 South Memorial Drive
- L-18539 John Calvin Presbyterian Church (1393)** (PD-18) (CD-5)
Southwest of Skelly Drive and 86th East Avenue
- L-18540 Milburn Miller (1082)** (PD-8) (CD-2)
7920 South 23rd West Avenue
- L-18541 Tulsa Development Authority (2502)** (PD-2) (CD-1)
530 East Seminole
- L-18542 Tulsa Development Authority (2502)** (PD-2) (CD-1)
1633 North Greenwood
- L-18543 Merle Martindale (3492)** (PD-8) (CD-2)
2222 West Skelly Drive

Staff Comments:

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt “aye”; no “nays”; none “abstaining”; Dick “absent”) to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

CONTINUED ZONING PUBLIC HEARING:

Application No.: PUD-559/Z-5888-SP-1 (Areas B & C) (PD-18) (CD-8)

Applicant: Charles E. Norman

Location: North and east of East 91st Street and South Mingo Road
(A multi-use Planned Unit Development and Corridor Site Plan for apartments, offices, colleges and universities uses.)

(Applicant has requested a one-week continuance to September 24, 1997.)

Chairman Doherty stated the applicant has requested a one-week continuance to September 24, 1997.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **CONTINUE** the Zoning Public Hearing for PUD-559/Z-5888-SP-1 to September 24, 1997.

Zoning Public Hearing:

Application No.: Z-5903-SP-2a

(PD-18) (CD-8)

Applicant: Jim Doherty

Location: Northeast corner East 66th Street and South Mingo Road
(Minor Amendment to an existing Corridor Site Plan to permit the construction of a ten-foot wide service drive.)

Chairman Doherty left the dais and indicated he would be abstaining from this item.

Staff Recommendation:

The applicant is requesting approval of a minor amendment to an existing corridor site plan to permit the construction of a ten-foot wide service drive. The proposed north-south drive will be located behind and to the east of an indoor swimming pool and will connect to the south with an existing drive that runs east and west along the southern wall of the existing swimming pool building.

Staff has reviewed the request and finds the proposed service drive will have little or no effect on site access, circulation or the vacant parcel to the east. The sodded areas on either side of the drive will be maintained and will include a seven-foot buffer landscape strip on the eastern property boundary.

Staff, therefore, recommends **APPROVAL** of the Minor Amendment subject to the following conditions:

1. The drive will be paved with an all-weather material in accordance with Section 1800 of the Tulsa Zoning Code.
2. The sodded areas on either side of the drive will not be used for outdoor storage or parking.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-1** (Boyle, Carnes, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Doherty "abstaining"; Dick "absent") to **APPROVAL** of Minor Amendment Z-5903-SP-2a as recommended by staff.

Application No.: PUD-268-B

(PD-18) (CD-8)

Applicant: Ted Sack

Location: 93rd Street South and South Mingo Road
(Detail Site Plan for a medical office building.)

Staff Recommendation:

The applicant is requesting detail site plan approval for a 13,160 square foot, one-story medical facility on 2.96 acres (net).

Staff has reviewed the request and finds the site plan conforms to the PUD development standards and meets all bulk, area, setback, access, parking, site screening and minimum landscaped area requirements for Development Area B.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-268-B.

NOTE: Detail Site Plan approval does not constitute Sign or Landscape Plan approval.

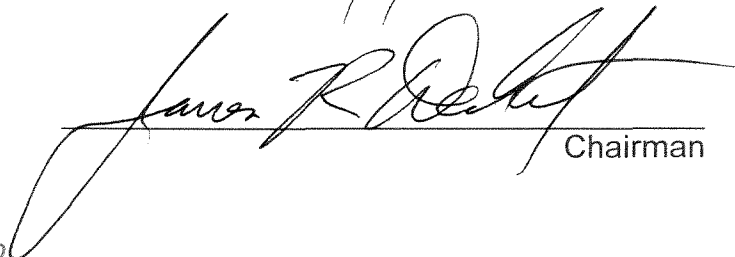
There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick "absent") to **APPROVE** the Detail Site Plan for PUD-268-B as recommended by staff.

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

Date Approved: 10/1/97


Chairman

ATTEST: Frances Pace
Secretary