

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2149

Wednesday, March 4, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

| Members Present | Members Absent | Staff Present | Others Present |
|------------------------|-----------------------|----------------------|-----------------------|
| Boyle | Carnes | Beach | Linker, Legal |
| Doherty | Horner | Dunlap | Counsel |
| Gray | Ledford | Huntsinger | Myers, Legal |
| Jackson | Midget | Matthews | Counsel |
| Pace | | Stump | |
| Selph | | | |
| Westervelt | | | |

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, February 27, 1998 at 4:05 p.m., posted in the Office of the City Clerk at 3:59 p.m., as well as in the office of the County Clerk at 3:58 p.m.

After declaring a quorum present, Chairman Boyle called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of February 18, 1998, Meeting No. 2147:

On **MOTION** of **DOHERTY** the TMAPC voted **6-0-0** (Boyle, Doherty, Gray, Selph, Jackson, Westervelt, "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget, Pace "absent") to recommend **APPROVAL** of the minutes of the meeting of February 18, 1998 Meeting No. 2147.

Ms. Pace in at 1:32 p.m.

Reports:

Chairman's Report:

Mr. Boyle reported that on March 2, 1998, the case entitled Spinks v. City of Tulsa was dismissed without prejudice.

Committee Reports:

Community Participation Committee:

Ms. Gray announced that there will be a work session directly after the TMAPC meeting today.

Rules and Regulations Committee:

Mr. Westervelt reported there was a Rules and Regulations Committee work session prior to today's TMAPC meeting at 11:30 a.m. to discuss the Conservation District Guidelines.

Special Residential Facilities Task Force:

Mr. Westervelt reported the task force toured special residential facilities last week.

Director's Report:

Mr. Stump reported on the January 1998 receipts. He reminded the TMPAC of the upcoming cases for March 5, 1998, at the City Council meeting. Mr. Boyle indicated that Mr. Jackson will be representing the Planning Commission.

Mr. Stump stated the infill study description has been sent to the Mayor's Office for her staff's comments for possible names for the task force.

Subdivisions:

PLAT WAIVER, SECTION 213:

BOA 17960 (282)

Northwest corner West 71st Street and South Highway 75

(PD-8) (CD-2)

Staff Recommendation:

The Board of Adjustment will hear a request for a variance of the maximum height limits for an outdoor advertising sign on March 10, 1998. If approved, the applicant will seek a building permit for the sign. The recent rezoning to CS triggers the platting requirement and a building permit cannot be issued until the requirement is met.

The Technical Advisory Committee had the following comments:

1. The proposed sign should be moved 17.5' south and west to allow sufficient room for a future utility easement along the north and east property lines.

The applicant is asking for approval of the temporary plat waiver to allow only the sign. Any future development would submit to the platting process. In staff's opinion, the erection of a billboard does not have sufficient impact to require the plat at this time. **Staff recommends approval of the temporary plat waiver subject to:**

1. a plat being filed before any other building permits are sought on this property; and

2. the sign being located so as not to interfere with any future required 17.5' utility easements along any property lines.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **6-0-1** (Boyle, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; Doherty "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **APPROVAL** of the Plat Waiver for BOA 17960, subject to the conditions as recommended by staff.

LOTSPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-18610 City of Tulsa (1583)

8102 South Sheridan.

(PD-18B) (CD-8)

L-18611 City of Tulsa (2894)

4104 South 130th East Avenue

(PD-17) (CD-6)

Staff Comments:

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

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **7-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **RATIFICATION** of these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

PRELIMINARY PLAT:

The Park at Creekside (PUD-575) (784)

East of East 78th Street South and South Mingo Road.

(PD-18c) (CD-8)

Staff Recommendation:

This is a one-lot, one-block subdivision to be developed as multi-family residential. It is Development Area A of PUD 575, which has been approved by the TMAPC for this use. Also approved was a Corridor Site Plan (Z-6611-SP-1) showing the apartment development.

The Technical Advisory Committee had the following comments:

1. Compensatory storage in a dedicated Reserve Area will be required to replace the existing floodplain.
2. The emergency access connection with Mingo Road may be located at either the north or south end of the property.
3. 17.5' utility easements will be needed along the north, south and east sides of the property.
4. On-site and off-site water main extensions will be required.
5. A 20' restricted waterline easement will be needed for the on-site extension.
6. Dimensions along the property lines should be graphically consistent.

Staff recommends approval of the preliminary plat subject to the following comments and/or recommendations:

1. All conditions of PUD-575 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
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. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
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/County Engineer.
13. All adjacent streets, intersections and/or widths thereof 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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
18. 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.)
19. The method of water supply and plans therefor shall be approved by the City/County Health Department.

20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
21. The key or location map shall be complete.
22. 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.)
23. 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.)
24. The zoning application Z-6611 shall be approved and the ordinance or resolution therefor published before final plat is released. (Plat shall conform to the applicable zoning approved.)
25. This plat has been referred to Bixby 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.
26. 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.)
27. All other Subdivision Regulations shall be met prior to release of final plat.
28. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Boyle asked Mr. Beach if the comments by TAC, which were included in the minutes, were intended to be a part of the conditions of recommendation. Mr. Beach answered negatively.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **7-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **APPROVAL** of the Preliminary Plat for The Park at Creekside, subject to the conditions recommended by staff.

ZONING PUBLIC HEARING

PUD-426-6

(PD-26) (CD-2)

3502 East 102nd Street South
(Minor Amendment to reduce front setback)

The applicant is requesting Minor Amendment approval to reduce the required front yard setback from 30 feet to 25 feet to allow construction of a new single-family dwelling. The plot plan submitted indicates the proposed dwelling will have a side-loading three-car garage on the northern portion of the lot. The entire structure, including the garage, will be built on the eastern half of the lot.

Staff review of the request finds the lot drops in elevation approximately 20 feet from East 102nd Place to the rear boundary, which abuts a reserve drainage area and pond. The reduction of five feet of front yard setback affects only the southeast corner of the garage. The bulk of the dwelling will be situated west of the garage and 15 feet from an 11-foot utility easement, which bisects the lot.

Minor Amendments for two other lots in the PUD were approved in 1996 and 1997 and reduced the required 30-foot front yard to 25 feet. The 1996 approval was based on the hardship created by extreme slope and the irregular shape of the lot. The 1997 approval reduced the front setback for Lot 13 (the abutting lot to the south) to 25 feet due to the utility easement which bisects the lot and due to the extreme slope on the western portion of the lot. Both factors limited the location of a proposed dwelling. The subject lot in the current application also has a limited building area due to extreme slope to the west and a north-south 11-foot utility easement, which bisects the lot.

Staff finds the reduction in front setback to 25 feet will affect only a small portion of the garage and will have a negligible impact on the character of the PUD. The proposal mirrors the approval given to the lot to the south and does not encroach upon surrounding dwellings.

Staff, therefore, recommends **APPROVAL** of PUD 426-6 subject to the plot plan submitted with the application.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SELPH** the TMAPC voted **7-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **APPROVAL** of the Minor Amendment to reduce the front setback for PUD-426-6; subject to the plot plan submitted with the application, as recommended by staff.

Legal Description for PUD-426-6:

Lot 12, Block 1, Chelsea Pond Addition to the City of Tulsa, Oklahoma.

PUD-159-15 Teresa Roney

(PD-8) (CD-2)

3220 West 69th Court

(Minor Amendment to reduce front and rear setbacks)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to recognize encroachments to the required front and rear yard-building lines for a single-family dwelling built prior to 1985. The land surveyor's plat of survey indicates the home was built over the 35-foot rear building line by six-feet and over the front 25' building line by two feet, with no encroachments into required utility easements.

Staff review found five similar requests approved for amendments to the required front and/or rear setback requirements over the past 15 years, including the dwelling on Lot 6 abutting the applicant's property.

In order to clear the title, Staff recommends **APPROVAL** of the Minor Amendment per the plat of survey dated February 4, 1998, subject to the following condition:

No additional encroachments will be allowed into the 35 foot rear yard or 25 foot front yard of Lot 5, Block 1 of the West Highlands III Addition other than those indicated on the plat of survey submitted with the current Minor Amendment application.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **7-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **APPROVAL** of the Minor Amendment to reduce front and rear setbacks, subject to the conditions as recommended by staff.

Legal Description for PUD-159-15:

Lot 5, Block 1, West Highlands III Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

OTHER BUSINESS

Review of additional capital improvement project requests and finding them in accord with the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Comments:

Ms. Matthews stated staff has received and reviewed three additional Capital Improvement Project (CIP) requests that were submitted by the Public Works Department on behalf of several neighborhood associations. The first request is to improve the Detroit/Cincinnati alignment and intersection near Haskell to improve traffic flow into and out of the Rogers University campus. In addition to enhancing safety here, this improvement will provide contiguous land for the festival park improvement that was reviewed as a previous CIP. Both the Osage-Emerson sector plan and the Rogers University Master Plan call for this improvement.

The second CIP involves the addition of north- and southbound left turn lanes on Yale Avenue at Admiral. The Major Street and Highway Plan designates Yale as a secondary arterial north of 31st Street, and secondary arterial standards allow for the possibility of a fifth lane.

The widening of Mingo Road to five lanes between 31st and 41st Streets is the third additional CIP. This is in accord with the Major Street and Highway Plan, and should improve access into the new super center to be constructed at Hicks Park.

Staff finds all three CIP requests in accord with the Comprehensive Plan and recommends that the TMAPC find likewise.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **7-0-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to find the CIP requests in accord with the Comprehensive Plan, as recommended by staff.

PUD-576 Betty Southard
6927 South Canton
(Detail Site Plan for a pub/office use)

(PD-18) (CD-7)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 675-square-foot Pub or bar and 1,780-square-foot office area within the first floor of an existing 5,162-square-foot two-story building. The PUD-approved standards allow the second floor of the structure to be used for a single-family residence not exceeding 2,573-square-feet.

Staff has reviewed the site, floor area and landscape plans submitted with the application and after numerous revisions, has found the applicant's site plan conforms to building floor area (by use), parking (by use), site screening, landscaped area, circulation and access standards approved on January 8, 1998.

Staff, therefore, recommends **APPROVAL** of PUD-576 Site Plan subject to the following condition:

That the parking stall noted as # 17 be eliminated from the site plan and stalls #15 and #16 be moved at least 3.5 feet south to facilitate ease of ingress and egress.

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

There were no interested parties wishing to speak.

TMAPC Comments:

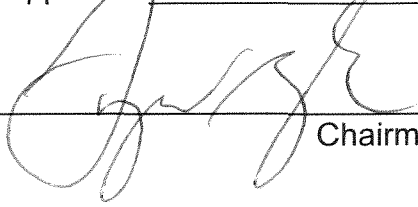
Mr. Westervelt commented that he voted against this PUD the first hearing. He stated he hoped that the pub does not spread into the adjacent office space in the subject facility. He urged the applicant to recognize the division line.


TMAPC Action; 7 members present:

On **MOTION** of **GRAY** the TMAPC voted **6-1-0** (Boyle, Doherty, Gray, Jackson, Pace, Selph, "aye"; Westervelt "nay"; none "abstaining"; Carnes, Horner, Ledford, Midget "absent") to recommend **APPROVAL** of the Detail Site plan for PUD-576; subject to the conditions as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 1:50 p.m.

Date approved: 3-18-98


Chairman

ATTEST: 
Secretary