

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2412

Wednesday, May 18, 2005, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ard	Dick	Chronister	Boulden, Legal
Bayles	Midget	Fernandez	
Bernard		Huntsinger	
Cantees		Matthews	
Carnes			
Harmon			
Hill			
Horner			
Jackson			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, May 16, 2005 at 11:56 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Ms. Bayles welcomed the two newest members to the TMAPC, Stephanie Cantees and Mike Bernard.

Ms. Bayles thanked Mr. Jerry Ledford, Sr. and Joe Westervelt for their service on the TMAPC. She stated that their service was deeply appreciated and their personal expertise will be missed. Mr. Westervelt and Mr. Ledford, Sr. have acknowledged that they would be available for the new members to speak with and for council if need be.

Minutes:

Approval of the minutes of March 16, 2005, Meeting No. 2406

On **MOTION** of **CARNES** the TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the minutes of the meeting of March 16, 2005, Meeting No. 2406.

Minutes:

Approval of the minutes of March 23, 2005, Meeting No. 2407

On **MOTION** of **HILL** the TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the minutes of the meeting of March 23, 2005, Meeting No. 2407.

REPORTS:

Chairman's Report:

Ms. Bayles reported that there will be a bus tour next week for the 6th Street Infill Plan and she encouraged all members and staff to RSVP to Barbara Huntsinger (TMAPC recording secretary).

Director's Report:

Ms. Matthews reported that there is one item on the City Council agenda tomorrow, which is a final plat for Union School.

Ms. Matthews reported that staff has received a notice of appeal on the One Utica Place case.

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SUBDIVISIONS:

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-19805 – Independent School District No. 9 (9428) (PD 17) (CD 6)

North of southeast corner East 46th Street and 135th East Avenue

L-19823 – Rick Stufflebeam (9232) (PD 9) (County)

6250 West 51st Street

L-19832 – Mike Marrara (6418) (PD 20) (County)

20222 South Garnett Road

L-19833 – John Moody (8326) (PD 26) (CD 8)

7505 East 111th Street

L-19834 – John Moody (8326) (PD 26) (CD 8)

Northwest corner of East 111th Street and Memorial Drive

STAFF RECOMMENDATION:

All of these lot-splits are in order and staff recommends **APPROVAL**.

TMAPC Action; 9-0-0 members present:

On **MOTION** of **CARNES** the TMAPC voted **9-0-0** (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

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PRELIMINARY PLAT:

M&M Properties – (9405)

(PD 5) (CD 6)

Northwest corner of East Admiral Place and 129th East Avenue

STAFF RECOMMENDATION:

This plat consists of three lots, two blocks, and 19.8 acres.

The following issues were discussed May 5, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CG, CH, and RS-3. Complete and correct legal description. Make blocks and lots consistent. Vacate underlying plats.
2. **Streets:** Document existing right-of-way. Make legal description consistent with plat.
3. **Sewer:** A sanitary sewer mainline extension will be required to provide sanitary sewer service to Lot 3. No service connections will be allowed on the existing 21-inch line.
4. **Water:** Use a 45-degree bend instead of a 90-degree bend where allowed. Independent gate valves on the three-way fire hydrants will not be required. Install eight-inch gate valves to the north of the (south-located fire hydrant) and one to the east (east-located fire hydrant). A recommendation of using a valve; sleeve and tee verses a tap sleeve and valve configuration for connection onto existing main lines with a proposed main line.
5. **Storm Drainage:** Further define how stormwater gets from Lot 1 to Reserve B. Additional easements may be needed. Show the 15-foot access easement as such in the Reserve A area.
6. **Utilities:** N/A

7. **Other: Fire:** Fire access needs to be paved. Note transportation comments especially concerning the planned trail in the subdivision. Public Works suggests a shared access and trail easement but applicant needs to coordinate through INCOG Transportation Planning. Label Reserve C and use a solid property line to separate this area for Lot 3. There are some unexplained shapes and lines on the face of plat that need to be removed or identified. Remove the word general from the heading of Section IA.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.
2. The trail easement dedication needs to be in conformance with The Tulsa Transportation Management Area Trails Master Plan.

Standard 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. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
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. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

Mrs. Fernandez stated that staff has received several calls regarding this plat. She reminded the Planning Commission that a plat is a division of property and deals with easements trails location, and how to get infrastructure to the site. She explained that the calls received were in relation to the use of the subject property in relation to the zoning for the subject property. The zoning for the subject property is CH, CG and RS-3. She cautioned that the Planning Commission not allow the use of the subject property, which relates to the zoning, confused with the item that is being dealt with today (subdividing of the property).

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC COMMENTS:

Mr. Harmon moved that the preliminary plat be approved subject to the conditions recommended by staff.

Mr. Carnes stated that the concern of everyone is the fact that they would like to see the use of this property come in under a PUD. The Planning Commission is committed to pass the plat after approving the rezoning and with staff's recommendations. He commented that he would second the motion reluctantly.

Ms. Bayles asked Legal to confirm that the application has been made for the issue of the subdivision and not a PUD at this point.

Mr. Boulden stated that today's application is for a subdivision only.

Ms. Hill stated that she would like to see a PUD on the subject property.

Ms. Bayles stated that she is in total agreement with Ms. Hill.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the preliminary plat for M&M Properties, subject to special conditions and standard conditions per staff recommendation.

Kings Landing – (8320)

(PD 18) (CD 2)

Northwest corner of Creek Turnpike and Riverside Parkway

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 4.9 acres.

The following issues were discussed May 4, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CS. Match the trail with the trail easement to the north. Define the trail easement per the plan for the area and coordinate and define access easements. Show the landscaping plan. Coordinate pedestrian access with future water taxi plan. Elevations showing the orientation of the buildings were requested for review because of the Arkansas River Plan and the proposed plat which is located on the river. The Corp of Engineers will review the plat and send their comments in a few weeks (standard practice). *The consulting engineer stated that the architectural firm for the project had the landscape plans and these would be made available to staff for review. He also stated that the trail easement was 30 feet at the north part of the plat so that it would be wide enough and connect to the existing trail easement and then it tapered down to 15 feet.*

2. **Streets:** Suggest extending mutual access easement southward to main access point on Riverside Parkway. Please document existing pedestrian trail easement. Please update median modification to reflect current PFPI proposed plans. In order to maintain a higher level of service for the Parkway classification, we recommend removal of the existing northern access to Riverside, hence removal of 30 foot limits of access. Temporary use as construction access would be allowed. Endorse the proposed limited median opening at the primary access.
3. **Sewer:** Sewer is available.
4. **Water:** Use a 45-degree bends instead of a 90-degree bends. On an eight-inch water main bore crossing the conduit size for an eight-inch main line is a 21-inch steel conduit - not 20-inch steel conduit. Are buildings equipped with fire sprinklers?
5. **Storm Drainage:** No comment.
6. **Utilities:** N/A
7. **Other:** Please continue 17.5-foot perimeter easement to the west along the north side of the property. At northwest corner of property, easements as shown on plat are not consistent with those on conceptual plan. Show bearings and distances of easements in western area where not parallel to an adjacent property line. Please lighten the contour lines along Arkansas River to lessen obscuring effect of bearings and distances along west property line. Remove the word "general" from heading of Section 1A. If a waiver has not been received from the U.S. Fish and Wildlife Service or Oklahoma Department of Environmental Quality for the 100-foot environmental corridor along the Arkansas River, then all construction activities will need to be moved to the east.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

2. The trail easement must be in conformance with the Arkansas River Plan and The Tulsa Transportation Management Area Trails Master Plan.

Standard 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. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
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. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC COMMENTS:

Mr. Ard asked if staff could be more specific regarding access. Will there be a median cut in order to have both directions of access available on Riverside Drive? Mrs. Fernandez stated that on the original plat proposed, there is an access near the northeast corner, which will be deleted, and then the primary access will be the second access to the south per Traffic Engineering and she understands that there will be a median there.

Mr. Ard asked staff when discussion will take place about cross-access agreements with the property on the north side. Mrs. Fernandez stated that there is a mutual access agreement from the north property to the subject property and there are two in existence. One mutual access point can be used for temporary access and all plats discuss this type of access at the TAC level.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the preliminary plat for Kings Landing, subject to special conditions and standard conditions per staff recommendation.

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Tulsa Hmong Alliance Church of the Christian and Missionary Alliance – (9411)

(PD 17) (CD 6)

17101 East 21st Street

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 35.35 acres.

The following issues were discussed April 7, 2005 and May 5, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3 with a Special Exception under BOA 19718 for the proposed church.
2. **Streets:** Include street right-of-way in the Deed of Dedication. Include language for "Limits of No Access".
3. **Sewer:** Tie the lateral field easement to the property line. Change "Later Field Easement" to "Lateral". In Section f include "the Owner will connect to the City of Tulsa's Sanitary Sewer Main within 90 days of it becoming available to the property".

4. **Water:** Water is available.
5. **Storm Drainage:** No comment.
6. **Utilities:** Standard covenant language is needed. Additional easements are needed.
7. **Other: Fire:** Fire department access and fire hydrants are insufficient. Correct legal description. Clarify utility easements. Complete location map.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department and Fire Department staffs must be taken care of to their satisfaction.

Standard 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. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.

7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
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. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the preliminary plat for Tulsa Hmong Alliance Church of the Christian and Missionary Alliance, subject to special conditions and standard conditions per staff recommendation.

A Safe Place Storage Center – (8214)

(PD-8) (CD-2)

Northeast corner of West 91st Street and Union Avenue (**A Continuance is requested to the June 1, 2005 meeting.**)

TMAPC COMMENTS:

Ms. Bayles announced that a request for a continuance has been requested to June 1, 2005.

The applicant indicated his agreement for a continuance.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **CONTINUE** the preliminary plat for A Safe Place Center to June 1, 2005.

MINOR SUBDIVISION PLAT:

Saint Therese Maronite Church – (8418)

(PD 18) (CD 2)

8315 South 107th East Avenue

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 2.08 acres.

The following issues were discussed May 5, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 569.
2. **Streets:** No comment.
3. **Sewer:** No comment.
4. **Water:** No comment.
5. **Storm Drainage:** Detention will be required. An easement is needed. Detention language is needed. Show detention areas.
6. **Utilities:** N/A
7. **Other: Fire:** Include a description of the tract in the title. Suggest 17.5-foot u/e. Add e-mail addresses for the engineer and surveyor. Include proper street name.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

Standard 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. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
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. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
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. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the minor subdivision plat for Saint Therese Maronite Church, subject to special conditions and standard conditions per staff recommendation.

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PLAT WAIVERS:

Z-6984 – (9201)

(PD 1) (CD 4)

621 East 4th Street

STAFF RECOMMENDATION:

The following information was provided at the TAC meeting of 05/05/05:

The platting requirement was triggered by rezoning case Z-6984 rezoning property from IL to CBD.

Staff provides the following information from TAC.

STREETS:

Traffic: No comment.

Streets: No comment.

SEWER:

PW: No comment.

WATER:

PW: No comment.

STORM DRAIN:

PW: No comment.

FIRE:

Fire: No comment.

UTILITIES:

No comment.

Based on discussion with the individuals who will review and approve the changes and the following checklist which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver with the following conditions:

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

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

- | | 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 R/W? | X | |

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

- | | |
|--|---|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | X |
| 5. Will restrictive covenants be filed by separate instrument? | 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 |

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

TMAPC COMMENTS:

Mr. Harmon stated that this plat wavier works perfect and everything is in order.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the plat waiver for Z-6984 per staff recommendation.

BOA 19979 – (9325)

(PD 18) (CD 5)

4705 South Memorial Drive

STAFF RECOMMENDATION:

The following information was provided at the TAC meeting of 05/05/05:

The platting requirement was triggered by City Board of Adjustment Case number 19979. This case approved the church use and accessory church uses in an IL zoning district.

Staff provides the following information from TAC.

STREETS:

Traffic: No comment.

Streets: No comment.

SEWER:

PW: No comment.

WATER:

PW: No comment.

STORM DRAIN:

PW: No comment.

FIRE:

Fire: No comment.

UTILITIES:

No comment.

Based on discussion with the individuals who will review and approve the changes and the following checklist which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver with the following conditions:

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

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

- | | 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 R/W? | X | |

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

- | | |
|--|---|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | X |
| 5. Will restrictive covenants be filed by separate instrument? | 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

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the plat waiver for BOA-19979 per staff recommendation.

CONTINUED ZONING PUBLIC HEARING:

Application No.: PUD-694-A/Z-6916-SP-2

**MAJOR AMENDMENT
CORRIDOR SITE PLAN**

Applicant: John W. Moody

(PD-8) (CD-2)

Location: Northeast corner of West 91st Street and South Union Avenue

STAFF RECOMMENDATION:

The applicant has requested a continuance to June 1, 2005.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **CONTINUE** PUD-694-A/Z-6916-SP-2 to June 1, 2005.

* * * * *

Ms. Matthews reported that Item 13, PUD-660-1 has also requested a continuance.

Application No.: PUD-660-1

MINOR AMENDMENT

Applicant: Jeffrey Levinson

(PD-8) (CD-2)

Location: East of southeast corner of East 71st Street and South Elwood

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **CONTINUE** the minor amendment for PUD-660-1 to June 1, 2005.

* * * * *

Application No.: PUD-441-4

MINOR AMENDMENT

Applicant: R.L. Reynolds

(PD-11) (CD-1)

Location: Northeast corner of West Pine and North Union Avenue

STAFF RECOMMENDATION:

This application is to permit a lot-split of Lot 2, Block 1 Gilcrease Hills Plaza to create Tract A and Tract B. As part of this minor amendment, the applicant seeks to allocate the maximum building floor area between the two tracts, with 9,430 square feet allocated to Tract A and 5,370 square feet allocated to Tract B. The area in question is the vacant portion of the original PUD-441, which was approved in 1988 for commercial, office and multifamily residential uses. A Food Lion grocery store was developed on the western 660' of the PUD (Lot 1, Block 1) through minor amendment PUD-441-1 in 1992. A subsequent minor amendment, PUD-441-3, in 2002 allowed a school offering compulsory education as a permitted use on the Food Lion site.

The aggregate of the allocation of building floor area will consume the remaining allowed buildable area within the PUD. Any uses developed in these two tracts must meet the adopted PUD development standards and the provisions of the Zoning Code. With these conditions, staff can recommend **APPROVAL** of PUD-441-4.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the minor amendment for PUD-441-1 per staff recommendation.

OTHER BUSINESS:

Application No.: PUD-516-A

DETAIL SITE PLAN

Applicant: Denny Woolman

(PD-26) (CD-8)

Location: Northeast corner of East 102nd Street and South Yale Avenue

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new two-story, 11,284 S.F. office building. The proposed use, Use Unit 11, Offices, Studios and Support Services, is in conformance with Development Standards.

The proposed building meets setback, floor area and height restrictions. Proposed building and parking lot lighting complies with development standards and the zoning code. A 10' landscaped strip with a 3' berm is provided along South Yale as required by development standards and the site meets minimum lot landscaped area and street yard requirements.

The proposed building has a pitched roof and an architectural style that is compatible with the surrounding residential structures and has a varied roofline and offset exterior walls as required/ encouraged by development standards. Proposed air conditioner units on the building's north, east and south elevations will require screening from persons standing at ground level.

Access to 102nd Street South will be removed because Restrictive Covenants limit use of the private street to adjacent residential. Therefore, two parking spaces must be removed on the south end of the parking bay to accommodate vehicle turning movements; however, there is sufficient area to provide the required 40 spaces.

Staff recommends **APPROVAL** of PUD 516-A detail site plan contingent upon removal of access to 102nd Street South and screening of the air conditioner units.

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

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Ard, Bayles, Bernard, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Dick, Midget "absent") to **APPROVE** the detail site plan for PUD-516-A per staff recommendation.

Application No.: One Utica Place

**REQUEST FOR
RECONSIDERATION of TMAPC
action of 5-4-05.**

Applicant: Roy Johnsen

(PD-6) (CD-4)

Location: Southeast corner of 22nd Place and South Utica Avenue

STAFF RECOMMENDATION:

Ms. Matthews stated that the only question before the Planning Commission today is whether to reconsider the TAMPC action taken on May 4, 2005. If the Planning Commission chooses to reconsider then a date certain would be needed to reconsider the action.

TMAPC COMMENTS:

Ms. Bayles stated that the motion for reconsideration, if the Planning Commission is willing to do so, would need to be made by someone on the prevailing side. In this instance the motion was denied and was voted on unanimously by nine members. Any of those nine members may make the motion. The only action allowed today is to determine if the case is to be reconsidered and if so set a future agenda date.

Mr. Harmon stated that a gentleman by the name of John Bumgarner called him concerning him about this and requested that he meet with him personally. Mr. Harmon indicated that he declined to do so; however, he did tell Mr. Bumgarner that he would revisit the site and walk the area to see if there is any reason to consider exempting this project from the required sidewalks. Mr. Harmon stated that he actually came away from the site visit more convinced that the sidewalk is needed. There is a sidewalk on the north boundary of the subject property to the Cascia Hall School and across the street is the Utica Square Shopping Center. He believes that the Planning Commission did the right thing in requiring sidewalks and he is not inclined to reconsider.

Ms. Hill indicated that she agrees with Mr. Harmon and expressed the need for sidewalks in the City of Tulsa. She commented that there may be no connecting sidewalks at this time, but eventually there will be and it has to start somewhere.

Mr. Harmon stated that the sidewalk would connect on the north boundary to another sidewalk.

Ms. Bayles stated that she is in agreement with Mr. Harmon and Ms. Hill. She is not willing to reconsider this issue. The staff recommendation was correct and should be supported.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-1 (Ard, Bayles, Cantees, Carnes, Harmon, Hill, Horner, Jackson "aye"; no "nays"; Bernard "abstaining"; Dick, Midget "absent") to **DENY** the request for reconsideration for One Utica Place action taken on May 4, 2005.

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

Date Approved:

7/6/05

Mary E. Hill
1st Vice Chair

Chairman

ATTEST:

Mary M. Davis

Secretary