

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2686

Wednesday, November 19, 2014, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
	Carnes	Fernandez	Duke, COT
Covey	Midget	Hoyt	VanValkenburgh, Legal
Dix	Millikin	Huntsinger	
Fretz		Miller	
Liotta		White	
Reeds		Wilkerson	
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, November 13, 2014 at 4:51 p.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 Covey called the meeting to order at 1:30 p.m.

REPORTS:

Director's Report:

Ms. Miller reported on the TMAPC receipts for the month of October 2014 and indicated that they are down 50% for the month. Ms. Miller stated that the December 3, 2014 TMAPC agenda has many new cases and will be a large agenda packet.

Ms. Miller reported on the new Zoning Code and indicated that it may go to the public in December of 2014 for review.

Ms. Miller reported on the City Council agenda items that are scheduled for Thursday, November 20, 2013.

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1. **Minutes:**

Approval of the minutes of November 5, 2014 Meeting No. 2685

On **MOTION** of **SHIVEL**, the TMAPC voted **6-0-0** (Covey, Dix, Fretz, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Carnes, Liotta, Midget, Millikin, Reeds “absent”) to **APPROVE** the minutes of the meeting of November 5, 2014, Meeting No. 2685.

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CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LS-20739** (Lot-Split) (County) – Location: Northwest corner of East 131st Street North and North 91st East Avenue
3. **LC-623** (Lot-Combination) (CD-1) – Location: West of the northwest corner of West Pine Place and North Union Avenue
4. **LC-624** (Lot-Combination) (CD-4) – Location: Southeast corner of East Cameron Street and North Main Street
5. **LS-20740** (Lot-Split) (CD-5) – Location: East of the northeast corner of East 33rd Street South and South Yale Avenue
6. **LS-20741** (Lot-Split) (CD-3) – Location: West and south of the southwest corner of East Apache Street and North Harvard Avenue (Related to LC-626)
7. **LC-626** (Lot-Combination) (CD-3) – Location: West of the southwest corner of East Apache Street and North Harvard Avenue (Related to LS-20741)
8. **Partial Vacation of Plat – SEG Real Estate Corp Campus**, Location: North of northeast corner of East 91st Street and South Yale Avenue, (CD-8)

9. **Change of Access** – Location: 1445 East Marshall Street, Lot 4, Block 1, Airport Industrial Center Amended, (CD-3)

STAFF RECOMMENDATION:

This application is made to allow a change of access to add one access along North 145th East Avenue. The property is zoned IL (Industrial Light).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

10. **PUD-757-3 – Wallace Engineering/Jim Beach**, Location: West of the southwest corner of East 15th Street and South Norfolk Avenue, requesting a PUD Minor Amendment to reduce the setback of the west boundary from 20 feet to 11 feet, **RT/PUD-757**, (CD-4)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD Development Standards to reduce the setback along the west boundary from 20 ft to 11 ft.

A 17.5 ft utility easement had previously been shown along the west boundary. A revised 11 ft utility easement was approved at TAC during preliminary plat approval. See applicant email included with this report. The applicant originally requested a 10 ft setback at the western boundary, but has agreed to adjust this request to 11 ft in order to prevent the building line from overlapping with the utility easement.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.

“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-757 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback along the west boundary from 20 ft to 11 ft.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Millikin Reeds "absent") to **APPROVE** the consent agenda Items 2 through 10 per staff recommendation.

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Mr. Stirling read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARINGS:

- 11. **PUD-659-5 – Jeffrey D. Lower**, Location: West of the southwest corner of East 31st Street and South Utica Avenue, requesting a PUD Minor Amendment, (CD-9) (Staff is requesting a continuance to December 3, 2014 due to inadequate information.)

STAFF RECOMMENDATION:

Staff is requesting a continuance to December 3, 2014 due to inadequate information.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Millikin, Reeds "absent") to **CONTINUE** the minor amendment for PUD-659-5 to December 3, 2014.

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Mr. Reeds in at 1:35 p.m.

12. **LS-20738** (Lot-Split) (County) – Location: Northeast corner of East 41st Street South and South 61st West Avenue

STAFF RECOMMENDATION:

The lot-split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will meet the Bulk and Area Requirements of the Tulsa County Zoning Code.

Technical Advisory Committee met on September 18, 2014. They would like to ensure that there will be access to the cell tower. The applicant has made an access agreement with U.S. Cellular.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Millikin "absent") to **APPROVE** the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines for LS-20738 per staff recommendation.

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Mr. Liotta in at 1:37 p.m.

13. **Sheridan Crossing Phase II** – Preliminary Plat, Location: North side of East 86th Street North between North Sheridan Road and North Memorial Drive, (County)

STAFF RECOMMENDATION:

This plat consists of 45 lots, 5 blocks on 40 acres.

The following issues were discussed November 6, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE (residential estate).
2. **Streets:** Provide street names and add "Dedicated by this Plat" to right-of-way dimensions. Provide reference for right-of-way along East 86th Street North such as plat number or book/page number. Include chart with curve details. Provide section on Limits of No Access in covenants. In the

sidewalk section include language indicating who will be responsible for constructing sidewalks along arterial. In the conceptual plans driving lane is shown is 12 feet. Typically these are 13 feet.

3. **Sewer:** No comment.
4. **Water:** Water is served by Rural Water District # 3.
5. **Storm Drainage:** The County Engineer will require drainage studies and will approve drainage plans.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** PSO has overhead lines at least on the east side. Additional easements may be needed.
7. **Other: Fire:** City of Owasso will serve and a release letter is required.
8. **Other: GIS:** In the location map, show only the subdivision boundary, remove parcel lines for clarity. In the location map label all unplatted areas. Need to have the email address for the engineer and surveyor. In the basis of bearing, add language that identifies the bearing of the south boundary line as the reference bearing.

County Engineer: Make sure detention pond from phase I in Reserve B and near southeast corner of phase II needs to accommodate the new flow of drainage. Show this new drainage report to County Engineer for approval. Break up blocks better with reserve areas. Add a block or two. In Reserve F there is a PSO easement with a PSO tower in the easement so show this with sufficient clearance. In covenants 1.6 show Reserve A and B with last phase and establish vegetation erosion slopes in a letter for that permit. Access is acceptable as proposed.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the County Engineer must be taken care of to his 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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-1** (Covey, Dix, Fretz, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; Liotta "abstaining"; Carnes, Midget, Millikin "absent") to **APPROVE** the preliminary plat for Sheridan Crossing Phase II per staff recommendation.

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14. **Sunset Hills II** – Preliminary Plat, Location: East of the southwest corner of East 41st Street and South 161st East Avenue, (CD-6)

STAFF RECOMMENDATION:

This plat consists of 136 lots, 6 blocks on 40 acres.

The following issues were discussed November 6, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 813.
2. **Streets:** On the plat show both existing and dedicated right of way along East 41st Street South. Show limits of no access along 41st Street. Provide street names on face of plat and show right of way width. Do not show access ramps on face of plat. Reword the sidewalk section of the covenants to make it clear that owner of each lot is responsible for building sidewalks along their property while the developer is responsible for sidewalks along arterial streets and access ramps at intersections.
3. **Sewer:** In the conceptual utility plans, all sanitary sewer flow must be handled through the Trinity Creek system, and will not be allowed to access the City of Tulsa Stone Creek Farms lift station. The platted area will be assessed a \$700.00 per acre Broken Arrow Excess capacity fee, a City of Tulsa administrative fee of 2.9% of the total of the Broken Arrow fee and a \$640.00 per acre Trinity Creek Excess capacity payback contract fee.
4. **Water:** On the plat the utility easements of 10 feet along roadways should be increased to a 17.5-foot utility easement. On the conceptual layout add blow off hydrants on the stub waterlines. Note the site has only one feed off of 41st Street South and if an additional feed is not provided in the near future it is suggested that a connection be made to the northwest of East 41st Street to an existing 12 inch stub waterline.

5. **Storm Drainage:** Permanent access will be needed to the detention outlet structure in Reserve A.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be required.
7. **Other: Fire:** No comment.
8. **Other: GIS:** Need email addresses for both the engineer and surveyor. In the location map label all unplatted areas. In location map only show subdivision boundaries. Add smaller north arrow to the location map. Label the point of beginning. Label the dimension for proposed streets. Need data control sheet. Label limits of no access and access points. Give area of each lot in square feet. Combine easements between Lots 18 and 19, Block 4. On location map remove 1 after Sunset Hills. Remove Section I.L from covenants. Along the north boundary with the fl.e, this cannot be congruent with the utility easement, they need to be exclusive. Since Reserve A does not allow for use by utilities increase to a 17.5-foot easement. Clear up mislabeled lot easements. Show existing easements. Omit Section 1.3 for private service easement as it does not exist on face of plat.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services 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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Millikin "absent") to **APPROVE** the preliminary plat for Sunset Hills II per staff recommendation.

15. **CZ-436 – Carson Law Firm PLLC/Barbara Carson**, Location: North of northwest corner of North Yale Avenue (Whirlpool Drive) and East 126th Street North, requesting a rezoning from **AG to CG**, (County) (Continued from 10/15/14) (Related to PUD-821)

STAFF RECOMMENDATION:

The applicant has requested a continuance to December 17, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Millikin "absent") to **CONTINUE** CZ-436 to December 17, 2014.

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16. **PUD-821 - Carson Law Firm PLLC/Barbara Carson**, Location: North of northwest corner of North Yale Avenue (Whirlpool Drive) and East 126th Street North, requesting a PUD for construction of mini-storage using storage containers, **AG to CG/PUD**, (County) (Continued from 10/15/14) (Related to CZ-436)

STAFF RECOMMENDATION:

The applicant has requested a continuance to December 17, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Millikin "absent") to **CONTINUE** PUD-821 to December 17, 2014.

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OTHER BUSINESS

17. **Commissioners' Comments: None.**

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TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Millikin "absent") to **ADJOURN** TMAPC meeting 2686.

ADJOURN

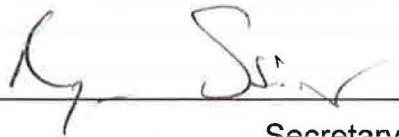
There being no further business, the Chair declared the meeting adjourned at 1:40 p.m.

Date Approved:

12-03-2014


Chairman

ATTEST:


Secretary