

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2719

Wednesday, April 6, 2016, 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	Dix	Fernandez	VanValkenburgh, Legal
Covey	Stirling	Hoyt	Southern, COT
Fretz		Miller	
Midget		Sawyer	
Millikin		White	
Reeds		Wilkerson	
Shivel			
Walker			
Willis			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on **Thursday, March 31, 2016 at 9:34a.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:

Chairman's Report:

None

Work session Report:

None

Director's Report:

Ms. Miller reported the River Design Overlay ordinance draft is online at TMAPC.org for Public review and notices went out to property owners. Town Hall meetings have been scheduled. Ms Miller stated that a work session will be needed to discuss River Design Overlay on April 20. Ms. Miller further reported on the BOCC and City Council agendas and actions taken. The Planning Department has been working on a five year progress report for the Comprehensive Plan that will be introduced in the near future. Sector plans, the previous urban renewal plans are being updated. The Planning Department and TMAPC staff are working together on Comprehensive Plan housekeeping amendments all of this will come together at some point and work sessions will be scheduled.

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1. Minutes:

Approval of the minutes of March 16, 2016 Meeting No. 2718

TMAPC Action: 9 members present

On **MOTION** of **Carnes**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE** the minutes of the meeting of March 16, 2016, Meeting No. 2718.

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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-20867** (Lot-Split) (CD 5) – Location: East of the northeast corner of East 33rd Street South and South Yale Avenue (related to LC-760)
3. **LC-760** (Lot-Combination) (CD 5) – Location: East of the northeast corner of East 33rd Street South and South Yale Avenue (related to LS-20867)
4. **LS-20868** (Lot-Split) (CD 5) – Location: North of the northeast corner of East 32nd Street South and South Yale Avenue
5. **LS-20869** (Lot-Split) (County) – Location: Northwest corner of East 171st Street South and South 157th East Avenue

6. **LS-20870** (Lot-Split) (County) – Location: North of the northeast corner of East 161st Street South and South Braden Avenue

TMAPC Action: 9 members present

On **MOTION** of **Shivel**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE** items 1 thru 6 on the Consent Agenda.

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Ms. Millikin read the opening statement and rules of conduct for TMAPC Meetings.

CONSIDERATIONS OF ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **PUD-809-2 – Barnard Trace, LLC/ Phil Marshall**, Location: Southwest corner of East 17th Street South and South Lewis Avenue, requesting **PUD Minor Amendment** to reduce required livability area from 4,000 square feet to 2,500 square feet, (CD 4)

Mr. Covey requested this item be removed from Consent Agenda. See action below.

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the required livability area from 4,000 sf to 2,500 sf.

The applicant has stated that most of the lots in Barnard Trace are 50 ft in width. This width is consistent with the required lot widths of RS-4, which requires 2,500 sf of livability area. The applicant has indicated that based on the cost of the lots, the 4,000 sf livability area requirement is not feasible.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c (9) 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 PUD development plan, the approved 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-809 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required livability area from 4,000 sf. to 2,500 sf.

The chair asked interested parties to comment whether they supported a continuance. All but one interested Party supported a continuance.

The applicant Phil Marshall states that he does not want a continuance on this Minor Amendment and that house plans have been approved by Tulsa Preservation Commission. He also states that according to Randy Wagner, President of the Yorktown Neighborhood Association Tulsa Preservation Commission only regulates the design of the house, neither the square footage of the house nor the square footage of the open space. He believes it is a permitting issue and not a Tulsa Preservation Commission issue.

Interested Parties:

Roy Jed Porter-City of Tulsa, Historical Preservation Officer

The Tulsa Preservation Commission had not reviewed this Amendment and would not be able to do so until the April 14th 2016 regular meeting. Therefore he would like a continuance so they may review and comment knowledgeably on the amendment and its implications for development in Barnard Trace.

Ms. Millikin asked Legal if Tulsa Preservation has the right to review. Legal stated Tulsa Preservation Committee reviews the appearance of building from the street, counsel also stated the application applies to the entire subdivision.

TMAPC Action: 9 members present

On **MOTION** of **Carnes**, the TMAPC voted 8-1-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Willis “aye”; Walker “nay”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE** the continuance to April 20, 2016.

8. **Z-7320 – Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting rezoning from **AG to CO**, (CD 7) (Related to Z-7320-SP-1) (**Applicant requests a continuance to April 20, 2016**)
9. **Z-7320-SP-1 - Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting a **Corridor**

Development Plan, (CD 7) (Related to Z-7320) (Applicant requests a continuance to April 20, 2016)

- 10. Z-7335 – QuikTrip/Carly Goodnight, Location: Southwest corner of East 61st Street South and South 76th East Avenue, requesting rezoning **RS-3 to CS**, (CD 7) (Applicant requests a continuance to April 20, 2016)**

There were no interested parties on 8, 9, and 10.

TMAPC Action: 9 members present

On **MOTION** of **Shivel**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE the continuance of cases 8, 9 and 10 to April 20, 2016.**

- 11. Estates at the River II – Preliminary Plat, Location: South of East 121st Street South, West of South Hudson Avenue, (CD 8)**

The plat consists of 96 Lots, 5 Blocks, on 28 acres.

The following issues were discussed March 3, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned .Planned Unit Development 803.
2. **Streets:** Call out width of 123rd Street. Call out curve number on the face of the plat. Curve table has been provided without associated numbers shown on plan. There is a concern about where a proposed possible bridge alignment may be positioned near the development and how traffic coming across the bridge will travel near the development and how Yale Avenue would be utilized with a new traffic pattern..
3. **Sewer:** A sanitary sewer easement, with a minimum width of 15 feet, with the sanitary sewer pipe centered within the easement, must be provided along the south line of Reserve A where the proposed sanitary sewer line crosses the Reserve.
4. **Water:** 1.10 Utility easement dedication requires Legal Department review for acceptance.
5. **Storm Drainage:** Floodplain Administrator: Historically, this parcel was inundated with floodwaters during the 1986 Arkansas River Flood. The proposed subdivision is almost entirely located within the City Regulatory and FEMA floodplains. The floodplain boundaries must be delineated on the plat as well as any necessary surface drainage easements or compensatory storage easements. Any proposed changes to the FEMA floodplain will require a CLOMR and LOMR (letters of map revision). All development shall be compliant with City of Tulsa Revised Ordinances Title 11 A.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** An approved turnaround will be required if Hudson is more than 150 feet dead ended from the center of 123rd Street. Fire hydrant coverage will be required per IFC 2015 Section 5-7.5 this includes Hudson Avenue.
8. **Other: GIS:** Provide individual lot addresses for the plat. Submit subdivision data control sheet with final plat. Incorporate the point of commencement along with the bearing and distance into the legal description up to the point of beginning. Remove the parcel lines and lot labels in the location map. Show only the platted subdivisions and label all other land as unplatted. Graphically show all property pins found or set on the face of the plat. Addresses: South Hudson Avenue East should really be South Granite Place but it looks like The Estates at the River (which is just north of The Estates at the River II) has the street name as South Hudson Avenue. If The Estates at the River can change the street name to south Granite Place, then The Estates at the River II should also change the name to South Granite Place.

An IDP permit is required. All storm and sanitary easements require a 15 foot wide or 7.5 foot wide width on both sides of two lots. Indicate the width of 123rd Street. Use and Maintenance need to be clearly defined in the Deed of Dedication in plat covenants language for Section III E for Reserve A. Use City of Tulsa plat covenant language for Section 1.10, Utility easement dedication.

STAFF RECOMMENDATION:

Staff has no recommendation at this time.

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

Staff Comments

Mr. Wilkerson stated that the Major Street and Highway Plan illustrates a bridge crossing in this area to connect Bixby with South Tulsa around 121st Street. The PUD recognized that there was likely to be some kind of connection through this property that is not shown on the Major Street and Highway Plan. Continuation is to research the bridge further and continue conversations with the City Councilor in that district.

Ricky Jones, Tanner Consulting 5323 S Lewis Ave, Tulsa OK

The applicant states he is in agreement for continuance to work out issues before the preliminary plat comes before the Commission.

Interested Parties:

Carly Griffith Hotvedt, PO Box 580, Okmulgee, OK 74447

Jesse Allen, PO Box 580 Okmulgee, OK 74447

All interested parties are in favor of continuance

TMAPC Action: 9 members present

On **MOTION** of **Carnes**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix and Stirling "absent") to **APPROVE the continuance to April 20, 2016.**

12. PUD-636-D – Matt Christensen, Location: South of the southeast corner of West 71st Street and South Union Avenue, requesting a **PUD Major Amendment to Abandon** a portion of PUD-636, (CD 2) (Continued from December 16, 2015, January 6, 2016, February 3, 2016 and February 17, 2016.) **(Withdrawn per Applicant)**

13. CVS-ERWII – Minor Subdivision Plat, Location: Northeast corner of South Utica Avenue and East 15th Street (CD 4) (Continued from November 18, 2015, January 6, 2016, January 20, 2016 and February 17, 2016)**(Applicant requests a continuance to May 18, 2016)**

Interested Parties

Terry Meier, 1760 E 144th Place Tulsa, OK 74104, President of the Terrace Drive Neighborhood Association stated that the small area plans were intended to stop this dissention and waste of TMAPC and City Council's time.

Andrew Shank-2727 E 21st Street, Tulsa OK, of behalf of Lou Reynolds, the PUD Major Amendment application is still with City Council.

TMAPC Action: 9 members present

On **MOTION** of **Midget**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE the continuance to May 18, 2016.**

14. Z-7336 – Antoine Harris, Location: West of southwest corner of East 36th Street North and North Garrison Avenue, requesting **AG/CS to MX1-U-55**, (CD 1) (Related to Journey Preliminary Plat)

Mr Midget asked if all parking was going to be on site.

Mr. Hoyt believes it lands outside city right of way and they would need to contact development services if they were proposing that.

Mr Wilkerson stated that the Major Street and Highway Plan suggests this is going to be a secondary arterial street so that would be four or five lanes sometime in the future. The conceptual plan is not proposing anything it is just an idea of what could happen on the site.

SECTION I: Z-7336

DEVELOPMENT CONCEPT: The existing site is vacant land zoned AG/CS. The applicant is proposing to construct a four story mixed use facility with retail/office uses on the ground floor and multi-family housing above. The applicant has indicated that the hope of this proposed mixed use facility is to encourage further redevelopment along 36th street North.

DETAILED STAFF RECOMMENDATION:

Z-7336 requesting MX1-U-55 zoning is consistent with the Main Street land use designation of the Comprehensive Plan, and;

MX1-U-55 zoning is compatible with the existing development on the site and the existing proximate properties, and;

MX1-U-55 zoning is compatible with the anticipated future redevelopment opportunities in this area, therefore;

Staff recommends Approval of Z-7336 to rezone property from AG/CS to MX1-U-55.

SECTION II: Supporting Documentation

Each MX district consists of a use designation (MX1, MX2 or MX3), a character designation (-P, -U, -V or -F) and a height designation (-35, -45, -55, -65 or -unlimited). This “modular” approach allows the creation of finely-tuned, con-text-sensitive zoning districts.

The MX1, Neighborhood Mixed-use district is intended to accommodate small-scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types. MX1 zoning is generally intended for application in areas designated by the comprehensive plan as neighborhood centers, main streets and mixed-use corridors.

The U, Urban character designation is generally intended to be applied in areas with high levels of walkability, but where a greater variety of building types are present or desired, such as in areas designated by the comprehensive plan as neighborhood, town and regional centers and along some plan-designated mixed-use corridors.

Excerpt from Chapter 10 – Mixed-use Districts of City of Tulsa Zoning Code:

Table 10-5: Lot and Building Regulations for -U Character Zones

Minimum Lot Area (sq. ft.)		Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
Townhouse	1,600	Primary street	30
Apartment/condo	7,500	Secondary street or R zoning district	10
All other	3,500	Nonresidential district	0
Minimum Lot Width (feet)		Min. Ground Floor Ceiling Height (feet)	
Townhouse	20	Mixed-use and commercial buildings	14
Apartment/condo	50	Other buildings	-
All other	25	Minimum Transparency (%)	
Minimum Street Frontage (feet)		Mixed-use buildings	
20		Ground floor	40
Minimum Open Space per Unit (sq. ft.)		Upper floors	20
Townhouse	200	Commercial buildings	
Apartment/condo/mixed-use	100	Ground floor	35
Minimum Building Setbacks (feet)		Upper floors	20
Street	0	Other buildings	20
Abutting R district	10	Street-facing Entrance Required	
Abutting nonresidential district	0	Yes	
Abutting alley	5		
Build-to Zone (BTZ) (minimum/maximum in feet)			
0/20			
Primary street BTZ			
60			
Secondary street BTZ			
30			

[1] Parking is prohibited between building and street right-of-way (see [Figure 10-4](#)). Parking structures are subject to [Section 40.280](#).

MX district height designations are indicated by a dash and number suffix at the end of an MX district map symbol. This proposed MX zoning has a height designation of 55, indicating that building height is limited to 55 feet.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-U-55 zoning supports many redevelopment opportunities that are complementary with the Main Street land use designation. The proposed use would help to revitalize 36th Street North. The site is currently vacant.

Land Use Vision:

Land Use Plan map designation: Main Street

Main Streets are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs,

housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: This site is located .0.4 miles west of the Osage Trail.

Small Area Plan: 36th Street North Corridor

Staff Summary: Rezoning the site from AG/CS to MX1-U-55 is consistent with the vision of the 36th Street North Corridor Small Area Plan adopted by City Council in December 2013.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant and is situated across 36th Street North from Northland Center.*

Environmental Considerations: A portion of the northern part of the proposed site lies within City of Tulsa Regulatory Floor Plain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 36 th Street North	Secondary Arterial	100 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a convenience store, zoned RM-1; on the north by a shopping center, zoned CH; on the south by a single-family residence, zoned AG; and on the west by a vacant commercial building, zoned CS.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11918 dated September 1, 1970, established zoning for the subject property.

Subject Property:

Z-7318 November 2015: All concurred in approval of a request to continue a request for rezoning from AG/CS to CH for a mixed-use development to the December 2, 2105 meeting, on property located west of the southwest corner of E. 36th St. N. and N. Garrison Ave. The applicant withdrew the application on 11/24/15.

Surrounding Property:

BOA-21247 April 12, 2011: The Board of Adjustment **approved** the *Special Exception* to permit automotive sales (Use Unit 17) in the CS district (Section 701); and a *Variance* to permit open air storage and display of merchandise offered for sale within 300 ft. of an adjoining R district (Section 1217.C.2). Regarding the special exception for automotive sales, there are no automotive sales uses within any near distance of this particular location, and the land is zoned CS but it is surrounded by other CS, AG and CH districts, and the nearest R district is actually hidden from view of this particular location. Regarding the open air storage and display of merchandise offered for sale, this will be closest to the residential area to the northwest, which is actually not even in view of this property because of the elevation difference. The conditions being there will be no outside repair services of any kind at this particular location. All of the existing concrete surfaces will be patched so they are in serviceable condition, on property located at 502 E. 36th St. N. and west of subject property.

BOA-17176 September 12, 1995: The Board of Adjustment **approved** a *Special Exception* to permit a paint and body shop in a CS district, subject to the

principal use being automobile repair, with painting as an accessory use, on property located at 502 E. 36th St. N. and west of subject property.

BOA-14542 July 23, 1987: The Board of Adjustment approved a Variance to permit a convenience store in an RM-1 district; and a Variance of the required screening along the west boundary, on property located at 558 E. 36th St. N. and abutting east of subject property.

BOA-7460 May 18, 1972: The Board of Adjustment made an Interpretation that the proposed use was within Use Unit 5, and approved a Special Exception to permit using the property for a nonprofit educational corporation for the training of persons engaged in the field of household employment in order to further the education and improve the working conditions of these persons, on property located at 506 E. 36th St. N. and abutting south of subject property.

BOA-2963 July 10, 1957: The Board of Adjustment approved a Special Exception for church use, on property located at 520 E. 36th St. N. and abutting south of subject property.

15. Journey–Preliminary Plat, Location: East of southeast corner of Martin Luther King Jr Boulevard and East 36th Street North, (CD 1) (Related to Z-7336)

Journey - (CD 1)

East of southeast corner of Martin Luther King JR Boulevard and East 36th Street North

The plat consists of 1 Lot, 1 Block, on 2.18 acres.

The following issues were discussed March 17, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural), CS (commercial shopping) with MXI-U-55 zoning pending.
2. **Streets:** No comment.
3. **Sewer:** Explain gap between the offsite 5 foot force main easement and the on site 17.5 foot utility easement. Provide and easement route to the off site sewer disposal system with widths; bearings and distances. In the covenant language include the sewer line easement language. Noc conceptual drawing was provided for the sewer disposal system for review. Meet conditions required on IDP 8165 sewer review. Access to an approved guaranteed method of sanitary sewer treatment is needed for approval. An off site septic system needs a permit from the Health Department for the septic system and the area must be inside an easement with the usage restrictions spelled out in the easement. The easement will be by separate instrument and must be filed before the IDP can be approved. Use language similar to the Private Sanitary Sewerage sections in the TAM-BAO Buddhist Temple Plat #4978.

4. **Water:** On the plat 20 feet of waterline easement is required instead of 15 feet, only when the proposed waterline easement is adjacent to another public utility easement can 15 feet be allowed. Add standard restrictive waterline easement language to the covenants. Add mainline gate valves; adjacent to the fire hydrants on the west/east segment of water main line.
5. **Storm Drainage:** The flood plain needs to be shown on the plat based on elevations and contained in an overland drainage easement. The conceptual utilities plan shows a building in the regulatory flood plain, accordingly any changes to the flood plain must comply with drainage criteria. It is anticipated that on site detention would be required whereas there is flooding directly downstream. **Floodplain:** the floodplain boundaries must be delineated on the plat as well as any necessary surface drainage easements or compensatory storage easements. Any proposed changed to the COT floodplain will require map revisions. All development shall be compliant with City of Tulsa Revised Ordinances Title 11-A.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Aerial access will be required if building is over 30 feet high from the level of fire department access. 36th Street will not work for aerial access due to the overhead power lines. Inside radius on the fire access road will be required to be 28 feet minimum inside radius base on a 20 foot wide road. Fire Department connection will be required to be on the address side of the building and within 100 feet of a fire hydrant as the hose lay.
8. **Other: GIS:** Not all subdivisions are identified correctly in the location map. Some subdivisions are misspelled and some are missing. Submit subdivision data control sheet. Remove contours on the final plat submittal. Add City of Tulsa to plat sub title. Provide individual lot addresses. Graphically label the point of commencement. Graphically show all the lot pins found or set for plat. Define the basis of bearing. State the size of the project. Legal description needs to match plat. Make sure bearing angles are correct. POC bearing should be corrected. **ADDRESSING:** City of Tulsa Ordinance 22460 states the street name was changed from North Cincinnati Avenue to Martin Luther King Jr. Boulevard. The citys permitting system requires pre and post directional elements and therefore recognizes the street name as N Martin Luther King Jr BLVD East. An Infrastructure Development Process (IDP) permit is required for this project. The IDP permit must be officially signed and approved with an accompanying release letter before Final approval of the plat (contact Julie Miller). Sidewalks shall be constructed along East 36th Street North within a dedicated easement or within the right of way, with a minimum of five feet in width, and constructed in accordance with the specifications and standards of the City of Tulsa standards. Combine two separate easements to create a 32.5 foot easement to avoid gap between easements within the south portion of the plat. An overland drainage easement is required for the City of Tulsa Regulatory Floodplain boundaries. Use City of Tulsa plat covenant language. A SWP3 will be required.

STAFF RECOMMENDATION:

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.

Interested Parties:

John Hardman 520 E 36th Street North Tulsa OK 74106

Would like to see a fence to separate property to prevent access to his property

Tracy Chandler 564 East 39th Street North Tulsa OK 74106, President of Northstar Neighborhood Association is in favor of approval.

Applicant states the fence isn't needed because elevation is so high.

Mr. Reeds asked if MX1 zoning provides for landscaping and if bushes and trees will provide for separation.

Mr. Hoyt explained MX1 zoning requires fence and landscaping.

Mr. Midget is glad to see applicant come back with revised plan and glad to see new zoning code being used.

TMAPC Action: 9 members present

On **MOTION** of **Midget**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix and Stirling "absent") to **APPROVE** the rezoning from **AG/CS to MX1-U-55** and to **APPROVE** the **preliminary subdivision plat**.

Legal Description for Z-7336:

TR IN NW NE NW BEG NEC 10AC TR TH S250 W3801 N250 E380 POB SEC 24 20 12 2.18 ACRES, City of Tulsa, Tulsa County; State of Oklahoma

* * * * *

16. **PB&J – Minor Subdivision Plat**, Location: East of the southeast corner of South Harvard Avenue and East 27th Street South, (CD 9) **(Related to Authorization for an Accelerated Building Permit)**

The plat consists of 1 Lot, 1 Block, on .34 acres.

The following issues were discussed March 17, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 841.
2. **Streets:** No comment.

3. **Sewer:** On the conceptual plan, an 8 inch sanitary sewer main line exists along the back lot lines available for service connections.
4. **Water:** There are no comments on the plat or covenants. On the conceptual plan a 6 inch waterline along East 27th Street South exists for water service connections. Provide stabilization over it during construction.
5. **Storm Drainage:** Whereas there is flooding directly downstream, detention will be required. The detention easement is shown at the southwest corner of the lot and may need to be shifted to the southeast side of the lot where the grade is the lowest. It is unclear where the stormwater detention easement and the overland drainage easement begins and ends.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Fire hydrant will be required within 400 feet of any non-sprinkled building and within 600 feet of sprinkled building as the hose lay..
8. **Other: GIS:** Identify all subdivisions on location map. Tie plat to section corner. Submit control data sheet. Add date of preparation. Provide addresses for plat and disclaimer. Provide legal, and email for engineer and surveyor, Remove the northing/easting coordinates associated with each benchmark location. Clarify owner information. Sidewalks need to be installed per City standards. Show existing right of way dedication. Use City standard covenant language. **Legal:** City Legal department changes per their approval is required.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the minor 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.

The applicant, Carolyn Back, Wallace Engineering stated Minor Subdivision Plat being approved is most recent one dated March 29, 2016.

TMAPC Action: 9 members present

On **MOTION** of **Willis**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix and Stirling "absent") to **APPROVE** the minor subdivision plat.

17. Authorization for an Accelerated Building Permit – PB&J Minor Subdivision Plat, Location: East of the southeast corner of South Harvard Avenue and East 27th Street South, (CD 9) **(Related to PB&J Minor Subdivision Plat)**

ZONING:

- *TMAPC Staff:* Full permits are requested. A minor subdivision plat is requested. (This process cuts fees and timing in approximately half for processing a simple subdivision plat.)

STREETS:

- *Transportation:* No comments.

SEWER:

- *Public Works, Waste Water:* No comments.

WATER:

- *Public Works, Water:* No comments.

STORM DRAIN:

- *Public Works, Storm Water:* No comments.

FIRE:

- *Public Works, Fire:* Fire hydrant will be required within 400 feet of any non sprinkled building and within 600 feet of a sprinkled building as the hose lay.

UTILITIES:

- *Franchise Utilities:* No comments.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon “the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat”. These requested permits could adhere to this ideal.

STAFF RECOMMENDATION:

The TAC (Technical Advisory Committee) and City Development Services staff did not object to the accelerated building permit. Planning staff has concern about a precedent being set for accelerated permits being granted to individual owners of individual lots without a pressing need and the risk to the City associated with these types of projects. There is a minor subdivision plat being processed for the site which (if prepared correctly) will be finished quickly and filed so permits can be granted.

Staff Comments

Ms Fernandez cautioned the Board has not approved this type before and cautions that this is a turning point for this type of development it requires standards for a automobile collection in a garage, staff doesn't object to it.

The applicant, Andy Shank, Eller & Detrich for Lou Reynolds believes the approval of item 16 moots this request and requests a continuance to April 20, 2016 and if needed Lou Reynolds will withdraw request.

On **MOTION** of **Millikin**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE the continuance to April 20, 2016.**

18. Z-7334 – QuikTrip/Jessica Glavas, Location: Northeast corner of East 71st Street and South Canton Avenue, requesting rezoning from **OL to CS**, (CD 9) **(Related to Plat Waiver Z-7334)**

SECTION 1: Z-7334

DEVELOPMENT CONCEPT: The existing site is an OL district with an office park occupying the site. Quik Trip will be relocating from an existing store immediately West across Canton. The CS district is compatible with redevelopment opportunities contemplated in the Regional Center land use

DETAILED STAFF RECOMMENDATION:

Z-7334 requesting CS zoning is consistent with the Regional Center land use designation of the Comprehensive Plan, and;

CS zoning is compatible with the existing development on the site and the existing proximate properties, and;

CS zoning is compatible with the anticipated future redevelopment opportunities in this area, therefore;

Staff recommends Approval of Z-7334 to rezone property from OL to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning supports many redevelopment opportunities that are complementary with the Regional Center land use designation. The site is currently an office park. The proposed store is a relocation of an existing store immediately west across Canton in an existing CS zone.

LAND USE PLAN:

Land Use Plan map designation: Regional Center
Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan:

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by Woodcreek office park. An existing Quik Trip is located to the west of the proposed site. This store is proposed to be relocated to the subject site.

Environmental Considerations: None

Streets

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RMJ</u>	<u>Exist. # Lanes</u>
East 71 st Street	Primary Arterial with commuter corridor overlay	120 feet	6
South Canton Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by an office building, zoned OL; on the north by a restaurant, zoned OL/PUD-576 and an office building, zoned OL; on the south by residential duplexes, zoned RS-3; and on the west by an existing QuikTrip, zoned CS.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12960 dated September 24, 1973 (Z-4410), established zoning for the subject property.

Subject Property: *No relevant history.*

Surrounding Property:

BOA-19080 May 22, 2001: The Board of Adjustment approved a Special Exception to permit Use

Unit 4 "Utility facilities" in an OL district; and a Variance of one-story height limit in an OL district to two-story for enlargement of existing building, on condition that the relief is only for the southernmost building, on property located at 5303 E. 715th St. and abutting east of subject property.

Z-6603/ PUD-576 February 1998: All concurred in approval of a proposed Planned Unit Development on a 13,200± square foot tract of land, to allow for an

English pub restricted to 1000 sq. ft., office use restricted to 2,589 sq. ft. and one residential dwelling unit restricted to 2,573 sq. ft., on property located north of northwest corner of S. Canton Ave. and E. 71st St. and abutting north of subject property. The PUD was accompanied by a request for rezoning from OM to CS. However, the TMAPC and City Council only approved the west 1 foot of property to CS and kept the remainder as OM.

PUD-260-C April 1996: All concurred in approval of a proposed Major Amendment to PUD on a 4± acre tract of land to combine two commercial PUD's and reconfigure the Development Areas in order to permit a 70' high hotel, on property located north of the northwest corner of S. Canton Ave. and E.71st St.

Z-6145/ PUD-429 May 1987: All concurred in approval of a request for rezoning a tract of land from OM to CS and a proposed Planned Unit Development on a 1.5± acre tract of land for commercial and office use, specifically for a QuikTrip, on property located on the northwest corner of S. Canton Ave. and E. 71st St.

Z-6207 December 1988: All concurred in approval of a request for rezoning a tract of land from OM to CS for commercial use, on property located north of the northwest corner of S. Canton Ave. and E.71st St.

TMAPC Action: 9 members present

On **MOTION** of **Midget**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis “aye”; no “nays”; none “abstaining”; Dix and Stirling “absent”) to **APPROVE** the rezoning from **OL to CS**.

LEGAL DESCRIPTION:

S250 LT 1 LESS S5 E30.19 FOR ST BLK 3, BURNING HILLS, City of Tulsa, Tulsa County, State of Oklahoma

19. Plat Waiver – Z-7334 – Location: Northeast corner of East 71st Street and South Canton Avenue, (CD 9) **(Related to Zoning Case Z-7334)**

Z-7334 – Northeast corner of East 71st Street and South Canton Avenue, (CD 9)

The platting requirement is being triggered by a rezoning from OL to CS.

Staff provides the following information from TAC for their March 17, 2016 meeting:

ZONING: TMAPC Staff: The property has been previously platted.

STREETS: 71st Street is a Primary Arterial with 110 feet right of way requirement. Sidewalks existing along 71st. Access ramps for driveway and

panels may be needed depending on driveway location. No sidewalks exist on Canton. Canton will need sidewalk and access ramps. LNA to be redefined. Mutual access easement required for Canton driveway. Driveways 24 feet to 36 feet. A 25 foot radius needed with 2% slope for sidewalks through driveways needed. Please take into account the City of Tulsa and ASHTO sight triangle requirements when placing development signs and when picking vegetation placement for landscaping. Also determine whether or not the current vegetation will present an issue with sight triangles.

SEWER: There is an existing sanitary sewer main located along the South property line adjacent to East 71st Street. According to the City wastewater atlas, the existing pipe is over 9 feet deep. Since any pipe over 8 feet deep is considered too deep to be damaged by redevelopment, such as paving, no modifications to the existing pipe will be required.

WATER: Availability for water service connections exists per a 12 inch water main line along the east side of South Canton Avenue. Along the north side of East 71st street South exists a 24 inch water main line that is not available for water service connections.

STORMWATER: Provide a drainage report that describes the approach to handling drainage and conforms to the existing drainage patterns. There appears to be a 48 inch storm pipe along the north portion of the site. The proposed building is shown over the top of the existing pipe. This will not be allowed. Plans for the existing storm system can be provided upon request. The proposed development will be required to relocate a portion of the storm sewer with an IDP permit. A new storm easement will be required either by plat or separate easement. This site drains into Fry Ditch No.2 Creek, as shown on the City of Tulsa regulatory flood plain panel 53.

FIRE: No comments.

UTILITIES: No comments.

OTHER/GENERAL: Limits of Access must be redefined through plat or separate easement and recorded. An IDP permit is required. Sidewalks need to be constructed Along South Canton Avenue within a dedicated easement or within the right of way per City standards. An SWP3 will be required. Existing plat #3463 Burning Hills, February 1974.

STAFF RECOMMENDATION:

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met for the platted property. The sidewalk requirements must be taken care of.

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 right-of-way?	X	

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		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.?		X
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

Note: If, after consideration of the above criteria, a plat waiver is granted on unplanted 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 by the applicant.

TMAPC Action: 9 members present

On **MOTION** of **Midget**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix and Stirling "absent") to **APPROVE the Plat Waiver**.

20. Cadent Park – Minor Subdivision Plat, Location: West of the northwest corner of East 91st Street South and South Yale Avenue, (CD 8)

The plat consists of 1 Lot, 1 Block, on 1.76 acres.

The following issues were discussed September 17, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned OM/Planned Unit Development 831.
2. **Streets:** Call out right of way as "Dedicated by this Plat" or provide reference such as plat number or book/page number. Limit access to 36 feet. In covenants include section on Limits of Access. Delete section on mutual access easement as none is shown on the face of the plat. Reduce driveway width to 36 feet on the conceptual plan.
3. **Sewer:** The conceptual plan shows buildings 2 and 3 using a common sewer service connection to the sanitary sewer main. This is not allowed. Each building will be required to have its own sanitary sewer tap for its sewer service line. The private sewer service line is not allowed to travel within the public utility easement in order to access the sewer main for service. It can cross the easement though.
4. **Water:** An off-site waterline easement is needed in South Woods Park III addition for the proposed waterline connection from this site development.
5. **Storm Drainage:** No comments.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others** AT&T needs wider/additional easements.
7. **Other: Fire:** No comments.
8. **Other: GIS:** Submit control data sheet. Provide individual lot address. Define the basis of bearing between two known points. Take the paragraph on the left side and place under the Basis of Bearing heading on the right side. Add missing subdivisions in the location map. Correct existing subdivision boundaries inside township, range and section. Label project location in location map. Use a leader line. Correct legal description. Add

PUD 831 to face of plat and within Deed of Dedication. Add the PUD restrictive covenants within the Deed of Dedication. The proposed dumpster enclosure on the east side needs to be pushed out by at least two feet so as not to encroach on the 11 foot utility easement. Sidewalks shall be constructed along East 91st Street South within a dedicated easement or within the right of way with a minimum of five feet in width, and constructed in accordance with the specifications and standards of the City of Tulsa, Public Works and Development Departments. Submit an IDP (infrastructure development plan) permit. Infrastructure plans need to be submitted before a continued review of the plat can be conducted to determine the appropriateness and adequacy of the intended infrastructure. IDP plans need to be approved before making any further reviews or recommendations on this plat.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below. Release letters have been received for the plat.

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 therefore 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 therefore 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 plant is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

TMAPC Action: 9 members present:

On **MOTION** of **Midget**, the TMAPC voted 8-0-1 (Carnes, Covey, Fretz, Midget, Reeds, Shivel, Walker, Willis "aye"; no "nays"; Millikin "abstaining"; Dix and Stirling "absent") to **APPROVE** the Minor Subdivision Plat.

21. Refund Request – Russell Musika, GeoDeca Land Surveying Company, USC Addition – **Preliminary Plat**, Location: East of the southeast corner of South 177th East Avenue and East 11th Street South, requesting a refund of \$800.00, Applicant has withdrawn this application (CD 6)

STAFF RECOMMENDATION:

Refund of Eight Hundred Dollars

TMAPC Action: 9 members present:

On **MOTION** of **Midget**, the TMAPC voted 9-0-0 (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix and Stirling "absent") to **APPROVE** the refund request.

22. Commissioners' Comments- Welcome to Kim Sawyer

* * * * *

TMAPC Action: 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; none "absent") to **ADJOURN** TMAPC meeting 2719.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:25 p.m.

Date Approved:

05-18-2016


Chairman

ATTEST:


Secretary