

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2731

Wednesday, October 5, 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
Covey	Carnes	Fernandez	Ling, COT
Dix	Midget	Foster	VanValkenburgh, Legal
Fretz	Reeds	Hoyt	
Millikin	Walker	Miller	
Shivel	Willis	Sawyer	
Stirling		Wilkerson	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, September 29, 2016 at 3:54 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:

Chairman's Report:

Mr. Covey stated there were only enough commissioners present to meet quorum. Mr. Covey stated he needed to leave the meeting at 2:40 p.m. and at that time the meeting would end because quorum would be lost.

Director's Report:

Ms. Miller reported on City Council actions and updated TMAPC on receipts for the month of August 2016. Ms. Miller also stated the Subdivision Regulation Update packet was included in the agenda packet mail out last week. Ms. Miller stated she is on the Peoria Bus Rapid Transit (BRT) land use steering committee

and there will be additional workshops held this month if anyone is interested in attending they will be Tuesday October 25, 2016 in the evening, one is at Morton Health Care in North Tulsa and another at Spirit Life Church is South Tulsa. Then on Wednesday October 26, 2016 there is one at Central Center. Ms. Miller reported that the River Design Overlay that was adopted by City Council and published in the Tulsa World on September 26, 2016 will be effective October 26, 2016.

* * * * *

1. **Minutes:**

Approval of the minutes of September 21, 2016 Meeting No. 2730

On **MOTION** of **DIX**, the TMAPC voted 5-0-1 (Covey, Dix, Millikin, Shivel, Stirling, "aye"; no "nays"; Fretz, "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **APPROVE** the minutes of the meeting of September 21, 2016 Meeting No. 2730.

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-20910** (Lot-Split) (CD 6) – Location: West of the northwest corner of East Admiral Place and North 193rd East Avenue
3. **LC-813** (Lot-Combination) (CD 4) – Location: Northwest corner of East 13th Place South and South Urbana Avenue
4. **LS-20915** (Lot-Split) (County) – Location: West of the northwest corner of West 51st Street South (West Coyote Trail) and South 165th West Avenue
5. **LC-814** (Lot-Combination) (CD 1) – Location: East of the northeast corner of East 38th Street North and North Iroquois Avenue
6. **LC-815** (Lot-Combination) (CD 1) – Location: Northwest corner of East 3rd Street South and South Greenwood Avenue

Mr. Covey asked if there were any interested parties wishing to speak on items 2 through 7 and there were none.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **APPROVE** Items 2 through 7 per staff recommendations.

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

After the vote several interested parties came forward indicating they were there to speak on item number 7 and had it confused with another agenda item.

Ms. VanValkenburgh stated there needed to be a motion to reconsider item number 7 on the Consent Agenda.

It was noted that the applicant, JR Donelson, was not present.

Mr. Dix asked Mr. Wilkerson if Mr. Reynolds who had just left was representing Mr. Donelson on item number 7.

Mr. Wilkerson stated that Mr. Reynolds was not.

Mr. Dix asked if Mr. Wilkerson would call Mr. Reynolds to confirm.

Mr. Wilkerson called Mr. Reynolds who confirmed that item number 7 was not represented by his office.

Mr. Covey made the motion to reconsider item number 7.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **RECONSIDER** item number 7 of the consent agenda.

Item number 7 was removed from Consent Agenda and placed on public hearing, see below.

* * * * *

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **PUD-707-2 JR Donelson** (CD 8) Location: Southeast corner of East 109th Street South and South 74th East Avenue, **PUD Minor Amendment** to allow single-family dwelling use and accessory uses by right in R districts

SECTION I: PUD-707-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to allow single-family dwelling use and accessory uses by right in R districts in Reserve Area D.

The applicant is requesting proposed amendment to the reserve area in order to permit a possible tennis court to be shared by the home owners in Blocks 9 and 10 as well as a possible additional single-family home.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c (15) of the City of Tulsa Zoning Code.*

“Changes in an approved use to another use may be permitted provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties.”

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-707 and subsequent minor amendments shall remain in effect.

Mr. Covey asked staff if this is common area presently.
Staff answered yes.

Mr. Covey asked if the Home Owners Association is the applicant.
Staff stated JR Donelson is the applicant representing Home Ventures Incorporated.

Mr. Covey asked staff if Home Ventures Incorporated was the developer of the neighborhood.

Staff stated there is a complicated history behind this development.

Ms. VanValkenburgh stated Home Ventures was the original developer and there was a mortgage on this reserve area that was foreclosed. The property was never conveyed to the Homeowners Association. The bank then conveyed it to a related entity named Park Place Office Suites who has some common ownership with the original developer and is currently listed as the owner.

Mr. Covey asked prior to foreclosure what the original intent for this property was.

Staff stated that the original intent was tennis courts and common area for residents.

Mr. Covey asked what the intent was now.

Staff stated that the current proposal is to create a smaller reserve area with tennis courts and a single family home.

Mr. Dix asked staff if the lots to the south were a part of the reserve area.

Staff answered no.

Ms. Millikin asked staff if the proposed tennis courts were to be used by the entire neighborhood.

Staff stated yes.

Ms Millikin asked staff if this was consistent with the original use.

Staff stated yes.

INTERESTED PARTIES COMMENTS:

Jim Hauser 1809 North Desert Palm, Broken Arrow, OK 74012

Mr. Hauser stated he is currently building a home next to the subject property. Mr. Hauser stated the lot owners are asking for a continuance while they try to find out who owns the subject property. Mr. Hauser stated the property owners can't have a Home Owners Association until all lots are sold and conveyed to the Home Owners Association. Most of the residents bought their property under the assumption that the subject property would be a reserve area and the use would be determined by the Home Owners Association. Tennis courts were just one example of what the area might be used for. Mr. Hauser asked Planning Commission to please give the property owners the extension to do the necessary research to find the owners and documents needed to address this application.

Mr. Covey asked Mr. Hauser what date he would like the application moved to.

Mr. Hauser answered until November 2, 2016.

Mr. Covey asked Mr. Hauser if he had any objections to what the applicant is specifically proposing.

Mr. Hauser stated there are some negotiations going on that Mr. Hauser prefers not to present to Planning Commission that Mr. Hauser doesn't approve of. There are agreements between a HOA that doesn't exist yet and Home Ventures or Park Place Office Suites.

Mr. Covey said Planning Commission has a letter stating the Home Owners Association is going to get \$12,000 dollars.

Mr. Hauser stated yes that is what he was referring to.

Mr. Hauser stated he is not objecting to a potential tennis court but the residents need more information.

Mr. Hauser stated there are other issues such as documentation showing there are graves located outside the cemetery next to this development.

Interested parties below indicated they also supported a continuance to November 2, 2016.

Joyce Blue 15406 South 298th East Avenue, Tulsa, OK 74429
Shirley Wonder 10914 South 77th East Avenue Tulsa, OK 74133
Joyce Blue and Shirley Wonder stated they wanted a continuance also.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **CONTINUE** PUD-707-2 until November 2, 2016.

PUBLIC HEARINGS:

Items that were continued or withdrawn were taken first.

10. **Parkhill** Authorization of an Accelerated Release of Building Permit, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue, (CD 9) (Continued from September 21, 2016)

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **CONTINUE** the Accelerated Release of Building Permit to October 19, 2016 per staff recommendation.

11. **Z-7355 Andrea Chase** (CD 2) Location: West of the southwest corner of West 81st Street and South Yukon Avenue requesting rezoning from **RS-3 to RS-5** (Continued from August 17, 2016) (**Applicant has withdrawn this application**)

12. **Z-7361 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3 to PK**

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **CONTINUE** Z-7361 to November 2, 2016.

* * * * *

- 13. **Z-7362 JR Donelson** (CD 8) Location: North of the Northwest corner of East 101st Street and South 74th East Avenue requesting rezoning from **RS-1 to RS-3 (Applicant requests continuance to November 2, 2016)**

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **CONTINUE** Z-7362 to November 2, 2016.

* * * * *

- 8. **LS-20916** (Lot-Split) (CD 2) – Location: North of the northeast corner of West 81st Street South and South Elwood Avenue

LS-20916

Frank Ross Hunt III, (8212) (AG) (CD 2)

North of the northeast corner of West 81st Street South and South Elwood Avenue

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 City of Tulsa Zoning Code.

The Technical Advisory Committee met on September 15, 2016 and had the following comment. A sanitary sewer extension will need to be constructed by an IDP approved contractor. This can be done either by obtaining an easement from an adjoining land owner or by crossing Elwood Avenue.

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.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to recommend **APPROVAL** of LS-20916 per staff recommendations.

* * * * *

9. **Parkhill** Minor Subdivision Plat, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue, (CD 9) (Continued from September 21, 2016)

The plat consists of 1 Lot, 1 Block, on 1.25 acres.

The following issues were discussed September 1, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CS.
2. **Streets:** Provide limits of No Access along 51st Street. Include Limits of No Access section in covenants. Show utility easements at sides of property. Please correct exhibit 5.
3. **Sewer:** On conceptual plans there cannot be a 6 inch service line tying directly into a manhole.
4. **Water:** Use standard deed of dedication language for public street and utility easement section in the covenants. Denote the 15 foot waterline easement is dedicated by this plat. Conceptual plan: The 6 inch water line stub off of the 16 inch water main line is the approved point for water service connections. If the 6 inch water main line does not abut this site development than an extension of a looped public water main line could be required.
5. **Storm Drainage:** The roof drain section of the covenants may need to be reworded. It is unclear what is being stated versus actual on the ground features referenced.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** AT&T can remain/operate in existing 16 foot easement Please show all existing easements on plat. PSO needs some additional wording in covenants.
7. **Other: Fire:** Building features shall be installed as agreed upon between Parkhill and the Tulsa Fire Marshal in order to be considered an equivalent for the required turn around.
8. **Other: GIS:** Provide individual lot addresses. Submit a control data sheet. Provide owners' address under the owner information. Provide a metes and bounds legal. Provide and graphically label the point of commencement and point of beginning. Include the bearing angles and distances with each. Correct and finish location map. Provide the coordinate system associated with the basis of bearing. City Legal comments and concerns must be taken

care of to their approval.

Staff recommends an 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 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 plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **APPROVE** the Minor Subdivision Plat Parkhill per staff recommendations.

* * * * *

14. **Z-7363 ES Development, LLC** (CD 3) Location: Southeast corner of North Mingo Road and East Pine Street requesting rezoning from **AG to CG** (related to FD Development 1st Addition Preliminary Plat)

STAFF RECOMMENDATION:
SECTION I: Z-7363

DEVELOPMENT CONCEPT:

The property is currently zoned AG. Rezoning is requested to allow construction of a retail sales establishment which is consistent with the Land Use designation of the Comprehensive Plan.

DETAILED STAFF RECOMMENDATION:

The allowed use categories permitted by CG zoning are consistent with the anticipated development surrounding the property and;

Z-7363 requesting CG zoning is not injurious to the existing surrounding property and;

CG zoning is consistent with the Comprehensive Plans Land Use Designation for a Neighborhood Center therefore;

Staff recommends Approval of Z-7363 to rezone property from AG to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CG zoning is consistent with the Neighborhood Center vision of the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center
Neighborhood Centers are small-scale; one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and

services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

“The purpose of **Areas 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 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:

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations:

Z-7363 is within ½ mile of a planned trail along the West side of Mingo Creek. The arterial intersection does not have sidewalks however the subdivision plat will require sidewalk construction along Pine and along Mingo. Ultimately the sidewalk on Pine will connect to the planned trail.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is unimproved with very little slope. Currently the site is covered with grass and a few trees.

Environmental Considerations: The site is bisected by a floodplain that will affect building locations and future development opportunities however the engineering solutions should be able to accommodate future uses allowed in a CG district.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Mingo Road	Secondary Arterial	100 feet	6
East Pine Street	Secondary Arterial With Multi Modal Corridor	100 feet	6

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IL	Employment	Growth	Industrial Use
East	AG	Neighborhood center and Employment	Growth	Vacant and Single Family Residential home
South	IL	Employment	Growth	Vacant

West	CS	Neighborhood Center	Growth	Automotive repair and convenience store
------	----	---------------------	--------	---

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7223 June 2013: All concurred in **approval** of a request for *rezoning* a 1.02± acre tract of land from CS to IL, for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street North

Z-7199 May 2012: All concurred in **approval** of a request for *rezoning* a 3± acre tract of land from CS to IL for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street.

Z-7127 May 2009: All concurred in **approval** of a request for *rezoning* a 5.89± acre tract of land from AG to IL for light manufacturing on property located, south of southeast corner East Pine Street and North Mingo Road and abutting south of subject property.

Z-6998 September 2005: All concurred in **approval** of a request for *rezoning* a 38.03± acre tract of land from RM-2 to IL for light industrial park use, on property located south and west of southwest corner of East Pine Street North and Highway 169 North.

Z-6946 July 2004: All concurred in **approval** of a request for *rezoning* a 5± acre tract of land from OL to IL for light manufacturing and warehouse use, on property located east of northeast corner of East Pine Street and North Mingo Road.

BOA-18238 November 24, 1998: The Board of Adjustment **approved** a Special Exception to permit a convenience store (QuikTrip) in an IL district, on property located at the northwest corner of E. Pine St. and N. Mingo Rd.

Mr. Dix asked staff if the 40 foot easement that comes from Pine Street goes directly southeast of the property and the turns and goes west southwest through the property was a culvert.

Dr. Dix asked if this was a relocation of the floodplain.

Staff stated the mapped floodplain was illustrated on the application. Staff stated the easement was to be vacated at some point.

INTERESTED PARTIES COMMENTS:

Keith Beatty 1101 East 12th Emporia, KS 66501

Mr. Beatty stated the original intent was a drainage easement however it isn't needed since there aren't any pipes in the ground and applicant's intent is to vacate the easement.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to recommend **APPROVAL** of Z-7363 rezoning from AG to CG per staff recommendation.

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 31; THENCE ON THE WEST LINE OF SAID NORTHWEST QUARTER, N 01°15'43" W 2278.21 FEET; THENCE N 88°44'17" E 99.94 FEET TO THE INTERSECTION OF THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 7214 AT PAGE 1812 AND THE EAST RIGHT-OF-WAY LINE OF NORTH MINGO STREET AS DESCRIBED IN DEED BOOK 1499 AT PAGE 601 AND THE POINT OF BEGINNING; THENCE ON SAID EAST RIGHT-OF-WAY LINE, N 01°09'59" W 13.52 FEET; THENCE CONTINUING ON SAID EAST RIGHT-OF-WAY LINE, S 89°12'19" W 20.15 FEET; THENCE CONTINUING ON SAID EAST RIGHT-OF-WAY LINE, N 01°16'28" W 308.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST PINE STREET; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE, N 88°43'19" E 158.54 FEET; THENCE CONTINUING ON SAID SOUTH RIGHT-OF-WAY LINE, S 00°35'10" E 10.07 FEET; THENCE CONTINUING ON SAID SOUTH RIGHT-OF-WAY LINE, N 88°47'01" E 41.67 FEET TO THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 2012032442; THENCE ON SAID WEST LINE, S 01°15'38" E 143.37 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND; THENCE ON THE SOUTH LINE OF SAID PARCEL OF LAND, N 88°43'14" E 164.31 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND AND THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED BOOK 7214 AT PAGE 1812; THENCE ON THE EAST LINE OF SAID PARCEL OF LAND, S 01°15'43" E 177.75 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE ON THE SOUTH LINE OF SAID PARCEL OF LAND, S 88°45'12" W A DISTANCE OF 344.19 FEET TO THE POINT OF BEGINNING. CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

15. **FD Development 1st Addition** Preliminary Plat, Location: Southeast corner of North Mingo Road and East Pine Street, (CD 3) (related to Z-7363)

STAFF RECOMMENDATION:

The plat consists of 2 Lots, 1 Block, on 2.1 acres.

The following issues were discussed September 15, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural) with pending CG (commercial general).
2. **Streets:** Provide full right of way on North Mingo Road on both sides of section line and identify section for verification. Section line as currently shown may be incorrect. Provide limits of no access for both streets. Provide 30 foot corner radius or equivalent clip at northwest corner of lot. Preliminary plat says that the 10 foot right of way is being vacated. Confirm that it is to be dedicated. Provide 5 foot wide sidewalks and access ramps. Must be shown on site plan along East Pine Street and North Mingo Road. Sidewalks must be located a minimum 18 inches from property line and 2 feet behind curb. Please verify/correct street names.
3. **Sewer:** Provide additional easement for sanitary sewer, 5 feet from centerline of manhole on all three sides.
4. **Water:** Conceptual: show proposed water service connection points to the existing water system for each proposed lot.
5. **Storm Drainage:** All platted area contained within the 100 year floodplain shall be placed in an Overland Drainage Easement. Further explanation required for the proposed storm water blanket easement. This may not be the preferred approach, legal will need to review. Floodplain: Remove the 500 year floodplain boundary line shown on the plans. Plot the 100 year floodplain per surveyed elevation.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.
8. **Other: GIS:** Provide individual lot addresses. Provide/state address caveat/disclaimer. Submit a subdivision control data sheet with final plat. Remove contours on final plat submittal. Under the Basis of Bearings heading include/state the coordinate system used and provide/state a bearing and angle between two known points to be the basis of bearing. Have an "Owner" heading and include the owners' name and address. Have an "Engineer/Surveyor" heading and provide the name, address phone number, CA number with expiration date. Show a Location Map heading the top right hand corner showing only T20N R14E S31. Show all the platted subdivisions and existing expressways in the section. Label all other land as unplatted. Highlight area of plat to be filed inside the section and label project location. Provide/state the size of the project and the number of lots

and blocks. Add "State Of " to the plat sub-title after TULSA COUNTY. Change point of Commencing to Point of Commencement on face of plat. Provide only the footage described in the legal description on the face of plat. Do not have described and measured footage. Match legal description to plat. Correct bearing angle and distance. A 40 foot easement (book 4250, Page 781) must be vacated by a separate process excluding platting. Identify North Mingo Road (currently identified incorrectly as North Mingo Street).

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 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 plat is located) and inspected and accepted by

same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **APPROVE** the Preliminary Plat for FD Development 1st Addition per staff recommendation.

OTHER BUSINESS

16. Proposed 2017 TMAPC Meeting Dates

2017 SCHEDULE

Tulsa Metropolitan Area Planning Commission (TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:30 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

**Work sessions of the TMAPC are held, as necessary, either prior to or following regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time the agenda is posted.

JANUARY	FEBRUARY	MARCH
4th	1st	1st
18th	15th	15th
APRIL	MAY	JUNE
5th	3rd	7th

19th	17th	21st
J U L Y	A U G U S T	S E P T E M B E R
5th	2nd	6th
19th	16th	20th
O C T O B E R	N O V E M B E R	D E C E M B E R
4th	1st	6th
18th	15th	20th

Mr. Dix asked staff if there were any trends that may cause TMAPC to need more meetings at certain times of the year.
Staff stated no.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **ACCEPT** the 2017 TMAPC meeting calendar per staff recommendation.

17. Commissioners' Comments

ADJOURN

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, Walker, Willis "absent") to **ADJOURN** TMAPC meeting 2731.

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

Date Approved:

10-19-2016


Chairman

ATTEST: 
Secretary