



Tulsa Metropolitan Area Planning Commission

Minutes of Meeting No. 2934

Wednesday, April 2, 2025, 1:00 p.m.

Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

The notice and agenda of said meeting were posted in the City Clerk’s and the County Clerk’s office on March 26, 2025 at 2:47 p.m.

Members Present: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Members Absent: Craddock, Walker, Whitlock, Zalk

City Staff Present: Austin Chapman, Nathan Foster, Erin Roark, Susan Miller, Kim Sawyer, Jeff Stephens

County Staff Present: Jay Hoyt, Sherri Tauber

Speaker Key:

- (+) indicates a speaker generally supportive of an item;
- (-) indicates a speaker generally opposed to an item; and
- (=) indicates a speaker generally neutral or who has questions about an item.

After declaring a quorum present, 2nd Vice-Chair Hood called the meeting to order at 1:00 p.m.

Reports

Chairman’s Report: None

Director’s Report: Ms. Miller reported on City Council actions and other special projects.

Approval of Minutes

1. Minutes from Meeting 2933, March 19, 2025

Motion: Approval of the minutes of Meeting 2933 from March 19, 2025.

Motion by: Shivel Second by: Fugate

Vote: 6-0-1

Ayes: Bulmash, Fugate, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: Hood

Absent: Craddock, Walker, Whitlock, Zalk

Consent Agenda

None

Public Hearing – Rezoning

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

2. Z-7808

Location: West of the northwest corner of West Newton Street and North Union Avenue

City Council District: 1

Applicant: Craig Immel

Action Requested: Rezoning from RS-3 to RM-2

Staff Recommendation

The applicant is proposing to rezone the subject property from RS-3 to RM-2 to permit multifamily residential development. There have been several rezonings approved for higher density residential districts in the surrounding area including a rezoning to RS-5 along North Union Avenue and two separate rezonings to RM-2 along West Newton Street to the east of the subject property.

RM-2 zoning is consistent with the neighborhood designation assigned by the Tulsa Comprehensive Plan and would allow for the development of a variety of residential building types including apartments, cottage homes, townhouses, and duplexes in addition to single-family residential.

Both North Union Avenue and West Newton Street are designated as residential collector streets by the Major Street and Highway Plan. Collector streets require wider right-of-way dedications in anticipation of higher intensity development. Locations along collector streets are appropriate locations for higher density infill projects.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------------|
| North | RS-3 | Neighborhood | Residential Single Family |
| East | RS-3 | Neighborhood | Residential Single Family |
| South | RS-3 | Neighborhood | Residential Single Family |
| West | RS-3 | Neighborhood | Residential Single Family |

Small Area Plans

The subject property is not located in a small area plan.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to

somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: West Newton Street is designated as a residential collector street which requires an ultimate right-of-way width of 60 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular route service is available at the intersection of West Newton Street and North Union Avenue.

Existing Bike/Ped Facilities: None.

Planned Bike/Ped Facilities: Sidewalks are planned along all public streets.

Environmental Considerations

Flood Area: The subject properties do not contain any designated floodplain areas.

Tree Canopy Coverage: Tree canopy in the area is 42%. Significant effort should be made to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

Ordinance 11918, dated September 1, 1970, established zoning for the subject property.

TMAPC Comments

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Recommend approval of the RM-2 zoning, per staff's recommendation.

Motion by: Turner-Addison Second by: Bulmash

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

Property Description

27-20-12 W 100' OF E 150 OF W 264' OF S/2 SE SE SW, Osage County, Oklahoma

Public Hearing – Plats

3. The Meadows III (County)

Location: North of the Northeast corner of East 106th Street North and North Memorial Drive

County Commission District: 1

Applicant: AAB Engineering, LLC

Action Requested: Preliminary Plat

Staff Recommendation

This plat consists of 37 lots, 4 blocks on 34.01 ± acres.

The Technical Advisory Committee (TAC) met on March 20th ,2025 and provided the following comments:

- 1. Zoning:** Proposed lots conform to the requirements of the RS-3 district and PUD. Planning Services will provide comments prior to final plat release.
- 2. Addressing:** INCOG will assign addresses. Include assigned addresses on the face of the final plat and provide address disclaimer.
- 3. Transportation & Traffic:** Final street construction plans must be approved by the County Engineer and installed prior to final plat release.
- 4. Sewer/Water:** On-site sewage disposal via ODEQ approved system. Water line plans must be submitted to Washington County Rural Water District #3. All requirements of the district must be met for final plat approval.
- 5. Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve areas for maintenance.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.
- 7. Tulsa County Engineering:** A Release letter will be required by Tulsa County Engineering prior to release of the final plat

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations

Applicant Comments

The applicant indicated their agreement with staff's recommendation.

Speakers

(-) Matt Slavin, 11028 North 92nd East Avenue, Owasso, Oklahoma 74055, stated that his family had lived there for about 30 years. His property is east of this plat. He has a small pond at the back area of his property. During construction of The Meadows II development, they broke a dam that has holding water back in 2022 and his pond was flooded and has stayed flooded ever since. He is unable to access his back property. His pond is full of mud and that has killed all his fish. Based on what he sees on the plat, his pond becomes a detention pond for Meadows III now. He would like something done about this situation. His third issue is that he is concerned about what the elevation is going to be. If it is too high, he will have to put up a privacy fence. The last year and half it has been a swamp. He stated that he had talked to the developers. They came on site and made some recommendations but would not give him anything in writing and he never heard back.

Mr. Hood asked which pond he was speaking about and is the one all the way to the left.

Mr. Slavin stated that he had a packet with photos he would like to give to the commissioners. He handed copies to all them. He described the photos when they were shown. There is a sewer pipe that goes under the road and there are two lots that go behind his property. There is no back flow or slowdown. He is no longer able to access the pond over the spillway because it is underwater. It used to flood once or twice a year but otherwise it was in good shape. Now it is flooded all the time. They promised they were going to take care of it, but they never have done so. His back property is getting overgrown, but he cannot access it to maintain it. All of this is because of Meadows II. Meadows III is going to make this much worse. The higher they build up the land the bigger the problem he has.

Mr. Bulmash asked staff what the review process was like to help deal with this runoff.

Staff stated that Tulsa County Engineering will evaluate each stage, and they will look at this issue at that time. Once they get the plat submitted, the County Engineer will look at runoff data.

Mr. Fugate stated that this sounded like a normal process, and he wanted to know what happened to Phase II.

Staff stated that he was not aware of what Tulsa County Engineering did during that time as he is not part of that process. They did sign off on it and there may have been some environmental issues that they did not account for at that time. In Phase III they will try to evaluate and make sure that they can either make up for that or alleviate any issues.

Mr. Hood asked if Phase II has been completed.

Staff stated that it has not been completed. Tulsa County Engineering would need to speak with the applicant regarding what stage of construction they were in.

Mr. Humphrey asked if there were levels of compliance that they had to go through. He asked if it was up to the person getting the permit to get the DEQ and what was the proper channel to go through to complain about the issue.

Staff stated that Mr. Slavin needed to speak with Tulsa County Engineering, and they handle these issues on a regular basis.

Mr. Fugate stated that he wanted to make sure that they were not crossing the line because they were there to approve the Preliminary Plat, and these other issues are handled by other departments. He was still curious about the checks and balances. If Phase II has started and he is concerned about the start of Phase III and getting any issues taken care of before the issue is made worse.

Mr. Hood stated that they needed to hear from the applicant to make sure that all of this is handled properly.

Alan Betchan with AAB Engineering, 200 North McKinley, Sand Springs, Oklahoma 74063, stated that Phase II infrastructure was completed a few weeks ago and the final plat has been filed and approved. His guess is that there was a breach that was a sediment related issue during construction that was the contractor's responsible for correcting. They should have been cognizant of the dam breaching and the sediment issue and mistakes were made. The other issue is that the standard that they are required to hold from an engineering and state law standpoint is that they cannot discharge water at a higher rate than what it was predevelopment. It is rated at cubic feet per second, not total volume of runoff. They only control the peak runoff rates. Given that it is an

uncontrolled spillway downstream, his guess is that what they are seeing a high volume in a pond that is sitting up at its high water volume and it is staying at its higher volume because there is a higher water volume in the downstream side, not peak runoff rate which is what they design and analysis against. There is a detention facility that is one of the bigger ones in Phase II and they are going to have a third detention facility in Phase III that will further reduce the runoff than they were predeveloped. They look at all the discharge points and provide those analysis points of what were the predevelopment rates and post development rates in the development process they must meet those requirements before they are done. They have been in the construction process for the last approximately eighteen months and that distorts the view. They will certainly go back and have a talk with the owner and have a discussion with County staff about the issues and how to deal with them. He was going to follow up with the contractor on this issue. They will reduce the run-off rates with the development of the new tract. That is a standard that they must bear before they reach their final release. The peak runoff is what they measure against and Mr. Slavin's pond needs to convey the peak run-off rates. They are not changing the peak run-off rates of the system.

Mr. Fugate asked Mr. Slavin how long they had the pond.

Mr. Slavin stated that they had the pond for twenty-five years when they originally bought the land. The dam is twenty-five years old and has trees growing on it and the control is not great, but the level goes up and down. During Spring, the pond would be flooded for two weeks to a month at the most. It has been flooded for sixteen months now. The developer promised him that he would get the mud under control. It has not been under control since the developer stated that they would. They may have done some things, but it was not sufficient to hold back the mud. The dam has been weakened by the constant overflow problems. The correct measures are taking place for the other ponds in the area except the one behind his house.

Mr. Fugate asked the staff if the Planning Commission had the authority to do anything about runoff situations.

Staff stated that the Planning Commission does not have the authority to do anything about the runoff. That would be managed by Tulsa County Engineering and is not allowed. He stated that he does not work that closely with Tulsa County Engineering to know how they sign off on the project.

TMAPC Comments

Mr. Hood stated that he thought this is an issue that the owner, developer, and engineers should get together to find a solution. The item before them today is separate from this issue. He stated that he could support this request.

Mr. Humphrey stated that he advised Mr. Slavin to contact DEQ with this issue as well.

Mr. Bulmash stated that he advised Mr. Slavin to get the contact information for whom to contact at County Engineering and provide the applicant with your information so they can be in contact with him as well.

TMAPC Comments

Mr. Hood stated that he thought this is an issue that the owner, developer, and engineers should get together to find a solution. The item before them today is separate from this issue. He stated that he could support this request.

Mr. Humphrey stated that he advised Mr. Slavin to contact DEQ with this issue as well.

Mr. Bulmash stated that he advised Mr. Slavin to get the contact information for whom to contact at County Engineering and provide the applicant with your information so they can be in contact with him as well.

Commission Action

Motion: Approve the preliminary subdivision plat for The Meadows III, per staff's recommendation.

Motion by: Rosene Robinson Second by: Fugate

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

DRAFT

4. Project Positive

Location: North of the northwest corner of North David Patrick Avenue and East 36th Street North

City Council District: 3

Applicant: John Droz, Route 66 Engineering

Action Requested: Preliminary Plat

Staff Recommendation

The plat consists of 1 lot, 1 block on ±35.67 acres. Staff recommends **approval** of the preliminary subdivision plat subject to the following conditions provided by the Technical Advisory Committee (TAC) and all other requirements of the Subdivision and Development Regulations, finding that the proposed preliminary subdivision plat complies with all applicable regulations. A City of Tulsa release letter is required prior to final plat approval. TAC Conditions:

Zoning: Property is zoned IH the intended use and proposed lot layout meets the standards of that district.

Engineering Graphics

- Submit subdivision control data sheet with the final plat.
- Remove contours in the final plat submittal.
- On the face of the plat change N 129th E Ave to N David Patrick Ave.
- Under the surveyor heading the CA number has expired.
- Provide the individual lot address on the face of the plat.
- In the Location Map add missing platted property QuikTrip No. 0046. Remove Greenhill Properties, LLC label near SE corner of section 17. Adjust the project location in the location map to make room for the Old Dominion Freight Line property plat to be filed with Tulsa County soon.
- Under the Basis of Bearings information provide a bearing angle preferably shown on the face of the plat. See example below.
- Graphically show all property pins found or set that are associated with the plat. Either have a legend entry showing the found or set symbology or label each location with text.

Addressing

- Add the following addresses to the plat pdf:
- Lot 1 Block 1: 4115 N 125TH E AVE or 4114 DAVID PATRICK AVE.
- N 129TH E AVE needs to be DAVID PATRICK AVE.

Article 5 of the TMAPC Subdivision and Development Regulations: Design and Improvements

Associated IDP: IDP 207660; Predevelopment held 01/13/2025

Permit Status: Application received

Floodplain Mapping: FIRM 40143C0254L- all Zone X; CoT Atlas 24 - RFP present

Required Infrastructure and Public Improvements (5-020)

- The required infrastructure will include waterline and sanitary sewer extensions, stormwater detention, sidewalks, driveways, & ADA compliance. TIA is expected to be completed and may affect the need for public roads and design of driveways. IDP approval is required prior to approval of the final plat.

Streets (transportation) (5-060)

- Location map depicts the wrong place on the map.
- Call out the existing plat name and number that has established the current ROW being shown along both streets.
- What is the purpose of the 116' access at the northeast corner of this development with a 24' access point designed and shown on the site plan? Residential street ROWs are 50'-60' and Limits of Access should

match the ROW for streets and 30' for 24' access drives. Access must comply with the Design Standard detail #711-A for Arterial Street Access.

Streets (fire) (5-060)

No Comments.

Sidewalks (5-070)

- Provide a Deed of Dedication for the preliminary plat and include the Sidewalk language as well as the Limits of Access language.

Protection From Flooding and Other Natural Hazards (Floodplain) (5-090)

- The corrected effective floodplain based on flood zone determination and revised topography indicated the floodplain would overlap private facilities so a Tulsa regulatory floodplain modification will be included in the IDP permit. Compensatory storage volumes will be verified during IDP review and adequacy of draft easement is to be determined. T-CLOMR must be approved prior to approving IDP plans. T-LOMR must be approved prior to close-out.

Stormwater Management (5-100)

- Preliminary hydrology analysis indicated new stormwater detention would be required to mitigate runoff increases. Area was previously designed to be detained by the pond built in IDP 9651. Stormwater detention easement must be compared to design to be approved with IDP permitting.

Sewage Disposal (5-130)

- Sanitary sewer main extension required to serve the site.

Water Supply (5-130)

- No comments.

Easements (5-150)

- See comments under "Protection..." and "Stormwater...".

Streets and Stormwater

- No comment.

Deed of Dedication:

- Legal to comment after submittal of Final Plat.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Employment by the Tulsa Comprehensive Plan. **Employment** is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
|-----------------|--------------------------------|--------------------------------------|---------------------|

| | | | |
|-------|-------------|------------|--------|
| North | Vacant | Employment | IH |
| East | Quarry | Employment | IM/ AG |
| South | Warehousing | Employment | IH |
| West | Warehousing | Employment | IH |

Small Area Plans

The subject properties are not located within a small area plan.

Development Era

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan:

- N. David Patrick Avenue : Secondary Arterial. Right-of-way is to be dedicated as a part of this plat.

Comprehensive Plan Street Designation: N/A

Transit: None available.

Existing Bike/Ped Facilities: None.

Arterial Traffic per Lane:

- Arterial Traffic - North (E 46th St N - 2,086 Vehicles per Lane)
- Arterial Traffic - East (N. David Patrick Avenue - 2,097 Vehicles per Lane)
- Arterial Traffic - South (E 36th St N - 1,438 Vehicles per Lane)
- Arterial Traffic - West (N Mingo Rd - 1,354 Vehicles per Lane)

Environmental Considerations

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A.

The applicant was not present.

Speakers

None.

Commission Action

Motion: Approve the preliminary subdivision plat for Project Positive, per staff’s recommendation.

Motion by: Humphrey Second by: Rosene Robinson

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

DRAFT

5. 41 East Apartments

Location: North and east of the northeast corner of East 41st Street South and South 145th East Avenue

City Council District: 6

Applicant: Erik Enyart, Tanner Consulting, LLC

Action Requested: Extension of a Preliminary Plat Approval (Preliminary plat originally approved on 9/06/2023)

The applicant indicated their agreement with staff's recommendation.

Applicant Comments

Erik Enyart, Tanner Consulting, LLC, 5326 S Lewis Ave., Tulsa, OK,

Mr. Enyart stated they are asking for an extension on the plat approval because of some complications.

Mr. Bulmash asked if the issues had been resolved.

The applicant stated that the City of Tulsa engineers and the applicant are still in discussion.

Speakers

None.

Commission Action

Motion: Approve the preliminary subdivision plat extension for one year, expiring on September 6, 2026 per staff's recommendation.

Motion by: Bulmash Second by: Turner-Addison

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

Other Business

6. TMAPC's potential appointee to the River Parks Authority – Sarah Gilpin

Commission Action

Motion: Approve Sarah Gilpin as the TMAPC appointee to the River Parks Authority.

Motion by: Bulmash Second by: Humphrey

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

7. Commissioners' Comments

None

Adjournment

Commission Action

Motion: Adjourn

Motion by: Rosene Robinson Second by: Humphrey

Vote: 7-0-0

Ayes: Bulmash, Fugate, Hood, Humphrey, Rosene Robinson, Shivel, Turner-Addison

Nays: none

Abstentions: none

Absent: Craddock, Walker, Whitlock, Zalk

There being no further business, the meeting adjourned at 1:53 p.m.