

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1813
Wednesday, November 7, 1990, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes, 1st Vice Chairman	Parmele Rice	Gardner Russell	Linker, Legal Counsel
Coutant Doherty, Secretary Draughon, 2nd Vice Chairman	Wilson	Stump Wilmoth	
Horner Midget, Mayor's Designee Neely Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, November 6, 1990 at 11:00 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice Chairman Carnes called the meeting to order at 1:35 p.m.

Minutes:

Approval of the minutes of October 17, 1990, Meeting No. 1811 and the minutes of October 24, 1990, Meeting No. 1812:

On MOTION of WOODARD, the TMAPC voted 7-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Midget, Parmele, Rice, Wilson, "absent") to **APPROVE** the minutes of October 17, 1990 Meeting No. 1811 and the minutes of October 24, 1990, Meeting No. 1812.

REPORTS:

Committee Report:

Mr. Doherty commented that the agenda for the work session had not been confirmed and the commissioners would be notified by mail.

Director's Report:

Mr. Gardner stated several members of the commission attended the Zoning Institute in Orlando October 31-November 1, 1990. It was a very enlightening conference and they will begin implementing the information gained at the seminar.

Staff also informed the commission that the Tulsa County Board of Commissioners had directed the commission to call for a public hearing to amend the County Zoning Code concerning language that is more restrictive than that of the state statute language as it relates to the regulation of building and development by the State of Oklahoma within the county. First Vice Chairman Carnes directed staff to set a public

hearing for December 5, 1990. Mr. Coutant inquired whether the Rules and Regulations Committee would be expected to review the matter before the public hearing. Mr. Doherty confirmed it would be included in the November 14, 1990 Work Session.

SUBDIVISIONS:

PRELIMINARY PLAT:

Holland Lakes (PUD 457)(1083) E. 81st & S. Darlington Ave. (RS-3)

This plat has a sketch plat approval by the TAC dated 11/9/89. Recommendations were made at that time to require that Granite Avenue be extended to 81st Street as a dedicated street. Extension of 79th Street to Granite was recommended, but not made a specific requirement at the time. Canton stub could be eliminated without any objections, since the streets in that part of the PUD were to be private. The developer worked with the Staff in the PUD process and resubmitted a new PUD concept plan for the Planning Commission hearing on 1/10/90. This revision complied with all of the recommendations of the TAC, which provided a dedicated street connection on Granite to 81st, a dedicated tie on 79th to Granite and no tie to Canton Avenue. There were protests from abutting owners to the north who wanted Canton to tie into this subdivision and the Planning Commission approved the PUD with that requirement. However, when the PUD was reviewed by the City Commission on 3/13/90, and upon engineering data submitted regarding possible street grades on Canton if extended, the City Commission approved the PUD as submitted except that no tie was required on Canton. The plat as submitted for this review is the first phase construction. A copy of the TAC minutes of 11/9/90 was provided with Staff comments in the margin as applicable.

The Staff presented the plat with the applicant represented by Bill Lewis.

Since this plat was the only item submitted for the TAC meeting scheduled for 10-23-90, TAC had no objections to an early review on this meeting, noting that should any major changes be required, additional revised copies of the plat would be made available for the TAC.

ON MOTION of HERBERT, The Technical Advisory Committee voted unanimously to recommend approval of the PRELIMINARY plat of Holland Lakes, subject to the following conditions:

1. All conditions of PUD 457 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.
2. 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 should be tied to or related to property lines and/or lot lines.

3. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for Water and Sewer facilities in covenants. (Lots above 775' require secondary system.)
4. 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).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
6. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. (Public access must be provided for the drainageways.)
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (NO sidewalks provided or required.)
8. Street names shall be approved by City Engineer.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Identify the entry feature reserves on the plat, and provide that they are also utility easements. Signs, walls, etc. as a part of the entry features shall not interfere with the necessary utility installations.
11. The ponds and drainageways shall be clearly defined on the face of the plat, ~~either as easements or as reserves, subject to approval of~~ Department of Stormwater Management. Provisions for utility easement on or through these areas are subject to approval of the utilities. (See Department of Stormwater Management comments prior to motion.)
12. 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.
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. All lots, streets, building lines, easement, etc., shall be completely dimensioned.
15. The key or location map shall be complete.
16. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted 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.

17. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.

18. Comments/requirements on covenants:

SECTION I-C-5, page 4: Include block numbers. Make sure these easements show on face of plat. The utility easement and overland drainage easement shall meet approval of both utilities and Stormwater Management. (No overlap unless OK with both agencies)

SECTION I-G, 2nd paragraph, page 6: Check regarding use of private streets as utility easements. (Appears that it is OK to cross, but utilities may need to parallel within private easement for street. Check?) Provide language as needed to clarify.

SECTION I-H, page 6: add after "successor" in next to last line: ... "with the concurring approval of the City Engineer."

SECTION II, 1st paragraph: page 7: change to read as follows:

WHEREAS, the land within the Subdivision (and adjacent land of Owner hereinafter described) was submitted to the Tulsa Metropolitan Area Planning Commission (TMAPC) for approval as a Planned Unit Development (PUD) pursuant to Sections 1100-1170 of Title 42, Tulsa Revised Ordinances (Tulsa Zoning Code) as the same existed on 10 January 1990, which PUD was approved by the TMAPC as PUD 457 and subsequently approved by the Board of Commissioners of the City of Tulsa on 13 March 1990, the implementing Ordinance No. 17307 being adopted 17 April 1990; and ...

SECTION II, A-1, page 7: Section is 1100-1170 and date is 13 March 1990.

SECTION II, C-2; page 9: This is somewhat confusing in that plat shows all building lines at 25'. So that there is no confusion it is suggested this be revised to read: "No building shall be erected or maintained nearer to a street (public or private) than the building setback lines depicted on the plat, except that garages that access a side street shall be set back a minimum of twenty (20) feet. All houses shall face the most restrictive building line." (The PUD allows 15' setback on side street for structure and 20' for attached garage, so developer is proposing more restrictive conditions than the PUD. It should be noted this is volunteered.)

SECTION II C-3, page 9: Ten foot side yards on both sides is more restrictive than the PUD and is volunteered by applicant. (For information only)

SECTION III-1, pages 13 and 14: Provide that subsequent amendments should not affect dedications of streets (81st) and utility easements provided in SECTION I of the covenants.

SECTION V-C, page 18: Check Section numbers. (No Subsection I-J? Do not include TMAPC as a party to the square footage in the house as this was not a PUD condition. (SECTION II-D)

19. Make sure that adequate ingress and egress can be provided by the dual entry at 81st street for this first phase. A second point of access is to be provided in Phase 2.
20. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
21. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments and Discussion:

Mr. Wilmoth noted that this was Phase I of the Plat which is an all private street phase. When the City Commission approved the PUD the basic layout was the same as approved by the planning commission with the exception of the requirement to connect Canton Avenue to East 79th Street. When the City Commission reviewed the plat, the subdivider and City Engineering obtained engineering data and found that the slope would be too steep to put a street in. Therefore the City Commission in the PUD process dropped the requirement for the connection. Staff recommended approval.

Mr. Doherty stated that he felt that it was possible to put a street in and he felt the Commission was abdicating their responsibility in providing interior circulation within the mile and he would not vote to support that or approve the plat. Mr. Coutant questioned whether the off-site street was Gillette or Granite. Mr. Wilmoth confirmed that the plat should be corrected to reflect Granite rather than Gillette. He also commented that the engineers had provided the City Commission with data that showed the grades necessary to make the connection at Canton would not meet city requirements.

TMAPC ACTION, 8 members present:

On MOTION of WOODARD, the TMAPC voted 4-2-2 (Carnes, Draughon, Horner, Woodard, "aye"; Doherty, Neely, "nay"; Coutant, Midget "abstaining"; Parmele, Rice, Wilson, "absent") to APPROVE the Preliminary Plat for Holland Lakes (PUD 457) as recommended by staff.

FINAL APPROVAL AND RELEASE:

Flynn Acres (2813) East 83rd Street North and South Darlington Avenue (RS-3)

Comments and Discussion:

Mr. Wilmoth advised that all releases and letters had been received and staff recommended approval.

TMAPC ACTION, 8 members present:

On MOTION of COUTANT, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Midget, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Rice, Wilson, "absent") to APPROVE the Final Plat for Flynn Acres and RELEASE same as having met all conditions of approval.

Eagle Point Addition I (2904) 11900 Block of East Apache (IM)

Comments and Discussion:

Mr. Wilmoth advised the TMAPC had formerly heard this application under the name Zink Addition I. It was the same plat, the name had been changed to Eagle Point Addition I. All releases had been received and staff recommended approval.

TMAPC ACTION, 8 members present:

On MOTION of COUTANT, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Midget, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Rice, Wilson, "absent") to APPROVE the Final Plat for Eagle Point Addition I and RELEASE same as having met all conditions of approval.

APPROVAL OF PLAT CORRECTION:

Swan Lake (PUD 463)(793) 1586 Swan Lake Drive (RS-3, OM)

Comments and Discussion:

Mr. Wilmoth advised that the engineers found a error in the plat and had filed a document to correct the error. He commented it didn't affect any easements or rights-of-way and the legal description on the plat was correct. The city legal department had approved the correction. Staff recommended approval subject to form by the city attorney.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Midget, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Rice, Wilson, "absent") to APPROVE the Correction of the Plat for Swan Lake subject to form by the city attorney as recommended by staff.

EXTENSION OF APPROVAL:

Forrest Park Patio Homes (PUD 139)(3692) (RM-1)

Comments and Discussion:

Mr. Wilmoth advised this was the second time the TMAPC had been asked to extend approval. He expanded that there had been some litigation and the property had been in foreclosure. He stated that staff recommended approval.

TMAPC ACTION, 8 members present:

On MOTION of WOODARD, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Midget, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Rice, Wilson, "absent") to APPROVE the Extension of Approval for Forest Park Patio Homes as recommended by staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17364 (1083) Savers Federal Savings
L-17365 (1292) 1619 South Boston
L-17366 (1292) 1105 East 21st Place South

Staff advised that all items were in order and recommended approval.

Comments and Discussion:


In response to Mr. Coutant, Mr. Wilmoth confirmed that these lot splits followed the new procedure of being approved by the city water and sewer department.

TMAPC ACTION, 8 members present:

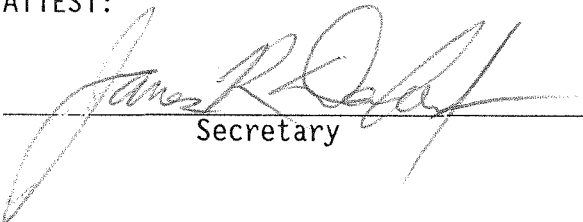
On MOTION of WOODARD, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Horner, Midget, Neely, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Rice, Wilson, "absent") to RATIFY the above listed lot splits which have received prior approval as recommended by staff.

NEW BUSINESS:

There being no further business, the First Vice Chairman declared the meeting adjourned at 1:58 p.m.

Date Approved: 11-21-90

Chairman

ATTEST:


Secretary

