

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1837
Wednesday, May 15, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, May 14, 1991 at 11:40 a.m., as well as in the Reception Area of the INCOG offices.

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

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ELECTION OF TMAPC OFFICERS:

Those in attendance for the election of officers were Jim Doherty, Art Draughon, Baker Horner, Jack Neely, Bob Parmele, Marilyn Wilson, and Luther Woodard.

Chairman Parmele called for the election of officers and opened the nomination for the office of Chairman. Mr. Woodard nominated Mr. Parmele as Chairman; no other nominees were submitted.

The TMAPC voted unanimously for **PARMELE** as **TMAPC Chairman**.

The nomination for the office of First Vice Chairman was opened with Mr. Draughon nominating Mr. Doherty. No other nominees were submitted.

The TMAPC voted unanimously for **DOHERTY** as **First Vice Chairman**.

The nomination for the office of Second Vice Chairman was opened with Mr. Horner nominating Mr. Neely. No other nominees were submitted.

The TMAPC voted unanimously for **NEELY** as **Second Vice Chairman**.

The nomination for the office of Secretary was opened with Mr. Doherty nominating Ms. Wilson. No other nominees were submitted.

The TMAPC voted unanimously for **WILSON** as **Secretary**.

Without objection, TMAPC Election of Officers was then closed.

Minutes:

Approval of the minutes of May 1, 1991, Meeting No. 1835:

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Doherty, Draughon, Horner, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Harris, Midget "absent") to **APPROVE** the Minutes of May 1, 1991 Meeting No. 1835.

REPORTS:

Report of Receipts and Deposits:

Mr. Gardner presented the Report of Receipts and Deposits for the month ended April 30, 1991. He advised that the report was in order and noted that the amount is substantial and has been for the past two months.

TMAPC ACTION, 7 members present:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Doherty, Draughon, Horner, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Harris, Midget "absent") to **APPROVE** the Report of Receipts and Disbursements for the Month Ended April 30, 1991.

Chairman's Report:

Chairman Parmele advised that he would be selecting the committee assignments for the next year and will be discussing the various chairmanships with the Planning Commission in the next few weeks.

There was no report from the **Comprehensive Plan Committee**.

Mr. Doherty advised that the **Rules and Regulations Committee** met Wednesday May 8, 1991. At their meeting a policy statement was drafted regarding the procedure for handling requests from the City Council for special studies. He presented the following language:

Requests for planning studies which are not part of the approved TMAPC work program should be made by action of the City Council. TMAPC will refer these requests to the Budget and Work Program Committee for consideration and recommendation to the full Planning Commission. The Chairman of TMAPC will then refer the item to the appropriate standing committee for further action and study.

Mr. Draughon asked since the Budget and Work Program Committee determines a year in advance how much money will be spent and on

what, where will the money come from for special requests. Chairman Parmele advised that \$30,000 is allocated for special studies. Requests from the City Council would fall under this category. Ms. Wilson added that this is a 400% increase in the budget item from last year. Unanticipated needs are being accommodated through this increase.

It was the general consensus of the Planning Commission that a Councilor's request should have the support of the City Council before any work is conducted by TMAPC. Therefore Mr. Doherty moved approval of the proposed language and amending the language by adding a sentence to reflect that no work will be performed on a new study prior to discussion by the Budget and Work Program Committee.

TMAPC ACTION, 7 members present:

On MOTION of DOHERTY, the TMAPC voted 7-0-0 (Doherty, Draughon, Horner, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Harris, Midget "absent") to ADOPT the following policy, as amended, regarding requests by the City Council for special studies:

"Requests for planning studies which are not part of the approved TMAPC work program should be made by action of the City Council. TMAPC will refer these requests to the Budget and Work Program Committee for consideration and recommendation to the full Planning Commission. The Chairman of TMAPC will then refer the item to the appropriate standing committee for further action and study. Usually work will not begin on such requests until after consideration by the Budget and Work Program Committee."

Chairman Parmele directed staff to prepare a letter to the City Council explaining the new policy.

There was no report from the Budget and Work Program Committee.

Director's Report:

Mr. Gardner advised that a request had been received from Councilor Benjamin to call a public hearing to amend the Zoning Code as it relates to dance halls. He further advised that this item was included in the present budget under "Zoning Code Revisions."

Chairman Parmele directed staff to call a public hearing regarding amendments to the Zoning Code as it relates to dance halls on June 26, 1991.

SKETCH PLAT APPROVAL:

Prairie Home Estates (213) (PD-15)
East 120th St. N. & N. Memorial Drive (AG)

This application was submitted at approximately 1"=400' scale; though a plat this size requires a 1"=200' submittal. However, the "concept" has been presented for review so the applicant may have some input from Staff and other agencies and/or departments.

The proposal is for a private street to be maintained by the subdivision homeowners. (This is similar to a plat approved as "Country Acres" at 167th and S. Peoria). If the road is to be private, then Board of Adjustment approval for zoning purposes will be necessary for a variance of the frontage and lot width to zero. The Staff prefers a dedicated street system, improved to County standards so the conditions listed will include those based upon a public street system as well as those based upon a private street system.

The Staff presented the plat with the applicant represented by Gloria Huckaby.

Staff advised that the applicant may wish for the Planning Commission to review the Sketch plat since there are waivers requested.

County Engineering agreed with staff that streets should be public and improved to County standards.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the SKETCH plat of *Prairie Homes Acres*, subject to the following conditions, including waiver of block length and cul-de-sac (#5):

1. Layout

- (a) Whether public or private, the street system should be extended to the west end of the plat.
- (b) To provide access to the north, a stub street north is recommended that would line up with an existing road approximately 660' north, either at the half section line or 660' east thereof.
- *(c) If private street system is approved, then actual roadway easement should be centered within a 60' corridor, with an additional 25' setback and utility easement provided. The private street should also be designated as a utility easement.
- *(d) If public street system is required, provide 60' of right-of-way with 25' building lines and utility easements parallel thereto. Radius at the property

line corners should be 25' on the non-arterials and 30' at North Memorial Drive. Building line on Memorial should be 35'.

- (e) Provide temporary turn-a-round at ends on any dead-end streets whether public or private.

**TAC recommends a public street system.*

2. Easements:

- (a) Show all building lines as "Building Line and Utility Easement" except along North Memorial which can be a separate 35' building line and a 17-1/2' utility easement. Show other easements as needed. Show power line easement.

- (b) Show 17-1/2' perimeter easements around the entire plat. Where lots are "back to back" or "side to back", show 11' easements on each side to total 22'.

- 3. Show 50' of right-of-way on North Memorial. Show limited access on those lots fronting North Memorial. Access should be limited to one per lot, with location and driveway tile sizes subject to the approval of the County Engineer.
- 4. Preliminary and final plats should be drawn at a 1"-200' scale, or larger, in accordance with the Subdivision Regulations.
- 5. Block length exceeds 1500' and the 500' maximum for a cul-de-sac. A waiver of the Subdivision Regulations is being requested by applicant. (Due to the low density of seven lots on the interior street, Staff would have no objection to those waivers, subject to the other conditions listed in this agenda.)
- 6. Water plans shall be approved by Washington County Rural Water District #3 prior to release of final plat.
- 7. 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 failure, shall be borne by the owner(s) of the lot(s).
- 8. Paving and drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and other permits where applicable) subject to criteria approved by the County Commission.
- 9. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
- 10. All curve data, including corner radii, shall be shown on final plat as applicable.

11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by County Engineer.
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. It is recommended that the developer coordinate with County Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. Street names shall be approved by the County Engineer and shown on the plat.
15. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
17. 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.
18. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
19. 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 is to be included in the restrictive covenants on plat.
20. The method of water supply and plans therefore, shall be approved by City-County Health Department.
21. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
22. 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.
23. 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.
24. 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.

25. All Subdivision Regulations shall be met prior to release of final plat.

Applicant's Comments:

The applicant, Gloria Huckaby, 562 S. Allegheny, was present. She commented that the TAC committee had presented several recommendations whether the application was for private or public streets. She advised that they had no trouble with street alignment or other recommendations made. She met with the County prior to the meeting to discuss the language. They would be willing to provide the 60' roadway, utility easements and setback requirements.

Mr. Doherty inquired what was to be gained by keeping it a private street if they were willing to do all of these things. Ms. Huckaby replied that initial expense of a public street would be prohibitive at this time. She stated that if in the future the streets were made public the property owners would pay to bring them up to the standards. She further commented that this was provided for in the covenants.

Ms. Wilson stated that in effect the cost is being passed on to future homeowners in the area. Ms. Huckaby stated that the on-going maintenance would be pro-rated among the property owners.

TMAPC ACTION, 8 members present:

On MOTION of WILSON, the TMAPC voted 5-3-0 (Doherty, Draughon, Parmele, Wilson, Woodard, "aye"; Horner, Midget, Neely, "nay"; no "abstentions"; Carnes, Coutant, Harris, "absent") to APPROVE the Sketch Plat for Prairie Homes Estates subject to the conditions as recommended by staff except that the streets are required to be public streets and not private streets.

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PRELIMINARY PLAT APPROVAL:

South Springs (PUD 405)(PD18)(CD8)

E. 91st Street and S. 73rd East Avenue

(CO, AG)

An application to amend PUD 405-5 has been received and scheduled for 5/15/91. Notices for the preliminary plat have also been mailed for the TMAPC meeting 5/15/91. If the PUD amendment is not approved on that date, the plat will be continued until the amendment is scheduled for further review.

At the suggestion of the Staff and TAC this plat has been revised to reflect their recommendations. The area to the south is provided with two collector stub streets that will be expected to loop through the area. (No plan has been received on the tract to the south, so we can only advise that the connections will be required when that plat is submitted.) Since this area is isolated by the turnpike, drainage way and commercial on the east, and

proposed drainage facilities on the west, this current plat (South Springs) is providing its own collectors and circulation. Although the Street Plan shows an east/west connection, the PUD does NOT require this and the wetlands area purchased by the State to the west will probably prohibit any future connecting streets.* To comply with the PUD conditions, a waiver of the Subdivision Regulations requiring conformance with the Street Plan is necessary.

*It is the Staff's understanding that the State only purchased up to the south line of the unimproved 93rd street, leaving in doubt what will develop. As long as the collector is on the Plan and dedicated, this poses a problem as whether to tie in to it or not. If a connection is ever required, then Lot 27, Block 1 may need redesigning. As noted in the previous PUD hearings and approvals, the City Commission did not want a direct connection east/west, but the Street Plan was not amended to reflect same. There also are plans for storm water facilities west of this plat that extend north of the unimproved collector street which would eliminate that street altogether.

The Staff presented the plat with the applicant represented by Ted Sack and Robert Jones.

Traffic Engineering had no particular problem with the layout except requested an "offset" in S. 73rd E. Avenue at the far south end of the street near 92nd. This places the "offset" on this plat rather than in the future plat to the south. The tract to the south, when platted, would be required to loop the two collector streets and make the connections needed to serve that area.

On MOTION of HEMPHILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *South Springs*, subject to the following conditions:

1. All conditions of PUD 405-5 as amended shall be met prior to release of final plat.
2. Care should be taken to protect the existing pipelines and other utilities in place on their own easements within this subdivision. Release letters will be required from the pipeline owners as a condition of final plat approval.
3. Care should be taken to allow sufficient building area on those lots that contain existing pipeline and other easements, including the PSO transmission line easement.
4. Street names shall be approved by the Department of Public Works (Engineering).
5. 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.

6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
7. 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 owners(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat. Show dedication as per plat of Southern Lakes but indicate "unimproved".
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Department of Public Works (Traffic/Engineering). Include applicable language in covenants.
14. It is recommended that the developer coordinate with Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
15. 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.
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned. Show number of lots and acreage on face of plat.
17. The key or location map shall be complete. Correct to show "Creek Turnpike"

18. 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.
19. Include language in covenants relative to prohibition of structures within easements.
20. Revise intersection at 92nd and S. 73rd E. Avenue to provide an offset in the collector within this plat.
21. Provide 45' radius paving and additional 5' easement at cul-de-sac on 92nd Streets.
22. Plat is drawn at a 1"=60' scale in order to show many of the details on the pipeline easements, etc. Staff sees no objection to a waiver of the Subdivision Regulations to permit a 1"=60' scale instead of 1"=100'. (TAC recommends waiver.)
23. 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.
24. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Comments:

Mr. Wilmoth advised that Traffic Engineering had asked that there be an actual jog in the collector system. Staff, the developer and Traffic Engineering met and everyone agreed to drop this jog in the street system. He presented a written memo from Traffic Engineering stating that the subdivision design as presented is acceptable. Approval for a waiver for the scale of the drawing is being requested. This plat complies with all the conditions of the PUD as approved by the City and the TMAPC, therefore a waiver of the subdivision regulations requiring conformance with the street plan is needed.

Mr. Sack stated the applicant was in agreement with staff recommendation. Mr. Doherty inquired about the circulation and the ultimate planning for the section. He understood that the way the turnpike cuts it, there will be an area that will be sandwiched in between to areas of wetland or detention pond that practically no road will cross.

Mr. Draughon inquired whether this was in the Haikey Creek or Mingo Creek drainage. Mr. Stump advised it was in the Haikey Creek.

Mr. Doherty moved approval including waiver of subdivision regulations as recommended by staff.

Mr. Neely asked if there would still be RS-3 zoning in the north section and multifamily in the south section. Upon confirmation,

Mr. Neely advised he would be voting against the motion because he was concerned about the traffic that would be going through the RS-3 portion of the subdivision.

Mr. Linker made notice of a possible problem regarding major or minor amendment. He stated TMAPC was changing use of property as a minor amendment. There are significant physical facts that might call for a major amendment.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 3-5-0 (Doherty, Horner, Parmele, "aye"; Draughon, Midget, Neely, Wilson, Woodard "nay"; no "abstentions"; Carnes, Coutant, Harris, "absent") to APPROVE the Preliminary Plat for South Springs and the Minor Amendment to PUD 405-5 to convert multifamily use to single family dwellings and waiver of the major street and highway plan as it applies.

MOTION FAILED.

Comments & Discussion:

Mr. Robert Jones, 3117 East 58th Street, commented that they are in negotiating to purchase the property and trying to get two points of access.

Mr. Doherty commented that in this particular case even without the development to the south, there are still two points of access (which are required for emergency traffic). He agreed that most traffic will enter from the north and wind back around. As long as the east access remains it will not be totally closed in an emergency. He was comfortable in approving the request because with the constraints of the wetlands and the turnpike, there isn't any other way this could develop.

Mr. Neely commented that his main concern was the higher density located in the inside portion of the tract and requiring that traffic to go through a less dense area. He commented that the applicant has done a good job designing the streets and allowing very few lots to face the collector streets, but a problem still exists until the higher density area is dealt with. Although that area probably won't develop as multifamily, it is still zoned for multifamily.

Chairman Parmele stated that the difficulty stems from the multiple ownership of the PUD. He did not feel the applicant should be penalized because he doesn't control the other tract of land. Mr. Neely agreed but felt it was poor planning.

Mr. Midget stated that the neighborhood would be held hostage to the high traffic, it was not their desire to "punish" the developer.

Mr. Doherty commented that no objections to the plat existed rather the objections were to consideration of the land to the south. He

requested the prevailing parties to reconsider and continue the application for a few weeks.

Ms. Wilson commented that the significant point is that normally more intense uses are located on the outside working in. She does not see that changing unless the applicant is able to buy the property.

TMAPC ACTION, 8 members present:

On MOTION of NEELY, the TMAPC voted 6-2-0 (Doherty, Horner, Midget, Neely, Parmele, Woodard "aye"; Draughon, Wilson, "nay"; no "abstentions"; Carnes, Coutant, Harris, "absent") to RECONSIDER the motion to approve Preliminary Plat for South Springs and the Minor Amendment to PUD 405-5 to convert multifamily use to single-family dwellings and waiver of the major street and highway plan as it applies.

Ms. Wilson commented that when this PUD was first thought out it was envisioned to be developed a certain way. When you want to buy an existing PUD and go back and re-work it, it may not work out if he wants to change it in a major fashion. She felt this would be a total re-work of the PUD and considered it a major amendment.

Mr. Doherty commented that possibly the PUD could be re-worked to provide that no lots front to the collector. This would provide traffic in and out of the area without causing safety problems in the neighborhood.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 8-0-0 (Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard "aye"; Draughon, no "nays"; no "abstentions"; Carnes, Coutant, Harris, "absent") to CONTINUE the Preliminary Plat for South Springs and the Minor Amendment to PUD 405-5 to convert multifamily use to single-family dwellings to June 5, 1991 at 1:30 p.m., Francis F. Campbell City Council Room, 200 Civic Center.

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Carman Ministries (PUD 386-1) (1383)(PD18)(CD8)
8835 S. Memorial Drive.

(RM-1, AG)

The TAC reviewed the original PUD concept for several office buildings on this tract titled "Post Oak Office Park". (12/13/84) The PUD was subsequently approved by TMAPC and the City Commission, but development did not take place. A minor amendment to the PUD regarding fencing/screening was approved by the Planning Commission on 12/19/90, along with the site plan and landscape plan for one

office building/studio. No other amendments to the original PUD were required, as the proposed building was within the guidelines and conditions of the original PUD. This current review is based upon the site plan as approved 12/1990. Applicant has informed Staff that the site plan may be amended so a new site plan review will be required by TMAPC. Since the plat is only to be one Lot/Block, the basic conditions on the plat will not change, and are applicable as shown.

The Staff presented the plat with the applicant represented by Ted Sack.

The revised site plan was provided and reviewed. TAC and staff had no objections, but noted that approval of same is required by TMAPC. The plat can still be processed as submitted, including a paragraph in covenants that no building permit may be issued without an approval of site plan (as amended) by TMAPC. D.P.W. (storm water) advised they would recommend public dedication of the floodplain area, or at the least, easements to be shown on plat.

On MOTION of SILVA, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Carman Ministries Inc., Headquarters*, subject to the following conditions:

1. On face of plat show:
 - (a) "PUD-386-1" or applicable number if revised plan is assigned a new number)
 - (b) Show "1 lot, 13.9 acres" near the location map.
 - (c) So that plat is consistent with PUD, show the building line on Memorial as 70' from the property line. (As approved 1/16/85)
 - (d) Along the north side of the plat where the building line is less than the pipeline/easement line, show the edge of the easement as the building line.
 - (e) Show drainage easements and/or detention as directed by Department of Public Works (Stormwater) (Also see condition #7 below) (Dedication of floodplain to City recommended.)
2. All conditions of PUD 386 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 1100-1170 of the Zoning Code, in the covenants.
3. 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.
4. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.

5. 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 owners(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division). (If required)
9. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Department of Public Works (Traffic). (Traffic Engineering notes no application has been made for a median cut as of this date so the access point will be "right-turn-only".)
10. 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.
11. The key or location map shall be complete. Up-date with new subdivisions, etc.
12. 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. If plugged, provide plugging records.
13. Covenants:
Page 1, dates are:
 TMAPC approval, 1/23/85
 City Commission approval 12/12/85 and add
 "...including subsequent amendment 386-1 approved by
 TMAPC 12/12/90."
Page 2, Section I: First paragraph: Add language prohibiting structures within easements.
Page 4, Section II: (PUD conditions) This section needs to be completely rewritten to include all the conditions of the original PUD, as well as the amendments. (See staff for assistance.)
14. 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.

15. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Recommendation:

Mr. Wilmoth stated that staff recommended approval subject to the conditions as listed. The applicant stated agreement.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 7-0-1 (Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard "aye"; no "nays"; Draughon "abstaining"; Carnes, Coutant, Harris, "absent") to APPROVE the Preliminary Plat for Carman Ministries PUD 386 subject to the conditions as recommended by staff.

* * * * *

D-Landco Addition (1292) (PD-7) (CD-2)

NE/c of E. 15th Street & S. Denver Avenue (CH, OL to CS pending)

This plat is to be the site of a new QuikTrip store that will be moving from across the street. (Lot 1) The plat shows an additional 10' of right-of-way on Denver. It should be noted that both Denver and 15th Street are on the Major Street and Highway Plan as 100' secondary arterial streets. Research of our files indicates that the TMAPC has waived additional requirements for right-of-way in all plat waivers processed on South Denver between the Inner Dispersal Loop and Riverside Drive. A small bit of right-of-way was obtained by replat at the corner of Denver and Riverside Drive. There have been at least seven plat waivers and approximately 21 parcels rezoned on South Denver since 1970. Some of those 21 parcels rezoned are still "subject to a plat" and others are being used as they were when rezoned and no applications for occupancy permits and/or building permits were requested, therefore, no plats or plat waivers were made.

The proposed building complies with the necessary setbacks for CS zoning on S. Denver. There have been no plans submitted for Lot 2, but since it only has 70' of frontage on Denver, an arterial street, it will require Board of Adjustment approval for less than 150' of frontage. Also, applicants will be requesting a variance for setback on 15th Street from 100' from center to approximately 84'.

The Staff presented the plat with the applicant represented by Steve Wolfe.

Further discussion took place regarding the right-of-way on Denver, 15th Street and Carthage. Consistent with past practices and actions, the Department of Public Works is not recommending a waiver of Subdivision Regulations relating to the Street Plan. However, in discussion, it was acknowledged that an additional 10' was being dedicated on Denver by the applicant making total right-of-way from centerline a distance of 40'. (DPW indicated an

intent to provide 5 lanes on Denver, but had no plans for 15th Street or S. Carthage Avenue.) Also discussed was an option along S. Carthage of either (a) dedicating the full right-of-way width, or (b) limiting access to the other 3 streets and providing "LNA" along Carthage.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of D-Landco Addition subject to the following conditions:

1. Plat should not be transmitted to the TMAPC for approval until the zoning application and the Board of Adjustment variance of the frontage and building setback is approved.
2. Provide right-of-way on Denver and 15th Street in accordance with the Street Plan. Show 30' property line radius on street intersections. Provide right-of-way on Carthage. Applicant is requesting a waiver of Subdivision Regulation 4.2.6., for minimum right-of-way, but is offering an additional 10' of right-of-way on Denver, all of the required property line radii and providing "Limits of No Access" along S. Carthage Avenue.
3. Not a condition for approval of this plat, but the underlying plats of Drew's Subdivision and Campbell Addition should be vacated in accordance with the current legal procedures through the District Court and/or closure procedures through the City of Tulsa.
4. Closure of the alley and relocation of utilities **IS** a condition of approval of this plat. If the alley is to be retained as an easement, indicate same on the face of the plat. Show easements for the relocated utilities as needed by the utilities. Utility easements shall meet the approval of the utilities, including 17-1/2' along 15th Street and along Denver and 10' along Carthage and 14th Place.
5. If the underlying plats of Drew's and Campbell are vacated prior to filing this plat of record, then leave title block as is, but legal will need to be changed to a metes and bounds description. Otherwise, indicate under the title that this is a RESUBDIVISION of those additions in accordance with the legal description used.
6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
7. 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 owners(s) of the lot(s).

8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (If required)
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa. (Fee in-lieu- of on-site detention may be paid, based upon total platted acreage or as directed by DPW.)
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
11. All curve data, including corner radii, shall be shown on final plat as applicable.
12. Limits of Access or (LNA) as applicable shall be approved by the Department of Public Works (Traffic Engineering).
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. Identify adjacent subdivisions. (Stonebraker Heights, Carlton Place and Campbell)
15. The Zoning Application Z-6311 shall be approved and the ordinance therefor published before final plat is released. Plat shall conform to the applicable zoning approved.
16. 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.
17. All other Subdivision Regulations shall be met prior to release of final plat.

Staff Recommendation:

A waiver of the Major Street and Highway Plan is involved in this application. Staff recommends this waiver although TAC did not include it in their recommendation.

TMAPC ACTION, 8 members present:

On MOTION of WILSON, the TMAPC voted 8-0-0 (Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Harris, "absent") to APPROVE the Preliminary Plat for D. Landco Addition (1292) subject to the conditions as recommended by staff.

* * * * *

REINSTATEMENT OF FINAL PLAT:

Lansing Industrial Park III (3602) SE/c of E. Pine St. & N.
Lansing Ave. (CH, CS, IL)

This plat has a final approval and has had one extension of time for filing. Tulsa Development Authority (TDA) inadvertently let it expire last month since there are still some title problems preventing its filing. Since all release letters had been received and the final plat approved by both the TMAPC and City Commission, staff recommends that the final plat of LANSING INDUSTRIAL PARK III be reinstated for a period of one year to expire 5/15/92.

TMAPC ACTION, 8 members present:

On MOTION of WOODARD, the TMAPC voted 8-0-0 (Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard "aye"; no "nays"; Draughon "abstaining"; Carnes, Coutant, Harris, "absent") to APPROVE the Reinstatement of Final Plat for a period of one year to expire 5/15/92 as recommended by staff.

* * * * *

FINAL APPROVAL AND RELEASE:

Sixty-Two Hundred Trenton Square Amended
East 63rd Street & South Trenton Avenue

RS-3

Staff Recommendation:

Mr. Wilmoth advised that all releases had been received and staff was recommending approval.

ZONING PUBLIC HEARING:

Application No.: Z-6323 Present Zoning: RM-1
Applicant: Tulsa City Council Proposed Zoning: RS-3 or RD
Location: NW/c of Maybelle Ave. and 25th St. S.
Date of Hearing: May 15, 1991

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

According to the Zoning Matrix the requested RS-3 District is in accordance with the Plan Map and the RD District maybe found in accordance.

Staff Recommendation:

Site Analysis: The subject tract is approximately 28 acres in size and is located between West 23rd and 25th Streets South, Maybelle Avenue and the east boundary of lots fronting on Southwest Boulevard. It is partially wooded flat, contains primarily single-family dwellings, with 4 duplexes on the west side of Phoenix Avenue and institutional uses in various locations within the neighborhood and is zoned RM-1.

Surrounding Area Analysis: The tract is abutted on the north by commercial businesses and offices zoned CH; on the east by an apartment complex zoned RM-2; on the south by a refinery zoned IH; and on the west by a drive-in bank, a health clinic and a parking lot zoned CH.

Zoning and BOA Historical Summary: The subject tract was blanket zoned in 1970 as RM-1, although it has always been used for single-family uses with the duplexes along Phoenix Avenue.

Conclusion:

The proposed zoning is in conformance with the Comprehensive Plan and would reflect the existing development patterns.

Therefore, Staff recommends **APPROVAL** of Z-6323 for RS-3 on the entire tract.

Comments & Discussion:

Chairman Parmele advised that ten letters have been received in support of the application and no letters have been received in opposition to the request.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 8-0-0 (Doherty, Draughon, Horner, Neely, Parmele, Wilson, Woodard "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Harris "absent") to RECOMMEND to the City Council APPROVAL the RS-3 zoning for 6323 as recommended by staff.

Legal Description:

RS-3 Zoning: Lots 4, 5 and 6, Block 1, and all of Blocks 2, 3 and 4, Westdale Addition; Lots 10-18, Block 41, all of Blocks 42, 47, 48, 49 and 50, Lots 5-24, Block 44, Lots 7-43 and the south 17.5' of Lot 44, Block 43 West Tulsa Addition; and Lots 1-23, Block 46, West Tulsa Addition, all being in the City and County of Tulsa, Oklahoma.

* * * * *

OTHER BUSINESS:

PUD 347-3: Minor Amendment of the required 25' front yard to 20' to permit a new dwelling. Located at 2609 West 65th Street South. (Fairway Park Addition, Lot 30, Block 1)

Staff Recommendation:

PUD 347 is a 28.9 acre development located south and east of the southeast corner of West 61st Street South and South 33rd West Avenue. It was approved in 1987 by the TMAPC permitting a maximum of 132 detached single-family residences with 25' front yards, 5' side yards and 15' rear yards required.

The applicant is requesting a minor amendment of the required 25' front yard for garages to 20' to permit the construction of a new single-family residence.

Minor amendment PUD 347-2 permitted the dedication of the private streets within the development to the City of Tulsa subject to various conditions. One particular condition, recommended by Mr. Charles Hardt, (Director of Public Works) was to provide a 25' garage setback as a minimum for each lot. The required front yard for all other parts of a dwelling was reduced to 20'. Staff is not supportive of the request based on the original memo from Charles Hardt and the substandard 30' right-of-way for West 65th Street South. The reduced right-of-way for West 65th Street South when coupled with the reduced front yard for garages severely limits overflow parking availability. Staff would note the subject tract could accommodate the proposed floor plan if the garage was

relocated to the west side of the structure and recessed. Additionally, Staff finds nothing unique with this lot and sees the request as a precedent for other lots in the area

Therefore, Staff recommends DENIAL of minor amendment PUD 347-3.

Applicant's Comments:

Mr. Rob Miles was present representing the applicant. He advised that this property is on a cul-de-sac. He advised that the plat was recorded under the original PUD conditions which contained a private street and did not contain the 25' setback. Subsequent to recording the plat, the streets were made public and the 25' setback was imposed. It was not recorded on the face of the plat because it was not required at that time.

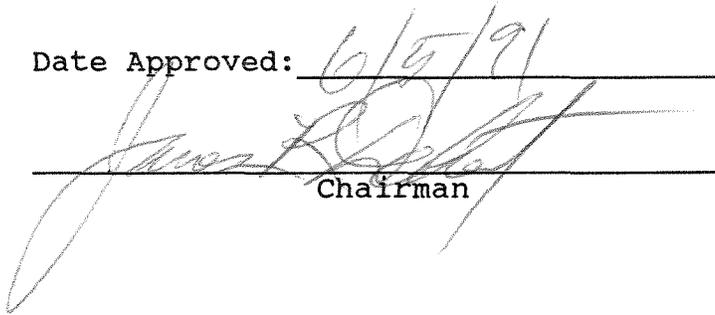
Mr. Doherty commented that the 25' setback establishes a uniform appearance of the houses. Since this is a cul-de-sac and only four houses are involved he could support the waiver.

TMAPC ACTION, 8 members present:

On MOTION of DOHERTY, the TMAPC voted 7-0-1 (Doherty, Horner, Midget, Neely, Parmele, Wilson, Woodard "aye"; no "nays"; Draughon "abstaining"; Carnes, Coutant, Harris, "absent") to APPROVE the Minor Amendment of the required front yard setback from 25' to 20' for PUD 347-3.

There being no further business, the Chairman declared the meeting adjourned at 3:04 p.m.

Date Approved: 6/5/91


Chairman

ATTEST:


Secretary