

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1970

Wednesday, April 6, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes, 2nd Vice
Chairman
Doherty, Secretary
Harris
Horner
Pace
Parmele
Chairman
Wilson

Members Absent

Broussard
Midget
Neely

Staff Present

Brierre
Gardner
Hester
Jones
Lasker
Matthews
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 5, 1994 at 1:11 p.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 1:33 p.m.

Minutes:

Approval of the minutes of March 16, 1994, Meeting No. 1968 and Approval of the minutes of March 23, 1994 Meeting No. 1969:

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Ballard, Carnes, Doherty, Horner, Pace, Parmele "aye"; no "nays"; Wilson "abstaining"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the minutes of the meetings of March 16, 1994 Meeting No. 1968 and March 23, 1994 Meeting No. 1969.

REPORTS:

Committee Report:

Comprehensive Plan Committee:

City of Tulsa request to review plans for constructing left-turn lanes on Riverside Drive at I-44 and to review and comment on Riverside Drive Task Force Resolution.

Mr. Carnes announced that the Comprehensive Plan Committee met today at 11:30 and voted to recommended to TMAPC that the Committee finds this project to be in conformance with the Comprehensive Plan.

Mr. Brierre reviewed the following written summary which addresses both the Task Force Resolution and the plans submitted.

**TMAPC COMMENTS REGARDING
RESOLUTION OF RIVERSIDE DRIVE TASK FORCE AND
PROPOSED PLANS FOR RIVERSIDE DRIVE/I-44 LEFT TURN LANES**

FINDINGS:

Oklahoma Statutes (§863.8) provide that "no improvement of a type embraced within the recommendations of the master plan shall be constructed or authorized without first submitting the proposed plans thereof to the (Planning) Commission and receiving the written approval and recommendation of said Commission provided, however, that this requirement shall be deemed to be waived if the Commission fails to make its report and recommendations within forty-five (45) days after the receipt of the proposed plans, and provided further that the disapproval or recommendations of the Commission may be overruled by a two-thirds (2/3) vote, properly recorded, of any regularly constituted governmental legislative body, board, or officials sponsoring or acting upon the proposed improvements ...".

The Planning Commission previously voted "to endorse the May 16, 1989 proposed street bond election projects" which included a project to "construct left turn lanes on Riverside Drive at I-44, East 41st Street and East 31st Street."

The project to "construct left turn lanes on Riverside at 31st, 41st and I-44" was included in the specific projects and purposes established by ordinance for the 1991 third penny sales tax extension approved by Tulsa voters December 4, 1990.

The Comprehensive Plan provides and the 1985 Arkansas River Task Force envisioned improving the roadway by "adding left turn lanes and constructing acceleration and deceleration lanes at the major arterial intersections." (District 6 Comprehensive Plan Policy 5.2.3.1 and Arkansas River Task Force Transportation Policy 2.1).

The Comprehensive Plan provides and the 1985 Arkansas River Task Force recommended that "the roadway pavement should be located to the east of the west curb line of the existing Riverside Drive, in so far as it is feasible. Divergence from the curb line should require compelling justification."

The Department of Public Works submitted project plans for left turn improvements on Riverside Drive at I-44 to TMAPC.

The proposed plans for constructing left turn lanes at I-44 will move the west curb line to the west a maximum of 18 feet taking about .38 acres over a 1,600 ft. span, according to the Department of Public Works.

CONCLUSIONS:

The TMAPC finds the construction of left turn lanes on Riverside Drive at I-44 consistent with the Comprehensive Plan.

RECOMMENDATIONS:

The TMAPC recommends that the City of Tulsa consider comments of the River Parks Authority regarding the design and impact of the proposed plans for left turn lanes at I-44. (Mr. Brierre noted the River Parks Authority will be reviewing this item at their Commission meeting April 13, 1994.)

The TMAPC recommends that the City of Tulsa fully consider alternatives to minimize encroachment into the park west of the west curb line of Riverside Drive, such as moving the I-44 ramps south of the I-44 bridge farther south as depicted in the 1993 Conceptual Plan for Riverside Drive, or cutting into the slope wall to the extent practicable (with minimum additional cost).

The TMAPC recommends that landscaping and other amenities be included in the construction project.

The TMAPC recommends that the design and construction of the trail meet accepted bike path design standards (AASHTO).

The TMAPC recommends that construction techniques and scheduling minimize disruption to the motoring public and trail users.

TMAPC Comments

Chairman Parmele inquired as to the bike path design standards meeting (AASHTO) requirements.

Mr. Brierre advised that it was the City's intent is to see that those standards will be met.

Mr. Buchert, Public Works, commented on the following five alternatives that the Department of Public Works considered before embracing the \$600,00 proposal. The alternatives are as follows:

\$600,000 Alternative #1

This proposal moves the west curb (under I-44 bridge) 18' to the west. The trail is moved to the west side of the bridge piers, and uses jersey barriers.

\$7,000,000 Alternative #2

The west curb remains as is and the widening is to the east 22'.

\$900,000 Alternative #3

The widening is 11' to the east and 11' to the west. The trail is west of the bridge piers.

\$1,000,000 Alternative #4

The widening is 16' to the east (maximum) and 6' to the west. Relocate the trail west of the bridge piers.

\$1,200,000 - \$1,500,000
Alternative #5

The south off-ramp is moved farther south; therefore, the left storage lane is moved south of the I-44 bridge. The west curb is moved 6' to the west. This proposal is closer to the 1993 *Conceptual Plan* adopted by the TMAPC and the City Council. The cost estimate is strictly construction and utility relocation costs.

Ms. Wilson asked Mr. Buchert about the sales tax issue voted on a few years ago in which \$2 million was earmarked for improvements on Riverside Drive.

Mr. Buchert did not have detailed information available; however, he informed the Planning Commission that, to date, the combined 31st and 41st Streets intersection projects have cost approximately \$1.2 million, noting that right-of-way acquisition caused the 41st Street improvement to be more costly. He informed that there is \$800,000 remaining in that account.

Ms. Wilson stated that with \$800,000 left in the account, it appears to be financially sound for the Department of Public Works to suggest to the Planning Commission Alternative One, \$600,000, with other alternatives being in excess of available funds.

Interested Parties

Pam Deatherage

Ms. Deatherage, representative of the majority vote of the Riverside Task Force Resolution, pointed out that cost is not an issue for TMAPC to consider relating to the Comprehensive Plan nor is project scheduling. She noted that the Riverside Task Force Resolution cites several areas of conflict between the Comprehensive Plan and the 1993 Conceptual Plan for Riverside. Ms. Deatherage declared that this improvement as an interim improvement fails by virtue of the way the Comprehensive Plan states the requirements of the 1993 Conceptual Plan. She commented on the speed with which changes within the Comprehensive Plan were completed to incorporate the 1993 Conceptual Plan. Ms. Deatherage believes that all the improvements must follow the requirements of the Comprehensive Plan. She addressed the quality of the park under the bridge and whether it would be subject to protection from street widening. Ms. Deatherage suggested that if one of the other options were preferred by the Planning Commission, that did not fall within the budget, and with timing of construction and approvals, perhaps the 1994 Fall Bond Issue could include some of those improvements to cover the cost. She disclosed that there was \$2 million available for improvements to three intersections with \$1.2 having been spent and \$800,000 remaining. She noted that \$2 million was spent at the intersection at 41st Street, and the acceleration and deceleration lanes were not installed at 31st and 41st Streets as was promised. She noted that the property acquired at 41st Street was not used and the entire \$2 million was not spent for improvement of these two intersections, 31st and 41st Streets, with \$1 million left to spend for improvements at 51st & Riverside. Ms. Deatherage informed that the Resolution from the Riverside Task Force specifically was concerned with minimizing the impact to the park and the neighborhood, statements about scenic Riverside and that changes should be made in landscaping when changes are made at the two intersections to provide continuation of scenic Riverside by ensuring that money is available for landscaping. She noted that the biggest concern of those she represents is that a clone of 51st and Peoria and 51st and Lewis intersections not be created. She noted that having the intersections so close together creates a traffic hazard and queuing problems. She informed that a lot of money could be saved under the bridge, by not getting into the park and pulling the two intersections apart to the north and south, leaving the street as it is under the bridge. She believes a lot of money can be saved with utility relocations, going into the park on the west side. The bridge structure will not have to be addressed and the area under the bridge would remain as it is.

TMAPC Comments

Chairman Parmele indicated that the task of the Planning Commission is to review and comment on the Riverside Drive improvements at I-44 and the Resolution of the Task Force.

Mr. Doherty noted that the Planning Commission's responsibility is to find the project either in accordance or not in accordance with the Comprehensive Plan. He deems the recommendation of the Comprehensive Plan Committee is instructive in that regard and supports its conclusions. Mr. Doherty noted that since the resolution has been referred to the Planning Commission by the City Council with the request for review and comment, it is opened up to more options. He perceives the recommendations to be well thought-out and suggested that the recommendations be forwarded as it is with the following TMAPC comments to the City Council.

1. We find the proposed Riverside Drive at I-44 project in accordance with the letter and spirit of the Comprehensive Plan, both before and after the 1993 amendments.
2. The Riverside Drive Task Force Resolution referred to us by the City Council contains factual errors in its findings and contains both recommendations which we support and recommendations with which we strongly disagree.
3. While we believe that the project designers might have shown a greater sensitivity to the impact of the project on River Parks users, we strongly recommend that, subject to review and comment by the River Parks Authority, the project proceed as expeditiously as possible.
4. During our hearings on the 1993 Riverside Drive Conceptual Plan, we repeatedly heard Brookside residents and others urge the immediate construction of left-turn lanes, both as a safety measure and to delay as long as possible the necessity of implementing the 1993 plan. We concur.
5. We further believe that for any project, there is a point beyond which it should no longer be subject to review and amendment. To do otherwise invites needless delays and a senseless waste of public funds. In our judgment, this project has passed that point.

Mr. Carnes made a motion that the above-stated points be accepted as a proposal for adoption along with the recommendations. The motion was seconded by Mr. Horner.

Ms. Wilson expressed support of this proposal being in accordance with the Comprehensive Plan. She suggested that the word *strongly* be inserted in paragraph 2 under recommendations. She would like to see verbiage requesting that the City of Tulsa consider pursuing a written agreement with ODOT for possible reimbursement of the I-44 ramp and that the alternative be explored. She believes that moving the ramp farther south will be more in keeping with the 1993 Plan.

Mr. Doherty expressed agreement with adding "*strongly* recommends...". He believes that considering the alternative to move the ramp would of necessity include coordination with ODOT.

There was discussion over asking that ODOT be consulted due to time constraints.

Ms. Pace declared that point number 5 is *preachy* and she offered an amendment to the motion deleting point number 5. Ms. Wilson seconded the motion.

There was discussion among the Planning Commission over the appropriateness of including this point.

TMAPC Action; 8 members present:

On **MOTION** of **PACE**, the TMAPC voted **3-5-0** (Harris, Pace, Wilson "aye"; Ballard, Carnes, Doherty, Horner, Parmele, "nay"; no "abstentions"; Broussard, Midget, Neely "absent") to **AMEND** the motion to delete Point #5.

MOTION FAILED.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** the recommendations as amended and the 5 point proposal as presented by Mr. Doherty.

**TMAPC COMMENTS REGARDING
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FINDINGS:

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curb line of the existing Riverside Drive, in so far as it is feasible. Divergence from the curb line should require compelling justification."

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CONCLUSIONS:

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RECOMMENDATIONS:

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The TMAPC recommends that landscaping and other amenities be included in the construction project.

The TMAPC recommends that the design and construction of the trail meet accepted bike path design standards (AASHTO).

The TMAPC recommends that construction techniques and scheduling minimize disruption to the motoring public and trail users.

FIVE POINTS

1. We find the proposed Riverside Drive at I-44 project in accordance with the letter and spirit of the Comprehensive Plan, both before and after the 1993 amendments.
2. The Riverside Drive Task Force Resolution referred to us by the City Council contains factual errors in its findings and contains both recommendations which we support and recommendations with which we strongly disagree.
3. While we believe that the project designers might have shown a greater sensitivity to the impact of the project on River Parks users, we strongly recommend that, subject to review and comment by the River Parks Authority, the project proceed as expeditiously as possible.

4. During our hearings on the 1993 Riverside Drive Conceptual Plan, we repeatedly heard Brookside residents and others urge the immediate construction of left-turn lanes, both as a safety measure and to delay as long as possible the necessity of implementing the 1993 plan. We concur.
5. We further believe that for any project there is a point beyond which it should no longer be subject to review and amendment. To do otherwise invites needless delays and a senseless waste of public funds. In our judgment, this project has passed that point.

* * * * *

SUBDIVISIONS:

PRELIMINARY PLAT

Hidden Oaks (3191) Breisch (PD-23)(County)
West 58th Place South and South 169th West Avenue.

Jones presented the plat with Ken Miller and Gary Breisch in attendance at the TAC meeting.

Rains stated that paving and drainage plans would be required.

Silva stated that at this time, Lot 1, Block 1 (and possibly more) must be enlarged to one full acre to meet percolation test results. Silva added that by January 10, his office would have the full results for the subdivision.

Jones strongly recommended the restrictive covenants be reviewed by an attorney due to several problems.

Van Nelson (by earlier telephone message) pointed out a problem with the covenants.

Silva recommended that the detailed information for septic areas be shown on the plat.

Miller suggested the developer meet with him to work out easements and service line locations.

Hidden Oaks is a 13.2-acre, 13-lot residential single-family subdivision located in the western part of Tulsa County. The property will be served by individual septic systems and water from the City of Sand Springs. The applicant is proposing to dedicate 60 feet for roadways which will allow for bar ditch drainage.

Staff would offer the following comments and/or conditions:

1. Add brief property description under title of plat.
2. Show 25' front building line on Block 1.
3. Show full curve data including length of curve.

4. Covenant 3 regarding setbacks should be amended to meet RS requirements at a minimum. Greater setbacks than the RS District minimum are voluntary by the developer.
5. Staff would recommend the wording for restriction 10 be clarified.
6. 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.
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. 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. Street names shall be approved by the Department of Public Works/County Engineer and shown on plat.
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 Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the County Engineer. Include applicable language in covenants.
14. It is recommended that the developer coordinate with the 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.)
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.
16. 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.
17. The method of sewage disposal, and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
18. 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.)
19. The method of water supply and plans therefore shall be approved by the City/County Health Department and/or the City of Sand Springs.

20. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
21. The key or location map shall be complete.
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. This plat has been referred to Sand Springs because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
25. 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.
26. The Zoning Application CZ-207 shall be approved and the resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
27. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the MOTION of RAINS, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY PLAT of HIDDEN OAKS, subject to all conditions listed above.

TMAPC Action; 8 members present:

On MOTION of DOHERTY, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** the PRELIMINARY PLAT of Hidden Oaks subject to conditions recommended by Staff.

* * * * *

Mingo Holiness Assembly of God Church (3314) (PD-15)(County)

East of the northeast corner of East 66th Street North and North 129th East Avenue.

Jones presented the plat with Greg Wise in attendance at the TAC meeting.

Jones pointed out that the septic system easement should be shown on the face of the plat.

Silva recommended that Section 1.6, Private Sanitary Sewage, be changed to that required for Tulsa County (Appendix A of the Subdivision Regulations).

Fields noted the references to the City of Tulsa and suggested the change.

Rains recommended the proposed west access line up with the access across the street or be relocated to provide separation.

This plat is a 19.2-acre one-lot subdivision located outside the city limits of Tulsa. The Tulsa County Board of Adjustment will consider a Special Exception to permit church use on March 15, 1994.

Staff would offer the following conditions and/or recommendations:

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 should be tied to or related to property lines and/or lot lines.
2. 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).
3. Paving and/or drainage plans shall be approved by Tulsa County Engineering, including storm drainage and detention design.
4. Street names shall be approved by the County Engineer and shown on plat.
5. All curve data, including corner radii, shall be shown on final plat as applicable.
6. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
7. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
8. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the County Engineer. Include applicable language in covenants.
9. It is recommended that the developer coordinate with the 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.)
10. 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.
11. 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.
12. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
13. 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.)
14. The method of water supply, and plans therefor, shall be approved by the City/County Health Department.

15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.
18. 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.
19. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise, only the conditions listed apply.
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.

On the **MOTION** of **RAINS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** for **MINGO HOLINESS ASSEMBLY OF GOD CHURCH**, subject to all conditions listed above.

Ted Sack, engineer, was present representing the plat.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of Mingo Holiness Assembly of God Church subject to conditions recommended by Staff.

* * * * *

Oak Springs (PUD-411-C)(2483) (PD-26)(CD-8)
 East of the northeast corner of East 101st Street South and South Memorial Drive.

Jones presented the plat with Jerry Emanuel in attendance at the TAC meeting.

Miller pointed out that several easements would need to be enlarged to 17.5' or have an additional 11' filed of record by separate instrument.

Miller suggested an underground meeting to further discuss easements.

French recommended that South 88th East Avenue be a 60' residential collector and tie directly into East 98th Street South.

Matthews explained that a permanent lift station would be required for the development.

Canahl asked if Reserve A would be used for on-site detention and pointed out that the north end of South 86th East Avenue be redesigned to avoid the reverse curve.

Oak Springs is a 153-lot residential single-family subdivision that is part of Development Area 7-A of PUD-411-C. The Major Street and Highway Plan reflects a residential collector running east to west through the proposed subdivision.

Staff would offer the following comments and/or conditions:

1. All conditions of PUD-411-C shall be met prior to release of final plat, including all 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 Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
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 owners(s) of the lot(s).
5. 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.
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. Street names shall be approved by the Department of Public Works and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
11. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
13. It is recommended that the developer coordinate with the 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.)

14. 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.
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.
18. 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.
19. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise, only the conditions listed apply.
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.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** for **OAK SPRINGS**, subject to all conditions listed above.

Staff Comments

Mr. Jones pointed out that South 87th Street is a collector street 60' wide until it reaches East 98th Place South. He informed that Traffic Engineering recommends that the 60' wide street be extended to 88th East Avenue, continuing through two lots depicted on the subject plat. Mr. Jones advised that Traffic Engineering's recommendation was that South 88th East Avenue be a 60' collector street tying into East 98th Place South and for the 60' collector to continue to 101st Street South.

In response to Mr. Parmele's inquiry as to the reason for moving the subject street to the east, Mr. Jones explained that the intent of Traffic Engineering is for the 60' collector to extend to the north end of the subdivision rather than stopping at East 98th Place South.

Mr. Parmele noted that at one time the Planning Commission considered reducing the width of the collector streets as they get closer to the interior.

Mr. Jones concurred adding that proposal was for approximately 1000' inward which is in the proposed Subdivision Regulations, but not a part of the present Subdivision Regulations.

Applicant's Comments

Ted Sack

Sack and Associates

Mr. Sack explained that guidelines were followed and noted that a wetlands issue has had to be overcome. Mr. Sack explained that, because of the wetlands issue, the subdivision had to

be redesigned. He explained in detail the street layout of the subject tract. Mr. Sack deems this plan to serve the purpose of the collector street.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the PRELIMINARY PLAT of Oak Springs subject to modification on further discussion with Public Works on 86th East Place and subject to conditions recommended by Staff and **WAIVE** the Collector Street Standards north of 98th Place South.

* * * * *

FINAL APPROVAL AND RELEASE:

Woodland Hills Plaza (PUD-507)(1283) (PD-18)(CD-7)

East of the SE/c of East 71st Street South & South Memorial Drive.
Mr. Jones reported that all release letters have been received and Staff recommends approval subject to approval by the Legal Department. Ted Sack was present representing the applicant and is in agreement with Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the FINAL PLAT of Woodland Hills Plaza and **RELEASE** same as having met all conditions of approval as recommended by Staff.

* * * * *

Mingo Holiness Assembly of God Church (3314) (PD-18)(CD-7)

Staff Comments

Mr. Jones advised that all releases have been received and Staff was recommending approval subject to approval by the Legal Department.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the FINAL PLAT of Mingo Holiness Assembly of God Church and **RELEASE** same as having met all conditions of approval as recommended by Staff.

* * * * *

PLAT WAIVER REQUEST: SECTION 213:

BOA-16598 (Unplatted)(3193)
5345 S. Peoria Ave.

(PD-18)(CD-9)

The Board of Adjustment approved a special exception to permit church use (building expansion) on an approximate 1.93-acre portion of church property. The existing church covers several abutting parcels and is in the process of obtaining additional property.

This application was not taken before the Technical Advisory Committee since the request is for building expansion for existing church property. All right-of-way dedications are in place and no additional utility easements should be needed to serve the use.

Staff would recommend **APPROVAL** of the **PLAT WAIVER** for **BOA-16598**, but would also recommend the total church property be included in a replat when additional relief is needed by the Board of Adjustment.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the **PLAT WAIVER** for **BOA-16598** as recommended by Staff.

* * * * *

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17863 Cooper-Page Properties (392)
2960 Charles Page Blvd.

(PD-10)(CD-1)
IM

L-17865 Craig L. Dipley, I (1714)
10545 N. 127th E. Ave.

(PD-15)(County)
RE

L-17866 TDA (2502)
552 E. Seminole St.

(PD-2)(CD-1)
RS-4

L-17869 Jerry L. & Larry A. Johnston (583)
2501 E. 71st St. S.

(PD-18)(CD-9)
RS-1

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, , Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **RATIFY** the above-listed lot-splits having received prior approval.

* * * * *

LOT-SPLIT FOR DISCUSSION:

L-17862 WHG Development Group (1984)
NW/c of E. 98th Pl. S. & S. 100th E. Ave.

(PD-18)(CD-8)
RS-3

It is proposed to split 3 tracts of 3000 SF, 6829.39 SF and 8948.53 SF from Reserve A in Millicent Crossing (which has received Preliminary Plat approval). The tracts are to be attached to Lots 8, 9 and 10 respectively, of Block 1, Woodbine II Addition.

Applicant wishes to remove the subject tracts from the plat and convey them with metes and bounds descriptions as unplatted property.

Note: The 8948.53 SF tract is large enough to be split off in the future as a buildable lot. Currently, there are no utility easements for this tract.

Staff Comments

Mr. Jones explained the intent of the engineer is to provide enough conditions by separate instrument that these lots will never be built on or be attached to the northern lots; there will be no construction, nor fences; and this property will be excluded from the subdivision plat. Mr. Jones expressed concern because, since the property is subject to plat, Staff is hesitant to recommend lot splits. Staff also would want to review all conditions because they would otherwise be private conditions between property owners. The City would not a party. He explained there is nothing to stop the owners from developing conditions and then dissolving them if the City is not a party. Mr. Jones informed that the Legal Department suggested including the subject plat in the subdivision plat; creating Reserve areas C, D, and E; and in the Deed of Dedication and Restrictive Covenants attach it to the northern lots. The City can be a third party beneficiary, and if the owners wish to deviate, they must receive TMAPC approval.

This would allow attaching these lots to lots 8, 9 and 10 and gives the City additional protection of including it in the subdivision plat.

Applicant's Comments

Dave Sanders, Sanders Engineering

Mr. Sanders expressed reluctance to this idea because they wanted to take title to the property more quickly. He informed that one of the homeowners and the developer are present. Mr. Sanders explained that the subject property is not a detention facility, but a reserve area open space.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** L-17862 as recommended by Staff.

* * * * *

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6434
Applicant: Warren Taube
Location: 18015 East Admiral Place
Date of Hearing: April 6, 1994
Presentation to TMAPC:

Present Zoning: RS
Proposed Zoning: IL

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District - Industrial Area.

According to the Zoning Matrix the requested IL District may be found in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 5.3 acres in size. It is partially nonwooded, is sloping and has two single-family dwellings and accessory buildings located on the tract.

Surrounding Area Analysis: The subject tract is abutted on the north by Skelly Drive, zoned RS-3; to the west by single-family dwellings, zoned RS-1; to east by a single-family dwelling zoned IL; and to the south across Admiral Place by a single-family dwelling, zoned RS-1 and vacant land zoned PUD-290 and AG.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that industrial zoning has been approved to the west and east of the subject tract and on the north side of Admiral Place, showing a transition to IL. Staff can support the requested IL zoning based on the Comprehensive Plan, existing land use, and past zoning patterns.

Therefore, Staff recommends **APPROVAL** for IL zoning for Case No. Z-6434.

TMAPC Comments

Chairman Parmele reminded the Planning Commission that this application was continued to today's date to allow the applicant the opportunity to submit a PUD for the subject tract. He informed of receiving a telephone call from the District Planning Team Chair, Ms. Bobbie Gray, who is unable to attend today's meeting, but expressed support of previous Planning Commission action requesting a PUD.

Applicant's Comments

John Harris

Mr. Harris, representing the current land owners, is attempting to develop Ms. Blevins' property. He displayed a map of the area indicating other tracts in the vicinity zoned industrial, commercial, and residential. Mr. Harris pointed out that 80% of the property along this mile stretch on the north side is zoned industrial or commercial. He asked that the Planning Commission's initial decision be reconsidered. Mr. Harris presented a sketch depicting development plans for the subject tract. He explained that Mr. Taube intends to continue residing on his property. He reviewed plans for design of the proposed car and boat storage.

Ms. Wilson asked why the applicant did not submit a PUD.

Mr. Harris replied that no other property along the north side of Admiral was required to have a PUD and the substantial commitment required to submit a PUD along with restrictions placed on what could be done with the property are the reasons the PUD was not pursued. He felt the request was unfair when the other properties did not have a PUD.

Mr. Doherty explained that without the restrictions of a PUD, there are many things which could be done under IL zoning which would not be appropriate in light of the residentially zoned properties in the area.

Mr. Harris pointed out the tract immediately to the west of the protestants' properties is zoned IL and the subject property is distanced from the protestants' property by one tract.

Chairman Parmele asked Mr. Linker if the Planning Commission would be considered to be arbitrary and capricious in the denial of this application without a PUD.

Mr. Linker advised that the applicant has made a good argument, and he expressed agreement with Staff recommendation.

Interested Parties

Virginia Maddux

18005 East Admiral Place 74015

Ms. Maddux resides immediately west of Mr. Taube's property. She noted that the property immediately west of the residentially zoned property remains vacant although it is zoned IL. Ms. Maddux reminded the Planning Commission of photographs showing how poorly the subject property is maintained. She expressed apprehension of IL zoning for the subject property, even though Mr. Taube has no immediate plans to use it. Ms. Maddux requested that the Planning Commission uphold its earlier decision to not allow IL zoning without a PUD.

There was discussion as to whether IL zoning might benefit adjacent property owners due to the requirement of a 6' screening fence. The poor condition of the existing fence was also noted. Mr. Stump pointed out that immediately upon rezoning, a fence would not be required, but rather when industrial uses are established on the ground.

Mr. Doherty made a motion for denial which was seconded by Mr. Carnes.

Applicant's Rebuttal

Mr. Taube informed of plans to construct a concrete fence between his property and the abutting residential and that he also plans to remove items from his backyard.

TMAPC Comments

Chairman Parmele explained that he would be voting against the motion because the issue is one of land use and not what presently exists or proposed uses depicted on the site plan. He deemed that the Comprehensive Plan and zoning in the area supports IL.

Ms. Pace advised that photographs depict well-maintained residences. She believes the PUD would protect the more stable residences in the area while allowing growth toward industrial.

Commissioner Harris declared that the appropriate decision would be to require a PUD which would make available to the applicant the use he desires.

Mr. Carnes declared that the principal use in the area is residential and he supports the motion for denial.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-2-0** (Carnes, Doherty, Hams, Horner, Pace, Wilson "aye"; Ballard, Parmele, "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **DENY** Z-6434 for IL zoning.

LEGAL DESCRIPTION

A tract of land in Lot 3, Section 1, Township 19, North, Range 14 East, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, more particularly described as follows: Beginning at a point on the West line of Lot 3, 40.0' North of the Southwest corner of Lot 3; thence East along the line parallel to the South line of Lot 3, 40.0' equal distance North of the South line of Lot 3, a distance of 247.2'; thence North a distance of approximately 558' to a point on the South property line of Skelly Drive, said point being 100.2' South of the North line of Lot 3; thence West along the South property line of Skelly Drive a distance of 247.2' to a point on the West line of Lot 3, 100.4' South of the Northwest corner of Lot 3, thence South along the West line of Lot 3, a distance of 557.0' to the Point of Beginning, and the East Half of the East Half of the East Half of Lot 4, Section 1, T-19-N, R-14-E, a Subdivision of Lot 4, Tulsa, County, Oklahoma, and located east of the northeast corner of 177th East Avenue and East Admiral Place.

* * * * *

Application No.: **PUD 306-C Major Amendment**

Applicant: Roy Johnsen

Location: East of the NE/c of East 101st Street South & South Delaware Avenue.

Date of Hearing: April 6, 1994

Mr. Parmele announced that the applicant has requested a three-week continuance. There was no one present objecting to the continuance.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **CONTINUE** PUD 306-C to April 27, 1994.

* * * * *

ZONING PUBLIC HEARING:

Application No.: **PUD 364-4**

Applicant: Robert D. Sanders

Location: NE/c of East 101st Street South & South Mingo Road.

Date of Hearing: April 6, 1994

Presentation to TMAPC:

Minor Amendment to reduce required yard - north and east of the northeast corner of East 101st Street South and South Mingo Road.

The applicant is requesting that the required yards abutting South Mingo Road and East 101st Street South be reduced from 35' to 30'. Staff can see nothing in the design of this subdivision which would make it different from other subdivisions along arterial streets. If more building area is needed on these lots, the lots can be made 5' wider. Staff therefore recommends **DENIAL** of the Minor Amendment PUD-364-4.

Applicant's Comments

Mr. Sanders explained that the 5' reduction is for maximum lot yield.

In response to a question from Ms. Wilson, Mr. Sanders informed that there are 85 lots planned for this plat, with six lots fronting arterials. He disclosed that up to six lots may be lost due to frontage requirements.

Mr. Doherty noted that most subdivisions' lot yields could be increased by decreasing setbacks. He asked what makes this tract unique.

Mr. Sanders replied that he knows of nothing which would distinguish this tract from any other subdivision.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Midget, Neely "absent") to **DENY** PUD 364-4 Minor Amendment as recommended by Staff.

OTHER BUSINESS:

PUD-166-D: Detail Sign Plan - 6560 East 91st Street South.

The applicant is requesting approval of a 3' X 8' wall sign for "Tanning Tulsa" on a 75' wide wall in the shopping center. The new sign meets the PUD conditions; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** the **DETAIL SIGN PLAN** as recommended by Staff.

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PUD-360-A: Detail Site Plan - northwest of the northwest corner of 91st Street South and Memorial Drive - Lot 3, Block 1.

The applicant is proposing an 816 square-foot drive-through restaurant on Lot 3, Block 1, Homeland #0102. Staff evaluation of the Site Plan determined it met or exceeded all the PUD requirements; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Harris, Midget, Neely "absent") to **APPROVE** **PUD 360-A REVISED DETAIL SIGN PLAN** as recommended by Staff.

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PUD-179-S: Revised Sign Plan - east of the southeast corner of East 71st Street South and South 92nd East Avenue.

Floors-A-Plenty is proposing to relocate their previously-approved ground sign to a point 52.5' west of their east property line. The new location complies with the PUD conditions and still allows a ground sign on the undeveloped lot to the east to be spaced over 100' from this sign and the mini-storage sign further to the east. Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Carnes, Harris, Midget, Neely "absent") to **APPROVE** **PUD 179-S SIGN PLAN REVISION** as recommended by Staff.

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PUD-282: Detail Sign and Site Plans - southwest corner of East 71st Street South and South Lewis Avenue.

DETAIL SITE PLAN

The applicant is requesting to add a canopy on the south side entrance of the Kensington Mall building. The canopy will be 32' in length and will extend an existing canopy over this entrance. Staff finds it to be in conformance with the PUD and recommends **APPROVAL**.

DETAIL SIGN PLAN

The applicant is also requesting approval of two 56 SF signs on the post supporting this new canopy. They do not exceed the 2 SF per foot of wall allowed for these signs; therefore, Staff recommends **APPROVAL**. Also requested is a new ground sign on 71st Street, approximately 250' east of the centerline of South Wheeling Avenue. The sign would be 8' high and would contain 64 SF of display surface area. The sign complies with the PUD requirements; therefore, Staff recommends **APPROVAL**.

Staff would note that upon field investigation of this request, it was found that the 30' diameter satellite dish on the south side of the building had a very large sign on it which had never been approved by the TMAPC. We are working with the owners of Kensington to correct this.

Mr. Doherty made a motion with the condition of approval subject to satisfactory resolution of the existing sign problem. The motion was seconded by Commissioner Harris. The Planning Commission deemed that Staff would determine whether or not the sign problem has satisfactorily been resolved.

Mr. Stump advised that a comprehensive sign review will be conducted for the project.

Applicant's Comments

Vince Butler

General Manager, Ruffin Properties

Mr. Vince Butler advised of no opposition to present a comprehensive sign plan. He requested that today's application be approved since the canopy is imperative for the entrance.

Chairman Parmele requested that separate motions be made for the Site and Sign Plans.

Mr. Doherty withdrew his original motion.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** PUD 282 **DETAIL SITE PLAN** as recommended by Staff.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** PUD 282 DETAIL SIGN PLAN as recommended by Staff subject to satisfactory resolution of the existing sign discrepancies.

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PUD-480: Revised Site Plan - north of the northeast corner of East 41st Street South and South Peoria Avenue.

Albertson's is proposing an accessory 30' X 60' tent for plants from March 31, 1994 to April 25, 1994 in their parking lot. There is sufficient off-street parking even with the proposed tent, and it will be set back 30' from the 39th Street right-of-way and 150' from the Peoria Avenue right-of-way. Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **WILSON**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** PUD 480 REVISED SITE PLAN from March 31, 1994 to May 1, 1994.

* * * * *

PUD-93 Partial Vacation of Plat and Amendment to Certificate of Dedication of The Falls.

Mr. Stump informed this request is to formally implement in the plat changes to setback requirements for The Falls, allowing porch overhangs to be closer than the setback line shown on the plat. Staff recommends **APPROVAL** contingent upon approval of the Legal Department as to form.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Midget, Neely "absent") to **APPROVE** Partial Vacation of Plat and Amendment to Certificate of Dedication of The Falls as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 3:10 p.m.

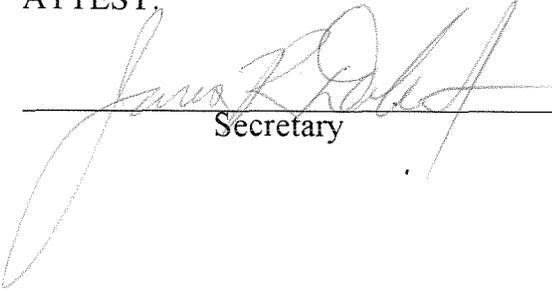
Date Approved:

4/27/94



Chairman

ATTEST:



Secretary

