

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2069

Wednesday, June 5, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Boyle
Carnes, Chairman
Gray
Ledford
Midget
Pace, Secretary

Members Absent

Ballard
Dick
Doherty
Edwards
Horner

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, June 3, 1996 at 9:36 a.m., in the office of the County Clerk on Friday, May 31, 1996 at 2:44 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:43 p.m.

Minutes:

Approval of the minutes of May 15, 1996, Meeting No. 2067 and May 22, 1996, Meeting No. 2068:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent") to **APPROVE** the minutes of the meeting of May 15, 1996, Meeting No. 2067 and May 22, 1996, Meeting No. 2068.

REPORTS:

Committee Reports:

Community Participation Committee

Ms. Gray informed the Commission that a Community Participation Committee meeting has been scheduled for June 12, 1996 following the regularly scheduled Planning Commission meeting.

Director's Report:

Mr. Gardner stated that there are several items to be heard by the City Council at the June 6, 1996 meeting. Mr. Carnes stated he will be attending the meeting.

Mr. Gardner reminded the Commission that the APA Audio Conference will be held today at 3:00 p.m. at INCOG.

SUBDIVISIONS:

Preliminary Plat:

Cullinan Addition (PUD 546) (2093)

(PD-6)(CD-9)

South of the southeast corner of East 36th Street South & South Lewis Avenue

TAC Comments:

Jones presented the Plat with Dan Tanner and Susan Torbet in attendance.

Tanner distributed a revised plat and noted the new plat name of Oakleaf Estates.

Nelson requested a utility easement along the south property line and Tanner replied that one would be present as well as a 5' U/E along the north side of the access easement.

Whiteley noted that the turn around at the end of the drive would meet Fire Department requirements and that an additional fire hydrant may be required.

Jones noted that the PUD did not allow for a security gate and that a minor amendment would have to be approved and Traffic Engineering approve the design and location prior to installation.

Cullinan Addition is a five-lot residential single-family subdivision that is also Planned Unit Development 546. The development proposes a 30' mutual access easement to serve as a drive for lot access.

Staff would offer the following comments and/or recommendations:

1. All conditions of PUD-546 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
3. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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 owner(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 & Sewer) prior to release of final plat.
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
11. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
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 plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. 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 plat release.)

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.
17. The key or location map shall be complete.
18. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
19. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)

On the motion of Cotner, the Technical Advisory Committee voted unanimously to recommend Approval of the Preliminary Plat of Oakleaf Estates, subject to all conditions listed above.

Staffs Comments:

Mr. Jones stated that Dan Tanner is present, representing this preliminary plat. Mr. Jones pointed out that the original preliminary plat was submitted under the name of Cullinan Addition; however, the name has changed to Oakleaf Estates. Mr. Jones reminded the Commission that they recommended approval of PUD 546 to the City Council. However, City Council has not heard this case because it was continued to the June 6, 1996 meeting due to concerns with drainage. In regards to the drainage, there is a ridge located approximately two-thirds of the way back and the drainage for the west two thirds will drain out towards Lewis Avenue. Mr. Tanner is working to connect to some of the existing storm sewers located in the West Oak platted subdivision to take the back third of the drainage. Mr. Jones stated that Mr. Tanner is working with the Department of Public Works in resolving any drainage problems.

Ms. Gray commented that she knew of a existing subdivision named Oak Leaf Estates.

Applicant's Comments:

Dan Tanner, 2202 East 49th Street, stated that In regards to the drainage, he has worked extensively with Public Works, including a meeting today, and feels the issues have been resolved. It is customary to solve these problems in the platting procedures and Mr. Tanner stated he is committed to resolving the drainage issues.

TMAPC Comments:

Ms. Gray questioned whether there is a check for duplication before renaming a subdivision. Mr. Jones replied that the engineer performs the name research that and that is one of the last items checked by Staff to ensure that the name has not previously been used. Mr. Gray stated that there is an Oak Leaf Estates located at 91st and Memorial. Mr. Jones stated that the name may have to be changed again. Mr. Tanner stated that he has checked the County records and had an abstractor print the subdivision names for him and felt the name was available. Mr. Tanner stated that it could be due to the possible spelling of Oakleaf as one word or two, however, he would do more research into the name.

Mr. Boyle asked if Mr. Tanner has worked with the surrounding neighbors in regards to the drainage issues. Mr. Tanner replied that he walked the property and met with several of the adjacent owners. Mr. Tanner stated that there have been several meeting with the owners and he is confident that the drainage will not remain an issue. There are a number of solutions, all of which seem to be within the policies of the Stormwater Department. Mr. Boyle suggested that Mr. Tanner work to satisfy the needs of the surrounding owners because that will be the obstacle at the City Council meeting.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Preliminary Plat of Oakleaf Estates subject to the conditions as recommended by TAC.

Plat Waiver, Section 260:

Z-6524 (Amos T. Hall)(2003)

(PUD-6)(CD-3)

2905 North Lewis Avenue

TAC Comments:

Jones presented the request with Ray Curl in attendance.

Curl stated that both security gates would remain open during regular business hours.

Whiteley recommended a minimum gate width of 18' to accommodate fire trucks.

French recommended a minimum drive width from Lewis Avenue of 24' with 15' radius.

Cotner stated that the east row of buildings have a tilted roof constructed to drain inward of the development and have gutters to catch runoff and downspouts to drain to Lewis. In addition, on-site detention required or fees shall be paid (fee-in-lieu is 10¢ per one square foot increased impervious area). Jones explained to the applicant what would be required for the building permit and suggested he consult with a professional engineer. It may be determined that a plat is needed to work out potential problems.

Z-6524 was a request to rezone a ± .4 acre tract on the northeast corner of East 29th Street North and North Lewis Avenue from RS-3 to OL. There is a pending Board of Adjustment application to permit mini-storage on the subject tract. The TAC considered a plat waiver by the same applicant on the March 21, 1996 meeting and struck the item from the agenda due to an insufficient site plan and the applicant not present to answer questions.

On the motion of French, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for Z-6524, subject to all conditions listed above.

Staff Comments:

Mr. Jones stated that the applicant was present should they have any questions. Mr. Jones informed the Commission that the TAC did not have a problem with the plat waiver subject to the conditions. They did inform the applicant that certain fees will be required and possibly a professional engineer might need to get involved regarding drainage plans and building permit plans.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Plat Waiver for Z-6524 subject to the conditions as recommended by TAC.

BOA-17388 (Unplatted)(1182)

(PUD-8)(CD-2)

1410 West 71st Street South

TAC Comments:

Jones presented the request with representatives present.

Board of Adjustment application 17388 is a request to permit a cellular tower in an AG zoned district. If approved, the property would be subject to the platting requirements, for which the applicant has requested a waiver. Staff can see no benefit to the City in a subdivision plat and would note that any additional rezoning applications of Board of Adjustment approvals would again trigger the platting requirement prior to development.

Staff recommends Approval of the plat waiver for BOA-17388, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On the motion of Nelson, the Technical Advisory Committee voted unanimously to recommend Approval of the Plat Waiver for BOA-17388, subject to all conditions listed above.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Plat Waiver for BOA-17388 subject to the conditions as recommended by TAC.

Final Approval:

Country Corner Estates II (2813)

(PD-12)(County)

Southwest Corner of East 86th Street North & North Quebec Avenue

Staff Comments:

Mr. Jones stated that Bill Kelly is present should the Commission have any questions on this final plat. Mr. Jones informed the Commission that the property is located at the southwest corner of Highway 75 and 86th Street North. It is a residential subdivision. Mr. Jones stated he has received the release letters and ready for approval. However, since the preliminary plat review, Staff has received the Corporation Commission Certificate of Non-Development and it shows several wells on the property as unplugged. Mr. Kelly has submitted photographs and logging information indicating that these wells have been plugged, but the Corporation Commission has not reviewed the wells and officially signed off on them. Mr. Jones stated that he has informed Mr. Kelly that until a clean sign off has been received from the Corporation Commission, the County will not issue a building permit. Mr. Jones also informed Mr. Kelly that Staff is requiring an assurance agreement that is signed and executed by the owners of the property instead of the developer.

TMAPC Comments:

Mr. Midget questioned what would happen if the other executed document is not received. Mr. Jones replied that the plat would not be released.

Ms. Pace clarified the location of the property and questioned whether there are other homes in the area. Mr. Jones stated that the dashed lines indicate the septic field. Mr. Kelly stated that there are currently six homes, one incomplete, in the area.

TMAPC Action; 6 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Final Plat for Country Corner Estates II subject to receipt of assurance agreement signed and executed by the owners of the property and approval by Legal Department.

Change of Access on Recorded Plat:

Interchange Center (2393)

(PD-17)(CD-5)

Southwest corner of East 31st Street South & South Memorial

Staff Comments:

Mr. Jones stated that Ted Sack is present and is representing this change of access on Recorded Plat for Interchange Center. Mr. Jones stated that a location map and a diagram showing the proposed access change was included in the agenda packets. Currently, there are two accesses on 31st Street and Memorial. The proposed request is to close one access on each of these streets and shift the other access on Memorial and 31st Street. The request has been approved by the Traffic Engineer and Staff. Therefore, Staff recommends approval subject to the submitted diagram.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Change of Access on Recorded Plat for Interchange Center as recommended by staff.

Lot Split for Waiver of Subdivision Regulations:

L-18278 Doy & Carolyn Raines (1923)

(PD-13)(County)

14833 North Trenton Avenue

AG-R

Staffs Comments:

Mr. Stump informed the Commission that there was not adequate notice and requested Lot-split L-18278 be continued to June 12, 1996.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **CONTINUE** the Lot-split for Waiver of the Subdivision Regulations for L-18278 to the June 12, 1996 meeting.

Lot Split for Ratification of Prior Approval:

L-18279 Donald R. Worley (1313)

(PD-15)(County)

10307 North Memorial, Tulsa, Oklahoma

AG

L-18294 Twenty First Properties, Inc. (1292)

(PD-1)(CD-4)

Southeast Corner West 11th Street (Elwood)

CBD

L-18297 Tulsa Development Authority (2502)

(PD-2)(CD-1)

1601 North Detroit

RS-4

Staff Comments:

Mr. Jones informed the Commission that these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations. Staff recommends approval.

TMAPC Action; 6 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Lot-split for Ratification of Prior Approval finding them in accordance with Subdivision Regulations.

ZONING PUBLIC HEARING:

Application No.: PUD 260 C-1

(Minor Amendment to reduce building setback)

Applicant: Jerry W. Ledford, Jr.

Location: Northeast of the northeast corner East 71st Street South and
South Yale Avenue

Date of Hearing: June 5, 1996

Presented to TMAPC: Jerry W. Ledford, Jr.

Staff Recommendation:

The applicant is requesting approval of a Minor Amendment to allow reduction of the required building setbacks along the eastern boundaries of the five-sided property. The request is tied to a proposed site plan and would reduce the setback along the east sides from 15' to a minimum of 11' at one point along the northeast line and a minimum of 5' at one point along the east line.

Staff has reviewed the request along with the proposed site plan and finds that the areas of reduction are adjacent to a detention basin in the northeast and adjacent to parking for the Amerisuites hotel in the east. Staff opinion is that the overall development concept for the PUD conforms to the intended character which was the basis for the setback restrictions.

Therefore, Staff recommends **APPROVAL** subject to conformance with the approved site plan.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **5-0-1** (Boyle, Carnes, Gray, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Minor Amendment to reduce building setbacks for PUD 260 C-1 as recommended by Staff.

OTHER BUSINESS:

PUD 260-C Jerry Ledford

(PD-18)(CD-7)

Northeast of the northeast corner of east 71st Street & South Yale Avenue
(Site Plan for restaurant)

Staff Comments:

The applicant is requesting approval of a Site Plan for the Veladia Ranch Restaurant.

Staff has reviewed the plan and finds it to be in conformance with the landscaped area, height, parking and floor area requirements of the PUD. Setbacks from the north, south and west property lines are also in conformance with the PUD requirements.

Staff notes that the applicant is concurrently processing a Minor Amendment to allow reduction to the east side building setbacks.

Staff recommends **APPROVAL** subject to approval of the related Minor Amendment (PUD 260-C-1).

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **5-0-1** (Boyle, Carnes, Gray, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to **APPROVE** the Site Plan for a restaurant for PUD 260-C as recommended by Staff.

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Request to close Elwood Avenue between 11th Street South and 12th Street South.

Staff Comments:

Mr. Gardner referred to the memorandum that was included in the agenda packet.

TMAPC Comments:

Mr. Midget questioned the reason for this request. Mr. Gardner stated a reason was not given; however, he assumes it is for the expansion of the Homeland store. Ted Sack informed the Commission that Roy Johnsen, on behalf of 21st Properties, had made the application. Mr. Sack stated that 21st Properties owns the parcels on each side of Elwood. 21st Properties wants to use tract "C" and to close Elwood due to the small size of this tract. Mr. Sack feels this is a dangerous situation because it is a non-conventional on-ramp onto the Inner-Dispersal Loop. It is Mr. Sack's opinion that the State and Traffic Engineer would like to see this street closed, because with the "T" intersection there is two-way traffic on a section of the on-ramp.

Mr. Carnes commented that if this will encourage development in downtown, then he would be in support of closing Elwood.

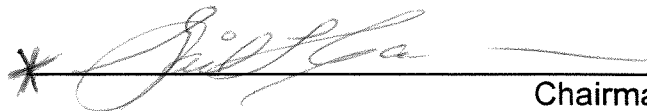
Mr. Ledford stated that the professional staff has looked into this request, and based on Mr. Eshelman's recommendation, Mr. Ledford would recommend the closing of Elwood Avenue and forward said recommendation to the City Council for consideration.

TMAPC Action; 6 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **5-0-1** (Boyle, Carnes, Gray, Ledford, Pace "aye"; no "nays"; Midget "abstaining"; Ballard, Dick, Doherty, Edwards, Horner "absent ") to recommend **APPROVAL** of the request to close Elwood Avenue between 11th and 12th Streets South.

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

Date Approved: 6/19/96

*  Chairman

ATTEST: 
Secretary