Tulsa Metropolitan Area Planning Commission

Minutes of Meeting No. 2105

Wednesday, March 19, 1997, 1:30 p.m. City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Members Absent Staff Present

Others Present

Romig, Legal

Counsel

Ballard

Carnes, Chairman

Doherty, 1st Vice Chairman Gray

Horner

Ledford

Pace

Westervelt, Secretary

Boyle Almy Dick Gardner

Gray Jones Midget Matthews

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, March 14, 1997 at 11:32 a.m., in the office of the County Clerk at 11:30 a.m., as well as in the Reception Area of the INCOG offices at 11:40 a.m.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:33 p.m.

Minutes:

Approval of the minutes of March 5, 1997, Meeting No. 2103:

On **MOTION** of **BALLARD** the TMAPC voted **6-0-1** (Ballard, Carnes, Doherty, Horner, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of March 5, 1997 Meeting No. 2103.

* * * * * * * * * * * *

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford stated the Comprehensive Plan Committee has two items on today's agenda.

Rules and Regulations Committee

Mr. Doherty informed the Commission that the City Council Public Safety Committee was presented the recommendation on the telecommunication tower ordinance yesterday. He feels the recommendation was well received. He stated the recommendation is scheduled for the March 20, 1997 City Council meeting, but due to a last-minute discussion, the recommendation may be pulled from the agenda. However, he feels the Council is proceeding expeditiously to finalize the ordinance.

Ms. Pace requested a copy of the ordinance. Mr. Doherty stated the finalized ordinance will be included and made part of the minutes. He stated it was a preliminary copy that was forwarded to the City Council.

Community Participation Committee

Mr. Gardner informed the Commission that Ms. Gray has scheduled a Community Participation Committee meeting for March 26, 1997, at 11:30 a.m. in Room 1103.

Director's Report:

Mr. Gardner informed the Commission that he attended the Homebuilder's meeting this morning. He stated several concerns were expressed in regard to increased rights-of-way and/or easements being required to accommodate each utility company.

Mr. Jones feels that TAC should be included on any discussion in regard to utility easements. Mr. Gardner stated specifics were not discussed, but expressed the need to establish a policy. He stated a suggestion was to encourage or require the sharing of a trench for placement of utilities.

Mr. Gardner stated other topics were also discussed, for example, the City of Tulsa's street policies are more restrictive than Broken Arrow's. He feels these items are addressed by each city's policy and some of these policies may need to be reviewed. He stated these items have been presented before at various meetings, but he feels the items need to be presented to the policy-makers.

Mr. Ledford feels the utility companies want to work beside one another, but do not want to cooperate and work together in a joint trench. He feels if there is a policy established to require the sharing of a trench, the conflicts among the utility companies will be stopped or at least reduced.

SUBDIVISIONS:

Preliminary Plat:

Garnett Center Amended (3294)

(PD-18) (CD-5)

South of the southeast corner of East 51st Street South and South Mingo Road

TAC Comments:

Jones presented the plat with Dwayne Wilkerson and Bob Lemons present.

Jones pointed out corrections that need to be made to the face of the plat.

McCormick stated that drainage must be taken to the existing channel.

Wilkerson noted that they are waiting on a response from FEMA in regard to flooding on the subject tract.

Garnett Center Amended is a replat of Lot 2, Block 1 Garnett Center which subdivides one lot into seven small lots. The lots will have access from East 51st Place South, a new culde-sac which will be built for this development.

Staff would offer the following comments and/or recommendations:

- 1. Since the property is a replat, the applicant should be advised they will be subject to Oklahoma Statutes, Title 11, Section 42-106.
- 2. A waiver of the Subdivision Regulations is required to permit the plat to be drawn at a scale of 1" = 50' (1" = 100' required) and to permit a cul-de-sac of 560.82' (500' maximum permitted).
- 3. Include minimum 30' radius corners at street intersection.
- 4. Correct section, township and range under title.
- 5. Identify abutting property to the north at Garnett Center.
- 6. Replace "R/W" with "RIGHT-OF-WAY" on South Garnett Road.
- 7. 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.
- 8. 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.)

- 9. 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).
- 10. 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.
- 11. 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.
- 12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
- 13. Street names shall be approved by the Department of Public Works and shown on plat.
- 14. All curve data, including corner radii, shall be shown on the final plat as applicable.
- 15. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
- 16. Bearings, or true N/S, etc., shall be shown on the perimeter of land being platted, or other bearings as directed by the Department of Public Works.
- 17. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
- 18. 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.
- 19. 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.)
- 20. 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.
- 21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
- 22. The key or location map shall be complete.
- 23. 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.)
- 24. 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.)

- 25. This plat has been referred to 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.
- 26. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
- 27. Applicant is advised to contact the U.S. Army Corps of Engineers in regard to Section 404 of the Clean Waters Act.
- 28. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of French, the Technical Advisory Committee voted unanimously to recommend approval of the Preliminary Plat of Garnett Center Amended, subject to all conditions listed above.

TMAPC Action; 7 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Preliminary Plat of Garnett Center Amended, subject to all conditions as recommended by TAC and waiver of the Subdivision Regulations to allow the plat to be drawn at a scale of 1" = 50' and to permit a cul-de-sac of 560.82'.

* * * * * * * * * * * *

Items Plat Waiver for BOA-17656 and Change of Access - Metro Park were heard simultaneously.

Plat Waiver, Section 213:

BOA-17656 (Metro Park) (3294)

(PD-18) (CD-5)

South of the southwest corner of East 55th Street South and South 129th East Avenue

TAC Comments:

Jones presented the request with Dave Huey present.

French stated that a change of access may need to be processed, depending on the final location of driveways.

Board of Adjustment case 17656 is a special exception request to permit school use on the subject tract. Union Public School proposes to construct an approximately 13,300 square foot building which is located south of the service center facility.

Based on the existing subdivision plat and size of the subject tract, staff is supportive of the requested plat waiver. Staff can find no benefit to the City in requiring a replat.

Staff recommends Approval of the plat waiver for BOA-17656, subject to the following conditions:

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

On motion of Lee, the Technical Advisory Committee voted unanimously to recommend approval of the Plat Waiver for BOA-17656, subject to all conditions listed above.

Change of Access on Recorded Plat:

Metro Park (3294)

(PD-18) (CD-5)

South of the southwest corner of East 55th Street South and South 129th East Avenue

Staff Comments:

Mr. Jones stated that Traffic Engineering requested the change of access due to the fact that the platted access point does not align with what is proposed or with the existing access point.

Mr. Jones stated Traffic Engineering has signed off on the change of access and staff is in agreement with the change of access. Therefore, staff recommends approval of the change of access.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Plat Waiver for BOA-17656, subject to the conditions as recommended by TAC and **APPROVE** the Change of Access on Recorded Plat for Metro Park as recommended by staff.

* * * * * * * * * * * *

Lot-Splits for Ratification of Prior Approval:

<u>L-18397 (1094)</u> 1535 South 145th East Avenue	(PD-17) (CD-6)
L-18423 (2383) 98th Street and Memorial	(PD-26) (CD-8)
L-18424 (183) 9000 East 61st Street	(PD-18) (CD-7)
L-18429 (703) 1326 East 47th Place North	(PD-25) (CD-1)
L-18431 (113) 8505 East 116th Street North	(PD-15) (County)
L-18432 (1583) 4927 East 91st Street South	(PD-18b) (CD-8)
L-18436 (2492) 38th and South Peoria	(PD-6) (CD-9)
L-18438 (382) 2724 West 66th Place South	(PD-8) (CD-2)
L-18441 (1763) Northwest corner 211th and Harvard	(PD-21) (County)
L-18442 (2093) 3455 South Atlanta Place	(PD-6) (CD-9)

Staff Comments:

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **RATIFY** these Lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

* * * * * * * * * * *

Lot-Split for Waiver of Subdivision Regulations:

L-18409 Robert David (2283) 9505 South Canton

(PD-18b) (CD-8)

TAC Comments:

This is a request to split an approximately 3.45-acre parcel into two tracts. Tract A will have approximately 150 feet of frontage along South Canton Avenue and Tract B will have 237 feet. Staff has determined that each new lot will have the minimum bulk and area requirements for the RS-1 zoning district. Due to the configuration of the lots, Tract B will have more than three side lot lines, which requires TAC and TMAPC approval.

Both of these lots are divorced from water and sewer lines, which are on 93rd Street. They have been approved for septic by the Health Department and the applicant has stated he is extending the water main down Canton Avenue to provide water for each new lot. However, Tract A contains the lateral septic lines for the lot directly to the north (not owned by the applicant), which holds an easement to Tract A.

Staff Comments:

Mr. Jones reminded the Commission that Ms. Winkler was opposed to the lot-split due to the septic easement from Tract A into Tract B. This item was previously continued to allow the applicant time to meet with Ms. Winkler and discuss the septic easement. Mr. Jones pointed out the letter, which was included in the agenda packet, from the applicant to Ms. Winkler in that regard.

Mr. Jones stated staff has discussed the issue of the septic easement with the Health Department. He stated the Health Department has signed off on the perc test and septic system for both lots. He feels the Health Department believes the easement, a strip to accommodate one long lateral line, is a private one and they do not have any interest in it.

Mr. Jones stated from staff's standpoint, the lot-split is appropriate and staff recommends approval.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Lot-split for Waiver of Subdivision Regulations to allow a tract with more than three side lot lines for L-18409 as recommended by staff.

* * * * * * * * * * *

Items PUD-338-B-2 and PUD-338-B were heard simultaneously.

CONTINUED ZONING PUBLIC HEARING:

Application No.: PUD-388-B-2 (PD-18) (CD-8)

Applicant: Jon Brightmire

Location: Northwest of northwest corner East 71st Street and South Trenton Avenue (*Minor Amendment to permit a cellular transmission tower in Development Area 3.*)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to permit a cellular transmission tower in Development Area 3. Underlying Zoning is CS Commercial which permits Use Unit 4, Public Protection and Utility Facilities, by right.

Development Area 3 contains a mini-storage facility. The cellular tower and related equipment area are shown, on a Plat of Survey submitted with the application, as being located at the southern edge of the mini-storage facility. The tower location is 380 feet from a residential area to the east and 280 feet from the residential area to the north; from the centerline of public streets the tower would be 400 feet north of East 71st Street and 280 feet west of Trenton Avenue. Areas to the south are zoned CS and contain fast food and other commercial uses.

Staff review indicates that the cellular tower, as shown on the Plat of Survey, will be 70 feet tall and of monopole design. Screening of the tower and base will be provided by the existing mini-storage buildings and landscaping.

Based on the Minor Amendment application, staff finds the proposed cellular tower to conform to the use requirements of the Zoning Code and to accepted standards of minimum setbacks from surrounding residential uses with a 1:4 tower height to setback ratio (400%).

Therefore, based on review of the request submitted, staff recommends **APPROVAL** of the Minor Amendment to permit the location of a cellular tower in the PUD subject to the following conditions:

- 1. The tower be no greater than 70 feet in height and of monopole design.
- 2. The tower be set back at least 290 feet from the northern boundary of the PUD and 300 feet from the property line of the residential areas to the east.
- 3. The applicant must submit a Detailed Site Plan* to TMAPC before any building permit can be issued.

NOTE: Minor Amendment approval does not constitute detailed Site Plan Review.

OTHER BUSINESS:

PUD-388-B Kevin Coutant

(PD-18) (CD-2)

Northwest of northwest corner East 71st Street and South Trenton Avenue (Site Plan for a cellular transmission tower in Development Area 3.)

Staff Recommendation:

The applicant is requesting Site Plan approval to locate a cellular transmission tower in Development Area 3, which contains a mini-storage facility. The cellular tower and related equipment area are shown, on a Plat of Survey submitted with the application, as being located at the southern edge of the mini-storage facility. The tower location is 310 feet from a residential area to the east and 293 feet from the residential area to the north. The area to the south is zoned CS and contains fast food and other commercial uses.

Staff review indicates that the cellular tower, as shown on the Plat of Survey, will be 70 feet tall and of monopole design. Screening of the tower and base will be provided by the existing mini-storage buildings and landscaping.

Based on the Site Plan application, staff finds the proposed cellular tower to conform to the use requirements of the PUD if minor amendment PUD-388-B-2 is approved as recommended by staff. Therefore, staff recommends **APPROVAL** of the Site Plan locating a cellular tower in Development Area 3 of PUD-388-B.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Minor Amendment to permit the location of a cellular tower in PUD-388-B-2, subject to the conditions as recommended by staff.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Site Plan locating a cellular tower in Development Area 3 of PUD-388-B as recommended by staff.

PUBLIC HEARING ON AMENDMENT TO THE COMPREHENSIVE PLAN:

* * * * * * * * * * * *

Public Hearing to amend the Planning District 25 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area to create a Special District - Industrial.

Staff Comments:

Ms. Matthews presented the proposed amendments to the District 25 Plan Map and Text as follows:

Plan Map: Redesignate Medium Intensity-Industrial area at the southwest corner of East 56th Street North and the Cherokee Expressway as Special District - Industrial; no intensity designation.

Plan Text: Add or change to <u>Section 3</u>. <u>Specific Areas</u> as follows:

3. Specified Areas

Specific areas within Planning District 25 include the North Peoria Corridor, five Development Incentive Areas and one Special District - Industrial.

- 3.2 Special District Industrial
 - 3.2.1 Development within this Special District should be no higher intensity than OL, CS or IL zoning classifications unless accompanied by a Planned Unit Development (PUD).
- 3.2.2 Junk and/or salvage yard operations (Use Unit 28) are not appropriate for this Special District.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to recommend **APPROVAL** of the amendments to the District 25 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, to create a Special District - Industrial as recommended by staff.

* * * * * * * * * * *

Resolution No. 2105:794 - A resolution amending the District 25 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Comments:

Ms. Matthews presented Resolution No. 2105:794, as follows:

A RESOLUTION AMENDING THE DISTRICT 25 PLAN MAP AND TEXT, A PART OF THE COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960 adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 18th day of August, 1976, this Commission, by Resolution No. 1125:437, did adopt the District 25 Plan Map and Text as a part of the Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, a public hearing was held on the 11th day of December, 1996 and on the 19th day of March, 1997, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to modify its previously adopted District 25 Plan Map and Text as follows:

Plan Map: Redesignate Medium Intensity-Industrial area at the southwest corner of East 56th Street North and the Cherokee Expressway as Special District-Industrial; no intensity designation.

Plan Text: Add to or change Section 3. Specific Areas as follows:

3. Specific Areas

Specific areas within Planning District 25 include the North Peoria Corridor, five Development Incentive Areas and one Special District-Industrial.

- 3.2.1 Development within this Special District should be no higher intensity than OL, CS or IL zoning classifications unless accompanied by a Planned Unit Development (PUD).
- 3.2.2 Junk and/or salvage yard operations (Use Unit 28) are not appropriate for this Special District.

NOW, THEREFORE, BE IT RESOLVED by the TMAPC that the amendments tot he District 25 Plan Map and Text, as set forth above, be and are hereby adopted as part of the District 25 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.

DATED THIS 19TH DAY OF MARCH, 1997.

	TULSA METROPOLITAN AREA PLANNING COMMISSION
	Chair
ATTEST:	
Secretary	
Secretary	

APPROVED BY THE CITY COUNCIL DAY OF, 1997.	OF THE CITY OF TULSA, OKLAHOMA THIS
Mayor	Council Chair
ATTEST:	APPROVED AS TO FORM:
City Clerk	City Attorney

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to recommend **APPROVAL** of Resolution No. 2105:794 amending the District 25 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area to create a Special District - Industrial.

* * * * * * * * * * *

OTHER BUSINESS:

AC-013 Tom A. Ernst

(PD-18) (CD-8)

South of southeast corner of East 63rd Street and South Mingo Road (Alternative Compliance to permit the utilization of hose bibs to irrigate the rear portion of proposed site for an indoor/outdoor hockey rink (Z-5903-SP-1a)).

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance from the landscape requirements of the Zoning Code to permit the utilization of hose bibs on the rear portion of the site for open lawn areas that contain no other plant material. The applicant is proposing the use of an underground irrigation system for the remainder of the site.

Staff has reviewed the proposal and finds that the applicant's landscape plan proposes 10 "quick coupler" type hose bibs which would receive water from the underground irrigation system. The quick-coupler fixtures will serve open lawn areas on the north, east and south areas of the site. The open lawn areas are behind the primary landscaped area and building that fronts to South Mingo Road. No quick-coupler connection is farther than 100 feet from any grass area.

Staff is of the opinion that the irrigation system proposed for open grass areas containing no other plant material is sufficient to maintain turf grasses and therefore meets the intent and irrigation requirement of the Code.

Therefore, based on evaluation of the request and the information submitted, staff recommends **APPROVAL** of the request for use of a quick coupler hose bib system with an underground water supply to irrigate only the open grass areas as indicated per the Landscape Irrigation Plan.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Gray, Midget "absent") to **APPROVE** the Alternative Landscape Compliance AC-013 to allow the use of a quick coupler hose bib system with an underground water supply to irrigate only the open grass areas as indicated per the Landscape Irrigation Plan as recommended by staff.

* * * * * * * * * * *

There being no further business, the Chairman declared the meeting adjourned at 1:40 p.m.

Secretary

Date Approved: 4-2-

Chairman