

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2151

Wednesday, March 18, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Gray	Beach	Linker, Legal
Carnes		Dunlap	Counsel
Doherty		Huntsinger	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Selph			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 16, 1998 at 12:10 p.m., posted in the Office of the City Clerk at 12:01 p.m., as well as in the office of the County Clerk at 12:00 p.m.

After declaring a quorum present, Chairman Boyle called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of March 4, 1998, Meeting No. 2149:

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Pace, Selph, Westervelt, "aye"; no "nays"; none "abstaining"; Gray, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of March 4, 1998 Meeting No. 2149.

Mr. Midget in at 1:35 p.m.

Reports:

Committee

Budget and Work Program Committee

Mr. Horner asked staff to report on the proposed budget meeting with the Mayor's Office. In response, Mr. Stump reported he met with the Mayor's Office Tuesday, March 17, 1998 at 2:30 p.m. and received positive comments from the meeting.

Special Residential Facilities Task Force

Mr. Westervelt reminded the Planning Commission that there will be a meeting on March 26th at 3:30 p.m. and encouraged the Commissioner's to attend the meeting.

Subdivisions:

PLAT WAIVER, SECTION 213:

BOA-17962 (1604)

West of East 85th Street and South Delaware Avenue

(PD-16) (CD-6)

Staff Recommendation:

This facility has been in operation as a solid waste recycling and disposal facility for a number of years. In 1989 they obtained their original solid waste disposal permit for "Tract B". In 1997 they were approved for a permit modification to include "Tract A". They are now seeking another modification to these permits to allow a change in the design of the final cover.

Recent changes in the State permitting procedures require the operator to obtain a zoning clearance approval from the local government. The current Zoning Code classifies such a facility as a Use Unit 2, which must be approved by the BOA as a special exception.

The Board of Adjustment approved the request on March 10, 1998. Approval of Use Unit 2 by the BOA triggers the platting requirement.

The Technical Advisory Committee expressed no particular concerns.

Staff recommends approval of the plat waiver.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES** the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Ledford, "absent") to **APPROVE** the Plat Waiver for BOA-17962 (1604).

Mr. Ledford In at 1:40 p.m.

BOA-17966 (1783)

West of East 85th Street and South Delaware Avenue

(PD-18b) (CD-2)

Staff Recommendations:

The Board of Adjustment approved a Special Exception to permit the expansion of an existing day care center on March 10, 1998. The project significantly increases the size of the facility over four phases to 143,000 square feet. It provides parking for approximately 343 cars. It is anticipated there will be over 1,500 children attending the facility. They will be primarily the children of employees of CFS and other tenants of the nearby Cityplex Towers.

Delaware Ave is designated a Secondary Arterial with a minimum 100' right-of-way by the Major Street and Highway Plan. It is currently 80 feet and is two lanes with no shoulder. This street, as well as the intersection at 81st and Delaware is currently over-burdened by existing traffic.

The Technical Advisory Committee had the following comments:

1. *Eshelman, Traffic, stated that additional right-of-way should be dedicated along Delaware.*
2. *Pierce, PSO, stated that utility easements are needed around the perimeter of the property.*
3. *Lee, Water, stated that fire protection service will need to be extended to serve the property.*
4. *McCormick, Stormwater, stated that regulatory floodplain exists across the property and compensatory storage must be maintained at current 100-year water surface elevations across the site. Floodplain and compensatory storage areas will need to be placed in a dedicated reserve.*

Staff recommends denial of the plat waiver request based on the substantial nature of the new construction, the need for additional right-of-way on Delaware, the need for additional utility easements, and the need to adequately describe the floodplain easement.

These requirements are most effectively described, consolidated and recorded in a subdivision plat.

Applicant's Presentation:

Mr. Charles Norman, 2900 Mid-Continent Tower, stated the property under consideration is described as Tract B, which is in the southeast corner of what was a 158 acre parcel that was originally platted for the development of City of Faith, now Cityplex.

Mr. Norman stated his client is willing to dedicate the additional 10' of right-of-way for traffic, by separate instrument, along the entire eastern boundary of the property. Any additional easements needed to service the complex will be given to PSO directly. The water supply is adequate for the subject project.

Mr. Norman indicated that the overland water drainage easements, that might be required, could be handled by separate instrument. He explained there was an overland drainage easement given over a part of the subject property in January 1998, in conjunction with an expansion of parking facilities on the remainder of the property. He indicated the stormwater drainage review was conducted when the parking facility was expanded.

Mr. Norman stated the issue for his client is a matter of time. This project is to expand an existing daycare facility, which was constructed under approval of the Board of Adjustment in 1981. This facility is being expanded to provide the care for children of employees on site. He informed the Planning Commission that the project is ready to commence construction. He expressed concerns with the delay if he is required to go through the replatting process for a small part of this very large subdivision when it has all been developed in the last 30 years without further plat requirements.

Mr. Norman reminded the Planning Commission that during the building permit process his client will have to be responsive to the concerns expressed by the Fire Marshall. He concluded that all of the issues could be easily satisfied in direct cooperation with the involved departments.

TMAPC Comments:

Mr. Boyle stated he understands that the basis for the recommendation of denial from TAC has been addressed with each of the three points. Mr. Norman agreed with Mr. Boyle.

In response to Mr. Boyle, Mr. Norman stated the expansion is a small part of the original plat and all of the existing development has occurred through the internal regulatory process. There are no other issues to be addressed in the plat that would relate to the size of this facility. He commented that the Board of Adjustment approved this project in three phases.

Mr. Boyle asked Mr. Norman if his position is that there is nothing to be gained from requiring a plat. In response to Mr. Boyle, Mr. Norman stated the building permit is the best review process and will require satisfaction of all of the utility issues, including fire protection and stormwater drainage. He indicated that no building permit can be issued unless the issues have been appropriately addressed.

Mr. Norman indicated that Mr. Sack and Mr. Zachary worked out new overland drainage easements in the last two months for part of the same subdivision that pertains to the parking for the tower complex.

Mr. Boyle asked if staff's opinion has changed as a result of the points that Mr. Norman has stated. In response to Mr. Boyle, Mr. Stump stated the staff's opinion does not change. He further stated you can describe drainage easements by metes and bounds, but these are irregular shaped things that are best put on paper and recorded in picture form with the metes and bounds. With the substantial nature of construction, staff cannot support a plat waiver.

In response to Mr. Doherty, Mr. Norman stated that there is an existing detention facility, or better described as a compensatory storage facility. Because the subject property becomes flat at the southern part, there is not enough elevation change to have storage capacity to drain out to the Arkansas River. This is the distinction that his client has to prove to Stormwater Management, that he is providing sufficient additional compensatory storage and overland drainage easements to get to that area.

Staff Comments:

After a lengthy discussion, Mr. Stump stated staff will compromise and agree with a plat-waiver for the second phase building with the understanding a subdivision plat has to be recorded before receiving a building permit for the third or fourth phase.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Gray, “absent”) to **APPROVE** the Plat Waiver for Phase II of BOA 17966, subject to requiring a plat being filed before receiving a building permit for Phases III and IV.

* * * * *

PRELIMINARY PLAT:

Summit Storage (2983)

(PD-26) (CD-2)

East of the Southeast corner East 101st Street and South Delaware Avenue

Staff Recommendation:

This is a two-lot, one-block subdivision to be developed as a mini-storage. The property was rezoned to CS in 1984 and became subject to platting at that time. The Board of Adjustment approved a request for a Special Exception to permit the mini-storage in the CS zoned district on March 10, 1998. The subdivision plat must be filed of record before a building permit can be issued.

The Technical Advisory Committee had the following comments:

1. *There was discussion about the discrepancy between the site plan submitted to the Board of Adjustment and the preliminary plat and also about the possible reasons for creating two lots when there will only be one development across both lots.*
2. *Pierce, PSO, asked if there would be overhead service into Lot 2.*
3. *McGill, Fire Dept., wants an additional fire hydrant and possibly a second access point.*
4. *Smith, Hammond Engineering, explained that the developer wants two lots but will only develop one mini-storage project. He agreed there is no apparent need for two lots and will discuss changing the plat with the developer. Smith also submitted a revised site plan, which coincides with the preliminary plat.*
5. *Eshelman, Traffic, recommended changing to one lot.*

6. *Smith, Hammond Eng., stated that the developer also owns the abutting property to the west and wants to eliminate the 5' utility easement along the west property line. He proposes to dedicate a 17.5' utility easement by separate instrument along the same property line but on the adjacent property.*
7. *Miller, ONG agreed this would be acceptable but stated it should be extended north to the statutory right-of-way on 101st St.*
8. *On motion of Miller, TAC unanimously recommends approval.*

Staff recommends approval of the preliminary plat subject to the following:

1. A 17.5' utility easement extending to the statutory right-of-way of 101st St. shall be dedicated along the west side of the west property line by separate instrument.
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. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.

12. 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.
13. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
14. 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.
15. 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.)
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 of plat.)
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.
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, 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.)
23. 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.)
24. This plat has been referred to Bixby and Jenks 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 provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

- 26. All other Subdivision Regulations shall be met prior to release of final plat.
- 27. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

Staff Comments:

Mr. Beach stated TAC recommended that the subject property be converted back to one lot. The Mini-Storage will occupy the entire property and there is no need to have two lots. He indicated the owner of the subject property agreed and it has now been changed to one-lot, one-block.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray, "absent") to **APPROVE** the preliminary plat for Summit Storage; subject to conditions as recommended by staff.

REVISED PRELIMINARY PLAT:

9100 Yale (1583)

(PD-18b) (CD-8)

Staff Recommendations:

This subdivision consists of two lots in one block on 3.12 acres. Lot 1 will be developed as a retail tire store. There are no finalized development plans for Lot 2.

TMAPC approved the preliminary plat 1/28/98. The revisions are the 11' U/E in Lot 1 was moved from the east side to the west side of Lot 1 and the access point onto 91st St. moved west 50.71 feet. There were no changes to the Deed of Dedication.

The Technical Advisory Committee had the following comments:

- 1. Eshelman, Traffic, stated there will be a median along Yale with an opening north of the proposed drive. No left turn will be possible from the site onto Yale. He wants the mutual access easement extended along the west line of Lot 1 to connect with Lot 2. He also stated he has no concerns with the location of the new access on 91st St.*
- 2. Vaughn, Wastewater, stated the sanitary sewer easement in Lot 2 needs to be extended to Lot 1.*
- 3. Nelson, SWBT, stated that there would be a conflict between the extended mutual access easement and the new location of the 11' utility easement along the west line of Lot 1.*

4. *Eshelman, Traffic, agreed that the access easement could be moved 11' east to avoid the conflict.*
5. *Miller, ONG, wants a 17.5' utility easement along 91st St.*
6. *McCormick, Stormwater, stated the regulatory floodplain across the west half of Lot 2 needs to be in a dedicated reserve and compensatory storage will be required for any fill work in the floodplain.*
7. *On motion of Lee, TAC voted unanimously to approve the revised preliminary plat.*

Staff recommends approval of the revised preliminary plat subject to the following:

1. A mutual access easement shall be continuous across Lots 1 & 2 from 91st St. to Yale Ave.
2. A reserve area must be dedicated for the regulatory floodplain.
3. Any fill work performed in the floodplain must be mitigated with a compensatory storage facility.
4. 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.
5. 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.)
6. 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).
7. 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.
8. 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.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
11. Street names shall be approved by the Department of Public Works and shown on plat.

12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. 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.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. 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.
17. 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.)
18. 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.
19. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. (Percolation tests required prior to preliminary approval of plat.)
20. 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.)
21. The method of water supply and plans therefore shall be approved by the City/County Health Department.
22. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
23. The key or location map shall be complete.
24. 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.)
25. 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.)
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. All other Subdivision Regulations shall be met prior to release of final plat.

28. Applicant is advised to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

The applicant indicated he is in agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray, "absent") to **APPROVE** the revised preliminary plat for 9100 Yale; subject to staff recommendations.

PUBLIC HEARING FOR COMPREHENSIVE PLAN AMENDMENTS

Plan Map & Text Amendments to Districts 8 & 17 Plans, both parts of the Comprehensive Plan for the Tulsa Metropolitan Area; resolution to adopt.

Staff Presentation:

Ms. Matthews stated the resolutions are proposed amendments to Districts 8 & 17, which has been reviewed by the Comprehensive Plan Committee. She informed the Planning Commission that there are some areas that are not currently designated as suitable for light industry, but with certain conditions might be appropriate for light industrial. For these reasons the staff is recommending that these map and text amendments be approved.

RESOLUTION NO. 2151-810

**A RESOLUTION AMENDING
THE DISTRICT SEVENTEEN 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 28th day of January, 1976, this Commission, by Resolution No. 1097:416, did adopt the District Seventeen Plan Map and Text as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma; and

WHEREAS, a Public Hearing was held on the 18th day of March, 1998, 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 Seventeen Plan Map and Text as follows.

Plan Map: Designate the section between 31st and 41st Streets, Lynn Lane and 161st East Avenue as a Special District Low Intensity/Industrial Area.

Plan Text: Add as 3.9 Special District-Low Intensity/Industrial Area, with the following text: "This area is generally best suited for Low Intensity development. However, low intensity (IL) industrial development on large lots (40 acres or more) may be appropriate if accompanied by a PUD. Where light industrial uses are proposed adjacent to residential uses, a setback of 300' from the property line should be required."

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

AND

RESOLUTION NO. 2151-811

**A RESOLUTION AMENDING
THE DISTRICT EIGHT 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 9th day of June, 1976 this Commission, by Resolution No. 1115:428, did adopt the District Eight Plan Map and Text as a part of the Comprehensive Plan of 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 18th day of March, 1998, 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 Eight Plan Map and Text according to the following.

Plan Map: Remove intensity designation from all area within the Turkey Mountain Special District; Development Sensitive overlay remains.

Plan Text: Change 3.4.3.3. to "Light industrial (IL) uses encompassing large parcels (40 acres or more) that are compatible with Jones Riverside Airport and adjacent park uses may be appropriate for portions of this Special District. Proposals for light industrial uses should be accompanied by a PUD. Where light industrial areas abut residential areas, a setback of 300' from the property line should be required."

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

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **LEDFORD** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray, "absent") to **ADOPT** the Plan Map & Text Amendments to Districts 8 & 17 Plans, both parts of the Comprehensive Plan for the Tulsa Metropolitan Area.

* * * * *

OTHER BUSINESS

Proposed closing of Rockford Avenue between 41st Street and 42nd Street South to allow development of the abutting tract as a single unit.

Staff Comments:

Mr. Stump stated the proposal is part of the internal review that the City of Tulsa conducts on any proposed street closings. He explained that the Planning Commission was notified by Public Works that they received an application for a closing of Rockford between 42nd Street and 41st Street South. This is currently a public street dividing an apartment complex.

Mr. Stump commented that it is his understanding that the applicant hopes to redevelop the area into a single-tract type of development. Because of the access of 42nd Street, 42nd Place, west to Peoria and Rockford Place to the north of 41st, the staff does not see this as a problem for the single-family homes in the area. The proposal may reduce some traffic through the single-family neighborhood.

Mr. Stump stated the staff is looking for a recommendation back to the City Council, which will actually hold the formal public hearing on the street closing.

Interested Parties:

Ms. Apgar, 3914 South Norfolk, stated she is the Vice-President of the Brookside Neighborhood Association. She informed the Planning Commission that Mr. Turner, (the applicant) has not paid his filing fees. She stated a notice has not been sent out to all of the homeowners who live within 300' with regard to the proposed street closing. She explained that once the notice is sent, she plans to have a Brookside Neighborhood Association meeting to discuss the street closing.

Ms. Apgar stated she did not know if her association will be against this application, but she would prefer that the Planning Commission continue this item until the neighborhood has been notified and Mr. Sutters has received all of his information for a recommendation.

TMAPC Comments:

Mr. Doherty stated that this item is different than a normal application. There is no legal provision or statutory provision for the Planning Commission to review this item. This is not a public hearing, but the reason the Planning Commission is reviewing this item is for strictly urban design. The Planning Commission will only be making a recommendation and the public hearing will be before the City Council at a later date.

After a lengthy discussion the Planning Commission determined that the proposed street closing should be continued in order to further review the proposal.

TMAPC Action; 10 members present:

On **MOTION** of **PACE** the TMAPC voted **10-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Gray, "absent") to **CONTINUE** the proposed closing of Rockford Avenue between 41st Street and 42^d Street South to allow development of the abutting tract as a single unit to April 1, 1998 at 1:30 p.m.

* * * * *

PUD-441 Jon E. Brightmire

Northeast corner West Pine Street and North Union
(Detail Site Plan)

(PD-11) (CD-1)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 70-foot monopole antenna and supporting structure with related equipment shelter on a 1,750 square foot tract with an additional 4,189 square feet devoted to access and utility easements. The antenna structure will be located 232 feet north of the centerline of West Pine and 200 feet south of the nearest residential structures. The site plan places the antenna structure at 80 feet south-southwest of the RM-1 District boundary to the north.

Staff has reviewed the request and finds the underlying CS Zoning would allow Use Unit 4 uses by right. The setback from residential areas meets the requirements of Section 1204.C.3(g) of the Code. With an 80 foot setback from an abutting residential area to the north, the location of the monopole tower meets the required 110% height-to-setback ratio.

The proposal indicates a 288 square foot equipment shelter within a 1,750 square foot fenced enclosure surrounded by a 2-foot wide landscaped strip containing trees and bushes. The Code requires that all exterior ground mounted equipment occupying more than 50 square feet if visible from ground level shall be screened from view from property within 300 feet used for residential purposes. The site plan indicates an 8-foot wood privacy fence surrounding the 1,750 square foot site.

Based on review of the site plan and its conformance to the Zoning Code, Staff recommends **APPROVAL** of the Detail Site Plan for PUD-441 as submitted.

Commissioner Selph out at 2:16 p.m.

Applicant's Comments:

Mr. Kevin Coutant, 320 South Boston, Suite 500, Tulsa, Oklahoma, 74103, stated he agrees with staff's recommendation. He explained the history of the site and concerns of the neighborhood in the subject area.

Mr. Coutant indicated the monopole is co-locatable and is 70' in height. He explained the need for another equipment building if a new carrier co-locates on the tower.

Interested Parties:

Mr. Larry Duke, 1919 West Seminole, General Manager of the Gilcrease Hills Association, stated he opposes this application. He submitted a petition signed by homeowner's within 2-blocks of the subject project. He explained the association opposes this application because there are other areas in Gilcrease Hills that would be better suited for the tower and keep it out of sight of the neighbors.

Mr. Duke indicated the association did meet with Mr. Coutant and expressed their concerns. He commented that Mr. Coutant did address and meet most of the associations' concerns.

TMAPC Comments:

Mr. Doherty asked Mr. Duke if he had a problem with the small building for a second carrier. In response, Mr. Duke answered negatively.

Mr. Horner asked Mr. Duke if the association agreed with the location change. In response, Mr. Duke stated his association agreed with the move, but disagree in general with this subject area. He suggested the tower be moved 1/2 mile somewhere else in Gilcrease Hills.

Mr. Horner stated that if the tower was moved 1/2 mile somewhere else in Gilcrease Hills it will be in somebody's back door.

Rebuttal:

Mr. Coutant stated the comments of Mr. Duke were consistent with the meeting held.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES** the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Selph "absent") to **APPROVE** of the Detail Site Plan for PUD-441 as presented.

PUD-555 – William Lewis

North side East 91st Street and South 89th East Avenue
(Detail Site Plan)

(PD-18) (CD-8)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 21,294 square foot single story office and auditorium complex, storage building and associated parking in the southern portion of a 12.9-acre tract. The March, 1997 PUD approval allowed a mixed use development for church and church related activities including an office/auditorium complex, museum, children's nursery, missionary living quarters and accessory storage.

Staff has reviewed the Detail Site Plan and finds conformance to bulk and area, height, building area, setback, access, circulation, parking, lighting, trash screening and total landscaped area standards as approved. The plan indicates that 8,000 SF of the existing building is to be used for accessory storage and 2,000 SF for office uses. The proposed new building will contain an office/auditorium/museum complex of 21,294 SF. Staff also finds that the proposed uses conform to the maximum allowed floor area standards of the PUD.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-555 as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES** the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Westervelt “aye”; no “nays”; none “abstaining”; Gray, Selph “absent”) to **APPROVE** the Detail Site Plan for PUD-555 as presented.

PUD-541 – Mike Dwyer

4300 South Peoria
(Detail Site Plan)

(PD-6) (CD-9)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for two 6,000 square foot 2-story office buildings and associated parking on a 40,855 SF lot.

Staff has reviewed the site plan and finds it conforms to the bulk, area, setback, parking, circulation, lighting, trash screening, total landscaped area and design limitation standards of PUD 541 as amended. Staff notes that no building elevations were available from the applicant but a prohibition of second floor windows on easterly and southerly facing building walls is indicated on the site plan. In addition, setbacks for lighting and a trash enclosure meet the approved development standards.

Staff, therefore, recommends **APPROVAL** the Detail Site Plan for Development Area E as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

TMAPC Comments:

Mr. Doherty asked staff how the prohibition of windows on the second story is enforced once this application is in the building permitting stage. In response, Mr. Stump stated the notation of the prohibition of windows on the second story is on the site plan and a permit should not be issued, unless it meets the notation.

Mr. Stump stated the staff could require elevations to be transmitted with the site plan to prevent the windows on the second story. In response, Mr. Doherty suggested the notation regarding windows should be in red or highlighted in some fashion.

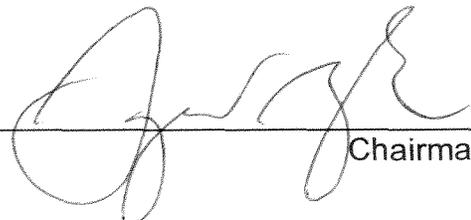
There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY** the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Gray, Selph "absent") to **APPROVE** the Detail Site Plan for PUD-541 for Development Area E as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:30 p.m.

Date approved: 4-15-98


Chairman

ATTEST: 
Secretary