

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2193

Wednesday, February 17, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Harmon	Beach	Swiney, Legal
Carnes	Horner	Bruce	Counsel
Dick	Ledford	Dunlap	
Hill		Huntsinger	
Jackson		Matthews	
Midget		Stump	
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, February 16, 1999 at 10:50 a.m., posted in the Office of the City Clerk at 10:36 a.m., as well as in the office of the County Clerk at 10:40 a.m.

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

Minutes:

Approval of the minutes of January 27, 1999, Meeting No. 2190:

On **MOTION** of **WESTERVELT** the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Hill, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Jackson, Ledford, Pace "absent") to **APPROVE** the minutes of the meeting of January 27, 1999 Meeting No. 2190.

REPORTS:

Chairman's Report:

Mr. Boyle announced that Mr. Horner will not be attending the TMAPC meeting today and will not have a quorum for the Budget and Work Program Committee immediately following. He indicated that it appears there will be a quorum for Policies and Procedures Committee that will meet immediately following today's meeting in Room 1102.

Committee Reports:

Policies and Procedures Committee

Mr. Carnes reported that there will be a meeting directly following the TMAPC meeting today in Room 1102.

Director's Report:

Mr. Stump reported that there are several items on the City Council agenda for Thursday, February 18, 1999.

Mr. Boyle stated that Ms. Hill will be attending the City Council meeting.

SUBDIVISIONS

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- L-18784 - Joe Coleman (2992)** (PD-9) (County)
4402 South 61st West Avenue
- L-18790 - Brandon Perkins (874)** (PD-19) (County)
South of southwest corner 131st Street and 121st East Avenue
- L-18792 - Jeffrey Levinson (3483)** (PD-26) (CD-8)
Southeast corner 120th Street and Granite
- L-18793 - Merie Lewis (2113)** (PD-12) (County)
3951 East 86th Street North
- L-18794 - Ward Smith (3091)** (PD-23) (County)
4834 South 165th West Avenue

Ms. Pace in at 1:34 p.m.

Staff Recommendation:

Mr. Beach stated that all of these lot-splits are in order and staff recommends approval.

TMAPC Action; 7 members present:

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

Mr. Jackson in at 1:36 p.m.

PRELIMINARY PLAT:

- Home Center (PUD-595) (0684)** (PD-18) (CD-8)
North of northeast corner of South 101st East Avenue and East 71st Street

Staff Recommendation:

Mr. Bruce stated that Home Center is a subdivision of 37.25 acres into one lot and one block. It will be developed under PUD 595-A, which permits office, entertainment, retail and warehousing uses.

The following were discussed at the Technical Advisory Committee meeting on the preliminary plat:

1. Bruce, staff, indicated that 1,000,000 SF was allowed on the site and that the extension of 101st north to 66th was required per the PUD. Sanitary sewer would be brought from the north along the west side of the expressway.
2. Lee, Water, questioned to whether the 26' mutual access easement would be paved. The applicant (Weisz) responded that it would.
3. Pierce, PSO, indicated that easements were shown on the east and south and would be needed on the west and north.
4. McCormick, Stormwater, indicated that fees-in-lieu would be allowed if the downstream storm sewer can handle runoff; PFPI required for any public storm drain or street work.
5. Weisz, applicant, requested that storm sewer be allowed in the right-of-way of 66th Street South. After discussion, it was determined that 66th would not be opened in the foreseeable future. The area south of the centerline would be available for storm sewer use.

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

Special Requirements:

1. Improvement of South 101st East Avenue north to East 66th Street South per the PUD.
2. A limit of no access on the east side of 101st East Avenue for a distance of 80', starting at the north boundary and running south.
3. PFPI required for any public storm sewer or street work.

Standard Conditions:

1. All conditions of PUD 595 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. Any 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. Any 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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are 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 therefor 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 stormwater facilities, and PUD information as applicable.)
24. In the event of a related zoning case, the zoning application Z- _____ shall be approved and the ordinance or resolution therefor published before the final plat is released. (The plat shall conform to the applicable zoning approved.)
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. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
27. If the owner is a Limited Liability Corporation (L.L.C.), a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
28. All other Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties wishing to speak.

Applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Preliminary Plat for Home Center subject to conditions as recommended by staff.

9600 Mingo Center (PUD-597) (2483)

(PD-18) (CD-8)

Northwest corner of South Mingo Road and Mingo Valley Expressway

Staff Recommendation:

Mr. Bruce stated that 9600 Mingo Center is a subdivision of 6.1 acres into four lots and one block. It will be developed under PUD-597, which permits office uses.

The following were discussed at the Technical Advisory Committee meeting on the preliminary plat:

1. Bruce, staff, indicated that the four lots backed up to the Woodland Glen Addition and fronted the expressway. The lots would access Mingo via a mutual access easement running from the west to the east. A maximum of 80,000 SF of light office use was allowed.
2. Lee, Water, indicated that a 20' easement would be required between Lots 1 and 2. The location of the water easement within the mutual access easement should be indicated.
3. Pierce, PSO, indicated that three phase would be available along the north property line.
4. Miller, ONG, indicated that the location of gas in the eastern portion of the site should be verified. The line could possibly be in the eastern third of Lot 1.
5. Somdecerff, Transportation, requested book and page numbers for right-of-way dedication on Mingo.
6. Eshelman, Traffic, requested a LNA along the southern tip of East 95th Place South. The distance between the access onto Mingo and the end of the bridge over the expressway was not a concern.
7. Vaverka, Wastewater, indicated that an easement would be needed from East 95th Place South to the east. The applicant (Ledford) indicated that the grades ran to the east in Lot 1 and that sewer continuing past a certain point would buck grade.

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

Special Requirements:

1. A 17.5' utility easement along the north property line.
2. Recording reference to the right-of-way dedication on Mingo.
3. A limit of no access along East 95th Place South.
4. A 20' easement for city utility purposes (water) between Lots 1 and 2.

5. Location of the city utility easement (water) within the mutual access easement.
6. On-site stormwater detention will be required.

Standard Conditions:

1. All conditions of PUD-597 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 lines 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. Any 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. Any 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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are 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 therefor 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 stormwater facilities, and PUD information as applicable.)
24. In the event of a related zoning case, the zoning application Z- _____ shall be approved and the ordinance or resolution therefor published before the final plat is released. (The plat shall conform to the applicable zoning approved.)
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. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

27. If the owner is a Limited Liability Corporation (L.L.C.) a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.

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

Applicant's Comments:

Jerry Ledford, Jr., Tulsa Engineering, 8209 East 63rd Place, Tulsa, Oklahoma 74133, stated that the preliminary plat is basically the plat that he submitted during the PUD process. During the PUD process the mutual access drive that was shown on the north side was moved to the south side adjacent to the Mingo Valley Expressway. The buildings are now backing up to the residential instead of fronting it. The PUD was approved with all of the setbacks. Mr. Ledford concluded that he is in agreement with the staff's recommendation.

Interested Parties:

Michelle Yesalusky, 9345 South 94th East Avenue, Tulsa, Oklahoma 74133, stated that her property abuts the subject property. She expressed concerns with the stormwater runoff. She explained that she wants to make sure that she does not have the stormwater runoff onto her property.

Applicant's Rebuttal:

Mr. Ledford, Jr. stated that where the interested party's property is located, the drainage runs from the north to south then onto the Mingo Valley Expressway. He explained that the mutual access drive is where the storm sewer will be located. Each site's parking lot will drain to the mutual access easement and there is a public storm sewer, which drains to the detention facility and then is released down the Mingo right-of-way to the north.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Preliminary Plat for 9600 Mingo, subject to conditions as recommended by staff.

Tara Addition (PUD-589) (2993)
East 47th Street and South Atlanta Avenue

(PD-6) (CD-9)

Staff Recommendation:

Mr. Bruce stated that the Tara Addition is a subdivision of 1.3 acres into three lots and one block for residential purposes. It will be developed under PUD 598.

The following were discussed at the Technical Advisory Committee meeting on the preliminary plat:

1. Bruce, staff, indicated that three lots would be developed off of a private cul-de-sac.
2. Vaverka, Wastewater, indicated that sanitary sewer line was available west of the addition on the south side of the street. The applicant stated that the owner to the west had indicated that he would allow an easement.
3. Weisz, applicant, requested that the 25' building setback along East 47th Place South be reduced.
4. Pierce, PSO, indicated that the 17.5 utility easement should extend across the entire frontage of the project to the eastern boundary.
5. McCormick, Stormwater, said that fees-in-lieu can be paid in accord with 304 C.1.b and c. of the Stormwater Ordinance if the downstream storm sewer can handle runoff; PFPI required for any public storm drain or street work.
6. Weisz, applicant, indicated that there was no room to locate the storm sewer to the east. Mature trees and accessory uses in several backyards would be disturbed.

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

Special Requirements:

1. Extension of the 17.5' utility easement across the entire northern boundary.
2. Procurement of an easement from the property owner to the west, providing project access to sewer.
3. Installation of storm sewer off-site to east to tie into backbone system. PFPI required.

Standard Conditions:

1. All conditions of PUD-598 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. Any 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. Any 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.
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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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are 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 therefor 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 stormwater facilities, and PUD information as applicable.)
24. In the event of a related zoning case, the zoning application Z- _____ shall be approved and the ordinance or resolution therefor published before the final plat is released. (The plat shall conform to the applicable zoning approved.)
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. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
27. If the owner is a Limited Liability Corporation (L.L.C.) a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
28. All other Subdivision Regulations shall be met prior to release of final plat.

Applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Preliminary Plat for Tara Addition, subject to conditions as recommended by staff.

Eastside Market (PUD-602) (0684)

(PD-6) (CD-9)

Northwest corner of East 71st South and South Garnett Road

Staff Recommendation:

Mr. Bruce stated that the Eastside Market is a subdivision of 26.55 acres into two lots and two blocks for retail and office space. It will be developed under PUD-602.

The following were discussed at the Technical Advisory Committee meeting on the preliminary plat:

1. Bruce, staff, indicated that 275,000 of floor area was allowed. The PUD required that access be provided for to the north. The project was also in a Corridor District, requiring that vehicle access be provided onto a Corridor collector street prior to exiting onto either arterial (71st or Garnett). The major access onto 71st should line up with the approved access on the south side of 71st. The project to the south allowed over 300,000 SF of floor area, including 110,000 SF of theaters.
2. Lee, Water, indicated that a north/south easement would be required on the east side of the PSO 100' easement. After discussion regarding the location of the east/west line on the north side of the property (on this parcel versus the parcel to the north) he indicated that the first to build would be responsible for the location of the line. The easement for that line could be recorded by separate document.
3. Pierce, PSO, indicated that the outside 10' of the PSO easement could be used by others. Beyond that they would have to locate outside the PSO easement. Crossings of the easement to be allowed only in areas more than 30' from a tower and grading allowed only in areas over 100' from a tower. Grading would then be allowed only with approved plans. The recording reference for the easement should be shown.
4. Miller, ONG, indicated that an easement would be required outside of the PSO easement on the east.
5. McCormick, Stormwater, said that fees-in-lieu would be allowed for the impervious area draining south. On-site detention would be required for areas draining to the east to Broken Arrow. PFPI required for earth change, drainage or work involving a public street. The easement for the detention area should be shown on the plat.
6. Eshelman, Traffic, said that double left turn lanes will be required onto 71st Street, as will be required onto 71st from the south. The intersection of the internal collector and 71st will be signalized when 71st Street goes to six lanes. The internal collector may narrow too quickly – full width should be shown to a point north of the first driveway. Additional detail in the intersection area should be shown. Limits of no access should be placed on the north boundary for a distance of 100' west of the Garnett ROW.

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

Special Requirements:

1. Easements should be shown along the east side of the 100' PSO easement sufficient to accommodate gas and water. The recording reference for the PSO easement should be shown. An easement for the detention area should be shown.
2. Additional detail should be provided at the intersection of the internal collector and 71st Street south, particularly as it relates to the turning movements of the collector on the south side of 71st. The internal collector should narrow only after the intersection with the first driveway.
3. Limits of no access should be placed on the north boundary of the project for the first 100' west of the Garnett right-of-way.
4. Mutual access easements should be provided the AG parcel at the southeast corner of the site. These easements should be provided to the north and to the west. The unplatted part of the AG ~~this~~ parcel will not be allowed direct access onto Garnett Road or 71st Street.

Standard Conditions:

1. All conditions of PUD 602 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. Any 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. Any 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.
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26. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
27. If the owner is a Limited Liability Corporation (L.L.C.) a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
28. All other Subdivision Regulations shall be met prior to release of final plat.

Applicant's Comments:

Ted Sack, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, asked if there is a specified location for the mutual access agreement on the out-parcel in the southeast corner. In response, Mr. Bruce stated that the only direction from Traffic Engineering is that there be a mutual access easement to the north and west. Mr. Sack stated that the mutual access easement could be granted at the time of the Detail Site Plan of the adjacent property. Mr. Sack indicated that he does not know what will be developed to the west of the out-parcel and the TMAPC may be granting a mutual access easement in an inappropriate location. Mr. Boyle asked Mr. Sack if it would be better to grant the mutual access easement during the Preliminary Plat process, and if it is not in the right place, change it at a later time rather than not showing it all. Mr. Sack responded that the process of eliminating a mutual access easement would be difficult because it would be for the public and so it would require a vacation plus District Court. Mr. Westervelt stated that the way the parking loads on most of the site plans for arterial corridors, one can safely predict the circulation pattern.

Mr. Boyle asked staff their opinion of granting the mutual access easement at the Detail Site Plan for the property to the west of the unplatted property. In response, Mr. Stump stated that there should be a written comment on the face of the plat stating that the parcel to the west will be given a mutual access easement from its western boundary to

the nearest access to 71st Street through the property and the exact location will be determined during the Detail Site Plan process.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Preliminary Plat for Eastside Market, subject to the plat stating that a mutual access easement will be granted for the property to the west during the Detail Site Plan process for the west property and subject to conditions as recommended by staff.

* * * * *

PLAT WAIVER:

Z-6673 (684)

(PD-18) (CD-8)

6336 South 105th East Avenue

Staff Recommendation:

Mr. Bruce stated that the subject parcel was rezoned from RS-3 to CO on February 10, 1999. The rezoning triggered the platting requirement. The waiver is requested primarily because the lot is a portion of a previously-platted addition.

Staff comments and recommendation:

The project will require mainline extension of sanitary sewer and water and a probable internal fire line. Right-of-way dedication will be required along South 103rd East Avenue in the southwest portion of the site. These issues can possibly be addressed through mechanisms other than a plat.

The Corridor District designation requires that a site plan be filed and approved prior to processing of the plat. Building permits cannot be issued nor use commenced "except in accordance with a subdivision plat incorporating the provisions of the site plan". One of the purposes of the plat in the case of the CO district is to record the approved standards of the site plan. The site plan is scheduled to be heard by TMAPC on March 3.

Given that a site plan has not been processed it is difficult to ascertain the impacts of waiving the platting. At such time as a site plan is available a more definitive assessment can be made. **Therefore, staff recommends that the hearing be postponed until such time as more information is available.**

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|-----|--------------------------|
| 1) Has property previously been platted? | ✓ | <input type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat? | ✓ | <input type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | ✓ | <input type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|--------------------------|--------------------------|
| 4) Is right-of-way dedication required to comply with major street and highway plan? | <input type="checkbox"/> | ✓ |
| 5) Will restrictive covenants be filed by separate instrument? | ✓ | <input type="checkbox"/> |
| 6) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | ✓ | <input type="checkbox"/> |
| ii) Is an internal system or fire line required? | ✓ | <input type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | ✓ |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | ✓ | <input type="checkbox"/> |
| ii) Is an internal system required: | <input type="checkbox"/> | ✓ |
| iii) Are additional easements required? | <input type="checkbox"/> | ✓ |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | ✓ | <input type="checkbox"/> |
| ii) Is an Overland Drainage Easement required? | ✓ | <input type="checkbox"/> |
| iii) Is on-site detention required? | <input type="checkbox"/> | ✓ |
| iv) Are additional easements required? | <input type="checkbox"/> | ✓ |
| 7) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | <input type="checkbox"/> | ✓ |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | <input type="checkbox"/> | ✓ |

- 8) Change of Access
 - a) Are revisions to existing access locations necessary? ✓
- 9) Is the property in a P.U.D.?
 - a) If yes, was plat recorded for the original P.U.D.? ✓
- 10) Is this a Major Amendment to a P.U.D.?
 - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? ✓

N/A

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

Applicant's Comments:

Ted Sack, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, stated he had no problem with continuing this application; however, if there is a consensus about the plat, he would like to know whether he needs to submit a plat before the cutoff date.

TMAPC COMMENTS:

Mr. Stump stated that staff has informed the applicant that many of the conditions for a plat waiver have not been met. It becomes very dubious as to whether a plat waiver will be granted.

Mr. Boyle informed the applicant that he may want to go ahead with filing a plat, but it would be the applicant's decision.

Mr. Westervelt stated that he would prefer to see the site plan before acting on this application.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **CONTINUE** the Plat Waiver for Z-6673 to March 3, 1999 at 1:30 p.m.

Northwest corner East 91st Street and South Highway 169

Staff Recommendation:

Mr. Beach stated that the site of the proposed sign is at the south end of the new SouthCrest Hospital site. All the property covered under PUD 559 is subject to plat and is being platted in smaller parcels as it is developed.

The TMAPC recently approved a minor amendment to permit the proposed sign to be located along 91st St. in an area that has not yet been platted. In order to get the sign permit, the platting requirement must be satisfied.

Staff waived formal TAC review of this request and **recommends approval** of the temporary plat waiver to allow construction of the sign per plan submitted, subject to the condition that a plat must be filed of record for the subject property before any other building permits are requested.

TMAPC COMMENTS:

Mr. Boyle asked staff if it was a good idea to allow the applicant an open-ended temporary waiver. Mr. Boyle stated that the applicant could decide he likes the location for the sign and would like to keep the sign in place. In response, Mr. Beach stated that there is no harm in allowing the open-ended waiver because the property is static at this point. Mr. Beach commented that there is nothing to be gained for the City of Tulsa by ordering the subject property to be platted for a sign.

Mr. Boyle asked if the TMAPC approved the temporary plat waiver it would allow any sign to be placed on the subject property or only the one proposed today. In response, Mr. Beach stated that the temporary plat waiver is only allowing the proposed sign on the subject property. Mr. Beach recommended that the approval be per plan submitted, which is the actual approved sign plan that goes with the PUD Minor Amendment. Mr. Beach stated that the approval should also have a condition that the subject property has to be platted prior to any application for future building permits.

There were no interested parties wishing to speak.

Applicant was not present.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Plat Waiver for PUD-559-1 per plan submitted, subject to the subject property being platted prior to future applications for building permits as recommended by staff.

OTHER BUSINESS:

PUD-275 - Jason C. Potter

(PD-18) (CD-8)

Southwest corner East 91st Street and South Yale
(Detail Site Plan)

Staff Recommendation:

Mr. Dunlap stated that the applicant is requesting Detail Site Plan approval for a 3,697 square foot bank and drive-through facility on a 1.55-acre portion of Development Area A.

Staff has examined the Detail Site Plan and finds conformance to the approved development specifications including building area, coverage and height, setback, parking, access, mutual access, screening, landscaped buffering and total landscaped area.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-275 as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign plan approval. **Applicant indicated his agreement with staff's recommendation.**

There were no interested parties wishing to speak.

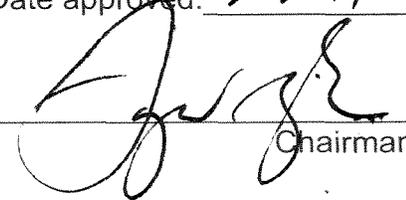
TMAPC Action; 8 members present:

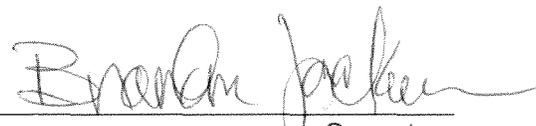
On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Carnes, Dick, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to **APPROVE** the Detail Site Plan for PUD-275 as submitted and recommended by staff.

Chair Boyle reminded the Planning Commission of the committee work session in Room 1102 following adjournment of the TMAPC meeting.

There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date approved: 3-3-99


Chairman

ATTEST: 
Secretary

