

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2432

Wednesday, December 21, 2005, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

| Members Present | Members Absent | Staff Present | Others Present |
|------------------------|-----------------------|----------------------|-----------------------|
| Ard | Carnes | Alberty | Boulden, Legal |
| Bayles | Dick | Chronister | |
| Bernard | Horner | Fernandez | |
| Cantees | | Huntsinger | |
| Harmon | | Matthews | |
| Hill | | | |
| Jackson | | | |
| Midget | | | |

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, December 15, 2005 at 4:00 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Minutes:

Approval of the minutes of October 19, 2005, Meeting No. 2427

On **MOTION** of **HILL** the TMAPC voted 6-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the minutes of the meeting of October 19, 2005, Meeting No. 2427.

Approval of the minutes of October 26, 2005, Meeting No. 2428

On **MOTION** of **HILL** the TMAPC voted 6-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the minutes of the meeting of October 26, 2005, Meeting No. 2428.

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

REPORTS:

Worksession Report:

Ms. Bayles reported that the Planning Commission held a worksession today to discuss the Arkansas River Phase II Master Plan and the Comprehensive Plan update.

Director's Report:

Mr. Alberty reported that the Owasso zoning cases that were heard on October 19th were transmitted to the BOCC and at that meeting the applicant's attorney revised his requests. The BOCC didn't feel it would be appropriate to take action on it and have referred it back to the TMAPC. The TMAPC recommendation is that these amendments need to be referred to the City of Owasso due to the fact that there are substantial changes. He expects and he has been informed that their next meeting will not be until February 2006 and he is simply passing this information along. This application will probably be coming back to the TMAPC in an amended format, but probably not until after the Owasso Planning Commission and City Council have a chance to react to it. There will be advertising and noticing regarding these cases to ensure that everyone has adequate notice.

Mr. Alberty reported that the Zoning Code amendments are still being reviewed and once the Legal Department has had adequate time to review the proposed amendments and a notice is prepared, then it will be on the agenda.

CONTINUED ITEMS:

| | |
|--|-------------------------------|
| Application No.: PUD-723 | RS-3/CS to RS-3/CS/PUD |
| Applicant: R.L. Reynolds | (PD-2) (CD-3) |
| Location: 2111 East Pine Street North | |

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, requested that this be continued to January 18, 2006 because he is unable to meet with Councilor Turner. The best date Councilor Turner could meet is January 6, 2006, which is after the next scheduled TMAPC meeting on January 4th.

There were no interested parties wishing to speak.

options and they may revise it. Staff recommends a continuance to a non-specific date.

Mr. Alberty stated that if it is continued it would have to be a date certain or be readvertised when the applicant returns with a revised application.

Ms. Chronister stated that January 18, 2006 would be the next time available to hear this application.

Mr. Midget suggested that the applicant needs more time and the January 18th agenda is getting stacked with continued cases. He suggested that it be heard in February.

Ms. Chronister agreed to a February 1, 2006 hearing.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nay"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **CONTINUE** L-19896 to February 1, 2006.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- | | |
|---|----------------|
| <u>L-19904 – Mike Marrara</u> (9325) 4501 South 86 th East Avenue | (PD 18) (CD 5) |
| <u>L-19906 – William Jones</u> (9336) 5131 South 95 th East Avenue | (PD 18) (CD 5) |
| <u>L-19910 – Spirit Homes</u> (1317) 2421 East 96 th Street North | (County) |
| <u>L-19912 – Tanner Consulting</u> (8307) East 74 th Place and South Wheeling Avenue | (PD 18) (CD 2) |
| <u>L-19913 – Tanner Consulting</u> (8307) East 74 th Place and South Wheeling Avenue | (PD 18) (CD 2) |
| <u>L-19915 – Steven Novick</u> (9308) 2715 East 15 th Street | (PD 4) (CD 4) |
| <u>L-19916 – Janine VanValkenburgh</u> (8305) 6336 South Harvard | (PD 18) (CD 9) |

L-19918 – White Surveying (0329)

(PD 3) (CD 3)

Southwest corner of West Queen and Evanston Place

L-19919 – White Surveying (0329)

(PD 3) (CD 3)

South of southwest corner of West Queen and Evanston Place

STAFF RECOMMENDATION:

These lot-splits are all in order and staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET** the TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

PLAT WAIVERS:

BOA-20171 – (8327)

(PD 26) (CD 8)

10901 South Yale Avenue

STAFF RECOMMENDATION:

The platting requirement was triggered by a request for a school use in an existing church building. Previously a plat waiver was granted to the site, and a special exception for the school use.

Staff provides the following information from TAC at their September 15, 2005 meeting:

ZONING:

TMAPC Staff: The plat waiver is for property zoned AG. The site is surrounded by platted properties on three sides and on Yale Avenue to the west.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

STORM DRAIN:

No comment.

FIRE:

The addition of an educational use may change the classification of the existing building. This would possibly require the entire building, including fire department access and fire hydrant locations, to comply with the current City of Tulsa Building and Fire Codes. The need for change of use is determined through the building permit process. Contact Paul Enix (building plan review) at 596-9456 for further information on change of use and Chuck Lange (Fire Marshall's office plan reviewer) for additional information on fire protection related issues.

UTILITIES:

No comment.

Staff can recommend **APPROVAL** of the plat waiver requested because of the previously granted plat waiver, and the surrounding platted properties, with the condition that the uses are not expanded outside the existing structures on the site.

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

| | Yes | NO |
|---|-----|----|
| 1. Has property previously been platted? | | X |
| 2. Are there restrictive covenants contained in a previously filed plat? | | X |
| 3. Is property adequately described by surrounding platted properties or street right-of-way? | X | |

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

| | YES | NO |
|--|-----|----|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | | X |
| 5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? | | X |
| 6. Infrastructure requirements: | | |
| a) Water | | |
| i. Is a main line water extension required? | | X |
| ii. Is an internal system or fire line required? | | X |
| iii. Are additional easements required? | | X |
| b) Sanitary Sewer | | |
| i. Is a main line extension required? | | X |
| ii. Is an internal system required? | | X |
| iii. Are additional easements required? | | X |

- c) Storm Sewer
 - i. Is a P.F.P.I. required? X
 - ii. Is an Overland Drainage Easement required? X
 - iii. Is on site detention required? X
 - iv. Are additional easements required? X
- 7. Floodplain
 - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
 - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
- 8. Change of Access
 - a) Are revisions to existing access locations necessary? X
- 9. Is the property in a P.U.D.? X
 - a) If yes, was plat recorded for the original P.U.D.
- 10. Is this a Major Amendment to a P.U.D.? X
 - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?
- 11. Are mutual access easements needed to assure adequate access to the site? X
- 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the plat wavier for BOA-20171 per staff recommendation.

FINAL PLAT:

The Estates of River Oaks II – (8334) (PD 26) (CD 8)

North of East 121st Street South, West of South Sheridan Road

STAFF RECOMMENDATION:

This plat consists of six lots in one block on 3.4 acres.

All release letters have been received and staff recommends **APPROVAL**.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the final plat for The Estates of Rivers Oaks II per staff recommendation.

North Garnett Commercial Center Addition – (1405) (County)

South of the Southeast corner of 126th Street North and Garnett Road

STAFF RECOMMENDATION:

This plat consists of two lots in one block on 13.3 acres.

All release letters have been received and staff recommends **APPROVAL**.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the final plat for North Garnett Commercial Center Addition per staff recommendation.

Twilight Ridge – (9024) (County)

West 35th Street, West of 177th West Avenue

STAFF RECOMMENDATION:

This plat consists of 20 lots in three blocks on 23.29 acres.

All release letters have been received and staff recommends **APPROVAL**.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the final plat for Twilight Ridge per staff recommendation.

Redberry Hill – (2318)

(County)

West of the northwest corner of East 156th Street North and Lewis Avenue

STAFF RECOMMENDATION:

This plat consists of 21 lots in two blocks on 62.71 acres.

All release letters have been received and staff recommends **APPROVAL**.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the final plat for Redberry Hill per staff recommendation.

The Villas at Southern Hills - (formerly Traditions at Southern Hills) - (8305)

(PD 18) (CD 2)

East 62nd Street, West side of Harvard Avenue

STAFF RECOMMENDATION:

This plat consists of ten lots in two blocks on 2.74 acres.

All release letters have been received and staff recommends **APPROVAL**.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the final plat for The Villas at Southern Hills per staff recommendation.

MINOR SUBDIVISION PLATS:

Hope Chapel – (0814) (County)

East of southeast corner of East 116th Street North and Garnett Road

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 4.5 acres.

The following issues were discussed December 1, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG.
2. **Streets:** Change "Osage" to read "Tulsa County" in the first paragraph.
3. **Sewer:** No comment. Septic system is proposed.
4. **Water:** Rural Water District # 3 in Washington County will serve water.
5. **Storm Drainage:** No comment.
6. **Utilities: ONG, Cable:** Okay.
7. **Other: Fire:** Owasso will serve the site.

County: Plat looks okay. Remove Highway 20 from street name on north side.

Staff recommends **APPROVAL** of the minor subdivision plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. 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.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the minor subdivision plats for Hope Chapel subject to special conditions and standard conditions per staff recommendation.

Davco – (1321)

(County)

West of the southwest corner of East 96th Street North and US 75

STAFF RECOMMENDATION:

This plat consists of one lot, one block, one reserve, on 2.886 acres.

The following issues were discussed December 1, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 715. All PUD standards must be met. Fire service must be established and release plat. All PUD standards must be met and be to County Engineers specifications especially for access (present and future). The PUD states "if required by ODOT, one access point from East 96th Street North or any access road off of it may be allowed as part of the platting process" and "one additional access on the west side of Development Area A be allowed in connection with any right-of-way or access conditions or restrictions by ODOT." Show Development Areas. The construction for the Reserve A street access needs to be determined. An Association needs to be formed for maintenance of Reserve. This needs to be thoroughly discussed with the County.
2. **Streets:** Access limits should be coordinated with ODOT. Development Areas "A" and "B" as referenced should be identified on the face of plat. In Section IA include the dedication of "street right-of-way" to the public.
3. **Sewer:** The lateral line field for the septic system should be in an easement. Add language limiting use of the septic field.
4. **Water:** Washington County Rural Water District # 3 will serve water.

5. **Storm Drainage:** Very concerned about the overland drainage swale conveying stormwater drainage across the septic leach field.
6. **Utilities: ONG, Cable:** Okay.
7. **Other: Fire:** A release letter will be necessary.

County Engineer: Change lateral field and Overland Drainage Easement as long as DEQ approves the field. The street needs to be put in whenever a building permit is requested for the property to the south. The Reserve Area is to be for future right-of-way dedication for a public street that the developer will construct. No building permits will be approved until the right-of-way is dedicated and a new plat filed for the development to the south.

Staff recommends **APPROVAL** of the minor subdivision plat subject to the special and standard conditions below. ODOT has released the plat.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the County Engineer must be taken care of to his satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. 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.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.

19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the minor subdivision plat for Davco, subject to special conditions and standard conditions per staff recommendation.

Sooner Park – (0432)

(PD 16) (CD 6)

North of the northeast corner of East Marshall Street and
Garnett Road

STAFF RECOMMENDATION:

This plat consists of one lot, one block, one reserve, on 4 acres.

The following issues were discussed December 1, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned IL. Reserve Area needs to be defined and maintained. Hammerhead needs to be approved by Fire Department.
2. **Streets:** Please dedicate the full 50 feet of arterial right-of-way based on the ownership. Properly label the 33 feet statutory easement. Dimension the 60-foot "Limit of Access".
3. **Sewer:** No comment.
4. **Water:** On the existing twelve-inch water main along Garnett Road the proposed six-inch water main will be required to make two connections for a looped water line per standard.
5. **Storm Drainage:** The stormwater detention facility must be shown, labeled, and placed in an easement, separate from the utility easement in Reserve Area A. Offsite drainage flowing onto the site from Cooley's Subdivision must be collected and piped to the detention facility or must be conveyed in an Overland Drainage Easement. Replace Section I.1.9 with the standard language for Stormwater Detention. May need to add standard language for overland drainage easement. Utility easement cannot be within the Stormwater Detention Facility.
6. **Utilities: ONG, Cable:** Okay.
7. **Other: Fire:** Show a building line setback along Garnett if applicable. Show the point of commencement. Please add the prefix "East" to the street name. Relocate the minor encroachment by the existing drive at the southeast corner and discuss an emergency access easement along the east property line to access said drive.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works and Development Department must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. 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.
14. 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.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Cantees, Carnes, Dick, Horner "absent") to **APPROVE** the minor subdivision plat for Sooner Park, subject to special conditions and standard conditions per staff recommendation.

PRELIMINARY PLAT:

Crossing at 86th Street Phase II – (1326) (County)

South and east of the southeast corner of 86th Street North and Sheridan Road – **STRICKEN FROM AGENDA** (due to new plat submittal.)

Stricken from agenda.

Ms. Cantees in at 1:55 p.m.

Trinity Creek II – (9426) (PD 17) (CD 6)

Northeast corner of East 51st Street South and 161st East Avenue (continued from 12/7/05 meeting)

STAFF RECOMMENDATION:

This plat consists of 349 lots, 15 blocks, on 102.5 acres.

Mrs. Fernandez stated that this application has been continued due to a concern regarding a secondary arterial street through the City of Broken Arrow that would meet a residential street in the planned development for Trinity Creek II. Broken Arrow didn't communicate with the City of Tulsa or the Major Street and Highway Plan Transportation staff that this new roadway would connect in this fashion. There have been several meetings at the staff level with the developer and his engineer and discussion about the true alignment of the roadway. At this time it shows a phased development leaving out the portion where the connection of the two streets would exist. Staff can recommend approval with the Development Services comments.

The following issues were discussed November 17, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3. Show Limits of No Access. Make sure Reserves are sufficiently described and maintained properly per Homeowners Association. Is the area just for drainage or open space and park area also? Lot square footages need to be shown. Setbacks per the Zoning Code could be listed in the Covenants.
2. **Streets:** The following need to be included: right-of-way widths of interior streets, right-of-way dedications along arterials and on the adjoining Trinity Creek plat, adjacent easements on Trinity Creek plat and any adjacent property (PSO for overhead power line in Oxford Park II), written scale with the graphic scale. It is noted that the return radii at East 49th Street at South 161st East Avenue are 35 feet, where only 30 feet is required. Language needs to be included explaining sidewalks will be constructed on all streets and who will construct them. Recommend 58-foot right-of-way for a west bound right turn bay on 51st Street South at 161st East Avenue. Show Limits of No Access along both arterials. Recommend redesigning three different long, straight, sections of streets (162nd, 165th and 168th East Avenues) by creating 90-degree breaks. Add a connecting street between 48th Street and 48th Place in order to improve the indirect access to/from 163rd East Avenue and potentially the future 49th Street entry to 161st East Avenue. Provide a 30-foot arterial intersection radius at the southwest corner. Label both right-of-way areas as "right-of-way dedicated by this plat."
3. **Sewer:** All easements for sanitary sewer must be a minimum of 15 feet in total width. Several places identified on the concept plan for sewer lines have inadequate easement or no easement at all, for example: Lots 2 and 3 Block 3 along 163rd East Avenue. Reserve B must be designated as a utility easement, or else a 17.5-foot utility easement must be added along the east boundary where the sanitary sewer line passes. Add language describing Reserve B. Make sure your pipe is adequately sized to handle the basin flow. The Broken Arrow System Development fee of \$700.00/acre will apply. Where the sewer line exceeds 500 feet and dead ends in a residential area, a manhole shall be placed in the right-of-way for maintenance purposes.
4. **Water:** Independent valves will not be allowed on fire hydrants. Valves should be placed on the water main lines for fire hydrant and main line section isolation. Add blow-off hydrants on all stub mains to unplatted areas.
5. **Storm Drainage:** The City of Tulsa Regulatory Floodplains must be shown by plotting the 100-year Water Surface Elevation (WSE) on the Fround Survey information. The Reserve must include all of the Floodplain plus an additional 20 feet on both sides of the floodplain. Provide Overland Drainage Easement for the Reserve. Section B should be "Water, Sewer Service, and Stormwater". Also include a section of Surface Water. Some storm drain easements are shown to be ten feet wide; minimum is 15 feet.

6. **Utilities: ONG, Cable, PSO:** Additional easements will be needed.
7. **Other: Fire:** Show street dimensions. Show point of beginning and the bearing and distance from the quarter corner. Recheck benchmark data for ADS 90 (NAVD 1988). Legal description should be shortened to southwest quarter of Section 26, Township 19, and Range 14. Traffic Engineering to meet with applicant to discuss street redesign and whether a sketch plat is in order rather than a preliminary plat as proposed.

Staff will have a recommendation at the meeting as the redesign of several streets may warrant a continuance.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.

7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. 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.]
15. 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.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.)

20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

PRELIMINARY PLAT: **REVISED**

DATED DECEMBER 16, 2005

General -

Plat – Reserve A and B may have more than one use. For example, Reserve A is for detention and may be used for utilities around the perimeter outside of the pond area. If so, indicate distinct separate areas for detention and for utilities.

Covenants – New covenants were not furnished. Please use the covenant comments from the version reviewed for the Nov 17, 2005, TAC meeting. A few additional covenant comments are shown below to supplement those previously made. Reserve B needs to be added to the covenants with the appropriate language for its use.

Conceptual – No comments.

Water –

Plat – No Comments.

Covenants - No Comments.

Conceptual - Independent valves on fire hydrants along non-arterial streets are not allowed. Water mains should follow the standard water line placement along the south and east sides of roadways. For example, the proposed water mains at East 47th Street South and South 166th East Place should follow the outside of the cul-de-sac and then cross 47th Street to the south side of the street.

Fire –

Plat – No comments

Covenants - No comments

Conceptual - No comments

Stormwater –

Plat – Please label the floodplain within Reserve A as “West Creek City of Tulsa Regulatory Floodplain.” Adams Creek City of Tulsa Regulatory Floodplain must be clearly labeled along the eastern boundary of the Plat. The flow coming from offsite of this plat and being conveyed to the Stormwater Detention Facility (Reserve A), should be placed in an Overland Drainage Easement or a Drainage Easement if collected in a stormwater pipe. The Storm Sewers, which are being placed along lot lines, between the proposed Lots, must be placed in Storm Sewer or Utility Easements, with a minimum width of 15 feet, centered on the pipe. All abbreviations, symbols, and line types, shown on the face of Plat, should be included in the Legend.

Covenants – Add the Standard Language for “Owner Responsibility to Water Mains, Sanitary Sewers, and Storm Sewer Services” and for “Overland Drainage Easements” if added to the plat.

Conceptual – See plat comments.

Wastewater –

Plat – If Reserve B is also a U/E, then it is O.K. as shown. If not, then a 17.5’ perimeter easement must be provided for the sanitary sewer line.

If Reserve A is also a U/E, then it is O.K. as shown. If not, then the rear 11’ easement in Block 8 must be revised to a 17.5’ easement. A 17.5’ easement will also be required along S 168th E. Ave unless an easement from the adjacent land is available. Then the easement can be reduced to 11 feet.

Add the dimensions for the Easement between Lots 2 & 3 Block 9. The easement must be at least 15’ total width with the pipe centered in the easement.

Lot 6 Block 1 is shown with sanitary sewer pipe inside the south property line. An 11’ easement must be added to cover the proposed line.

Covenants – No comments

Conceptual – Same as covenants.

Transportation –

Plat – No comments

Covenants – No comments

Conceptual – No comments

Traffic –

Plat – The revised street pattern shown is recommended by Traffic Engineering. Label the traffic circle as Reserve C. Provide curve data.

Covenants – Add Reserve C.

Conceptual –

GIS –

Plat – See comments from the Nov 17 TAC.

Covenants – Legal description must agree with the new description on the revised plat.

Conceptual - No comments

County Engineer –

Plat - No comments

Covenants - No comments

Conceptual – No comments

TMAPC COMMENTS:

Mr. Harmon asked staff if the TAC comments would be incorporated into the staff recommendation. In response, Mrs. Fernandez answered affirmatively.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner "absent") to **APPROVE** the preliminary plat for Trinity Creek II, subject to special conditions and standard conditions, subject to the Development Services, revised comments provided at the meeting per staff recommendation.

Mr. Midget out at 1:57 p.m.

Kingsbury III – (8323)

(PD 18) (CD 8)

7150 East 93rd Street South, West of South Memorial and South of East 91st Street South (continued from 12/7/05 meeting)

STAFF RECOMMENDATION:

This plat consists of seven lots, one block, on 3.29 acres.

The following issues were discussed November 17, 2005 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3-PUD166-11/PUD 405 K-4. There is an unusual access per PUD 155-11 and 405-K. Show access through Ashton Hollow on plat. There is to be a private road in front of each lot and this will connect with the private portion of South 73rd East Avenue as Reserve A in Ashton Hollow (Lot 1, Block 1) connecting to public portion of South 73rd East Avenue. The original PUD was approved in 1975 and amended many times. A sketch plat was reviewed for Kingsbury III in February of 2005 and there were several concerns including overlap into the Southern Lakes addition and the legal description. The underlying zoning is RS-3 and except for a 20-foot front building line these standards and the original PUD standards apply. Show square footages for each lot. Will it be gated? The applicant responded that no gates are planned at the present time. If Reserve A is for drainage and open space then there needs to be a Reserve B shown as Lot 1, Block 1, for access through Ashton Hollow. Maintenance for both need to be defined and per the Homeowners' Association.
2. **Streets:** Language needs to be included explaining sidewalks will be constructed on all streets and who will construct them, or a waiver of Subdivision Regulations will be required. Label 93rd Street as "Reserve B" and include "Reserve B" in the title of Section # 1 in the covenants. Correct the typo of a dimension near the northwest corner. No objection to a waiver of the intersection radius. Include language to provide for all proposed design standards for the private street in addition to street width (i.e., pavement thickness, curb and gutter, inspection and etc.). Design for a minimum radius at the north end of the cul-de-sac. An engineering evaluation of the sight distance at the entry shall be submitted with the PFPI. The length of "C1" should be shown to two decimal places.
3. **Sewer:** The east boundary of the PSO easement across Lot 1 needs to be defined. Also, add the west boundary of the existing 24.75' utility easement crossing Lot 1 of Ashton Hollow.
4. **Water:** Show a utility easement in the private street right-of-way for the water main line. Show easements on the offsite portion of the proposed water line. Add language for water main line in a utility easement along East 93rd Street South. Lot 7 is outside fire hydrant coverage of 400 feet. Adjust fire hydrant location. Use Tee, not tapping sleeve. Add an ARV near Station 1+00. Water main line must be ductile iron pipe at the street crossing.
5. **Storm Drainage:** The City of Tulsa Regulatory Floodplains must be shown by plotting the 100 year water surface elevation (WSE) from the profiles on the ground survey information. The Reserve must include all of the floodplain plus an additional 20 feet on both sides of the floodplain. Include sections on surface water, overland drainage easement and water, sewer service and stormwater.

6. **Utilities: ONG, Cable:** Add gas service to standard covenant language. PSO needs an underground circuit to street light. Take out 2A in covenants.
7. **Other: Fire:** Any future gate will require traffic engineering and Fire Marshal approval. Fix the bearing and distance at the north end of the west line on the face of the plat. Make a page 2 for the covenants and use larger text.

The plat was continued from the December 7, 2005 TMAPC meeting so that staff could review a request for a waiver of part of the sidewalk requirements. Staff can recommend approval of the request to require sidewalks only on the north side of the street with the requirement that there be a partial sidewalk required on the south side of the street including curb cut ramp on that side that would provide connection to the existing trail around the north end of the Heatherridge Detention Pond. The sidewalk must be constructed to connect to the trail with a minimum width of ten feet. Future sidewalks might be needed if Kingsbury ever had a secured gated entry on the private street, but no gates are planned at this time. The Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. Waiver of intersection radii is needed and recommended for approval per Traffic Engineering.
2. Waiver of sidewalks on south side of street in the addition is requested.

Special Conditions:

1. The concerns of the Public Works and Development department staff must be taken care of to their satisfaction. Any sidewalk waiver granted should meet conditions recommended in staff report and meet with the Public Works and Development staff approval.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.
14. 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.]
15. 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.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

Mrs. Fernandez stated that Mr. Levinson has submitted a letter agreeing that his client will install a curb-cut ramp and sidewalk up to ten feet in width connecting East 93rd Street South to the existing trail. This is sufficient for staff.

TMAPC COMMENTS:

Mr. Harmon asked staff if the sidewalk that is being waived is on the south side of East 93rd Street. In response, Mrs. Fernandez stated that there is a detention area to south of the project and that is where the sidewalk waiver will be allowed. There is an existing trail and there will be access to the trail.

Ms. Bayles requested that the applicant come forward to address the letter he has submitted agreeing to the conditions.

Applicant's Comments:

Jeffrey Levinson, 9308 South Toledo Avenue, Tulsa, Oklahoma 74136, stated that the developer is willing to create the curb-cut ramp and sidewalk up to ten feet in width connecting East 93rd Street South to the existing trail along the

south side. He indicated that his client would like to clarify something about the sidewalks.

Bill Lewis, 5879 South Garnett, Tulsa, Oklahoma 74145, stated that he would like to have the sidewalks along the platted lots (facing the lots) and the portion of the private street over to Ashton Woods along the north side. There wouldn't be any sidewalks along the channel or south side of the street.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to **APPROVE** the preliminary plat for Kingsbury III and waivers of Subdivision Regulations of intersection radii per Traffic Engineering approval and sidewalks on the south side of the street in the addition as requested, subject to special conditions and standard conditions, subject to letter dated 12/20/05 from Mr. Levinson stating that his client will install a curb cut ramp and sidewalk of up to ten feet in width connecting East 93rd Street South to the existing trail around the Heatherridge detention pond, and per staff recommendation.

ZONING PUBLIC HEARING

Application No.: Z-6054-SP-6

CORRIDOR DETAIL SITE PLAN

Applicant: Charles Norman

(PD-18) (CD-7)

Location: Southwest corner of East 81st Street and South Garnett Road

STAFF RECOMMENDATION:

The applicant is requesting approval of a corridor site plan for a ten-acre neighborhood retail and office development on the southwest corner of East 81st Street and South Garnett Road. The property is presently **zoned CO, Corridor District**, and is bounded on the west by vacant property zoned CO with an overlay Planned Unit Development, PUD-716, approved for office and commercial development. Adjacent to the site's south boundary is vacant land zoned AG. The northwest corner of East 81st Street and Garnett Road is vacant and zoned CS and RM-0 with an overlay Planned Unit Development, PUD-666, approved for light commercial uses. To the east are South Garnett Road and the corporate boundary between the cities of Tulsa and Broken Arrow. The southeast corner of East 81st Street and South Garnett Road is zoned C-5 and is

currently used for outdoor recreation. The northeast corner of East 81st Street and Garnett Road, also within the corporate limits of Broken Arrow, is vacant land zoned R-1.

The Comprehensive Plan designation of the subject property, Union Place, is Corridor with a five-acre Medium Intensity node at the southwest corner of East 81st Street and South Garnett Road; and Low Intensity for the balance of the property. The proposed uses **may be found in accordance** with the **Comprehensive Plan**.

Four pipelines cross the property from southwest to northeast and complicate the development of Union Place. The highest elevation of the site is in the southwest corner of the property at an elevation of approximately 704 feet above mean Sea Level (MSL). The site slopes uniformly from the southwest to the northeast. The lowest elevation of the site is in the northeast corner at an elevation of approximately 680 feet above MSL. The development proposal indicates the location of the pipelines and is shown on Exhibit A – Concept illustration. An aerial photo, Exhibit B, indicates the neighborhood land uses. The site map, topography, existing and proposed utilities, and drainage are shown on Exhibit C.

Language in the corridor site plan text suggest "...access will be provided through PUD-716 to the corridor collector street, South 107th Street East." The minutes for PUD-716 discuss the collector as follows. "There is a stub-out from South 107th East Avenue along the west boundary of the Site. This stub-out contemplates a 36 feet wide road into the Site. However, the Site will be developed with a 26 feet wide private street through the Site." There was no apparent discussion in the minutes regarding the street, but the approval included the standard requirement for compliance with TAC conditions during the subdivision platting process. TAC comments included a recommendation for a public collector street with a 60-foot right-of-way per Corridor Zoning regulations. Staff recommends that the proposed street be a 36-foot wide collector in anticipation that the street in PUD-716 will also be platted as a 60-foot wide collector (36 foot paved road).

Based upon the proposed Development Concept and Standards as modified by staff, staff finds Z-6054-SP-6 to be: (1) in harmony with the existing and expected development of surrounding areas; (2) a unified treatment of the development possibilities of the site; and (3) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of **Z-6054-SP-6** subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

LAND AREA:

| | | |
|-------|-------------|------------|
| Gross | 11.65 Acres | 507,557 SF |
| Net | 10.04 Acres | 437,264 SF |

PERMITTED USES:

Those uses permitted as a matter of right in the CS District, Use Unit 19, Hotel-Motel only and uses customarily accessory thereto.

MAXIMUM BUILDING FLOOR AREA (0.4): 174,900 SF

MINIMUM LOT FRONTAGE: 150 FT

MAXIMUM LAND COVERAGE OF BUILDINGS: 30%

MAXIMUM BUILDING HEIGHT:

| | |
|-------------|-------|
| CS Uses | 35 FT |
| Hotel-Motel | 60 FT |

Architectural elements and business logos may exceed the maximum building height with detail site plan approval. No roof signs are permitted.

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

| | |
|---|---------|
| From the centerline of South Garnett Road | 100 FT |
| From the centerline of East 81 st Street | 100 FT |
| From the west boundary | 17.5 FT |
| From the south boundary | 30 FT |

LANDSCAPED AREA:

A minimum of 10% of the net land area shall be improved as internal landscaped open space in accord with the Landscape Chapter of the Tulsa Zoning Code. Landscaping shall be in substantial conformance with the Concept Illustration, Exhibit "A".

SIGNAGE:

1. One ground sign not exceeding 25 feet in height and 250 square feet in display surface area shall be permitted along either east 81st Street or South Garnett Road.

2. One ground sign shall be permitted for each lot with frontage on East 81st Street or South Garnett Road with a maximum of 425 160 square feet of display surface area and 25 feet in height. No ground sign shall be permitted for lots with frontage solely on the collector.
3. Ground signs shall maintain a minimum separation of 100 feet.
4. Wall signs shall be permitted not to exceed 2.0 square feet of display surface area per lineal foot of building wall to which attached. The length of a tenant wall sign shall not exceed seventy-five percent of the frontage of the tenant space. No wall sign shall be permitted on south-facing building elevations of buildings adjacent to the south boundary of Z-6054-SP-6.

LIGHTING:

Lighting standards within Union Place, whether pole or building mounted, shall not exceed 25 feet in height and shall be hooded and directed downward and away from the west and south boundaries. The light fixtures shall be arranged so as to shield and direct the light away from surrounding residential areas and shielding of such light shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to persons within surrounding residential areas. Compliance with these standards and with the City of Tulsa Zoning Code must be qualified per application of the Kennebunkport Formula. Calculations must include consideration of topography.

ACCESS:

In accordance with Corridor Zoning per the Tulsa Zoning Code and the Metropolitan Development Guidelines, a maximum of two points of access each, whether a collector street or driveway, shall be permitted onto East 81st Street and onto South Garnett Road to preserve the traffic carrying capacity of the transportation system. The internal east-west road shall be developed as a 60 foot wide collector and each lot in Union Place shall have vehicular access to adjacent lots (not separated by the collector) within the development through use of mutual access easements.

SCREENING:

A minimum six-foot-high screening fence ~~shall~~ may be required along the south boundary of Union Place.

PEDESTRIAN CIRCULATION:

Sidewalks shall be required along both sides of the collector street and shall be required along East 81st Street and South Garnett Road. Pedestrian access from the sidewalks to the storefronts is recommended. Sidewalks or walkways which cross vehicular aisles or driveways shall be distinguished by a continuous raised crossing, by using contrasting paving material and/ or by using high contrast striping.

3. No zoning clearance permit shall be issued for a lot within the Corridor Site Plan until a detail site plan for the lot, which includes all buildings, parking, screening fences and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to occupancy or at the soonest appropriate planting time. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the Corridor Site Plan until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
6. Flashing signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required Stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

9. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the Corridor Site Plan conditions of approval and making the City beneficiary to said covenants that relate to Corridor Site Plan conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the Corridor Site Plan is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the Corridor Site Plan except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the Corridor Site Plan.

TAC Comments from 12/15/05:

General – No comments.

Water – A water main extension will be required to loop through the site to connect the existing 12-inch water mains along Garnett Rd. and East 81st Street South. For each connection onto the 12-inch mains lines there will be a \$5,000.00 dollar connection fee.

Fire – No comments.

Stormwater – Must be conveyed to the 100-Year Public Drainage System constructed by Tulsa County. The drainage must be conveyed to the locations, designed by the County, to receive this additional drainage.

Wastewater – Sanitary sewer service must be provided for all lots within the development. Broken Arrow System Development fees of \$700.00/acre and Excess Capacity Fees of \$1,128.03/acre must be paid for this development.

Transportation – It is recommended that the zoning code's intent for access to be principally from internal collector streets be achieved as much as possible.

Traffic – Recommend a 60-foot right-of-way for an east/west collector street to Garnett as a continuation of the public street recommended for PUD-716 to the west. Traffic Engineer recommends eliminating the direct connection of the north leg to the remaining legs of the “T”-shaped public intersection. This recommendation is based on an evaluation of both the undesirable circulation directly from 81st to Garnett and the peak congestion from the inadequate storage for the bank drive-in. The north/south private street would be more appropriate as a private access with only indirect access to the collector street. Provide the Garnett access for the northeast corner (bank) lot with 2-out/1-in lane markings. Redesign the final bank site plan to provide counterclockwise circulation for adequate drive-in queuing within the owner’s lot. Recommend 75 to 100 feet of Limits of No Access on the south side of the collector street west of Garnett.

GIS – No comments.

County Engineer – In public storm sewer, most runoff was planned to be picked up at the corner of 81st & Garnett. Need to coordinate storm sewer connections and sizes to assure proper function of system.

MSHP: 81st Street and Garnett Road designated as secondary arterials. Per Subdivision Regulations, sidewalks are required on both sides of residential streets, parkways, arterials and all residential collector streets and to be established in the covenants or on the related privately funded public improvement (PFPI) project.

L RTP: 81st Street, between US-169 and Garnett, existing four lanes. Garnett, between 81st St and 91st Street, planned four lanes.

TMP No comments.

Transit: Currently, Tulsa Transit operates Route 318 – Memorial/Airport on 81st St, between Mingo and Garnett. According to the New System Design, prepared by Perteet Engineering Inc., this location will be served by Route E: East 41st/Garnett Road. Therefore, consideration for access to public transportation should be included in the development: Include a curb cut-in for a bus stop on 81st Street (south side), just east of 108th East Avenue, before the street that turns into the planned development (not named on the illustration). If possible, include a bus shelter with bench and lighting to match the architecture of the development at the cut in area. Sidewalks coming to and from the bus stop area, fully ADA accessible.

Applicant's Comments:

Charles Norman, 401 South Boston, Suite 2900, Tulsa, OK 74103-4065, stated that he is in agreement with most of the staff recommendation. He stated that he would like to speak about the recommendation of the continuation of a collector street through this property. He commented that in his experience he is not aware of any collector street that has ever crossed a ten-acre tract at the corner or at an intersection of two arterial streets. Collector streets have generally been along the half-section lines or fairly close to them and provide internal circulation to the middle part of the square mile sections that exists throughout Tulsa County. There is also a perception about the effect on the PUD that is immediately to the west. He indicated that there was no requirement that there be a public street extending from 107th.

Mr. Norman submitted an aerial photograph of the subject property (Exhibit A-1). The property being discussed today is the ten acres at the intersection of Garnett and 81st Street. The property immediately to the west was a subject of a PUD that was approved in June 2005. He indicated that 107th Street is a north/south collector that was established several years ago. He further indicated that 108th Street is directly across the street from the corner of the PUD to the west. In the June 1, 2005 minutes it is mentioned that there is a stub-out from South 107th East Avenue along the west boundary of the site. The stub-out contemplates a 36 feet wide road into the site; however, the site will be developed with a 26-foot wide private street through the site. The ownership of the street shall be retained by the developer with permanent roadway easements granted to eventual adjoining lot owners and the developer will maintain the street. The property has not been platted and there is no requirement that any public street continue across the property to tie into the adjoining property. A driveway was contemplated to provide full access turning across from South 108th Street. He believes that this is a matter that should be discussed at the platting of the property, but the staff recommendation is now subject to the establishment of a public 60-foot-wide dedicated collector street through the subject ten-acre tract. He reiterated that in his experience, this has never been required. He requested that this requirement be deleted and any of the internal access be established by way of mutual access easements for the lots that are internal to the property at the time of the platting. There is no planned east/west collector in this entire mile because of the expressway and the absence of any underpasses. He indicated that there will be a north/south collector generally established within this campus of the Tulsa Community College and down to the Southcrest Hospital. He reiterated that there shouldn't be a collector required through a 660' x 660' property.

TMAPC COMMENTS:

Mr. Harmon stated that the only thing that concerns Mr. Norman is designating a collector street because the street will obviously be there. In response, Mr. Norman stated that there is no need for a public street within a ten-acre square parcel. Mr. Norman further stated that none has been required typically of that

kind. Mr. Norman explained that there are mutual access easements or possibly private streets. The subject property had five development areas and there is a need for inside streets (perhaps private streets) maintained by an owners association, but most corner properties have never been developed with internal public streets. Mr. Norman further explained that sometimes corner properties are developed with private streets or mutual access easements. This would have 600 feet in each direction and those are store fronts of buildings located within that ten-acre parcel, which will be 8.5 net acres.

Mr. Ard asked staff about the reference to access points and whether it will be a collector street or driveway. Ms. Matthews stated that this issue came up at the TAC meeting. Mr. Norman stated that it was a recommendation of Transportation and now it has become a part of the staff recommendation. Mr. Norman explained that he had only intended to comment on it with respect to a future platting issue, but if it is a part of the staff recommendation then he would ask that it be deleted.

Mr. Ard asked staff how the Planning Commission can mandate a collector going out to the west when there is no guaranteed collector street on the western acreage that it abuts to. Ms. Matthews stated that PUD-716, which is adjacent to the subject property, indicates a collector street to the west.

Mr. Ard stated that he remembers when the acreage came to the Planning Commission as a PUD. He asked staff if in that PUD it was required that they have a street that goes from 107th to meet with the collector street on the subject acreage. Ms. Matthews stated that it is showing that it does.

Mr. Norman stated that it is intended to be a private street and he is saying that if the lotting of this could be the centerline and those be mutual access easements, which is a staff requirement then he doesn't object to that. He further stated that it is customary and appropriate that there be internal mutual access easements between lots. However, to say that there should be a public street through here in any configuration is simply contrary to anything he has experienced. He commented that there isn't a requirement that this be a collector street at this point he is just reading from the minutes, which indicates that it should be a private street (June 2005 minutes).

Ms. Matthews stated that it may be easier for the Planning Commission if staff reworded it to say "whether public or private" and "to be determined at the platting stage".

Mr. Norman stated that he is trying to avoid a requirement of even a private street that would require an owner's association because this could be easily be driveways with mutual access. The Planning Commission has required mutual access from adjacent PUDs over and across the driveways and aisles within an adjacent piece of property. He doesn't object to this type of requirement.

Mr. Jackson stated that the applicant is saying that he would like to have the option of making this a private drive or private streets. He asked staff how they view this option.

Ms. Matthews stated that this would have to be addressed at the platting stage and she suggests that this decision be made at that time.

Mr. Norman stated that he doesn't have any objection to internal access and circulation and limits of no access being established as part of the platting process. He doesn't want there to be a requirement that it is subject to a public street, collector or minor street through the property.

Mr. Jackson asked if Mr. French could advise the Planning Commission how he is expecting to go with this in a few weeks.

Darryl French, Traffic Engineering, 200 Civic Center, stated that he is seeing that this is for a corridor site plan and he has not heard anyone say that they are going to request the waiver from the requirement that the principal access from all of the lots to be on a collector street. It was the Traffic Engineer's recommendation for both projects to build a public collector street. If a waiver of the first project to the west was granted, then the collector street is moot and he would be happy to change his recommendation on the subject project. The recommendation for both of the projects consistently was so that both of these projects would have access to the signalized intersection farthest to the west. He concluded that he believes that the whole issue revolves on the corridor requirements. It is his understanding that the lots would have principal access onto a collector street. The Planning Commission can determine whether that should be public or private. On ten acres farther to the west there is a stub street to the east, which is a public stub street into both of the properties being discussed today.

In response to Mr. Jackson, Mr. French stated that the Planning Commission needs to decide on the corridor waiver first before getting into the issue whether this will be public or private streets. Since a public street has been started and stubbed into these two properties he sees no need to change back and forth.

Mr. French asked Mr. Alberty if there was a corridor requirement on all of the subject lots.

In response, Mr. Alberty stated that the corridor district requires that all of the principal access to any development within a corridor district to be to a collector street. TAC required the first PUD to the west to have a collector street and the applicant at that application had requested a private street. In the staff recommendation we picked up the applicant's proposal, but TAC has all along stated that they would wanted a collector street going to the east and connect to

Garnett. This issue will be determined by the first plat that is brought in. To this date there has not been any waivers requested or granted. He commented that the omission was in the first instance where the staff recommendation was not consistent with TAC recommendations. If it is put in the language of this PUD, that it will be subject to TAC's recommendation at that point, then unless there is a waiver of that requirement, this will be a collector street that will tie into the stub street and take it all the way to Garnett Road. It would be appropriate to state that this would be worked out at the platting stage.

Mr. Norman continued with his presentation and reading minutes from June 2005. He reminded the Planning Commission that the TAC comments are only a recommendation and that should be kept in mind.

Mr. Norman addressed signage. He commented that traditionally the ground signs along arterial streets have been limited to 25 feet in height and 160 SF of display surface area and sometimes 150 SF of display surface area. Mr. Norman described the property to the west's PUD regarding ground signs and what is allowed in the corridor and PUD chapter. He explained that he has requested 25 feet in height and 160 SF in display surface area and staff has reduced it to 125 SF in display surface area. He commented that 160 SF is less than what would be permitted under the Code and was permitted under the PUD to the west and he requested that his proposal be increased to 160 SF for the ground signs. Mr. Norman stated that he has no objection to the separation of the ground signs as required by the staff.

Mr. Norman stated that the subject property is crossed by four easements, but there may only be three pipelines. One pipeline easement creates a particularly difficult problem in the southeast corner of the property. He requested three access points on Garnett, one that would be shared by all properties. He requested that none of the access points be deleted but be considered as part of the plat. He would like the option of reviewing the accesses on Garnett Road as part of the platting process and be given the opportunity to deal with it on a detail site plan basis.

Mr. Norman stated that there is a requirement for a screening fence along the south boundary of the subject property. The property immediately to the south is zoned AG and is eligible for corridor zoning. He anticipates that the subject property might not be developed for residential purposes and if not, there would be no screening requirement. He requested that this sentence be modified to read instead of "shall" to read "may be required along the south boundary of Union Place depending on use and time of development". If this is residentially developed a screening fence would be required and if it is something else, then it would be considered at the time of the detail site plan.

Mr. Norman stated that he would like to address the paragraph that was added about pedestrian circulation. He indicated that this will come up a number of

times in the immediate future. The concept that the staff is now considering is requiring sidewalks between aisles at right angles to parking spaces. This would require some type of sidewalk in the parking areas going to the fronts of the buildings that would be identified by continuous raised crossings by contrasting paving material and high contrast striping. He commented that this recommendation is in several PUDs, including Tulsa Hills. He believes that this major modification of internal access should be the subject of one or more worksessions. He stated that everyone usually takes the most direct route through the cars to the front door where they are going. He believes that this is a major change in the standards and requirements that it should be considered and adopted as a general requirement for everyone and not made a part on a piecemeal basis of new applications that come in. Mr. Norman continued to explain his reasons for questioning this requirement.

TMAPC COMMENTS:

Mr. Ard asked Mr. Norman if he is requesting that the sidewalk issue be modified. In response, Mr. Norman stated that if 81st Street sidewalk has to go to the storefront then he would have to have something going through the parking area. Mr. Norman further stated that this is a major new layout and should not become a part of the practice without the Planning Commission understanding and adopting it as a general concept.

Mr. Harmon stated that Mr. Norman has practically asked the Planning Commission to plat the subject property for him, which is difficult for the Planning Commission to do.

Mr. Norman stated that it is important to know what is expected of real estate developers and those who appear before the Planning Commission on a regular basis tell their clients what they will have to do because it has been the custom and practice. When newer things become a part of the staff recommendation without a full understanding and appreciation of consequences, it is very hard for the outside world and real estate community to know what is expected and be able to plan accordingly.

Ms. Matthews stated that this will have to be addressed at the platting stage. She further stated that when she briefed the Planning Commission on the parking workshop that she attended all of this information was covered in the information received from the National office of APA.

Mr. Harmon asked staff if they had any problem with increasing the signage from 125 FT to 160 FT and modify the privacy fence to state "may be required". In response, Ms. Matthews stated that staff has no problem with this.

Mr. Alberty stated that the only comments he would make on the sidewalks and pedestrian access is that Mr. Norman is right that by policy this has not been a part of the recommendation until more recently. The provision to do this has

been in the PUD ordinance and it is has been, for some reason, either overlooked or not required. The authority to require it is certainly there. If the Planning Commission feels that there should be discussion about this or a policy change, he can tell the Planning Commission that the authority is there. By policy it has not been done in the past; however, the requirement can be made.

Mr. Harmon stated that sidewalks are very important to him and it would take a very persuasive argument to convince him to eliminate sidewalks.

Mr. Norman commented that he is not suggesting that sidewalks on the perimeters be eliminated, but to eliminate the sidewalks through the parking areas.

Mr. Ard asked staff if the street access issues being discussed during the Zoning Code amendments. In response, Ms. Matthews stated that at this date she hasn't seen anything, but it could be generated at a later date.

Mr. Alberty stated that there can't be a general statement that applies to all situations. He believes that there should be more study and the requirement should be in there with some qualifications. What was originally envisioned for the corridor development has not come to pass. It will probably have to be modified and stay in the Code with some qualifications that permit certain exceptions.

Mr. Ard asked staff what their opinion would be about the third access point on the south side. Mr. Alberty stated that he wouldn't be opposed to a requirement that would allow that to be determined at the time of platting.

Mr. Norman stated that sometimes in the past he has down-zoned corridor zoning on the corners of intersections in order to avoid going through this problem with "principal access from". If the sentence read "shall generally be from a collector street" it would give more latitude than the present language.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to recommend **APPROVAL** of the corridor detail site plan for Z-6054-SP-6 per staff recommendation subject to the following modifications: 1) the ground sign be increased from 125 SF display surface area to 160 SF display surface area; 2) the privacy fence changed from "will be required" to "may be required"; 3) the requirements of TAC must be met; the location and requirements on sidewalks, the specific access issues, and the final decision on a public or private street within the subject development to be determined and approved during platting as modified by the Planning Commission. (Language

with a strike-through has been deleted and language with an underline has been added.)

Legal Description for Z-6054-SP-6:

A TRACT OF LAND THAT IS PART OF THE NE/4 OF THE NE/4 OF SECTION 18, T-18-N, R-14-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: "BEGINNING AT A POINT" SAID POINT BEING THE NORTHEAST CORNER OF SAID SECTION 18; THENCE S 01°16'37" E ALONG THE EASTERLY LINE OF SECTION 18 FOR 755.01 FEET; THENCE S 89°04'29" W AND PARALLEL WITH THE NORTHERLY LINE OF SECTION 18 FOR 674.63 FEET; THENCE N 01°16'37" W AND PARALLEL WITH THE EASTERLY LINE OF SECTION 18 FOR 705.01 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 81ST STREET SOUTH; THENCE N 89°04'29" E PARALLEL WITH THE NORTHERLY LINE OF SECTION 18 AND ALONG SAID RIGHT-OF-WAY LINE FOR 35.57 FEET; THENCE N 00°55'31" W FOR 50.00 FEET TO A POINT ON THE NORTHERLY LINE OF SECTION 18; THENCE N 89°04'29" E AND ALONG SAID NORTHERLY LINE OF SECTION 18 FOR 638.75 FEET TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 507,557 SQUARE FEET OR 11.6519 ACRES. **The property is located on the southwest corner of East 81st Street and South Garnett Road, Tulsa, Oklahoma.**

Application No.: Z-5691-SP-1

CORRIDOR DETAIL SITE PLAN

Applicant: Tanner Consulting, LLC

(PD-18) (CD-7)

Location: South of the southwest corner of East 71st Street South and US Highway 169

STAFF RECOMMENDATION:

The applicant is requesting approval of a corridor site plan for two billboards; one to be located in Lot 3, Block 1, Chancellor Acres and one within Lot 4, Block 1, Chancellor Acres. Each billboard is to be 672 square feet of display surface area and 50 feet in height. Both billboards are proposed proximate to the U.S. Highway 169 frontage.

The property is presently zoned CO, Corridor District and is bounded on the north by vacant land zoned CO; on the west by vacant land zoned RS-3 and vacant land zoned CO; and on the south by vacant land zoned CO. The

Comprehensive Plan designation of this property is Low Intensity Corridor. The proposed use **may be found in accordance** with the Comprehensive Plan.

The applicant proposes a minimum separation of 297 feet between "Billboard Location A" and the "Existing Lowe's and Staples Billboard"; a minimum separation of 1,220 feet between "Billboard Location A" and "Billboard Location B"; and a minimum separation of 1,232.6 feet between "Billboard Location B" and the "Existing Billboard" on City of Tulsa property. The "Lowe's/Staples Billboard" is an approved on-premises ground sign, therefore, proposed separation between existing and proposed signs complies with the Tulsa Zoning Code. Staff recommends the billboard be set back a minimum of 50 feet from the U.S. Highway 169 right-of-way for future trail and utility easements.

Based upon conformity of the use with existing zoning and with the Comprehensive Plan, staff recommends **APPROVAL** of **Z-5691-SP-1** subject to the billboards being setback a minimum of 50 feet from the U.S. Highway 169 right-of-way.

TAC Comments from 12/15/05:

General – No comments.

Water – No comments.

Fire – No comments.

Stormwater – No comments.

Wastewater – No comments

Transportation – Permits will be required from ODOT and the City of Tulsa following Corridor Site Plan approval.

Traffic – No objection to the use of the existing right-of-way (NOT open) for maintenance access only. Discuss the note about VACATING 103 E AV (??).

GIS – No comments.

County Engineer – No comments.

MSHP: 71st St designated as primary arterial.

LRTP: 71st St, between Mingo and U.S. 169, existing 6 lanes. U.S. 169, between 71st St and 81st St, existing 6 lanes.

TMP: Locations of billboards are in proximity of proposed Mingo Trail, which abuts ODOT ROW along west side of U.S. 169. Request no development within 50 feet of ODOT ROW.

Transit: No comments.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he does not agree with the staff recommendation. The two signs that the applicant has requested will comply with the spacing requirements (Sign A and B). He has requested that his signs be 34 feet from the property line and this is what they are traditionally spaced (ten feet, plus 24 feet of sign). At TAC it was requested that the signs be moved back an additional 16 feet in order to accommodate at some future utilities and future dedication to the trails system. The sign company has agreed to move the signs at their expense if the dedication comes up, but for now there are no utilities and there is no trail in place. He requested that the signs remain at the 34 feet as requested with the condition that if the need to move the signs comes up, the sign company will move them at their expense.

TMAPC COMMENTS:

Mr. Harmon asked Mr. Reynolds if he is requesting a 34-foot setback rather than 50 feet. In response, Mr. Reynolds stated that he originally requested 34 feet and the concerns at TAC were for future utility easements and future trails. Mr. Reynolds stated that all of these are future things that are not coming until probably until some time when the subject property is developed more intensely and platting takes place, etc. He would like to have the signs as requested and if for some reason the utility easements or trail rights-of-way come, then the sign company will move the signs at their expense. Today there is no reason to set these back to 50 feet.

Mr. Harmon stated that there is some logic at setting them back 50 feet because of some potential development in the subject area. He asked if it would really be detrimental to the signs to be set back 50 feet. In response, Mr. Reynolds stated that the sign company does feel it would be detrimental and it is very important to them to have them at 34 feet.

Mr. Bernard asked if the 50 feet is arbitrary. In response, Ms. Matthews stated that it is not arbitrary because she believes it is ODOT's standard. It would allow room for development of a trails system; however, it is not planned for today and will certainly not happen tomorrow. Mr. Bernard asked if the 50 feet is standard or arbitrary. In response, Ms. Matthews stated that this is the standard given to staff by ODOT and part of TAC comments.

Mr. Reynolds stated that ten feet is ODOT's standard setback. He confirmed this number with staff before filing this application. The 50-foot setback was based on future trails and utility easements at TAC.

Mr. Jackson asked staff if there is a caveat or condition that can be placed on the signs and that the owner will move the signs if need at his costs. Mr. Alberty stated that it could be placed in the approval. Mr. Alberty stated that staff was simply restating the comments that were taken from TAC. Mr. Alberty reminded the Planning Commission that they have the final word and the Planning Commission has the power to modify this if they feel it is necessary.

Ms. Bayles asked Mr. Reynolds if he knew the setbacks for the existing billboards that are on the City of Tulsa property. In response, Mr. Reynolds stated that by looking at the exhibit, it appears to be at 34 feet. Mr. Reynolds asked his client if the existing billboard is 34 feet or 50 feet from the right-of-way and he indicated that it was 34 feet and his client indicated that it is his sign. The edge of the sign has to be ten feet from ODOT property.

Darryl French, Traffic Engineering, 200 Civic Center, representing TAC, stated that his notes mention that a permit from ODOT would have to be obtained and possibly the Planning Commission could make the sign subject to an ODOT permit. If ODOT can live with the 34 feet they would issue the permit.

Mr. Reynolds stated that he would be happy to accept the condition per ODOT's permit.

TMAPC Action; 7 members present:

On **MOTION** of **JACKSON**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to recommend **APPROVAL** of the corridor detail site plan per staff recommendation, subject to the following modifications: 1) the billboards would be allowed to be at 34 feet if ODOT approves and issues an permit, and 2) the applicants will remove the billboards at their own expense if needed in the future.

TMAPC COMMENTS:

Mr. Harmon questioned the motion and whether it should be per ODOT approval and having the Planning Commission stay out of the measurement. If the Planning Commission starts putting measurements in, then they might as well put the 50-foot in and let ODOT do something different.

Mr. Jackson withdrew his original motion.

Mr. Bernard withdrew his second to the motion.

Mr. Bernard stated that he is confused about the motion. Mr. Bernard asked staff if the Planning Commission is supposed to approve signage. In response, Mr. Alberty answered affirmatively. Mr. Bernard further asked whether the Planning Commission is approving the billboards and if so than the Planning Commission is approving the potential placement of the billboards. In response, Mr. Alberty

answered affirmatively. Mr. Bernard asked if there is a problem with the Planning Commission approving the 34-foot placement as long as ODOT approves it. Mr. Alberty stated that he believes that the confusion is that ODOT has a requirement and the requirement for the 50 feet was the Master Trails Plan. Mr. Alberty further stated that the he understood that the Planning Commission wanted to make the motion to allow the setback at the requested 34 feet and should it become necessary due to the location of the trails to require a 50-foot setback and the owners would move it at their expense. Mr. Alberty suggested that the Planning Commission state a specific footage because the applicant has agreed to set at 34 feet.

Mr. Harmon thought he understood that the Planning Commission would approve it at 50 feet and if ODOT allowed it at 34 feet it would go.

Ms. Bayles stated that she would prefer to go back with Brandon's 34 feet subject to ODOT's permit approval and subject to future development, that the sign owner will stand the expense of moving the sign.

TMAPC Action; 7 members present:

On **AMENDED MOTION** of **JACKSON**, TMAPC voted **7-0-0** (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to recommend **APPROVAL** of the corridor detail site plan per staff recommendation, subject to the following modifications by the Planning Commission: 1) the billboards would be allowed to be at 34 feet if ODOT approves and issues a permit, and 2) the applicant will remove the billboards at their own expense if needed in the future.

Legal Description for Z-5691-SP-1:

Lot 3 and Lot 4, Block 1, Chancellor Acres Addition, an Addition in the City of Tulsa, Tulsa County, State of Oklahoma, and located south of the southwest corner of East 71st Street South and U. S. Highway 169 South, Tulsa, Oklahoma.

Application No.: PUD-600-C-2

MINOR AMENDMENT

Applicant: Brad Taylor

(PD-18) (CD-8)

Location: 9402 South Quebec Avenue East

STAFF RECOMMENDATION:

The applicant is requesting to reduce the internal side-lot-line from four feet to zero feet from the north property line and to reduce the garage setback from South Quebec Street private street right-of-way from 20 feet to 15 feet. The side

(north) lot line is adjacent to a 15-foot utility easement beyond which is sloped and heavily forested unplatted property. The subject lot is also sloped from south to north. The applicant wishes to locate the garage and drive on the south, more level side of the lot.

Staff finds the request to be minor in nature and recommends **APPROVAL** of **PUD-600-C-2** as proposed.

Note: TMAPC approval does not relieve the applicant from approval of The Village at Ashton Creek Architectural Committee.

INTERESTED PARTIES:

Larry Odell, 9410 South Quebec, Tulsa, Oklahoma 74115, stated that he has a good investment on the subject street. He explained that he has a home adjacent to the subject lot that they are requesting a change in building setbacks. He indicated that he followed strict guidelines that the development set forth and was approved by the City of Tulsa. Mr. Odell cited the homes in the subject subdivision that followed the restrictions and the value of the homes. He stated that he is opposed to any change in building setbacks. He cited the existing homes' setbacks that followed the development standards. He explained that he owns other lots in the subject area and they haven't been developed at this time.

Mr. Odell stated that he received a notice through the mail, but he hasn't talked to anyone about this proposal. He reiterated that he is opposed to any building setback changes.

TMAPC COMMENTS:

Mr. Jackson stated that looking at the plat it states that there is a 15-foot building line on the frontyard setback and Mr. Odell states it is 20 feet.

Mr. Odell stated that none of his paperwork shows a 15-foot building line on the frontyard setback. Mr. Odell stated that Mr. Jackson may be looking at the 15-foot utility easement. Mr. Jackson stated that the recorded plat shows a 15-foot utility easement and 15-foot building line.

Mr. Alberty stated that the 15-foot building line was for the residence and 20-foot for the garage. He indicated that he would like to amend this recommendation because it is something that slid through. The recommendation should read 20 feet for the garage and that is the requirement. If there isn't 20 feet for the garage, then there will be a large pickup or SUV hanging out into the street right-of-way.

Mr. Jackson asked if the subdivision has private streets with a two-foot property line. In response, Mr. Alberty answered affirmatively.

Mr. Alberty stated that staff can't recommend approval of 15 feet because the garage would have to maintain a 20-foot setback.

Ms. Bayles asked staff if they had any problems with Reserve Area E. In response, Mr. Alberty stated that staff can support the recommendation for Reserve Area E.

Applicant's Comments:

Brad Taylor, 1415 South Zunis, 74104, stated that he is a potential homeowner. He requests that both requests be approved. Due to the topography of the lot he is unable to meet the setbacks. The best way to position the house on the slope of the land is to do it with the requested setbacks.

TMAPC COMMENTS:

Mr. Jackson stated that there is a 35-foot backyard and he needs an additional five feet to meet the 20-foot setback as staff is requiring. He asked Mr. Taylor if it would be a deterrent to have a 30-foot backyard rather than a 35-foot backyard in order to meet the frontyard setbacks.

Mr. Taylor stated that he doesn't know and would have to discuss this with the builder.

Mr. Jackson stated that the builder could flip the house to meet the setbacks. He indicated that there is no way to get around the 20-foot garage setback.

Mr. Taylor stated that he doesn't know if this can be done and he asked if this could be partially approved and allow for modification for the other request.

Mr. Harmon asked who owns the property adjacent with the easement. In response, Mr. Taylor stated that it is a greenbelt area. Mr. Harmon stated that it is unusual for a zero lot line on a stand-alone residence. Mr. Harmon asked Mr. Taylor if this house has been started. In response, Mr. Taylor stated that the house has not been started. Mr. Taylor stated that this is the best floor plan he could come up with to fit his requirements.

Ms. Matthews stated that the greenbelt is a reserve area.

TMAPC Action; 7 members present:

On **MOTION** of **JACKSON**, TMAPC voted 5-2-0 (Bayles, Bernard, Cantees, Hill, Jackson, "aye"; Ard, Harmon "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to **APPROVE** the minor amendment for PUD-600-C-2 per staff recommendation as modified by the Planning Commission: 1) zero sideyard setback on reserve area, 2) 20-foot setback for the frontyard for the garage and 15-foot for the building line. (Language with a strike-through has been deleted and language with an underline has been added.)

Application No.: PUD-448-5

MINOR AMENDMENT

Applicant: Charles Norman

(PD-18) (CD-8)

Location: Northeast corner of East 91st Street South and South Memorial Drive

STAFF RECOMMENDATION:

The applicant requests approval of a minor amendment to PUD 448 to permit one additional ground sign with a maximum display surface area of 160 square feet and a maximum height of 25 feet within Lot 1, Block 1, Square Ninety-One, which ground sign shall be located at least 200 feet south of the northwest corner of Lot 1.

Original development standards limited ground signs to "one for each arterial street frontage with a maximum of 280 square feet of display surface area and 25 feet in height, except that within 200 feet of the southern boundary of the PUD one additional ground sign may be placed on the Memorial Drive frontage with a maximum display area of 160 square feet and height of 25 feet." The three ground signs were permitted an aggregate display surface area of 720 square feet. In addition, one monument sign at each arterial street entry with a maximum of 60 square feet of display surface area and six feet in height was permitted.

PUD 448-3 eliminated the ground sign allowed on 91st Street (maximum area of 280 square feet) and substituted a ground sign on Memorial Drive in Outlot B (now Lot 2) with a maximum size of 160 square feet and maximum height of 25 feet. This sign would be the same size as the ground sign "permitted within 200 feet of the southern boundary of the PUD" (now Lot 3).

Per PUD 448-4, no additional signage was requested, but signage was transferred "from Lot 3 on Memorial Drive to 91st Street in Lot 2". Since Lot 2 does not have frontage on 91st Street, it appears that these lots were mislabeled in the approval. In any case, three ground signs are currently permitted in PUD 448 with an aggregate display surface area of 600 square feet as follows:

Lot 1: One (center identification) ground sign on Memorial Drive frontage not to exceed 25 feet in height and 280 square feet in display surface area.

Lot 2: One ground sign permitted on each street frontage (91st Street South and Memorial Drive), each not to exceed 25 feet in height and 160 square feet in total display surface area.

Lot 3: No ground sign is permitted.

And, one monument sign is permitted at each arterial street entry with a maximum of 60 square feet of display surface area and six feet in height.

Currently there are two ground signs erected in PUD 448; the southernmost sign on Memorial Drive frontage is for McAlister's Deli at 25 feet in height and 74.2 square feet

of display surface area. The other ground sign is a center identification sign at 25 feet in height and approximately 280 square feet of display surface area. There are also three monument signs, one at the main entrances from Memorial Drive and East 91st Street South and one at the corner of the two streets.

Underlying zoning for PUD 448 is CS and RM-1. PUD 386-A adjacent to the north boundary of PUD 448 has been approved for general commercial use with two ground signs along the east side of South Memorial Drive not exceeding 25 feet in height. One of the permitted ground signs within PUD 386-A for KWHB Channel 47 is located immediately north of the northwest corner of Lot 1, Square Ninety-One.

In keeping with aggregate display surface area of 720 square feet approved per the original PUD for ground signage, not including the monument signs, staff recommends **APPROVAL** of PUD-448-5 for one additional ground sign on Memorial Drive frontage not to exceed ~~420~~ 160 square feet of display surface area and 25 feet in height with a minimum distance ~~between ground signs~~ of 200 feet from the northwest corner, Lot 1 (100 feet if it is a monument sign).

Applicant's Comments:

Charles Norman, 401 South Boston, Suite 2900, Tulsa, OK 74103-4065, described the existing signs and the purpose of the subject application. He explained that his client is requesting a ground sign for identification of his tenant. He pointed out that there is a sign at the northwest corner of the lot where he is requesting the additional sign. He indicated that he is requesting a sign 25 feet in height and 169 SF of display surface area. The staff recommendation is based upon the original PUD, which approved a total signage of 91st Street and Memorial of 720 SF display surface area. Staff is trying to hold the total signage within that number.

Mr. Norman indicated that the actual frontage along 91st Street and Memorial Drive is 2,060 feet and if the Planning Commission should approve the request there would be 760 SF of total signage on the 91st Street and Memorial boundaries. He requested that his sign be allowed at the same height as the out signs are to the south. Staff has indicated that they would like a minimum distance of 200 feet between the signs and usually it is 100 feet. This requirement can't be met because of the center identification sign to the south. The application requested 200 feet separation from the northwest corner to the south. He requested the Planning Commission to increase the area of the sign, which would only be 40 feet more than was originally approved to 160 SF of display surface area and amend the language to provide that the additional sign shall be at least 200 feet south of the northwest corner of the lot and not the minimum distance between as staff has suggested.

Ms. Matthews indicated that staff could agree to Mr. Norman's request.

TMAPC COMMENTS:

Mr. Harmon asked Mr. Norman if he wants to place the signs closer than 200 feet between them.

Mr. Norman stated that the existing sign Wal-Mart sign is located 350 feet to the south of the northwest corner and staff is suggesting that there be a minimum separation of 200 feet between the sign to the north and this one. He is requesting that the new sign be at least 200 feet from the north corner and that would be 150 feet from the Wal-Mart sign.

Mr. Norman reiterated that staff is trying to hold the signage to what was approved 20 or 17 years ago, which was before the property to the north was approved for commercial uses.

After a lengthy discussion of the existing signage and their spacing Mr. Norman indicated that he could not meet the requirement of the 200 feet spacing.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to **APPROVE** the minor amendment for PUD-448-5 per staff recommendation with the following modifications: 1) 160 feet of display surface area; 2) there shall be 200 feet of distance from the northwest corner of Lot 1 as modified by the Planning Commission. (Language with a strike-through has been deleted and language with an underline has been added.)

OTHER BUSINESS:

Refund – PUD-260-B

Applicant has requested a refund for a minor amendment that was not needed. Staff is recommending a refund of \$300.00.

TMAPC COMMENTS:

Ms. Bayles asked if this application was taken in error due to staff or the applicant.

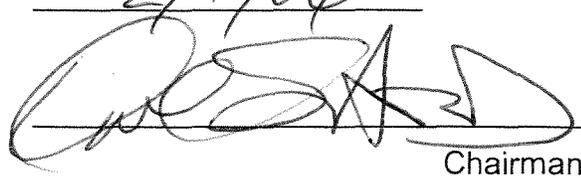
Ms. Matthews stated that the applicant filed this application and staff discovered that it was not necessary.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bayles, Bernard, Cantees, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Carnes, Dick, Horner, Midget "absent") to **APPROVE** the refund of \$300.00 for the minor amendment of PUD-260-B, finding that it wasn't necessary.

There being no further business, the Chair declared the meeting adjourned at 3:30 p.m.

Date Approved:

2/1/04

Chairman

ATTEST:


Secretary