

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2439

Wednesday, March 1, 2006, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ard	Bayles	Alberty	Ackermann, Legal
Bernard	Cantees	Fernandez	
Carnes	Horner	Huntsinger	
Collins		Matthews	
Harmon			
Hill			
Jackson			
Midget			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, February 27, 2006 at 1:05 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 Bernard called the meeting to order at 1:30 p.m.

Chairman read the opening statement.

Minutes:

Approval of the minutes of February 15, 2006, Meeting No. 2437

On **MOTION** of **HILL**, the TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the minutes of the meeting of February 15, 2006, Meeting No. 2437.

Minutes:

Approval of the minutes of February 22, 2006, Meeting No. 2438

On **MOTION** of **HILL**, the TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the minutes of the meeting of February 22, 2006, Meeting No. 2438.

REPORTS:

Director's Report:

Mr. Alberty reported on the upcoming items on the City Council agenda, Thursday, March 2, 2006.

Mr. Alberty reported that he is working with the City Council office to set up a presentation for the Planning Commission on a recently adopted Economic Strategic Plan. The meeting date is tentatively set up for April 26, 2006.

SUBDIVISIONS:

PLAT WAIVERS:

South of southeast corner of East 11th Street South and South 129th East Avenue – (9409) (PD 17) (CD 6)

Ms. Hill announced that she would be abstaining.

STAFF RECOMMENDATION:

This property in question is zoned CG and a cellular tower and accessory equipment will be installed on the site.

It is the TMAPC's policy to waive the platting requirement for antennas and supporting structures under Use Unit 4 per the adopted Planning Commission policies.

Staff recommends approval of the plat waiver as requested.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-1 (Ard, Bernard, Carnes, Collins, Harmon, Jackson, Midget "aye"; no "nays"; Hill "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the plat waiver for south of southeast corner of East 11th Street South and South 129th East Avenue per staff recommendation.

PRELIMINARY PLAT:

Warren Cat – (0417)

(PD 16) (CD 5)

Northeast corner of East 36th Street North and US 169 (continued from 2/15/06)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 35.7 acres.

The following issues were discussed February 2, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned IH. Distinguish frontage/access. Show floodplain properly. Is tower in an easement or has there been a lot-split? Check setbacks from surrounding zoning.
2. **Streets:** Verify conformance with terms of separate instrument dedications to ODOT, i.e., that access is allowed at the driveway locations proposed. Subdivision Regulations require sidewalks on the arterial streets. Show LNA and Access Limits along 36th Street North and North Garnett Road. Include "North Garnett Road in Section I.G. (access limits). No objection to the access points as shown on the conceptual plan. Verify with ODOT any previous access restrictions included in the attainment of right-of-way.
3. **Sewer:** The proposed 15-foot sanitary sewer easement and the 17.5-foot utility easement around the 15-inch sanitary sewer main must be increased to a 25-foot sanitary sewer easement. This is due to the depth of the line. If other utilities need to be located along the northern portion of the plat, then an additional utility easement will be required. Include sanitary sewer easement in the legend.
4. **Water:** A 20-foot restrictive water line easement is required. Provide language for the Restrictive Water Line Easement. Move the proposed water main line south of the north entrance drive to the north entrance drive and out of the stormwater detention easement. A 12-inch water line is under design; TMUA-W 06-02. This will provide water service. Construction is scheduled to start in November.
5. **Storm Drainage:** The FEMA Floodplain is Little Creek 100-year; and the FEMA Map # is 378J. Please make the southern boundary of the overland drainage easement continuous, and cross it where necessary with the utility easement for the sanitary sewer. Please do not cross the stormwater detention easement with a 20-foot waterline easement. The Flood Zone is FEMA AE 100 year. Please do not place the secured new machine inventory storage area, nor the track-type rental machine display area in the

stormwater detention easement.

6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** IFC 508.5.1: where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exception: for buildings equipped throughout with an approved automatic sprinkler system installed the distance requirement shall be 600 feet. Label the westerly line of Section 17 as west line Section 17, Township 20 North, Range 14 East. Complete the locations map. Where is plat #3078 industrial inc. quarry site?

Staff has received a request for a waiver of sidewalk requirements. This request is still being reviewed for recommendation. The preliminary subdivision plat is otherwise in order and staff will have a recommendation at the meeting. Any approval will be subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. A waiver of sidewalk requirements is 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.

Applicant's Comments:

Darin Akerman, Sisemore, Weisz and Associates, 6111 East 32nd Place, Tulsa, Oklahoma 74135, stated that there are no existing sidewalks in the subject area and he doesn't believe that sidewalks are necessary for this use. He indicated that the sidewalks wouldn't connect to anything.

TMAPC COMMENTS:

Mr. Harmon stated that sidewalks are important around the perimeter, and just because there are no sidewalks in the subject area doesn't mean that it isn't appropriate.

Mr. Akerman stated that there will be truck-traffic in the industrial site and there is no reason for pedestrian circulation. It would be a dangerous area for pedestrian circulation. He agreed that in most instances sidewalks are necessary, but this is not one of them. He commented that Public Works has indicated that the sidewalks are not necessary for this subdivision.

Mr. Alberty stated that the community has debated sidewalks for years. The sentiment from the community, and it has been exercised by the planning staff and by the City Council, is to reinstate and require sidewalks for all developments. Public Works has a policy requiring developers to build sidewalks within the right-of-way and it is a subdivision requirement. Sidewalks are required in the Subdivision Regulations and though there are no sidewalks in the subject area today, it has to start somewhere. If the sidewalk requirement

continues to be waived then it will never happen. If waivers are continued to be granted then it will be continually used as a basis for waiving future opportunities. Staff feels that the sidewalks are necessary and appropriate according to the Subdivision Regulations.

Applicant's Rebuttal:

Mr. Akerman stated that there is a blanket requirement for sidewalks in the Subdivision Regulations; however, it also allows plat waivers for this when the sidewalks are not important or appropriate. He doesn't believe that sidewalks on the subject property would benefit the public.

TMAPC COMMENTS:

Mr. Carnes referenced East Central High School being in the subject area and when there is an event there is the need for sidewalks.

Mr. Carnes stated that he would make a motion to support staff's recommendation and require sidewalks. Mr. Midget seconded.

Mr. Bernard stated that he is sympathetic to Mr. Akerman's situation, but there are two more requests in today's agenda for sidewalk waivers. Sidewalks have to start somewhere and to continually grant waivers, then nothing is ever accomplished. Today the sidewalks may not be utilized, but there is no way of knowing if they will be needed five years from now. The Planning Commission has to look down the road into the future.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **DENY** the request for waivers of sidewalk requirements and **APPROVE** the preliminary plat for Warren Cat, subject to special conditions and standard conditions per staff recommendation.

Southpointe BMW of Tulsa – (8323)

(PD 26) (CD 8)

Northwest corner of East 98th Street South and Memorial Drive (continued from 2/15/06)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 4.56 acres.

The following issues were discussed February 2, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD-701/SP-Z6931. This is located in CO-Z-6931 and PUD-701. All conditions of the CO must be met and any changes will need to be approved through City Council. The plat may be held until a new CO (corridor site plan) is processed, if necessary. There is only one access point approved on Memorial. This is approved as a right turn only. Access requires TMAPC, Fire and Public Works approval per PUD, so it is a big concern. Clarify public/private street.
2. **Streets:** Plat must show current right-of-way dedications on 98th Street South. Provide documentation for right-of-way dedications on South Memorial. Are there Corridor District restrictions for principal access? Subdivision Regulations require sidewalks on arterials and collectors. Show CO number on plat and define in covenants. Verify that all right-of-way has been dedicated.
3. **Sewer:** Extend the 17.5-foot easement along the north boundary line all the way to the west boundary line. Also define what happens to the 17.5-foot utility easement adjacent to the stormwater detention easement at the north end. Does it continue to the east-west main extension? A minimum of 15 feet is required. Show easement for the proposed sanitary sewer mainline extension. A minimum of 15 feet is required. Show easement for the proposed sanitary sewer mainline extension. A minimum of 15 feet is required.
4. **Water:** There is an existing water line available for a tap.
5. **Storm Drainage:** The City of Tulsa Regulatory Floodplain Map Atlas does not have a Memorial Creek. Please label this floodplain as Fry Ditch # 2. Please address Compensatory Storage Easement requirements. Please add the standard language for stormwater detention easement maintenance and compensatory storage easement. Please correct the end points of the leaders from the note "proposed pond for on-site detention and compensatory storage"; it cannot be in the five-foot utility easement along the west property line.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** IFC 508.5.1: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exception: For buildings equipped throughout with an approved automatic sprinkler system installed the distance requirement shall be 600 feet.

Staff has received a request for a waiver of sidewalk requirements. This request is still being reviewed for recommendation. The Preliminary Subdivision plat is otherwise in order and staff will have a recommendation at the meeting. Any approval will be with the condition that the CO standards are met, or else a new CO applied for while the plat is suspended, and 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.

Mrs. Fernandez stated that the applicant has indicated that he will install the required sidewalks and is withdrawing his request for a waiver of the sidewalk requirement.

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, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for Southpointe BMW of Tulsa, subject to special conditions and standard conditions per staff recommendation and recognizing that the applicant has withdrawn his request for a waiver of sidewalk requirements.

TMAPC COMMENTS:

Mr. Harmon thanked the applicant for withdrawing his sidewalk waiver and for recognizing that sidewalks are important.

Mr. Midget pointed that the Warren Cat preliminary plat is not near East Central High School as Mr. Carnes had stated. He further pointed out that he seconded the motion because sidewalks are needed and it had nothing to do with the statement Mr. Carnes made regarding a school.

Sequoyah Hill – (8333)

(PD 26) (CD 8)

East of Delaware at East 116th Street South

STAFF RECOMMENDATION:

This plat consists of 20 lots, two blocks, on 9.99 acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 709 (RS-2). A Preliminary Plat was approved for Sequoyah Hill in March of 2005. A minor amendment was approved by TMAPC on 2/15/06 to allow this access change as shown on this revised plat. According to the consulting engineer, "An access easement that had been granted to an abutting property owner had been extended by that owner to an additional abutting property owner. The owners and developers of the land thought it was important to continue this right-of-way access and have been working with both property owners to design an access point from Sequoyah Hills for their use". The consulting engineer states that both property owners are in agreement with the revised stub street location.
2. **Streets:** Make legible the printing in the lower left corner. Show right-of-way widths of South Oswego Avenue. Add suffix "S" to E. 116th Street. The northern east-west portion of South Oswego should be changed to a numbered street, being an east-west oriented street. Redesign the 116th Street intersection to intersect at approximately 90 degrees. Include adequate language to assure access rights for the owners to the east through the subdivision via Reserve "A".
3. **Sewer:** Include the separate instrument utility easement on the Babb property that is being added for the water and sanitary sewer main extensions. Sanitary sewer plans have been approved.
4. **Water:** No comments.
5. **Storm Drainage:** The existing and proposed floodplains should be shown. Add the "separate instrument number" for the storm sewer easement. Contours and floodplain are required to be shown and labeled.
6. **Utilities: ONG, Cable:** No comments.
7. **Other: Fire:** Temporary Emergency Access Easement from South New Haven and to South Delaware shall comply with the following: 503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Islands on south end of New Haven and Oswego shall provide a clearance of 14 feet paved surface on each side of each island. 503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

Update the date of preparation.

Staff recommends **APPROVAL** of the preliminary 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 therefore 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 therefore 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; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for Sequoyah Hill, subject to special conditions and standard conditions per staff recommendation.

* * * * *

Mrs. Fernandez stated that the next three items have similar types of developments and some of the discussion will relate to all three items.

Quincy Lofts at Cherry Street – (9307)

(PD 6) (CD 4)

1419 South Quincy Avenue

STAFF RECOMMENDATION:

This plat consists of six lots, one block, on .310 acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RM-2. The project proposes town homes.
2. **Streets:** Please use the correct Bellview Addition Plat number. Correct the right-of-way width of the alleyway per the plat. The mutual access easement language needs to provide for future maintenance, likely by a homeowners association and for which language should also be included. When referenced on the face of plat as an acronym, the mutual access easement acronym must be identified for definition in the covenant language as well. The language needs to be standard; e.g., the mutual access easement is not appurtenant to each lot owner, but to the ownership of each lot. Recommend an 18-foot minimum width for all three private, two-way roadways. (A 20-foot roadway was recommended by staff for Troost Lofts at

Cherry Street.)

3. **Sewer:** No comment.
4. **Water:** A water main line is required.
5. **Storm Drainage:** Add a roof drainage section, for all roof drainage on each lot to be conveyed to the mutual access easement. Show the conveyance from the roof on each lot to the mutual access easement. Add a "stormwater notes" section, to describe what is being done with the drainage from this development.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** Concern was expressed about the width of the street within the mutual access easement. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches. There should be no parking in the mutual access easement. Fire hydrants need to be supplied and spaced per code. The full mutual access easement should be paved. Show the point of beginning and a bearing and distance to it from the nearest section corner or quarter corner. Remove the bold 6 from block 1. Include a description using bearing and distance, commencing from the section corner to the point of beginning.

~~Staff is still reviewing the request concerning the width of the mutual access easements and paving widths~~ recommends full 20 feet paving width for the mutual access easement. The preliminary subdivision plat is in order other than this important issue. A similar type of subdivision was approved for the Troost Lofts at Cherry Street after much discussion by the Planning Commission and staff debate about the 16 to 20 feet of paving widths within the mutual access easement. There was concern expressed about visitor parking at the time of the Troost Lofts approval. Any approval of this preliminary plat is 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.)
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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.

TMAPC COMMENTS:

Mr. Midget asked if the only real change in the staff recommendation is that staff is stating more concretely that this particular development will require the 20 feet of mutual access easement. Mrs. Fernandez stated that the 20 feet is needed and it should be a full 20 feet of paving for the mutual access easement.

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES:

Steve Walter, 1528 South Rockford, Tulsa, Oklahoma 74120, stated that he lives adjacent to the subject property. He questioned how the 20 feet of paving for mutual access easement would impact the neighbors. Mr. Walter commented that he is happy with the new development and believes it will make a huge improvement in his neighborhood and increase property values.

Mr. Alberty explained that the 20 feet will have to be improved on site and not off site. This requirement should not impact the adjacent property owners.

Mr. Midget out at 2:00 p.m.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner, Midget "absent") to **APPROVE** the preliminary plat for Quincy Lofts at Cherry Street, subject to special conditions and standard conditions, subject to there being 20-foot width of paved area for the mutual access easement per staff recommendation. (Language with a strike-through has been deleted and language with an underline has been added.)

Mr. Midget in at 2:03 p.m.

St. Louis Lofts at Cherry Street – (9307)

(PD 6) (CD 4)

1415 South St. Louis Avenue

STAFF RECOMMENDATION:

This plat consists of six lots, one block, on .32 acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RM-2.
2. **Streets:** Recommend an 18-foot minimum width for all three private, two-way roadways. (A 20-foot roadway was recommended by staff for Troost Lofts at Cherry Street.) Comments about Quincy Lofts apply here also.
3. **Sewer:** No comment.
4. **Water:** A water main extension is required.

5. **Storm Drainage:** Add a roof drainage section, for all roof drainage on each lot to be conveyed to the mutual access easement. Show the conveyance from the roof on each lot to the mutual access easement. Add a "stormwater notes" section, to describe what is being done with the drainage from this development.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** Concern was expressed about the width of the street within the mutual access easement. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. There should be no parking in the mutual access easement. Fire hydrants need to be supplied and spaced per code. The full mutual access easement should be paved. Show the point of beginning and a bearing and distance to it from the nearest section corner or quarter corner. Remove the bold 12 from block 1. Include a description using bearing and distance, commencing from the section corner to the point of beginning.

~~Staff is still reviewing the request concerning the width of the mutual access easements and paving widths~~ recommends a minimum of 18 feet paved width for the mutual access easement. The preliminary plat is in order other than this important issue. A similar type of subdivision was approved for the Troost Lofts at Cherry Street after much discussion by the Planning Commission and staff debate about the 16 to 20 feet of paving widths within the mutual access easement. There was concern expressed about visitor parking at the time of the Troost Lofts approval. Any approval of this preliminary plat is 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.

TMAPC COMMENTS:

Mr. Harmon questioned why the 20-foot paving width wasn't imposed on the subject preliminary plat. Mrs. Fernandez indicated that the Fire Marshal was satisfied that the 18 feet of pavement would be sufficient to allow the Fire Department to suppress a fire.

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 **CARNES**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for St. Louis Lofts at

Cherry Street, subject special conditions and standard conditions, subject to a minimum of 18 feet paved width for the mutual access easement per staff recommendation. (Language with a strike-through has been deleted and language with an underline has been added.)

Trenton Lofts at Cherry Street – (9307)

(PD 6) (CD 4)

1432 South Trenton Avenue

STAFF RECOMMENDATION:

This plat consists of seven lots, one block, on .34 acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RM-2.
2. **Streets:** Recommend an 18-foot minimum width for all three private two-way roadways. (A 20-foot roadway was recommended by staff for Troost Lofts at Cherry Street.) Comments about Quincy Lofts apply here also.
3. **Sewer:** No comment.
4. **Water:** A water main extension is required.
5. **Storm Drainage:** Add a roof drainage section, for all roof drainage on each lot to be conveyed to the mutual access easement. Add a “stormwater notes” section to describe what is being done with the drainage from this development.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** Concern was expressed about the width of the street within the mutual access easement. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. There should be no parking in the mutual access easement. Fire hydrants need to be supplied and spaced per code. The full mutual access easement should be paved. Show the point of beginning and a bearing and distance to it from the nearest section corner or quarter corner. Remove the bold 2 from block 1. Include a description using bearing and distance, commencing from the section corner to the point of beginning.

Staff is still reviewing the request concerning the width of the mutual access easements and paving widths recommends a minimum of 18 feet of paved width for the mutual access easement. The preliminary plat is in order other than this important issue. A similar type of subdivision was approved for the Troost Lofts at Cherry Street after much discussion by the Planning Commission and staff debate about the 16 to 20 feet of paving widths within the mutual access easement. There was concern expressed about visitor parking at the time of the Troost Lofts approval. Any approval of this preliminary plat is 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; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for Trenton Lofts at Cherry Street, subject special conditions and standard conditions, subject to a minimum of 18 feet paved width for the mutual access easement per staff recommendation. (Language with a strike-through has been deleted and language with an underline has been added.)

United States Shooting Academy – (0302/0303)

(County)

Southwest and southeast corner of East 66th Street North
and Sheridan Road

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 89 acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG. A Board of Adjustment approval (BOA-2176 for a Special Exception for a shooting range use was approved on 9/15/05.) triggered the platting requirement. The Special Exception included approval of "either access proposal being satisfactory" as an access through the police academy City of Tulsa property or an access to be approved by the County Engineer.
2. **Streets:** Due to possible hazard to air navigation and flight paths to airport, if the owner has not yet had the FAA do an air study, then he is responsible for doing so. Major Street and Highway Plan calls for North Sheridan and 66th Street North to be Secondary Arterials on their respective Section Lines. Statutory right-of-way dedications would be a total of 33 feet, 16.5 each side of Section Lines; additional dedications would be 33.5 feet each side of section line for the full 100 feet for the arterial. Show access and Limits of No Access on statutory rights-of-way. Include language for Limits of No Access. Dimension and label the statutory easements.
3. **Sewer:** Identify the width of the existing utility easement (book 6870/page 954). Include the width of the existing sanitary sewer easement book 4555, page 946. On the two proposed sanitary sewer easements, show which side will be ten feet in length and include the dimension of the other side. Also, tie these easements to the property line, or give a distance along the existing easement line to the property line. Identify the two dashed lines shown east and west of the section line between Sections 2 and 3. Be sure that the angle of the proposed sanitary sewer pipe into the eastern manhole connection has adequate separation from the existing pipe. A minimum of one-foot is required between the outside edges of each pipe.
4. **Water:** Add access language for the private drive for maintenance of public utilities access. A four-inch water main line cannot support a three-way fire hydrant. Either eliminate the fire hydrant or increase the size of the water main.
5. **Storm Drainage:** Please label the "Bird Creek FEMA Floodplain", as such, and place it, and the 20 feet adjacent to it, in an overland drainage easement. Any construction in the overland drainage easement or FEMA floodplain will require compensatory storage in an easement and the submittal of a CLOMR and LOMR. If the FEMA floodplain is being amended, then please show and label the proposed Bird Creek FEMA floodplain. Please correct areas for which the City of Tulsa does not have jurisdiction. Add standard compensatory storage easement language. Add storm drainage system information to this plan.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant

on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet.

Other: County Engineer: Remove "City of Tulsa" from title. Signature block for plat number and approval should be for County Engineer, not City Engineer. Any work in floodplain will need County approval. Lack of access to a public street is questioned. Correct the reference to City of Tulsa; specifically, in Section C, water and sanitary are City services, but storm sewer is County. Correct Sections G and H similarly, and others as appropriate.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the County Engineer must be taken care of to his satisfaction.
2. An access easement will need to be granted and evidenced.

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.

TMAPC COMMENTS:

Mr. Bernard asked staff how close this would be allowed to an airport before they become involved. Mrs. Fernandez stated that she isn't sure the exact distance, but Jeff Hough has been informed of this application.

Mr. Midget asked if the subject property is involved with the City of Tulsa or is it private.

Mr. Alberty stated that this is a private development project; however, they may allow training for the Tulsa Police Department and other law enforcement departments to utilize it.

Applicant's Comments:

Ted Sack, Sack & Associates, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, stated that he is in agreement with the staff recommendation. This was approved through the County Board of Adjustment and is now going through the platting process. The access is being worked out with the Tulsa Police Academy, which is adjacent. This is a facility that will be opened up nationwide for training.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for United States Shooting Academy, subject to special conditions and standard conditions per staff recommendation.

MINOR SUBDIVISION PLATS:

Stargate Challenge Course Complex – (0331)

(PD 2) (CD 1)

Northeast corner of Jasper Street and Peoria Avenue

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 4.55 acres.

The following issues were discussed January 5, 2006, January 19, 2006 and February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RM-1.
2. **Streets:** The existing and additional right-of-way dedication dimensions on Peoria need to be correctly labeled. Sidewalks are required on the residential streets, in addition to the existing sidewalk on Peoria. Document the existing Peoria right-of-way. All four intersection radii need complete curve data. Right-of-way dimensions shown for Peoria are questionable when centerline and property line both have due north bearing, but different distance at each end.
3. **Sewer:** No comment.
4. **Water:** Check for fire protection coverage. An existing six-inch or two-inch water main can provide water services.
5. **Storm Drainage:** No comment.
6. **Utilities: ONG, Cable:** Additional easements may be necessary.
7. **Other: Fire:** IFC 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all

portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. IFC 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches. 503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. 508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6. 508.5.1 where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. Recommend approval as preliminary plat (after three attempts at Minor Subdivision Plat). Based on the assumed bearing the 29.81 dimension near the northwest corner appears questionable since the west line is shown as a constant 35 feet off the section line. The dimension line 3091.92 feet south of the northwest corner of section 31 probably should align with the point of beginning.

Staff recommends **APPROVAL** of a preliminary plat, and not the Minor Subdivision Plat requested, 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; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the preliminary plat for Stargate Challenge Course Complex, subject to special conditions and standard conditions per staff recommendation.

Amended Plat of Augustus – (8327)

(PD 26) (CD 8)

North of the northwest corner of East 111th Street South and Sheridan Road

STAFF RECOMMENDATION:

This plat consists of 12 lots, one block, on acres.

The following issues were discussed February 16, 2006 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 702 (RS-2). The change to the plat includes a Reserve Area B because of a fence/property line dispute. The Reserve B is proposed as a mechanism to be able to give property up in the event that the courts decide the property dispute for the neighbors. The original Augustus plat was filed in January of 2005.
2. **Streets:** No comments.
3. **Sewer:** No comments.
4. **Water:** No comments.
5. **Storm Drainage:** Section I.K.3 must be revised to allow the existing fence, only, to be maintained in the drainage easement.
6. **Utilities: ONG, Cable:** No comment.
7. **Other: Fire:** No comment. Tom and Jan Thompson were present at the TAC meeting and are involved in the property dispute for this plat. They asked questions about the utility easement in Reserve B. They were told that they could not access sewer to their property if the utility easement were vacated.

Staff recommends **APPROVAL** of the Amended Subdivision plat subject to the approval of the concept and wording for Reserve B of the City Legal staff, and 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.

Mrs. Fernandez stated that prior to today's meeting, Mr. Sack indicated that there is an agreement between the Thompsons and the owner of Augustus Plat to move this forward and give Reserve B to the Thompsons at a later date to resolve the land dispute.

TMAPC COMMENTS:

Mr. Harmon asked, in the event that the land dispute is not settled, who will hold title to Reserve B.

Applicant's Comments:

Ted Sack, Sack & Associates, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, stated that Reserve B is currently owned by the developer and would be deeded over to the Homeowners Association or Thompsons. He indicated that the developer is in agreement to convey Reserve B to the Mr. & Mrs. Thompson to the north where the fence is located.

INTERESTED PARTIES:

Janet Thompson, 11010 South Sheridan, Tulsa, Oklahoma 74133, stated that she is pleased with the solution over the dispute. Nothing is in writing at this point and if the property is not conveyed to her, then she will pursue this in court.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the amended subdivision plat subject to the special and standard conditions per staff recommendation, and noting that Reserve B will be conveyed to Mr. and Mrs. Thompson.

* * * * *

CHANGE OF ACCESS:

Lot 1, Block 2, The Tudors II – (9213) (PD-7) (CD-9)
South of 21st Street, east of Elwood Avenue

STAFF RECOMMENDATION:

This application is made to allow a change of access along 21st Street to allow a 60-foot access. The property is zoned OM/OL under PUD 703.

Staff recommends approval of the change of access. The Traffic Engineer and Fire Department representative have reviewed and approved the request (required per the PUD). Staff recommends **APPROVAL** of the change of access as submitted.

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, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to **APPROVE** the change of access for Lot 1, Block 2, The Tudors II per staff recommendation.

ZONING PUBLIC HEARING

Application No.: Z-7018

CBD to IM

Applicant: TMAPC

(PD-1) (CD-4)

Location: 817 East 4th Street

STAFF RECOMMENDATION:

Z-6986 April 2005: All concurred in approval of rezoning properties within the downtown area from IL and IM to CBD.

Z-6984 April 2005: All concurred with the TMAPC in approval of rezoning a .51± tract from IM to CBD for office/warehouse, located on the northwest corner of East 4th Street and South Kenosha Avenue and located southeast of subject property. The case is still pending for a City Council action upon applicant request.

Z-6936 April 2004: All concurred in approval of rezoning a 140' x 150' tract from IM to CBD for commercial and residential, located on the southeast corner of East 3rd Street and South Kenosha and located northwest of subject property.

Z-6921 February 2004: All concurred in approval of rezoning a 4000± square foot tract from IM to CBD for commercial and residential, located west of the southwest corner of East 3rd Street and North Lansing and located north of the subject property.

Z-5977 October 1984: All concurred in approval of rezoning properties within the downtown area from CH to CBD which includes the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 140' X 150' in size and is located northwest corner of South Lansing Avenue and East 4th Street. The property is being used for industrial purposes and is zoned CBD.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 4 th Street	CBD/Industrial Collector	N/A	2 lanes
South Lansing Avenue	N/A	N/A	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north and east by, on the south and west by mixed industrial/commercial and related uses. Zoning is mixed CBD and Industrial.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District One (Downtown) Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area-Special District-Downtown East Identity Area-. The requested rezoning to IM **may be found** in accord with the Comprehensive Plan due to the property's location within a Special District.

STAFF RECOMMENDATION:

The District One Plan encourages industrially-used properties to remain within the CBD. The property in question was rezoned to CBD many years ago when the CBD zoning district was created, and has remained in that district although in industrial use. The zoning to CBD came to light following the recent rezoning of much of the rest of Planning District One and the owner has requested that the IM zoning be restored. Staff is supportive of this and recommends **APPROVAL** of IM zoning for Z-7018.

Applicant was not present.

INTERESTED PARTIES:

Greg Gatewood, 4936 East 27th Street, Tulsa, Oklahoma 74114, representing Tulsa Oklahomans for Human Rights, stated that he has recently purchased three buildings at 4th and Kenosha in the East Village area. He indicated that he hopes to create a community center with light retail.

Mr. Gatewood expressed concerns regarding the IM zoning and the possibility it would create a slippery slope for future development in the subject area. He suggested that the property owner obtain a variance through the Board of Adjustment rather than rezoning.

TMAPC COMMENTS:

Mr. Jackson asked staff to explain the standard operating procedure for non-conforming uses are trying to get back into accordance.

Mr. Alberty stated that the current zoning could create some problems for the property owner if his property was destroyed by fire or storm. The property owner wouldn't be allowed to reoccupy with industrial uses in the CBD zoning.

Mr. Alberty explained that in 1984 the option for CBD was given to the owners of downtown properties and the owners could optout. The current owner of the subject property didn't own the property at that time and he was under the impression that when he purchased the subject property it was zoned IM. This was brought to light last year when the CBD was offered to downtown property owners once again. Staff has agreed to bring this application before the Planning Commission to take it back to what the property is currently used. This is the same option that was given to owners last year when CBD was offered. Staff was not trying to make property owners have their buildings and use non-conforming.

Mr. Jackson stated that the Planning Commission wouldn't be granting IM, but securing the presence of the IM that already exists.

Ms. Matthews stated that the District 1 Plan realizes and recognizes that a great deal of industrial use exists in the eastern portion of the Inner Dispersal Loop and encourages the industrial uses to remain.

TMAPC Action; 8 members present:

On amended **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Ard, Bernard, Carnes, Collins, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Horner "absent") to recommend **APPROVAL** of the IM zoning for Z-7018 per staff recommendation.

Legal Description for Z-7018:

Lots 4 through 6, Block 12, Hodge Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, **from CBD (Commercial Business District) to IM (Industrial Medium Intensity District).**

Application No.: PUD-628/Z-6467-SP-4-d **MINOR AMENDMENT**

Applicant: John W. Moody (PD-18) (CD-8)

Location: Northeast corner U.S. Highway 169 and Mingo Road

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to increase the permitted height of a ground sign from twelve feet to fourteen feet and to increase the permitted

display surface area of the ground sign from 32 square feet to 70 square feet, including a 30 square foot LED message center. The property is zoned PUD and CO. Development standards for signage in PUD-628 are as follow:

1. One ground sign not exceeding 12 feet in height and 32 square feet in display surface area shall be permitted on each lot.
2. Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

There have been several requests to amend the sign standards for PUD-628:

- PUD-628-1; Lot 5; request for 25 feet high ground sign, 176.25 square feet of display surface area; DENIED 12/6/00
- PUD-628-2; Lot 5; request for ground sign with 64 square feet of display surface area; DENIED 2/7/06
- PUD-628-3; Lot 5; request for ground sign 14 feet high with 46 square feet of display surface area; DENIED 2/27/02
- PUD-628-4; Lot 5; request for ground sign 14 feet high with 46 square feet of display surface area and corresponding reduction in permitted wall signs; APPROVED 7/17/02 on condition that existing signage on the southwest building elevation be removed prior to installation of proposed ground sign, only the southeast building elevation would be allowed signage; and the LED message center shall not change any faster than once every 60 seconds. At this hearing TMAPC noted that businesses like to identify themselves when clutter develops, but a bigger and taller sign is not the answer to the clutter.
- PUD-628-5; Lot 6; request for an increase in wall signage from 1.5 square feet of display surface area to 2.34 square feet of display surface area per lineal foot on the west elevation of the canopy wall and 2.66 square feet on the north and also south elevation. TMAPC DENIED PUD-628-5 as requested, but APPROVED an increase of wall signage on the canopy from 1.5 square feet to 2.0 square feet of display surface area per lineal foot of the canopy on condition that no other wall signs would be permitted on the building.

To the west of the subject property on the west side of South Mingo Road is PUD-597. Development standards of PUD-597 permit signage in accordance with the underlying OL zoning, which permits not more than one sign per each street frontage of a lot; such sign shall not exceed two-tenths (2/10) of a square foot of display surface area per lineal foot of street frontage provided that no sign shall be restricted to less than 32 square feet nor permitted to exceed *50 square feet (specific to PUD-597)*.

North of PUD-597 and northwest of the subject property on the west side of South Mingo Road is PUD-268-B. Development standards for this PUD likewise

limit signage to not more than one sign per each street frontage of a lot; such sign shall not exceed two-tenths (2/10) of a square foot of display surface area per lineal foot of street frontage provided that no sign shall be restricted to less than 32 square feet nor permitted to exceed 150 square feet.

Consideration of the subject property's location within a corridor district was given when development standards for PUD-628 permitted wall signage in addition to ground signage in a predominately light office/ residential area. Therefore, staff finds the proposed minor amendment to be inconsistent with the intent of PUD-628 and out of character with the area unless permitted wall signage for Lot 4 is reduced to that which is currently in place (71.59 square feet) or removed, and display surface area is limited to 46 square feet as was approved for Lot 5 per PUD-628-4. Although there are other LED signs adjacent to U.S. Highway 169, staff questions the appropriateness of an electronic message board on an expressway and whether it is in the best interest of the public's safety and welfare.

Therefore, staff recommends **DENIAL** of PUD-628-6/Z-6467-SP-4d as requested and recommends **APPROVAL** of PUD-628-6/Z-6467-SP-4d per the following conditions: (1) one ground sign be permitted on Lot 4 not to exceed 14 feet in height and 46 square feet in display surface area; (2) wall signage be limited to the west building elevation not to exceed 72 square feet of display surface area and 75% of the frontage of the building.

TMAPC COMMENTS:

Mr. Ard asked what staff's opinion is regarding the LED message board. Ms. Matthews stated that staff is not encouraging it, but recognizes that there are other LED message boards in the subject area. Ms. Matthews further stated that staff doesn't believe it is appropriate along an expressway due to safety issues.

Applicant's Comments:

John W. Moody, 1800 South Baltimore, Suite 900, Tulsa, Oklahoma 74119, representing Paul Tayman, described the surrounding properties and surrounding signs. Mr. Moody explained what type of signage would be allowed if the subject property was not zoned corridor with a PUD overlay. He further explained that there is no documentation proving that LED message boards create a safety hazard. Mr. Moody submitted photographs of surrounding signage and signage along the expressway (Exhibit A-1). Mr. Moody demonstrated where the subject sign would be located on the subject site.

Mr. Moody recognized that the restrictions regarding signage are due to the PUD overlay, which the developer chose to impose. He reiterated the type of signage his client would be allowed if the PUD didn't exist.

TMAPC COMMENTS:

Mr. Harmon asked how the 70 SF of display surface area came about. In response, Mr. Moody stated that the sign company submitted that number.

Mr. Bernard asked Mr. Moody if page 13.5 represented the type of signage being requested. In response, Mr. Moody answered affirmatively.

Mr. Jackson asked staff how they derived at the specifications of 14 feet in height and 46 SF of display surface area. In response, Ms. Matthews stated that this is close to what was agreed to in the PUD standards that were approved several years ago, and in keeping in what is in the immediate vicinity (Lot 5) that was agreed to several years ago by the Planning Commission.

Mr. Jackson stated that the signage restrictions are a PUD requirement and not an actual zoning requirement. Ms. Matthews agreed with Mr. Jackson's comment.

Mr. Jackson asked if Mr. Moody's statements about the size of a ground sign that would be allowed along the highway are true. In response, Ms. Matthews stated that wouldn't be a part of the original PUD, but had he requested a straight zoning, perhaps he could have the type of signage he described.

Ms. Matthews confirmed that the application is for Lot 4.

Mr. Midget stated that he wanted to make sure that page 13.5 is the signage Mr. Moody is requesting and also asking for more wall signage. Mr. Moody stated that he is only asking for the one sign.

Mr. Moody stated that he doesn't believe that staff's recommendation is reasonable, but he believes that his request is reasonable. He understands their position and where they are coming from, but he doesn't agree with it because he believes that it is overly restrictive in an area where, if it were zoned OL, it would permit a larger sign than what he is requesting. He understands that the restrictions that staff is implementing are a part of the PUD when it was approved several years ago.

Mr. Midget stated that is other issue is the wall signage on the subject building. There appears to be a lot of wall signage and he doesn't believe staff's recommendation is unreasonable.

Mr. Moody stated that the only wall signage that his client has is the limited amount that is on South Mingo. He explained that his client is not the only tenant.

Mr. Carnes stated that he is in agreement with staff and he can't vote for the LED message board. He doesn't approve of flashing signs.

Mr. Moody stated that it can't be a flashing sign because they are prohibited.

Mr. Carnes stated that everyone knows that there is probably not one sign in this town that is not flashing ten times more often than the agreement when the sign was installed. There is no way to keep this proposal from becoming a flashing sign unless denying it.

Mr. Moody asked for a few minutes to discuss this with his client.

Mr. Collins out at 2:56 p.m.

Mr. Moody stated that his client indicated that the LED message board is very important. The LED is a limited size (three feet by ten feet).

Mr. Carnes made a motion recommending denial.

Mr. Harmon stated that he does see this LED message board as something different. He commented that the Thomas Cadillac sign flashes every three seconds, but a message board of the proposed size is not that intrusive. He wouldn't want to approve 70 SF, but he would recommend 58 SF. He commented that a traveling message or static message is not nearly as intrusive as the flashing neon signs.

Mr. Carnes withdrew his motion.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 6-1-0 (Ard, Bernard, Harmon, Hill, Jackson, Midget "aye"; Carnes "nay"; none "abstaining"; Bayles, Cantees, Collins, Horner "absent") to **APPROVE** the minor amendment to increase the height of a ground sign to 14 feet in height and a maximum of 58 SF display surface area, subject to a LED message board and no flashing signage, subject to wall signage be limited to the west building elevation not to exceed 72 square feet of display surface area and 75% of the frontage of the building as modified by the Planning Commission.

Application No.: PUD-702-1

MINOR AMENDMENT

Applicant: Sack & Associates/Star Investments Group, Inc. (PD-26) (CD-8)

Location: North of northwest corner East 111th Street and South Sheridan Road

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to PUD-702 to reduce the minimum lot area from 13,500 square feet to 11,800 square feet for the purpose of adding "Reserve B" to provide open space along the north boundary of PUD-702. The remaining development standards for PUD-702 shall remain in effect. The subject tract is platted, vacant and zoned RS-2, Residential Single-Family.

So long as the common open space in the proposed "Reserve B" is accessible to all lots within the Augustus subdivision and appropriate language is added to the deeds of dedication and restrictive covenants ensuring access to and maintenance of "Reserve B", then staff finds the proposed amendment to be minor in nature and in conformance with the original intent of PUD-702. Therefore, staff recommends **APPROVAL** of PUD-702-1; subject to the filing of an amended plat which reflects the reduction in lot size(s). ~~establishes open space through "Reserve B", and provides for access to and maintenance of "Reserve B".~~

Ms. Matthews stated that, based on the previous action for the amended plat of Augustus, she believes that the applicants will have to come in and file an amended PUD to remove Reserve B from the PUD.

TMAPC COMMENTS:

Mr. Harmon asked if the access is for utilities. In response, Ms. Matthews stated that the access is for utilities and maintenance. The reserve was intended for this PUD, but the developer is conveying it to Mr. and Mrs. Thompson and would be removed from the PUD.

Applicant's Comments:

Ted Sack, Sack & Associates, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, stated that normally there would be a need for access from each lot to Reserve B. Reserve B was created to be a fence easement and there are utility easements present. By conveying Reserve B to Mr. and Mrs. Thompson he may need to come back and request that Reserve B be removed from the PUD. He commented that Mr. and Mrs. Thompson are accepting all of the easements within Reserve B.

Mr. Sack stated that he would prefer to move forward with this and not have to vacate any easements.

TMAPC COMMENTS:

Mr. Bernard asked staff if they were in agreement with Mr. Sack's proposal.

Mr. Alberty stated that the Planning Commission can move forward with this. He explained that staff didn't know about the conveyance of Reserve B to the property owners to the north until the meeting today. Staff has no way of anticipating the conveyance and the only thing that should change is that each lot has access to Reserve B.

TMAPC Action; 7 members present:

On **MOTION** of **JACKSON**, TMAPC voted 7-0-0 (Ard, Bernard, Carnes, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Collins, Horner "absent") to **APPROVE** the minor amendment for PUD-702-1, subject to the filing of an amended plat which reflects the reduction in lot size(s) as modified by the Planning Commission. (Language with a strike-through has been deleted and language with an underline has been added.)

OTHER BUSINESS:

Application No.: PUD-411/PUD-411-C/Z-5842-S-1a/Z- 5842-SP-5a DETAIL SITE PLAN

Applicant: Cyntergy AEC (PD-26) (CD-8)

Location: 9809 South Memorial Drive

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for removal of the existing truck center and expansion of the new car sales and service center. The proposed use, Use Unit 17, Automotive and Allied Activities, is in conformance with Development Standards of PUD-411, PUD-411-C and Z-5842-SP-1a and Z-5842-SP-5a.

The proposed improvements comply with maximum permitted floor area, lot coverage, building height and minimum building setbacks, but encroach into existing easements which the developer notes are to be abandoned. No changes to the existing landscaped streetyard are proposed; however, sidewalks will be provided in the Memorial Street and East 98th Street South rights-of-way adjacent to the property as required.

No changes to the parking lot lighting are proposed; no building mounted lighting is proposed. Proposed parking is in compliance with the Tulsa Zoning Code, and proposed landscaped open space is ten percent of gross land area as required per previous minor amendment approval, PUD 411-11.

Staff recommends **APPROVAL** of PUD-411-C/PUD-411 AND Z-5842-SP-1a/Z-5842-SP-5a subject to (1) verification the existing overland drainage and utility easements have been abandoned; and (2) verification existing ten foot PSO easement has been abandoned.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bernard, Carnes, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Collins, Horner "absent") to **APPROVE** the detail site plan for PUD-411/PUD-411-C/Z-5842-SP-1a/Z-5842-SP-5a, subject to (1) verification the existing overland drainage and utility easements have been abandoned; and (2) verification existing ten foot PSO easement has been abandoned per staff recommendation.

Application No.: PUD-628/Z-6467-SP-4e

DETAIL SITE PLAN

Applicant: Douglas Huber

(PD-18) (CD-8)

Location: 9425 South Mingo Road

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new 9,828 square foot medical office building. The proposed use, Use Unit 11, Offices and Studios is in conformance with Development Standards of PUD-628.

The proposed building complies with maximum permitted floor area, building height and land coverage and meets minimum building setback and open space requirements. Streetyard and landscaping are also in compliance with the Landscape Chapter of the Zoning Code. Proposed parking exceeds minimum requirements; access is provided from the collector street, East 93rd Street South.

Although a lighting plan for parking lot lighting has been submitted, the plan does not include application of the Kennebunkport Formula.

Staff recommends **APPROVAL** of PUD-628/Z-6467-SP-4e subject to an approved lighting plan.

Applicant was not present.

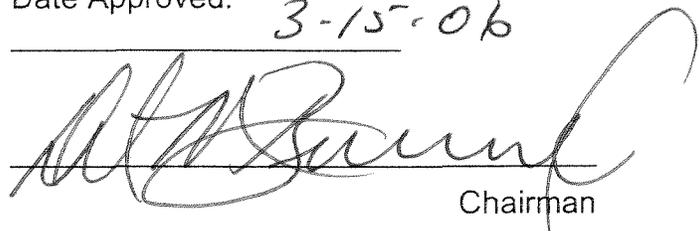
There were no interested parties wishing to speak.

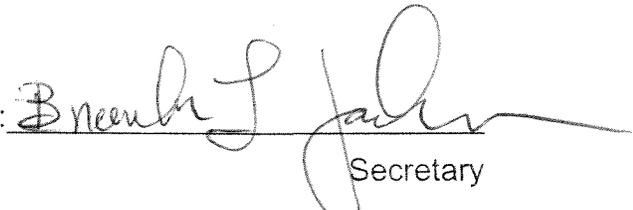
TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Ard, Bernard, Carnes, Harmon, Hill, Jackson, Midget "aye"; no "nays"; none "abstaining"; Bayles, Cantees, Collins, Horner "absent") to **APPROVE** the detail site plan for PUD-628/Z-6467-SP-4e, subject to an approved lighting plan per staff recommendation.

There being no further business, the Chair declared the meeting adjourned at 3:15 p.m.

Date Approved: 3-15-06


Chairman

ATTEST: 
Secretary

