

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2604**

Wednesday, June 15, 2011, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Dix	Cantrell	Alberty	Boulden, Legal
Edwards	Carnes	Bates	Tohlen, Sr. Eng.
Leighty	Walker	Fernandez	Keller, COT
Liotta		Huntsinger	
Midget		Matthews	
Perkins		Sansone	
Shivel		Putta	
Stirling		Wagner	
		Van Decar	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, June 9, 2011 at 3:12 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 Leighty, called the meeting to order at 1:30 p.m.

**REPORTS:**

**Director's Report:**

Mr. Alberty reported on the BOCC and City Council agendas.

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**CONSENT AGENDA**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

1. **LS-20433**, (Lot-Split) (CD-9) Location: West of the southwest corner of East 37<sup>th</sup> Place South and South Rockford Avenue

2. **LS-20434**, (Lot-Split) (CD-1) Location: East of the northeast corner of North Cincinnati Avenue and East Queen Street (Related to Items 3 & 4)
3. **LC-324**, (Lot-Combination) (CD-1) Location: East of the northeast corner of North Cincinnati Avenue and East Queen Street (Related to Item 2)
4. **LC-325**, (Lot-Combination) (CD-1) Location: East of the northeast corner of North Cincinnati Avenue and East Queen Street (Related to Item 2)
5. **LS-20435**, (Lot-Split) (CD-1) Location: North of northeast corner of North Cincinnati Avenue and East Queen Street (Related to Items 6 & 7)
6. **LC-326**, (Lot-Combination) (CD-1) Location: North of northeast corner of North Cincinnati Avenue and East Queen Street (Related to Item 5)
7. **LC-327**, (Lot-Combination) (CD-1) Location: Northeast corner of North Cincinnati Avenue and East Queen Street (Related to Item 5)
8. **LC-342**, (Lot-Combination) (CD-5) Location: Northwest corner of East 23<sup>rd</sup> Street South and South 67<sup>th</sup> East Avenue
9. **LS-20439**, (Lot-Split) (CD-6) Location: North of the northwest corner of North Birmingham Place and East Pine Street North
10. **LS-20438**, (Lot-Split) (CD-2) Location: Southeast corner of South 26<sup>th</sup> West Avenue and West 78<sup>th</sup> Street South
11. **LS-20441**, (Lot-Split) (CD-2) Location: South of the southwest corner of East 91<sup>st</sup> Street South and South Delaware Avenue (Related to Item 13)
12. **LS-20440**, (Lot-Split) (CD-2) Location: South of the southwest corner of East 91<sup>st</sup> Street South and South Delaware Avenue (Related to Item 13)
13. **LC-344**, (Lot-Combination) (CD-2) Location: South of the southwest corner of East 91<sup>st</sup> Street South and South Delaware Avenue (Related to Items 11 and 12)
14. **LS-20422**, (Lot-Split) (CD-9) Location: Northwest corner of East 30<sup>th</sup> Street South and Woodward Boulevard
15. **PUD 218-A** – Plat Waiver, (CD 9) Location: Southeast corner of South Yorktown Avenue and East 21<sup>st</sup> Street

**STAFF RECOMMENDATION:**

The platting requirement is being triggered by PUD-218-A to allow an antenna and supporting structure.

It is the policy of TMAPC to waive the platting requirement for the cell tower use (Use Unit 4, Public Protection and Utility Facilities/Antennas and Supporting Structures). Therefore, staff can recommend **APPROVAL** of the requested plat waiver. The TMAPC approved the major amendment to allow the tower at the June 1, 2011 meeting.

**The Planning Commission considered the consent agenda.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, Walker "absent") to **APPROVE** the consent agenda, Items 1 through 15, per staff recommendation.

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## **PUBLIC HEARING**

16. **LS-20437**, (Lot-Split) (CD-9) Waiver of Subdivision Regulations, Location: East of the southeast corner of South Florence Avenue and East 28<sup>th</sup> Street South (Related to Item 17)

### **STAFF RECOMMENDATION:**

The lot-split proposal is to split an existing RS-2 tract into two tracts.

One of the resulting tracts would have more than three side lot lines as required by the Subdivision Regulations. The applicant is requesting a waiver of the *Subdivision Regulations* that no tract have more than three side lot lines.

The other lot is apart of a lot-combination application that is dependent on the waiver being granted by the TMAPC.

The Technical Advisory Committee expressed no concerns at 6/2/2011 TAC Meeting.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of *Subdivision Regulations* and of the lot-split.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, Walker "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for LS-20437 per staff recommendation.

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17. **LC-343**, (Lot-Combination) (CD-9) Location: East of the southeast corner of South Florence Avenue and East 28<sup>th</sup> Street South (Related to Item 16)

**STAFF RECOMMENDATION:**

The lot-combination proposal is to combine two RS-2 tracts.

The lot-combination approval is reliant on a waiver of the subdivision regulations being granted for LS-20437 to allow a lot with more than three side lot lines.

Staff believes this lot-combination would not have an adverse effect on the surrounding properties and recommends **APPROVAL**.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, Walker "absent") to **APPROVE** the lot-combination for LC-343 per staff recommendation.

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18. **Regal Industrial Park – (9403)** (CD 6) Minor Subdivision Plat, Location: East of South 145<sup>th</sup> East Avenue, South of East Admiral Place (continued from June 1, 2011).

**STAFF RECOMMENDATION:**

This plat consists of one lot, one block, on 4.81 acres.

The following issues were discussed April 21, 2011 and June 2, 2011, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned IL (industrial light).

2. **Streets:** Access cannot exceed 36 feet. Remove sidewalk note from face of plat. Modify sidewalk section to reflect one lot, one block. Delete reference to minor streets.
3. **Sewer:** The sanitary sewer main extension must be completed before the plat can be filed of record. Plans have been approved, through the IDP (Infrastructure Development Plan) process, for the required sanitary sewer mainline.
4. **Water:** If an internal water main extension line is needed then a 20 foot restrictive waterline easement will be required. An existing 12 inch water line fronts the property.
5. **Storm Drainage:** The face of plat should not have contours, water spicket, electric box, fences and other such features shown on it. Add "Cooley Creek" to the floodplain label. The floodplain must be plotted on the plat by using actual elevations of the 100 year regulatory water surface elevation (WSE), and existing ground elevations on the site. The overland drainage easement for the floodplain should extend an additional 20 feet outside and adjacent to the floodplain. Drainage flowing onto the site from the southeast is public drainage, and must be conveyed across the site in a public drainage system with its required easements. It is not possible to discern the location of this system, because no conceptual drainage system was shown on the conceptual plan sheet. If construction will be in the floodplain, then compensatory storage and its related easement will be required. Standard language for compensatory storage easement should be added, if buildings or other fill materials will be placed in the floodplain. The conceptual plan is deficient in this area of information.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Fire hydrant will need to be located within 400 feet of any part of a non-sprinkled building and within 600 feet of any part of a sprinkled building. Fire department access roads will need to be 20 feet wide minimum. Number of fire hydrants will be dependant on the size and type of the structure. If gated Knox access will be required.

**GIS:** On sheet one at the top of the sheet above "Regal Industrial Park" state what kind of plat this is. On the face of the plat trim the graphics at the top of the sheet so that the lines are not running into the text that describes the subdivision. Add a foot marker to 1649.02 on the face of the plat. Add a leading zero to the degree description on the west side of the property on the face of the plat. On the location map tract number 9 is shown as Foster Addition but should be Foster Resub according to the county assessor map. Note benchmarks and monuments used in making the plat. Submit control data sheet. Clarify points of beginning.

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

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the Public Works Department and Development Services 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.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, Walker "absent") to **APPROVE** the minor subdivision for Regal Industrial Park per staff recommendation, subject to special conditions and standards conditions.

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19. **CZ-407/PUD-566-A – Bill Breisch**, Location: Northwest corner of West 41<sup>st</sup> Street and South 57<sup>th</sup> West Avenue, Requesting **CS/OL/RS/PUD-566 TO AG/CS/OL/PUD-566-A** and Major Amendment, (County) (**Applicant is requesting a Continuance to July 6, 2011**) (Continued from 6/1/11).

**STAFF RECOMMENDATION:**

Applicant has requested a continuance to July 6, 2011.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **SHIVEL**, TMAPC voted **8-0-0** (Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, Walker "absent") to **CONTINUE** CZ-407/PUD-566-A to July 6, 2011.

**OTHER BUSINESS:**

**20. Discussion City Council Consensus 2011-12**

**STAFF RECOMMENDATION:**

Mr. Alberty presented the City Council Consensus 2011-12 to the Planning Commission. The City Council is requesting the Planning Commission to hold public hearings, analyze and recommend to the City Council ordinance amendments to the Zoning Code of the City of Tulsa to allow for oil and gas drilling inside the city limits of the City of Tulsa.

**There were no interested parties wishing to speak.**

Planning Commission directed staff to set this item for a public hearing at the next possible date.

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**Commissioners' Comments**

None.

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There being no further business, the Chair declared the meeting adjourned at 1:48 p.m.

Date Approved:

2-6-2011  


Chairman

ATTEST:

  
Secretary

