CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

REPORTS

Chairman's Report:

Worksession Report:

Comprehensive Plan Report:
Report on the update of the Comprehensive Plan

Director's Report:

1. Minutes of April 2, 2008, Meeting No. 2510

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.

2. L20197 – Demetrius Thompson (8234)/Lot-Split (Cunty)
   West of South 26th Avenue and South of 11th Street, 11214 South 26th West Avenue

   Northeast corner of East 101st Street South and Mingo Road

   East 76th Street South and Vandalia Avenue (Detail Site Plan for the replacement of the existing crash gates.)

5. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

PUBLIC HEARINGS

6. BOA-20670 – (9327)/Plat Waiver (PD-18B) (CD-7)
   North of East 51st Street and east of South Fulton Avenue

OTHER BUSINESS

7. Endorsement of proposed Fee-In-Lieu Sidewalk Ordinance

8. Commissioners' Comments

ADJOURN

PD = Planning District/CD = Council District
NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringing/sound on all cell phones and pagers must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region’s current and future residents.

TMAPC Mission Statement
AGENDA

TULSA METROPOLITAN AREA PLANNING COMMISSION

TRAINING SESSION

INCOG
201 West 5th, Suite 550
5th Floor Conference Room

Wednesday, April 23, 2008
11:00 a.m.

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Planning Made Easy - continue Ethics and Introduction to Planning (Staff)

Adjourn

www.tmapc.org
**Final Subdivision Plat**

Plaza del Sol - (8419) (PD 18) (CD 8)
Northeast corner of East 101st Street South and Mingo Road

This plat consists of 1 Lot in 1 Block on 7.74 acres.

Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.
April 23, 2008

STAFF RECOMMENDATION

PUD-136-A: Detail Site Plan – East 76th Street South and Vandalia Avenue; Lots 1 and 3, Block 5 – Silver Oaks; TRS 8309; CZM 52; Atlas 1134; PD 18B CD 8; RS-3/PUD.

The applicant is requesting approval of a detail site plan for the replacement of the existing crash gates located at Vandalia Avenue at 76th Street South. The proposed use is in conformance with Development Standards of PUD-136-A.

Vandalia Avenue was closed at the intersection of 76th Street South per Ordinance #13764 and filed on January 7, 1977 (See attached Exhibit A). The proposed replacement gates will not be placed in any public right-of-way and have received the approval of both the City of Tulsa Fire Marshall and Tulsa Traffic Engineering.

Therefore, staff recommends APPROVAL of the detail site plan for the crash gates located at Vandalia Avenue and East 76th Street South, PUD-136-A.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)
AN ORDINANCE CLOSING A PUBLIC WAY DEDICATED TO THE CITY OF TULSA, OKLAHOMA, AFFECTING A PORTION OF SILVER OAKS ADDITION TO TULSA, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED HEREFURTHER; PROVIDING FOR THE RESERVATION OF RIGHTS WITHIN THE CLOSED PUBLIC WAY; AND DECLARING AN EMERGENCY.

WHEREAS, application has been made for the closing of a public way dedicated to the City of Tulsa, Oklahoma, and filed of record in the office of the County Clerk of Tulsa County, Oklahoma; and

WHEREAS, the request is reasonable and it will be for the best interest of all parties concerned that said public way be closed.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TULSA, OKLAHOMA, to wit:

Section 1. That the following described public way:

East 74th Street South and South Vandalia Avenue as platted in Blocks 1 through 5, Silver Oaks Addition to Tulsa, Oklahoma, according to the duly recorded plat thereof, and more particularly described as follows:

Beginning at the Northeast corner of Lot 1, Block 2; thence S 89°56'52" W 255.21 feet to a point of curve; thence on a curve to the left, having a radius of 87 feet, a distance of 102.3 feet; thence S 22°26'40" W 167.66 feet to a point of curve; thence on a curve to the left, having a radius of 295 feet, a distance of 116.31 feet; thence S 6°08'44" E 408.26 feet to a point of curve; thence on a curve to the left, having a radius of 158.92 feet, a distance of 99.17 feet; thence S 35°53'53" E 151.47 feet to a point of curve; thence on a curve to the right, having a radius of 394.52 feet, a distance of 240.31 feet; thence S 0°05'24" E 118.69 feet to the southwest corner of Lot 3, Block 3; thence Westerly a distance of 50 feet to the southeast corner of Lot 1, Block 5; thence N 0°05'24" W 118.69 feet to a point of curve; thence on a curve to the left, having a radius of 334.52 feet, a distance of 209.06 feet; thence N 35°53'53" W 131.47 feet to a point of curve; thence on a curve to the right, having a radius of 208.92 feet, a distance of 130.37 feet; thence N 0°08'44" W 408.26 feet to a point of curve; thence on a curve to the right having a radius of 345 feet, a distance of 136.02 feet; thence N 22°26'40" E 167.66 feet to a point of curve; thence on a curve to the right, having a radius of 137 feet, a distance of 161.41 feet; thence N 89°56'52" E 255.11 feet to a point 60 feet West of the Northeast corner of the SW corner SW 1/4, Section 9, T18N, R13E; thence S 0°10'15" E 60 feet to the point of beginning.

be and the same is hereby closed.

Hedie Green
CITY OF TULSA
AUDITING DEPT.
200 Civic Center-Room 919
TULSA, OKLAHOMA 74103
Section 2. That the City of Tulsa retains the absolute right to reopen the closed public way without expense to the City of Tulsa.

Section 3. The closing of said public way shall not affect the right to maintain, repair, reconstruct, operate or remove utility public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

Section 4. That an emergency exists for the preservation of the public health, safety and peace, by reason whereof this Ordinance shall take effect immediately upon its passage, approval and publication.

PASSED, and the emergency clause ruled upon separately and approved this 7th day of January, 1977.

APPROVED, this 7th day of January, 1977.

______________________________
Robert J. Ford
Mayor

______________________________
City Auditor

______________________________
City Attorney

CITY OF TULSA
AUDITING DEPT.
STATE OF OKLAHOMA

COUNTY OF TULSA

Before me, a Notary Public, in and for said County and State, on this 7th day of
January, 1977, personally appeared Robert J. LaFaucce, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Mayor and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free act and deed of such municipal corporation, for the uses and purposes therein set forth.

WITNESS my hand and official seal the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:
JULY 15, 1979

CITY OF TULSA
AUDITORS DEPT.
200 N. DOWNTOWN
TULSA, OKLAHOMA 74103
PLAT WAIVER

April 16, 2008

BOA 20670 - (9327) (PD 18B) (CD 7)
North of East 51st Street and East of South Fulton Avenue

The platting requirement is being triggered by a Special Exception (BOA 20670) to permit a church and related uses in an OL zoning district with a parking variance to be heard by the Board of Adjustment on April 22, 2008.

Staff provides the following information from TAC at their April 3, 2008 meeting:

ZONING:
• TMAPC Staff: The Board of Adjustment will consider granting the Special Exception and parking variances at their April 22, 2008 meeting.

STREETS:
• 48th Place is a residential street with a minimum right-of-way requirement of 25 feet for each side. The existing right-of-way is 20 feet. Additional right-of-way of 5 feet is needed. Sidewalks required along 48th Place. No objection. Confirm an existing License Agreement for the parking lot encroachment.

SEWER:
• No comment.

WATER:
• No comment.

STORM DRAIN:
• No comment.

FIRE:
• No comment.

UTILITIES:
• No comment.

Staff is favorable towards the plat waiver per the TAC comments, but the TMAPC agenda preparation occurs before the Board reviews the Special Exception request on April 22nd. The Board may require other conditions that may affect the waiver recommendation resulting in a revised staff recommendation for TMAPC at the April 23, 2008 meeting.

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

6.4
1. Has Property previously been platted? Yes  NO X
2. Are there restrictive covenants contained in a previously filed plat? X
3. Is property adequately described by surrounding platted properties or street right-of-way? X

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

4. Is right-of-way dedication required to comply with Major Street and Highway Plan? X*  NO
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? X
6. Infrastructure requirements:
   a) Water
      i. Is a main line water extension required? X
      ii. Is an internal system or fire line required? X
      iii. Are additional easements required? X
   b) Sanitary Sewer
      i. Is a main line extension required? X
      ii. Is an internal system required? X
      iii. Are additional easements required? X
   c) Storm Sewer
      i. Is a P.F.P.I. required? X
      ii. Is an Overland Drainage Easement required? X
      iii. Is on site detention required? X
      iv. Are additional easements required? X
7. Floodplain
   a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
   b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
8. Change of Access
   a) Are revisions to existing access locations necessary? X
   a) If yes, was plat recorded for the original P.U.D.
10. Is this a Major Amendment to a P.U.D.? X
   a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?
11. Are mutual access easements needed to assure adequate access to the site? X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

X* Development Services requests additional right-of-way.
(Published in the Tulsa Daily Commerce & Legal News,

___________________, 2007.)

ORDINANCE NO. ____________

AN ORDINANCE AMENDING TITLE 35, CHAPTER 2, TULSA REVISED ORDINANCES, ENTITLED "SIDEWALKS AND DRIVEWAYS," ADDING SECTION 213 THERETO TO PROVIDE FOR A FEE-IN-LIEU OF PARKWAY AND ARTERIAL STREET SIDEWALKS UNDER CERTAIN CONDITIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 35, Chapter 2, Tulsa Revised Ordinances, be and the same is hereby amended by adding thereto Section 213, to read as follows:

"SECTION 213. FEE-IN-LIEU OF PARKWAY AND ARTERIAL STREET SIDEWALKS

A. Fee-in-Lieu Option. Parkway and arterial street sidewalk construction, required pursuant to ordinance, City regulation, or Subdivision Regulations of the Tulsa Metropolitan Area Planning Commission, may be deferred by the Director upon approval by the Planning Commission of a waiver of Subdivision Regulations which imposes the fee-in-lieu as a condition of the waiver; the payment of the fee-in-lieu, as calculated hereafter, and the Director determining as follows:

1. The developer elects not to construct the subject sidewalk but to pay the fee-in-lieu of sidewalk, as provided hereafter.

2. Factors are known by the Director which will make likely the impracticability of present construction at the site in question, such as, but not limited to, the following:

a. Anticipated construction, known to the Director to be planned for the subject site, will substantially damage or cause the replacement of sidewalks, if presently constructed, and/or

b. Geographical (topographical) conditions/formations make present construction impractical;

7.1
c. Drainage issues and other surface conditions make present construction impractical;

d. Existing or planned utility-related construction make present construction impractical; and

e. Other factors deemed by the Director to make present construction of sidewalks at the site in question imprudent and/or impractical.

B. Payment of Fee-in-Lieu.

1. Should a parkway or an arterial street sidewalk be deferred by the Director, a fee-in-lieu of sidewalk construction shall be paid by the developer.

2. The fee shall be equal to the amount required, at the time of deposit, pursuant to the City of Tulsa's contract with its engineering services provider to construct a sidewalk appropriate for the site in question as determined by the Director.

3. The fee-in-lieu of sidewalk shall be paid into a fund entitled the "Parkway - Arterial Street Sidewalk Fund." This fund shall be appropriated and available for use at the discretion of the Director for sidewalk repair or construction throughout the City at other parkway or arterial street locations without site preference.

C. Sidewalk Installation. Sidewalk installation by the City at the site where a sidewalk would have been required, but for the payment of a fee-in-lieu of sidewalk, shall occur as street and related public infrastructure development is completed at the site."

Section 2. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its adoption, approval, and publication.

ADOPTED by the Council:__________________________ Date

__________________________
Chairman of the Council

-2-
ADOPTED as an emergency measure: ____________________________.

Date

______________________
Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: ____________________________, at _________.

Date Time

Kathy Taylor, Mayor

By ____________________________
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: ____________________________

Date

at _________.

Time

______________________
Mayor

(Seal)
ATTEST:

______________________
City Clerk

APPROVED:

______________________
Interim City Attorney

-3-