ADDENDUM* TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2596

February 16, 2011, 1:30 PM 175 East 2nd Street, 2nd Level, One Technology Center Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

Review the TMAPC Receipts for the month of December 2010

- 1. Minutes of January 19, 2011, Meeting No. 2594.
- 2. Minutes of February 2, 2011, Meeting No. 2595.

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.

- 3. <u>LC-297 Stephanie Byrd</u>, Location: Northwest Corner of West 61st Street South and South 170th West Avenue (Lot-Combination) (County)
- 4. <u>LS-20416 Jeffery D. Lower</u>, Location: North of East 119th Street South and East of South Braden Avenue (Lot-Split) (CD-8) (Related to Items 5, 6, 7 and 8)
- 5. <u>LS-20417 Jeffery D. Lower</u>, Location: North of East 119th Street South and East of South Braden Avenue (Lot-Split) (CD-8) (Related to Items 4, 6, 7 and 8)
- 6. <u>LC-298– Jeffery D. Lower</u>, Location: North of East 119th Street South and East of South Braden Avenue (Lot-Split) (CD-8) (Related to Items 4, 5, 7 and 8)
- 7. <u>LC-299– Jeffery D. Lower</u>, Location: North of East 119th Street South and East of South Braden Avenue (Lot-Split) (CD-8) (Related to Items 4, 5, 6 and 8)

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- 8. <u>LC-300- Jeffery D. Lower</u>, Location: North of East 119th Street South and East of South Braden Avenue (Lot-Split) (CD-8) (Related to Items 4, 5, 6 and 7)
- 9. <u>LC-301– White Surveying Company</u>, Location: East of South Garnett Road and East 51st Place (Lot-Split) (CD-6)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS ZONING CODE AMENDMENTS:

10. Proposed amendments to the Tulsa Revised Ordinance, including but not limited to Title 42, the Zoning Code of the City of Tulsa, Oklahoma by adding provisions for the form-based land use and development code applicable to a pilot area near East 6th Street and South Peoria Avenue, commonly referred to as the Pearl District. (Continued from 12/7/10)

PUBLIC HEARING

- 11. *Riverbend Gardens (9211) (CD-4) Preliminary Plat, Location: South and west of southwest corner of West 7th Street and South Elwood Avenue
- 12. *Dirty Butter-Heritage Hills Extension (0225) (CD-1) Preliminary Plat, Location: Southwest corner of Virgin and Hartford
- 13. *Oklahoma Methodist Manor (9321) (CD-9) Authorization for Release of Accelerated Building Permit, Location: South of East 31 Street South, west of South Yale Avenue

OTHER BUSINESS

- 14. Request for Refund Z-5842-SP-7/PUD-411-F Sack & Associates/Mark B. Capron/CM&L, LLC, Location: Southeast corner of East 97th Street and South 84th East Avenue (CD-8) (Applicant has withdrawn this case and has requested a refund.)
- 15. Commissioners' Comments

ADJOURN

CD = Council District

NOTE: 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 <u>cell phones</u> and <u>pagers</u> must be turned off during the Planning Commission.

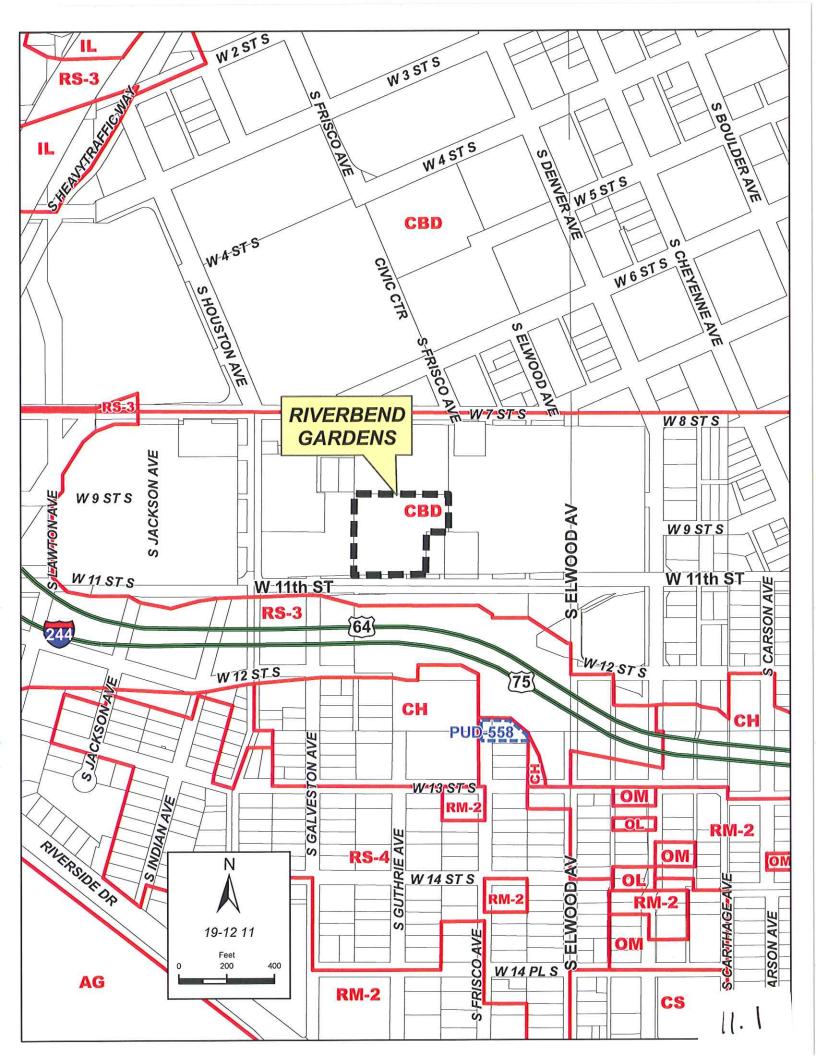
Visit our website at www.tmapc.org

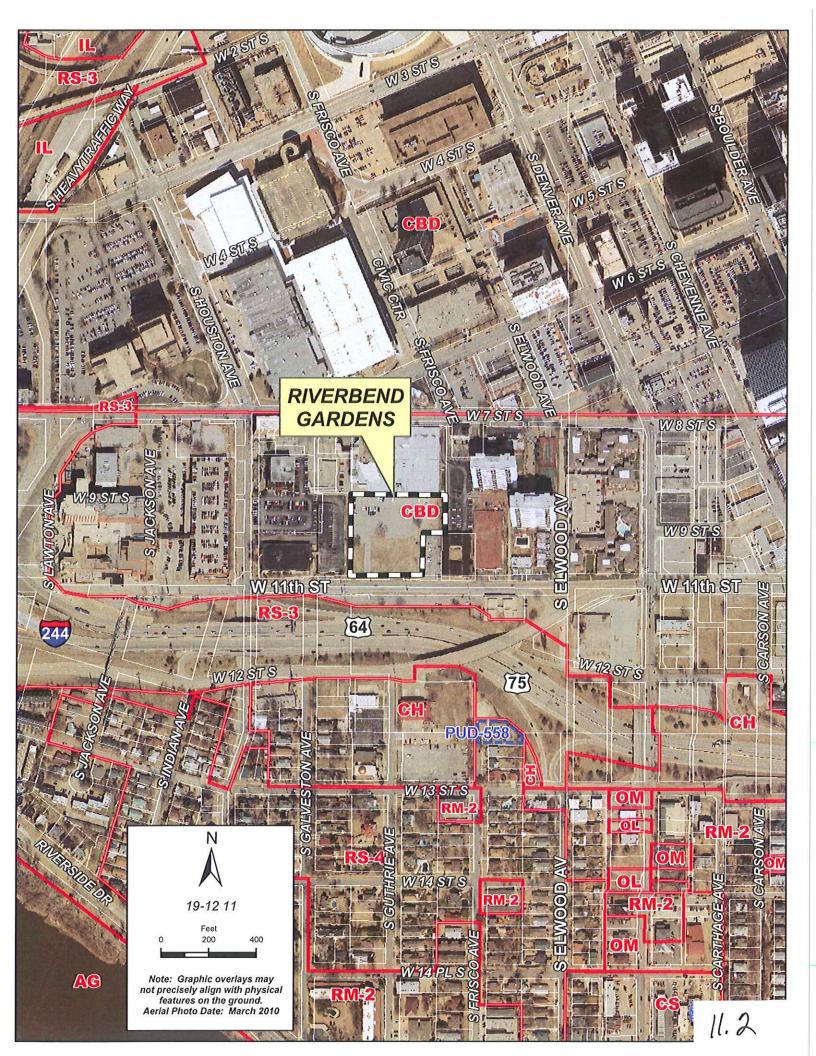
TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

Month of December 2010

	,	Current Period			Year To Date			
ZONING	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
Zoning Letters	16	\$80.00	\$80.00	\$160.00	75	\$372.00	\$372.00	\$744.00
Zoning	2	837.50	837.50	1,675.00	13	5,042.50	5,042.50	10,085.00
PUDs & Plan Reviews	25	1,650.00	1,650.00	3,300.00	202	13,372.50	13,372.50	26,745.00
Refunds	20	0.00	0.00	0.00	0	0.00	0.00	0.00
Fees Waived		0.00	0.00	0.00	<u>0</u>	0.00	0.00	0.00
		0.00	0.00	0.00	<u>u</u>	0.00	0.00	0.00
		\$2,567.50	\$2,567.50	\$5,135.00		\$18,787.00	\$18,787.00	\$37,574.00
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	7	\$2,237.50	\$2,237.50	\$4,475.00
Preliminary Plats	2	1,077.50	1,077.50	2,155.00	9	4,776.68	4,776.67	9,553.35
Final Plats	3	1,512.55	1,512.55	3,025.10	7	3,085.05	3,085.05	6,170.10
Plat Waivers	0	0.00	0.00	0.00	9	1,125.00	1,125.00	2,250.00
Lot Splits	4	217.50	217.50	435.00	25	1,130.50	1,130.50	2,261.00
Lot Combinations	1	50.00	50.00	100.00	27	1,350.00	1,350.00	2,700.00
Access Changes	0	0.00	0.00	0.00	0	0.00	0.00	0.00
Other	(30)	0.00	0.00	0.00	0	0.00	0.00	0.00
Refunds			\$0.00	\$0.00	2	0.00	0.00	0.00
Fees Waived		\$0.00	\$0.00	\$0.00		0.00	0.00	0.00
		at Proprieta and Control of the Cont	and the description of the second			9.00	<u> </u>	0.00
		\$2,857.55	\$2,857.55	\$5,715.10		\$13,704.73	\$13,704.72	\$27,409.45
BOARDS OF ADJUSTME	ENT							
Fees	26	5,725.00	550.00	6,275.00	81	\$35,760.00	\$4,950.00	\$40,710.00
Refunds	1	(\$400.00)	\$0.00	(\$400.00)	0.	(\$400.00)	\$0.00	(400.00)
NSF Check		(40.5.4.4.4)	\$0.00	\$0.00	0	0.00	0.00	0.00
Fees Waived		\$0.00	\$0.00	\$0.00	<u>26</u>	0.00	0.00	0.00
	×	\$5,325.00	\$550.00	\$5,875.00		\$35,360.00	\$4,950.00	\$40,310.00
TOTAL		\$10,750.05	\$5,975.05	\$16,725.10		\$67,851.73	\$37,441.72	\$105,293.45

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PRELIMINARY SUBDIVISION PLAT

Riverbend Gardens - (9211) (CD 4)

South and West of Southwest corner of West 7th Street and South Elwood Avenue

This plat consists of 41 Lots, 8 Blocks, on 2.62 acres.

The following issues were discussed for the cancelled February 3, 2011, Technical Advisory Committee (TAC) meeting:

- 1. Zoning: The property is zoned CBD (Central Business District). Private streets would necessitate a Planned Unit Development.
- 2. Streets: A 70 foot access is not allowed. Internal circulation, identified a s Reserve A Access, must be designated as street, with street names shown on the face of plat. The minimum width for private streets is 30 feet with 26 feet pavement. Sidewalks must be provided on all streets, public or private. Sidewalks along private streets must be placed in a sidewalk easement. Include section on sidewalks. Covenants state right-of-way is being dedicated while no dedication has been identified on the face of the plat. Section 1 refers to public streets and appears to be inappropriate for this plat. Rewrite. Show sidewalks on all streets. If a gated entry is being considered, two car stacking must be provided at the gate with truck turn around ahead of the gate.
- 3. Sewer: Provide the book and page number for the existing 15 foot sanitary sewer easement. Include the lots and block information along the east boundary line, adjacent to Blocks 5 and 8. Identify the area between the existing lots to the east. Include the different line types in the legend with a definition of what each means. Where the existing sanitary sewer line will be under pavement, the line must be replaced with ductile iron pipe with type A aggregate backfill. Where your perimeter easement does not abut another easement, we may require a 17.5 foot easement instead of the 11 foot easement.
- 4. Water: Add to the legend Restrictive Waterline Easement (R/W/E). Add bearings and length for waterline easements. Minimum size of easements for the waterlines; adjacent to the utilities or reserve is 15 feet. Include reserve language giving access to utilities. An Infrastructure Development Plan will be required. Center all waterlines inside a restrictive waterline easement. Water lines installed under pavement will be ductile iron pipe. Service meter cans installed in traffic pavement areas are required to be traffic loaded rated. The boring of 11th Street is required for one of the water main connections.

- 5. Storm Drainage: Storm sewer easements and overland drainage easements must be added to the plat to convey off-site drainage flowing onto the site from the north, and to relocate existing public storm sewers which must be relocated to accommodate the conceptual locations of the new buildings. Add standard language for overland drainage easement in a Reserve Area and Roof Drainage to the street/reserve area.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: If units are not sprinkled a second remote exit will need to be provided. Also a fire hydrant will need to be added. GIS: Tie the plat from a section corner using bearings and distances from a labeled point of commencement to the labeled point of beginning. Please provide a basis of bearing stating the bearing in degree, minutes and seconds, along with the description of it. Please show benchmarks. Correct 11th Street description. Correct name of subdivision. Submit subdivision control data form. The point of commencement to the point of beginning will need to be described in the legal description using bearings and distances.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the streets being public and the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

None requested.

Special Conditions:

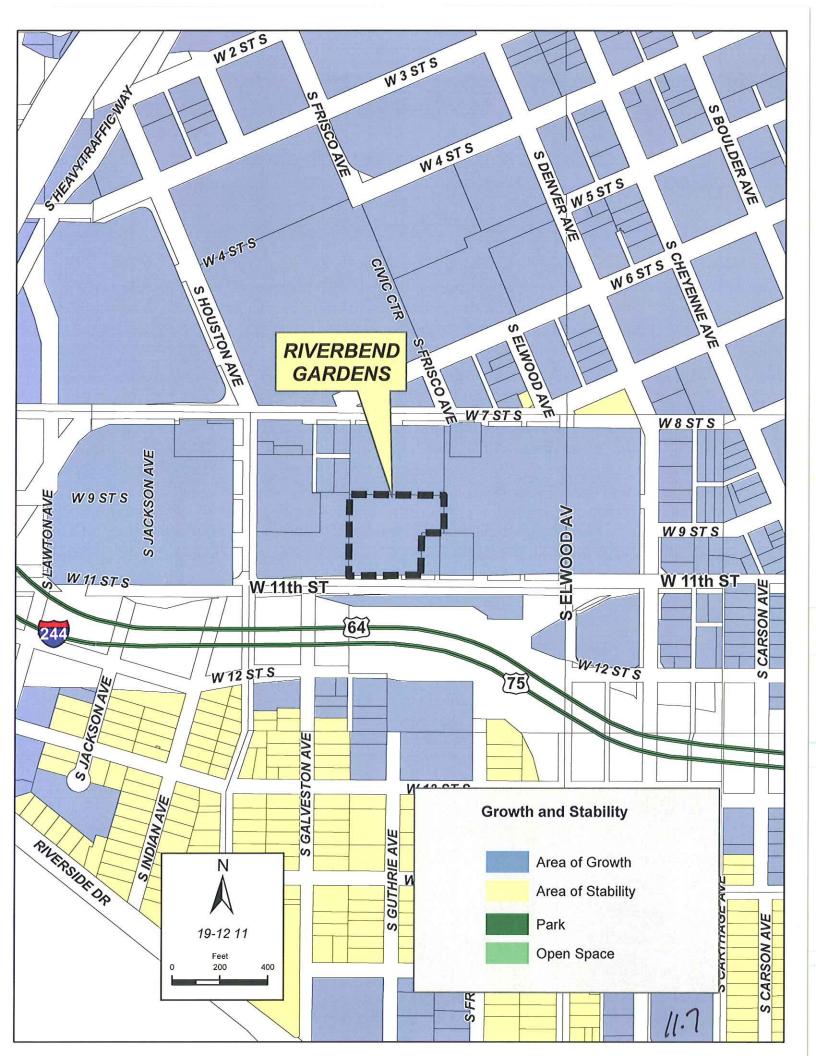
1. The concerns of the public works department and development services staff must be taken care of to their satisfaction.

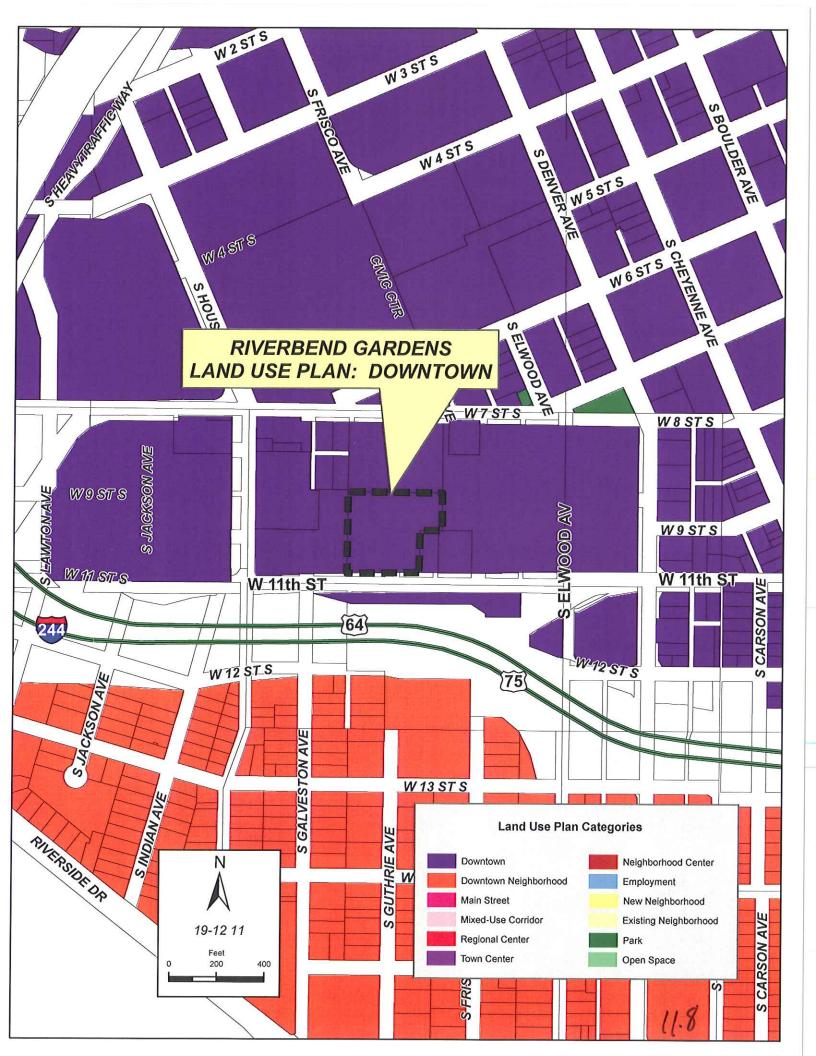
Standard Conditions:

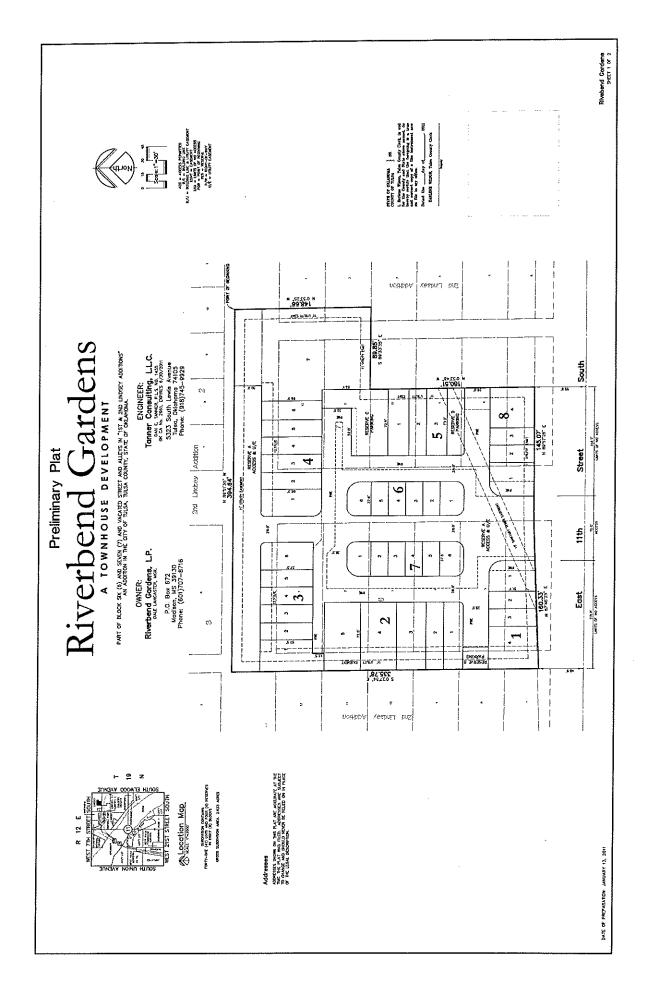
- Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- Water and sanitary sewer plans shall be approved 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.

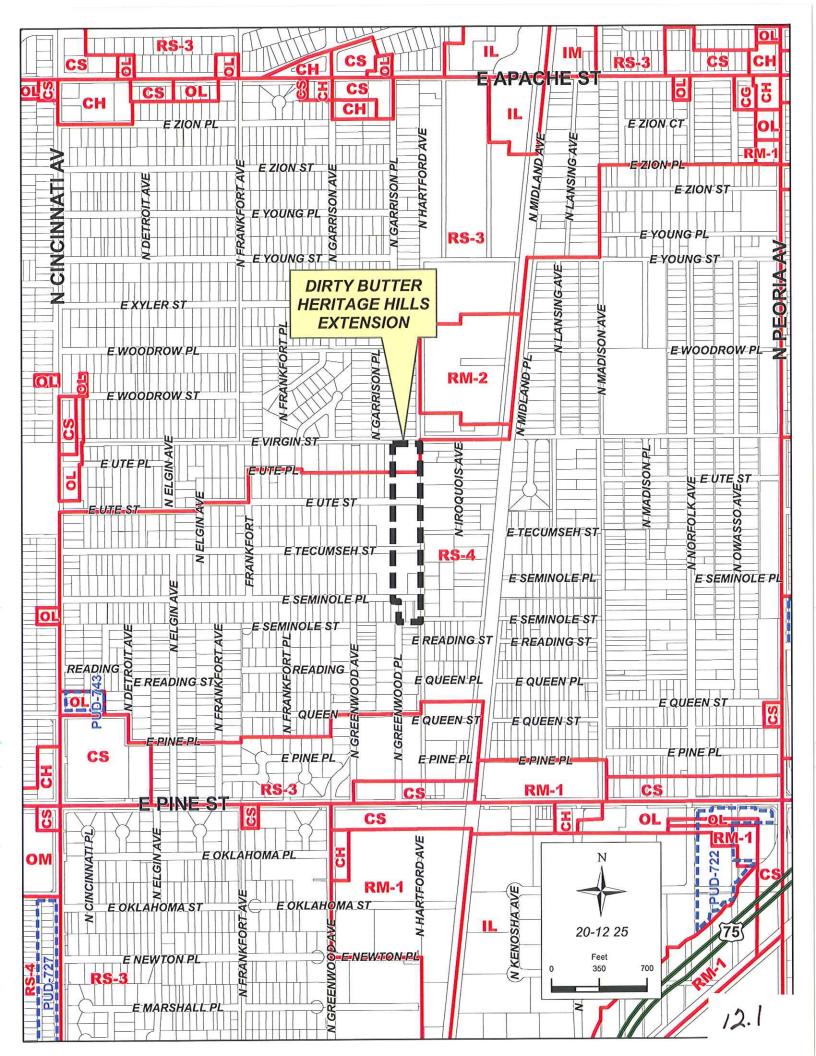
- 19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
- 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.







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Preliminary SUBDIVISION PLAT

<u>Dirty Butter – Heritage Hills Extension -</u> (0225) (PD 2) (CD 1) Southwest corner of Virgin and Hartford

This plat consists of 15 Lots, 4 Blocks, on 6.17 acres.

The following issues were discussed for the cancelled February 3, 2011, at the Technical Advisory Committee (TAC) meeting:

- 1. Zoning: The property is zoned RS-4.
- 2. Streets: Call out, with dimension lines, width of hatched area, right-of-way dedicated by plat. Sidewalks are required on all streets, not just Hartford Avenue. Specify if developer or individual owners will construct sidewalks along all other streets. Are lot owners to construct sidewalks on east or west side of Hartford?
- 3. Sewer: Identify the dashed lines between lots. Are they easements, or set back lines? Include the width of the distance from the property lines on all lots. Locate the proposed sanitary sewer extensions along the west boundary line 12.5 feet from the property line per City of Tulsa Design Criteria. All sanitary sewer service lines located within the street right-of-way must be ductile iron pipe. No service connections will be allowed on the existing 24 inch sewer main.
- 4. Water: An Infrastructure development plan will be required. If the separation between water and storm sewer is less than 10 feet the waterline must be ductile iron pipe. Two existing fire hydrants may have to be relocated. Approval/Permit required to place a retaining wall less than 7 feet from an existing 6 inch water main line in the right-of-way of Virgin Street. Along Hartford Avenue the water line should be on the east side of street not the west. What will anchor the 2 foot high block wall over the water main line at East Seminole Place and Hartford Avenue?
- 5. Storm Drainage: Show the revised floodplains. Per meeting agreement all floodplains will be on street right-of-way and no floodplains on any lots. The conceptual plan does not address drainage system that will remove this area from the FEMA floodplain, nor does it show the 13'x10'6" arch pipe conveying stormwater drainage under Hartford Avenue.

- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: No comment. GIS: Tie plat from a section corner using bearings and distances from a labeled point of commencement to the labeled point of beginning. Add point of commencement to the legend. Point/extend the point of beginning leader line to the actual point of beginning. Correct location map. Correct East Virgin Street North. Please make note on face of plat any benchmarks and the size, location, description and identification of all monuments to be set or found in making the survey shown to assure the re-establishment of any point or line of the survey. Submit subdivision control data sheet. Show corrected addresses per approval of Development Services.

Staff recommends **APPROVAL** of the Preliminary 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 staff must be taken care of to their satisfaction.

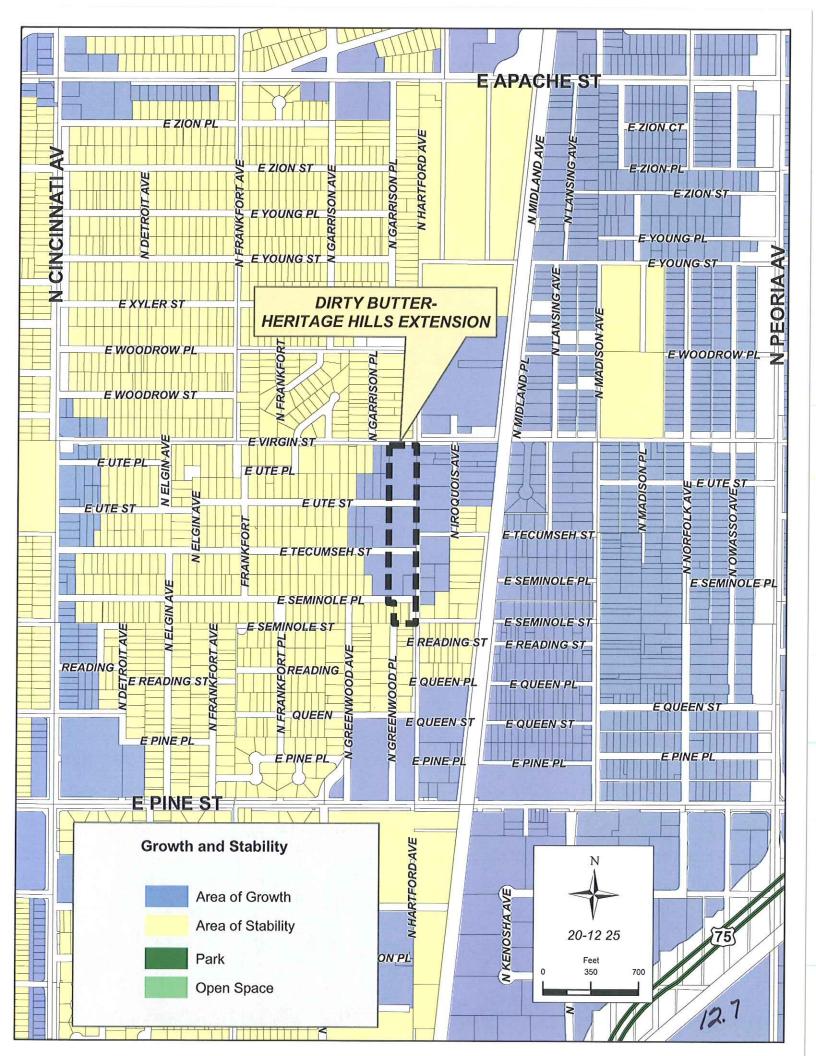
Standard Conditions:

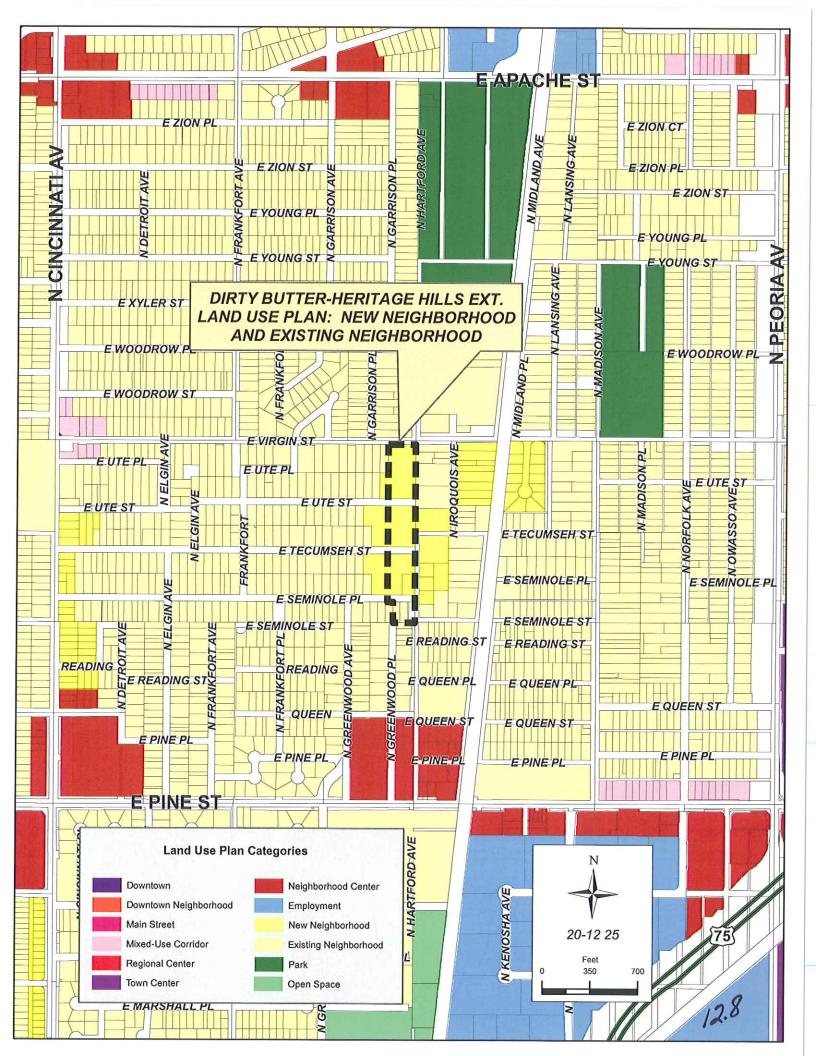
- Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- 2. Water and sanitary sewer plans shall be approved 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).
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- 6. Any request for a Privately Financed Public Improvement (PFPI) shall be

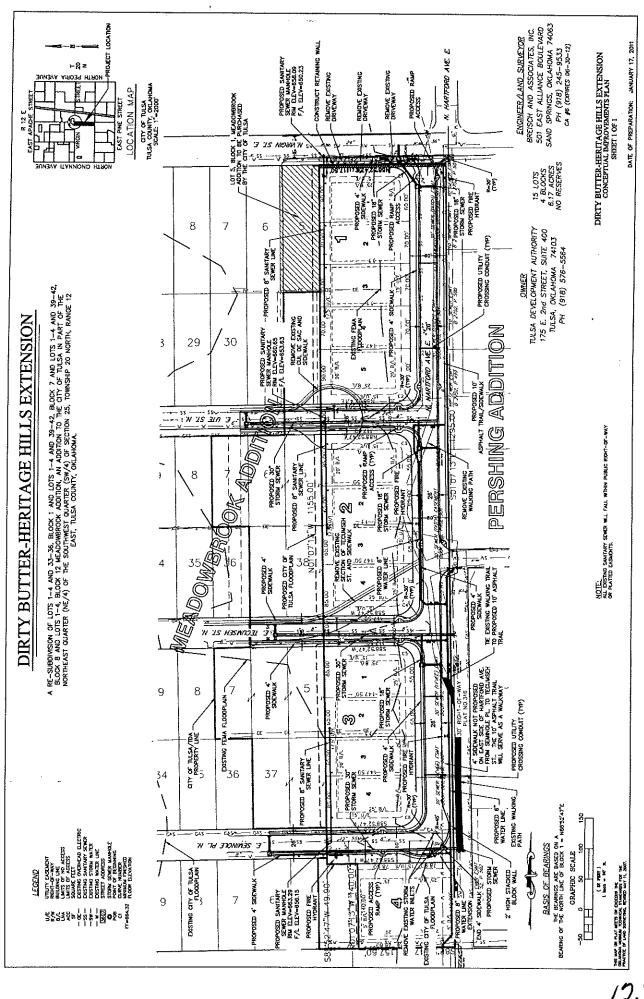
- submitted to the Public Works Department.
- 7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
- 8. Street names shall be approved by the Public Works Department and shown on plat.
- 9. All curve data, including corner radii, 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

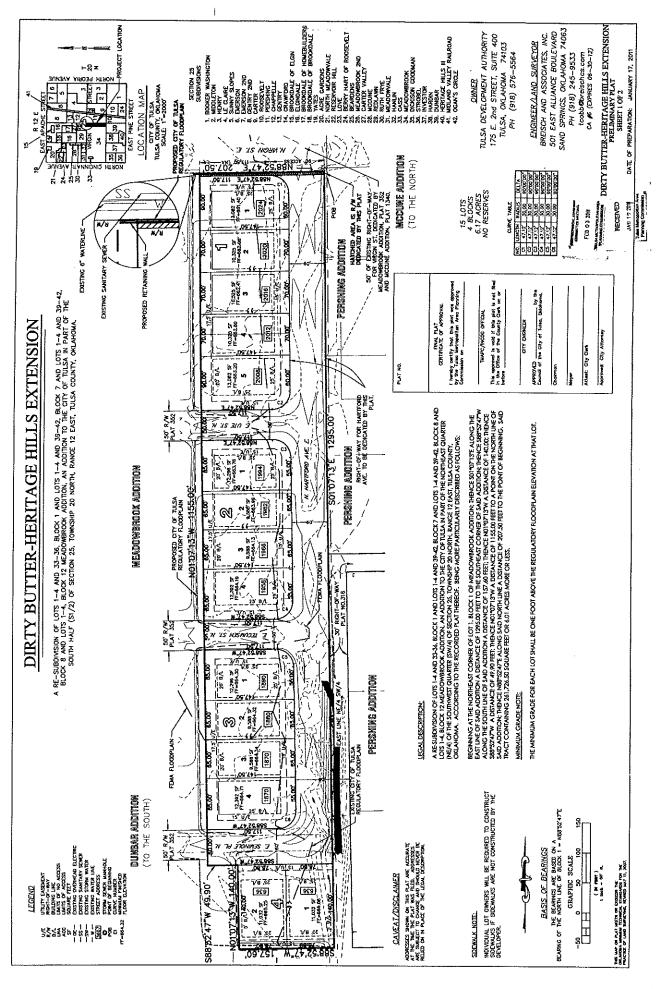
Engineers regarding Section 404 of the Clean Waters Act.

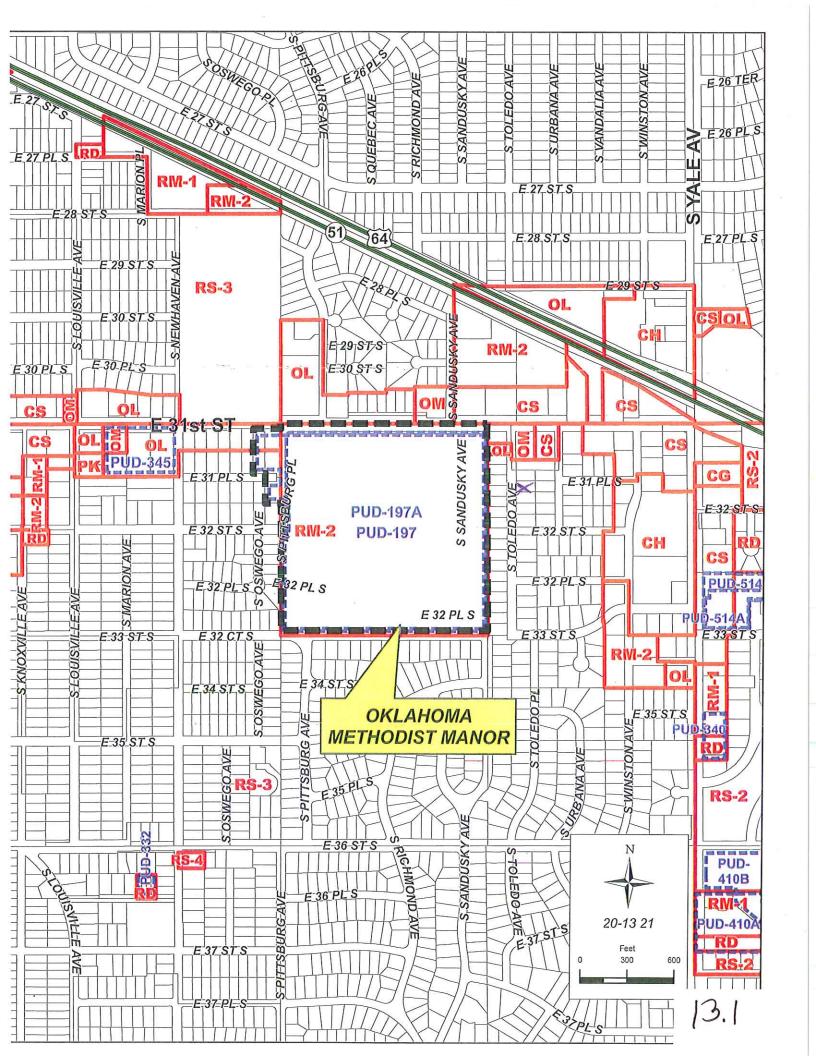
- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets 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.

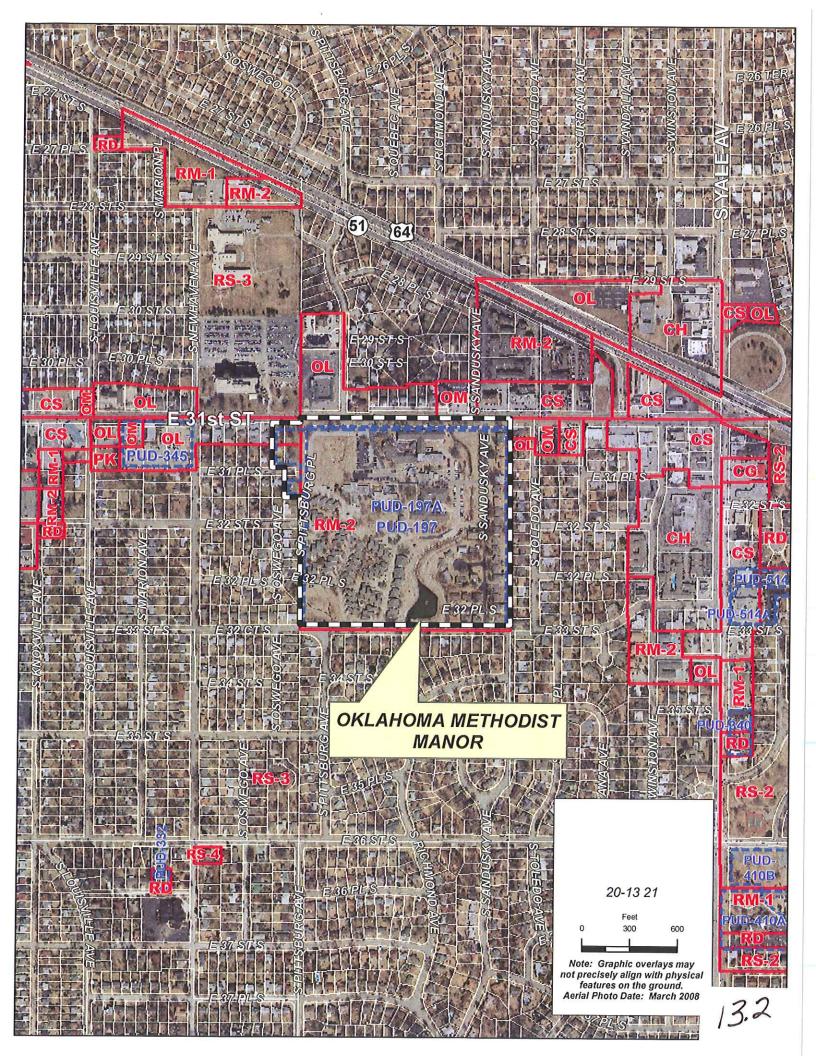












AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

Oklahoma Methodist Manor – (9321) (CD 9) South of East 31st Street South, West of South Yale Avenue

The property is zoned PUD 197 A. Full permits for the site are requested. The Final replat for the site has already been approved.

Review of this application must focus on the extraordinary or exceptional circumstances that serve as a basis for the request and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached explanation.

The following information was provided by the Technical Advisory Committee for the cancelled February 3, 2011 meeting.

ZONING:

TMAPC Staff: Full permits are requested.

STREETS:

No comment.

SEWER:

Public Works, Waste Water: No comment.

WATER:

Public Works, Water: No comment.

STORM DRAIN:

Public Works, Storm Water: All separate instrument easements that are not part of the plat need to be submitted.

FIRE:

Public Works, Fire: No comment.

UTILITIES:

Franchise Utilities: No comment.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits adhere to this ideal. Staff recommends approval of the authorization to release the accelerated permits with the conditions as commented by the Technical Advisory Committee.



Sisemore Weisz & Associates, Inc.

January 27, 2011

Ms. Diane Fernandez, Senior Planner **INCOG** 2 West Second Street, Suite 800 Tulsa, OK 74103

RE: Accelerated Building Permit Release Request - Oklahoma Methodist Manor Project

Dear Ms. Fernandez:

Please let this letter serve as notice of our request for release of an accelerated building permit for the new Crestwood / Spann Wellness Center buildings located in the northwesterly portion of the Oklahoma Methodist Manor property we are platting at 4134 E. 31st St. in Tulsa, Oklahoma. The proposed Crestwood / Spann Wellness Center buildings, as shown on the accompanying site plan drawing, are the principle building improvements for this development phase of the Oklahoma Methodist Manor project. With the preliminary plat for this project having been approved by the TMAPC on October 20, 2010, the final plat being considered for approval at the January 19, 2011 TMAPC meeting, the PUD Detail Site and Landscape Plans having received previous approvals, and the project civil engineering plans having received full approvals by the City of Tulsa, we believe release of an Accelerated Building Permit for the proposed Crestwood / Spann Wellness Center buildings is a reasonable request.

Our request for the Accelerated Building Permit release is, in part, due to an approximate two to three month period of time required for the city to prepare and final process closure ordinances related to several previously approved easement closures within the boundaries of the Oklahoma Methodist Manor plat, plus an additional two months to vacate such easement closures through Tulsa County District Court. Processing of such closure ordinances and vacations are quite routine in nature; however, the time required for formal closure and vacation of such easements, unfortunately, results in an extended delay of recording the Oklahoma Methodist Manor plat and subsequent release of project building permits,

We would appreciate consideration and support from the Technical Advisory Committee and the TMAPC in concern with this accelerated building permit request. Should you require any additional documentation from our firm in association with this request, please feel free to call me at your earliest opportunity.

Sincerely,

Darin/L. Akerman, AICP

Director of Planning

Enclosures

cc: file

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