## TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2628

June 20, 2012, 1:30 PM 175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> 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:

#### **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. <u>Inpatient Hospice Midtown</u> Final Plat, Location: West of Interstate 44, south of East 31<sup>st</sup> Street South (CD 5)
- Plaza 41 Neighborhood Center Final Plat, Location: Northwest corner of West 41<sup>st</sup> Street and South 57<sup>th</sup> West Avenue (CD 2)
- 3. <u>PUD-677-A-3 Jim Finley</u>, Location: North and west of the intersection of East 121<sup>st</sup> Street South and South Sheridan, Requesting a **Minor Amendment** for a driveway for an approach to a three car garage, RS-1/PUD-677, (CD-8)
- 4. <u>PUD-566-A Tulsa Engineering & Planning/Tim Terral</u>, Location: North and west of the corner of South 57<sup>th</sup> West Avenue and West 41<sup>st</sup> Street South, Requesting **Detail** Site Plan for a Dollar General Store on a 1.2+/-acre site facing West 41<sup>st</sup> Street South, (CD-2)
- 5. <u>PUD-759-5 Crestwood at the River LLC</u>, Location: North and west of the intersection of South Sheridan Road and East 121<sup>st</sup> Street South, Requesting **Minor Amendment** to support a requested lot-split, (CD-7) (Related to LS-20506)
- 6. <u>LS-20526</u> (Lot-Split) (CD-7), Location: Northwest corner of East 121<sup>st</sup> Street and South Sheridan Road (Related to PUD-759-5)

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- 7. <u>PUD-680-A-1 Roy D. Johnsen/Utica Place</u>, Location: South and east of the intersection of East 22<sup>nd</sup> Street and South Utica Avenue, Requesting Minor Amendment for additional office space and reduction in the total parking required for the project area, (CD-9)
- 8. <u>PUD-680-A Roy D. Johnsen/Utica Place</u>, Location: South and east of the intersection of East 22<sup>nd</sup> Street and South Utica Avenue, Requesting **Detail Site Plan** for new office buildings and parking, (CD-9)
- 9. <u>PUD-696-B-3 Roy D. Johnsen/9200 Delaware</u>, Location: North and west of the intersection of South Delaware at East 95<sup>th</sup> Street South, Requesting **Minor Amendment** for reallocation of the signage area permitted in the original PUD, (CD-2)
- 10. <u>PUD-595-B/Z-5970-SP-5 Sisemore Weisz & Associates/DLB Investments Inc.</u>, Location: Southeast of the intersection of East 66<sup>th</sup> Street South and South 101<sup>st</sup> East Avenue, Requesting **Detail Site Plan** approval for a warehouse expansion of the Mathis Brothers facility on South 101<sup>st</sup> Street East Avenue, (CD-8)

#### CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

#### **PUBLIC HEARINGS:**

- 11.<u>LS-20525</u> (Lot-Split) (CD-8), Location: East of the Northeast Corner of East 118<sup>th</sup> Street and South Yale Avenue
- 12. <u>Davis Village</u> Preliminary Plat, Location: North of East 91<sup>st</sup> Street South, east of South Mingo Road (8418) (CD 7) (Continued from 5/16/2012)
- 13. <u>PUD-599-2/Z-5888-SP-1b Sack & Associates/Eric Sack/Davis Apartments</u>, Location: Northeast corner of South Mingo Road and East 88<sup>th</sup> Street South, Requesting **Detail Site Plan** for a 289-unit, two- and three-story apartment complex, CO (CD-7) (Continued from 5/16/12)
- 14. <u>Triple S Addition-</u> Minor Subdivision Plat, Location: Southeast corner of North Lewis Avenue and East Pine Street (0332) (CD 3)
- 15. <u>Keystone Hills</u> Minor Subdivision Plat, Location: North of State Highway 51, east of Creek County Line (Tulsa County) (9018)
- 16.<u>Meadowbrook Chase</u> Preliminary Plat, Location: Northeast corner of East 81<sup>st</sup> Street South and South Mingo Road (8407) (CD 7)
- 17. QuikTrip Store # 0090R Northwest corner of East 11<sup>th</sup> Street South and South Utica Avenue (9306) (CD 4)

- 18. Plat Waiver PUD 680 A, Southeast corner of East 22<sup>nd</sup> Place and South Utica Avenue (9318) (CD 4)
- 19. <u>Pine & 141<sup>st</sup> Substation Minor Subdivision Plat</u>, Location: 13198 East Pine Street, west of Southwest corner of East Pine Street and North 145<sup>th</sup> East Avenue (0433) (CD 3) (Continued from June 6, 2012 meeting)

### **OTHER BUSINESS**

20. 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.



## AGENDA

## **Tulsa Metropolitan Area Planning Commission**

## **WORK SESSION**

175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center
Tulsa City Council Chamber
Wednesday, June 20, 2012 – 1:45 p.m.\*

(\*Or immediately following adjournment of the TMAPC Meeting)

### **CONSIDER AND DISCUSS:**

- 1. Tulsa Zoo Master Plan
- 2. Form-Based Code Regulating Plan for the balance of Pearl District

## Adjourn.

If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

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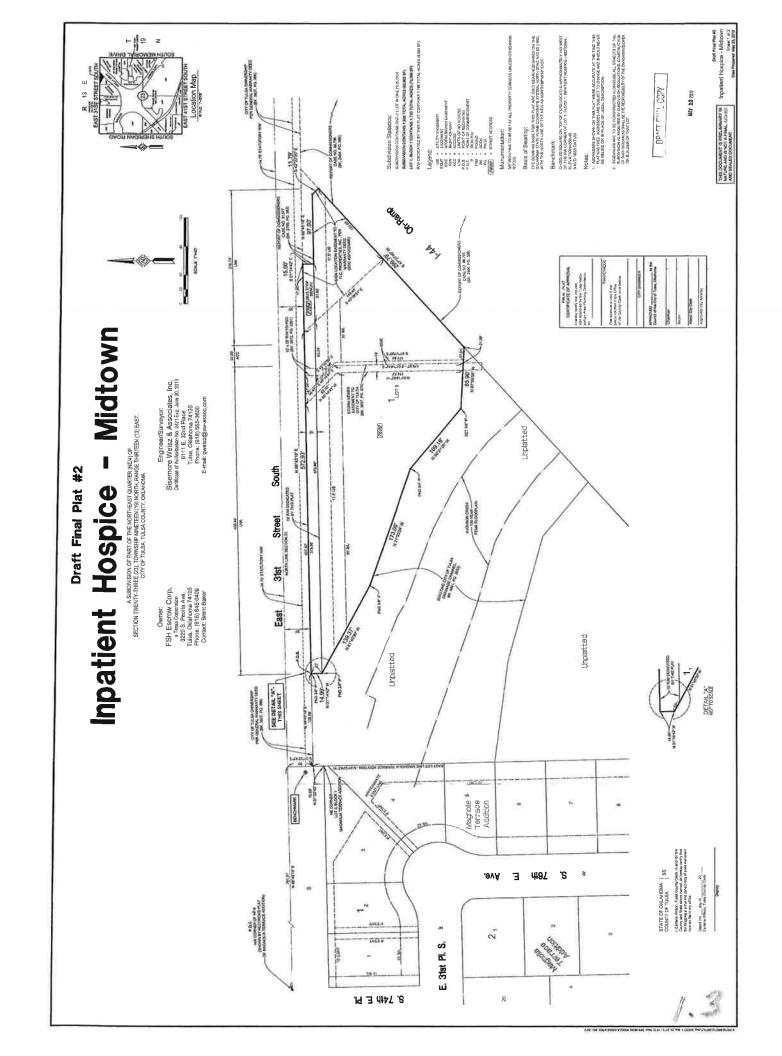


## **Final Subdivision Plat**

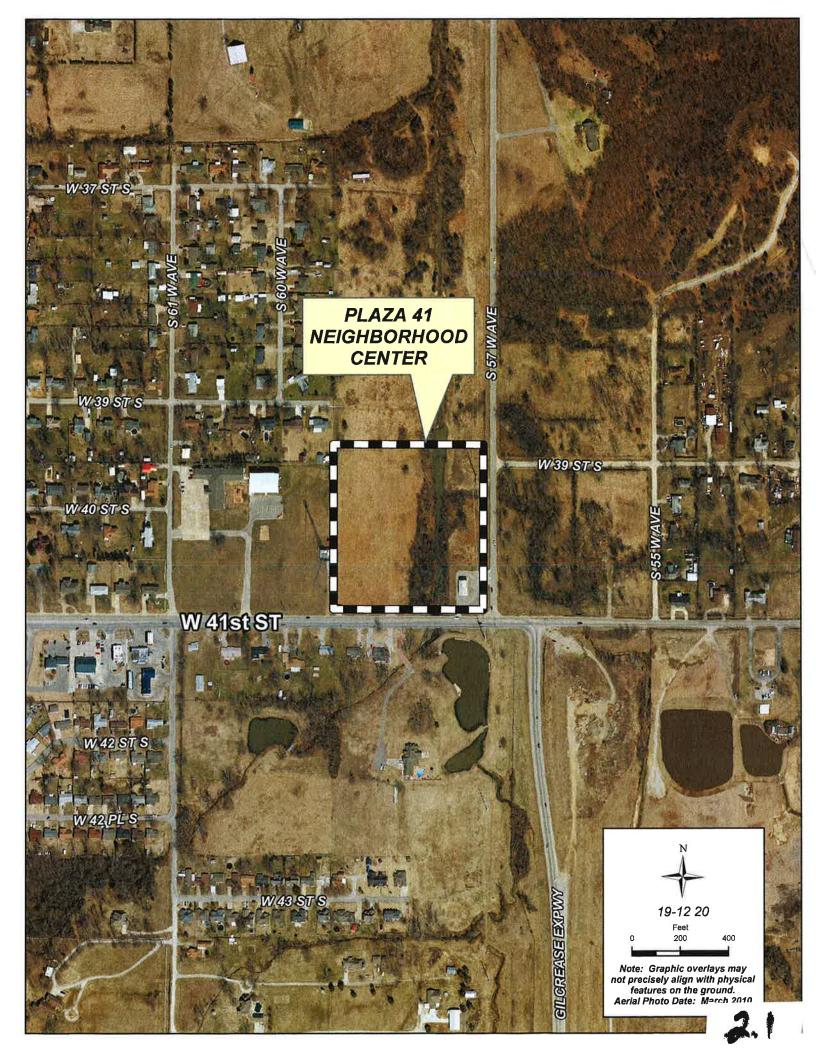
<u>Inpatient Hospice Midtown</u> - (CD 5) West of Interstate 44, South of East 31<sup>st</sup> Street South

This plat consists of 1 Lot , 1 Block, on 1.928 acres.

Staff has received all the necessary release letters, ownership papers and the oil well certificate for this plat. Staff recommends **APPROVAL** of the final plat.



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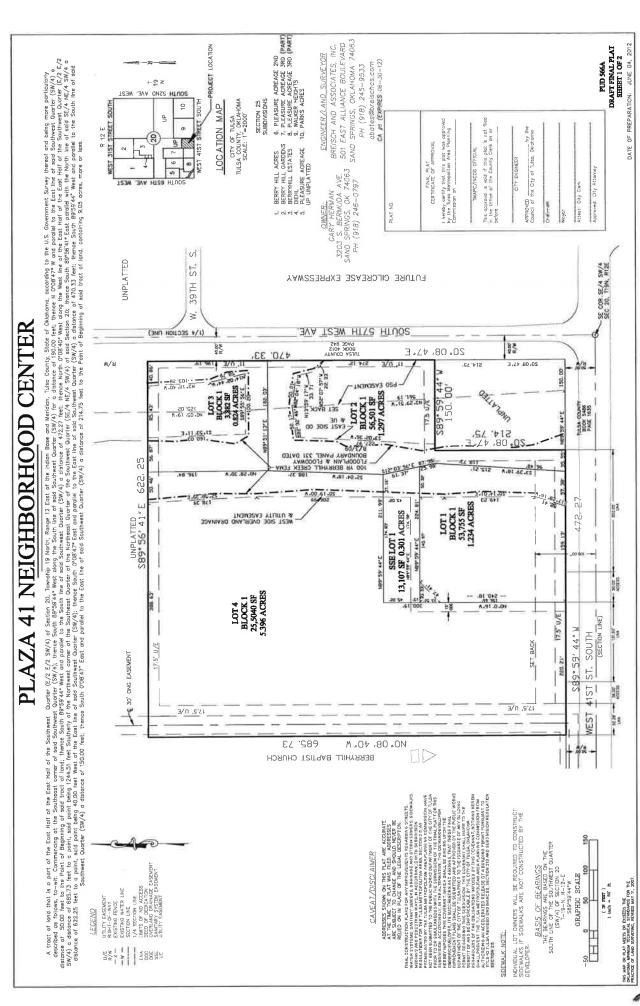


# **Final Subdivision Plat**

<u>Plaza 41 Neighborhood Center</u> - (CD 2) Northwest corner of West 41<sup>st</sup> Street and South 57<sup>th</sup> West Avenue

This plat consists of 4 Lots, 1 Blocks, on 8.89 acres.

Staff has received all the necessary release letters, ownership papers and the oil well certificate for this plat. Staff recommends **APPROVAL** of the final plat.



## PUD-677-A-3:

PUD Minor Amendment (front yard coverage) – 12002 South Kingston Place. North and west of the intersection of E. 121<sup>st</sup> Street South and S. Sheridan.; TRS 18-13-14; CZM 57; Atlas (na); CD 8; PUD 677 / RS-1.

The applicant is requesting approval for a driveway for an approach to a 3 car garage. The proposed driveway will require an increase in the maximum front yard coverage allowed from 25% (two car driveway) in the underlying zoning district to 46%. This lot is on a cul-de-sac on a private street with a right of way line within two feet of the back of curb.

No other revisions to the PUD or Bulk and Area requirements have been requested.

The distance from the front yard to the curb line was much tighter than normally allowed in a standard subdivision. The arrangement of the home on the lot will visually match other homes in the neighborhood, the cul-de-sac lot creates a smaller calculated front yard but staff considers this request to meet the intent of the approved PUD therefore;

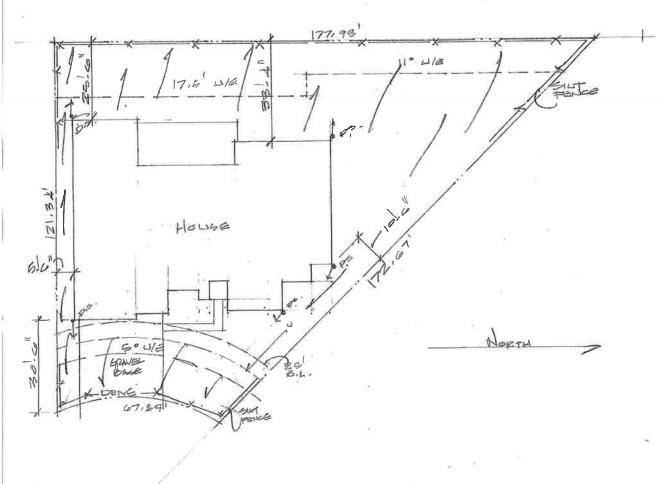
Staff recommends **APPROVAL** of the detail site plan for Development Area B of PUD-559 as noted above.

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

Lot # \_ 6

Block # \_ 1

- CRESTIVATE STATE SINEPIT



12002 S. Kingston Pl.

Plot Plan
1" = 20'-0"

3.2

## PUD-566-A:

PUD Detail Site Plan – North and west of the corner of South 57<sup>th</sup> West Ave. and West 41st Street South; TRS 19-12-29; CZM 45; Atlas 325; CD (na);.

The applicant is requesting approval of a detail site plan for a Dollar General Store on a 1.2+/- acre site facing West 41<sup>st</sup> Street South The proposed use, Use Unit 14 – Shopping Goods and Services is a permitted use in PUD-559.

The submitted site plan meets all PUD requirements for applicable building floor area, units per acre, open space, and setback limitations.

The proposed site plan illustrates the building height at or below the maximum building height allowed in the PUD.

Access to the site will be provided from one point along West 41<sup>st</sup> at an existing curb cut and as provided by access shown on the recorded plat. Access from the east is currently prohibited because of the existing FEMA floodplain.

Parking will be provided per the applicable Use Unit of the Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the City of Tulsa Zoning Code.

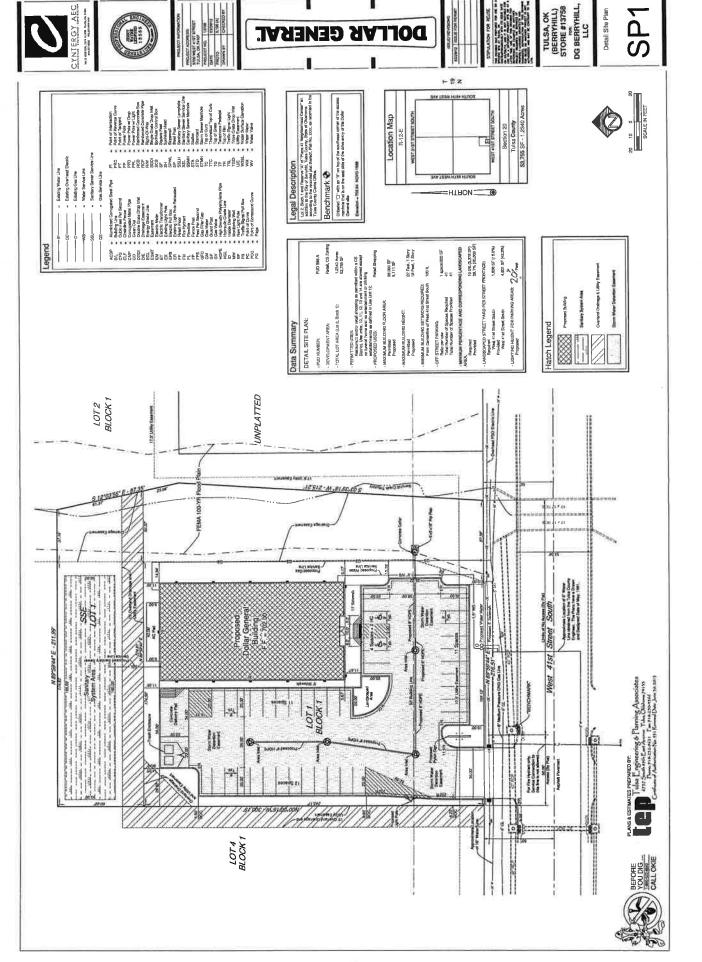
Landscaping will be provided per the PUD and Landscape Chapters of the City of Tulsa Zoning Code.

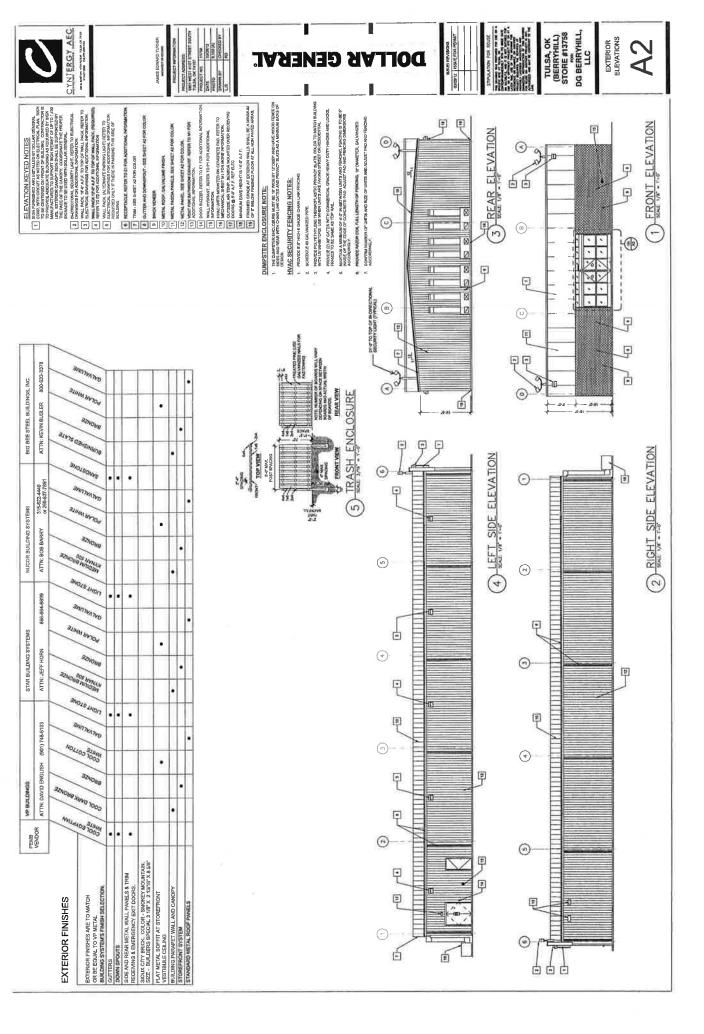
Site lighting will be directed down and away from residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district.

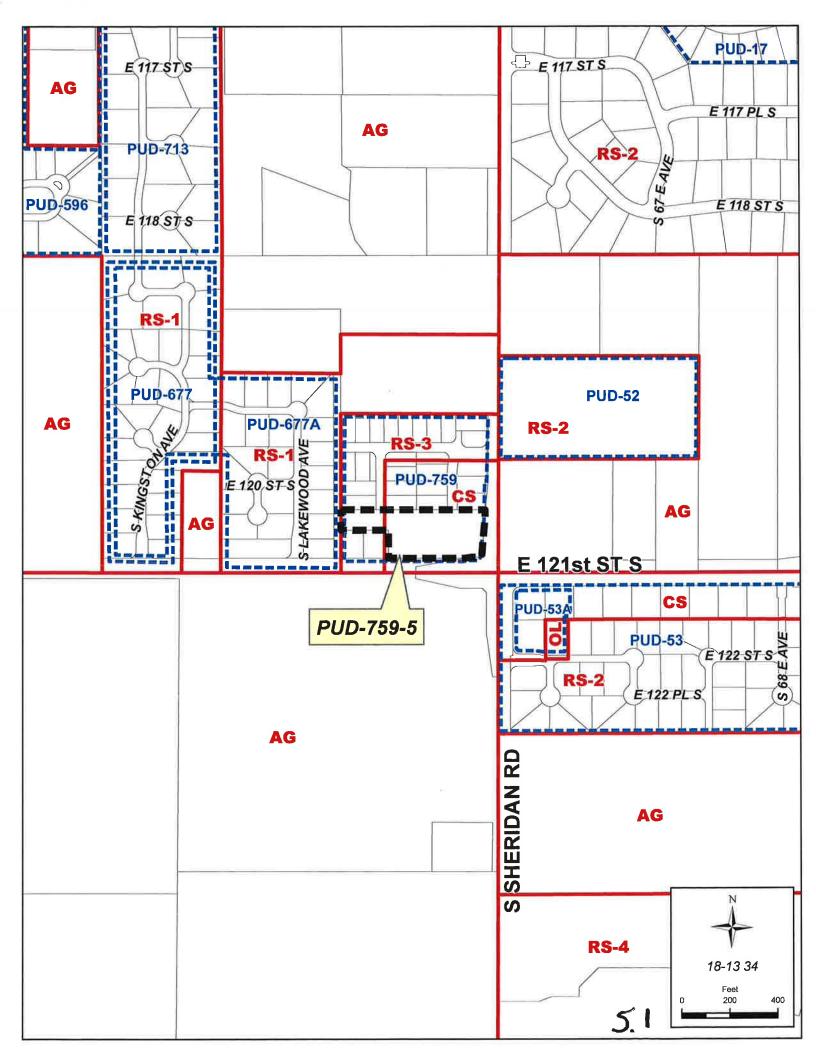
A trash enclosure will be provided as required by the PUD and meets the minimum setback requirement as established by the PUD (200 feet required / 450 feet proposed). Sidewalks will be provided along West 41<sup>st</sup> Street as required by PUD Development Standards and Subdivision Regulations.

Staff recommends **APPROVAL** of the detail site plan for Development Area B of PUD-559 as noted above.

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









## PUD-759-5:

PUD Minor Amendment (floor area re-allocation) – North and West of the intersection of South Sheridan Road at E. 121<sup>st</sup> Street South; TRS 18-13-34; CZM 57; Atlas 325; CD (8);.

The applicant is requesting a minor amendment to support a requested lot split.

The amendment request is only for reallocation of existing floor area for the office development defined in Development Area B of the Planned Unit Development. There is no request to increase the existing permitted floor area within the PUD.

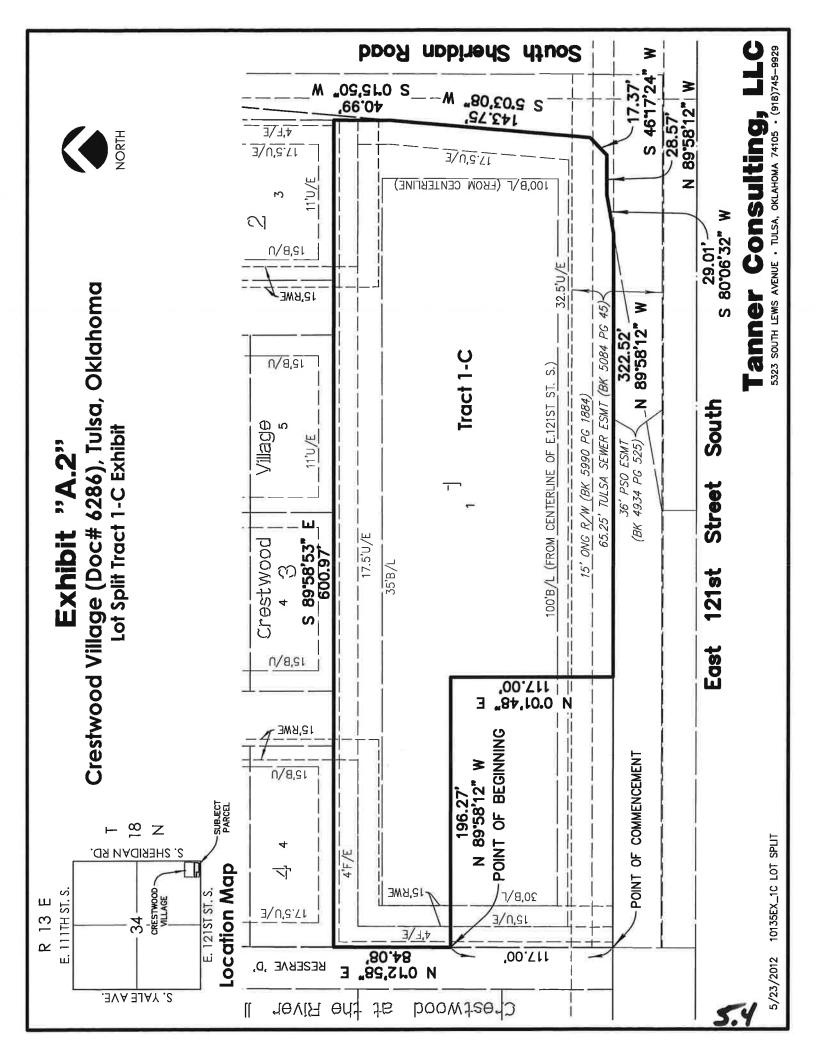
Existing Tract 1-C: Approved for a total of 34,050.00 square feet of floor area.

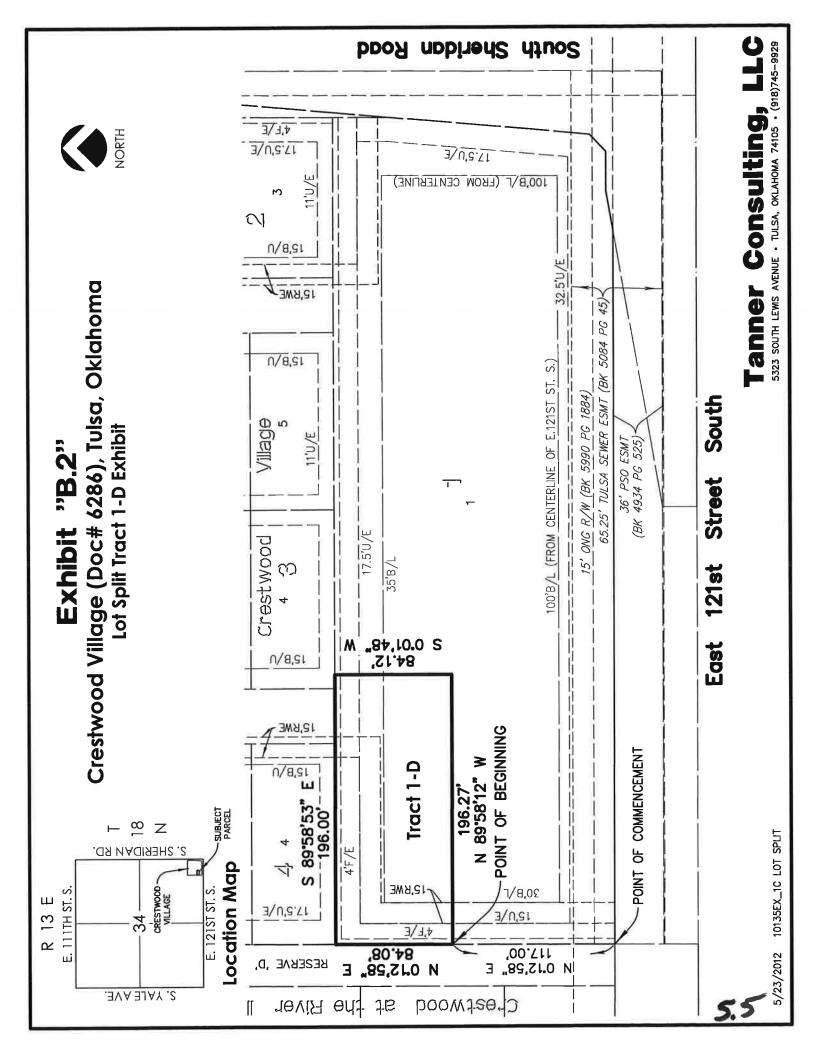
<u>Proposed Tract 1-D</u>: Part of Existing Tract 1-C and is requesting a floor area allocation of 5,300.00 square feet.

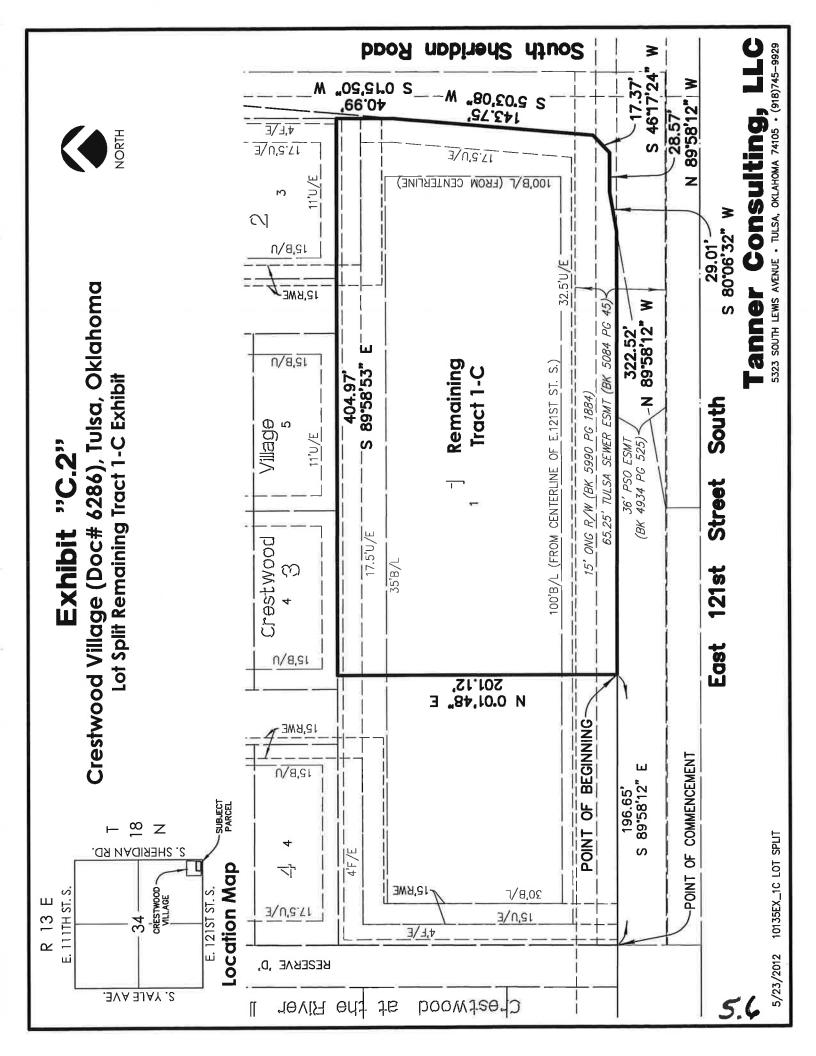
Remaining Land in Tract 1-C is allowed 28,750.00 square feet of the floor area allowed.

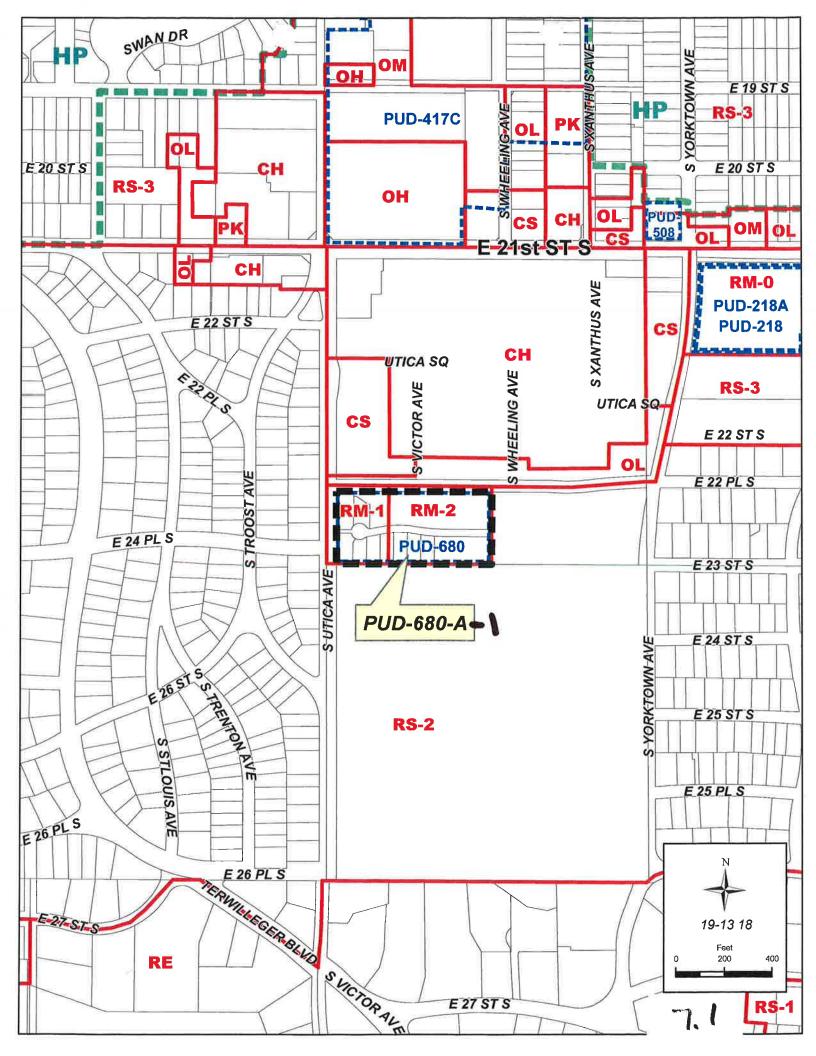
Allocation of floor area as noted above does not significantly change the density in either remaining parcel.

The requested floor area re-allocation is consistent with the intent of the original Planned Unit Development therefore, Staff recommends **APPROVAL** of the minor amendment as outlined above in Development Area B of PUD-759-5.









PUD-680-A-1:

PUD Minor Amendment for additional floor area and parking reduction. – South and East of the intersection of East 22nd Street. and South Utica Ave; TRS 19-13-18; CZM 37; Atlas 59; CD 9;.

The applicant is requesting two request with this minor amendment.

REQUEST 1: The applicant is requesting additional office space. The proposed use, Use Unit 11 – Offices, Studios & Support Services is a permitted use in PUD-580-A. The applicant is requesting an additional office floor area of 3,549 square feet. This additional floor area will increase the total office floor area allowed within this PUD to 157,827 square feet. The requested floor area represents an increase of less than a 2.5% above the floor area currently allowed In the Utica Park Project.

REQUEST 2: The applicant request a reduction in the total parking required for the project area. Section 1211.D of the zoning code requires 527 parking spaces. The applicant is requesting a reduction of required spaces down to 516. The applicant recognizes the fact that many of the uses in Utica Park are not expected to meet the maximum parking demand at the same time and therefore request the reduction in the total number of parking spaces.

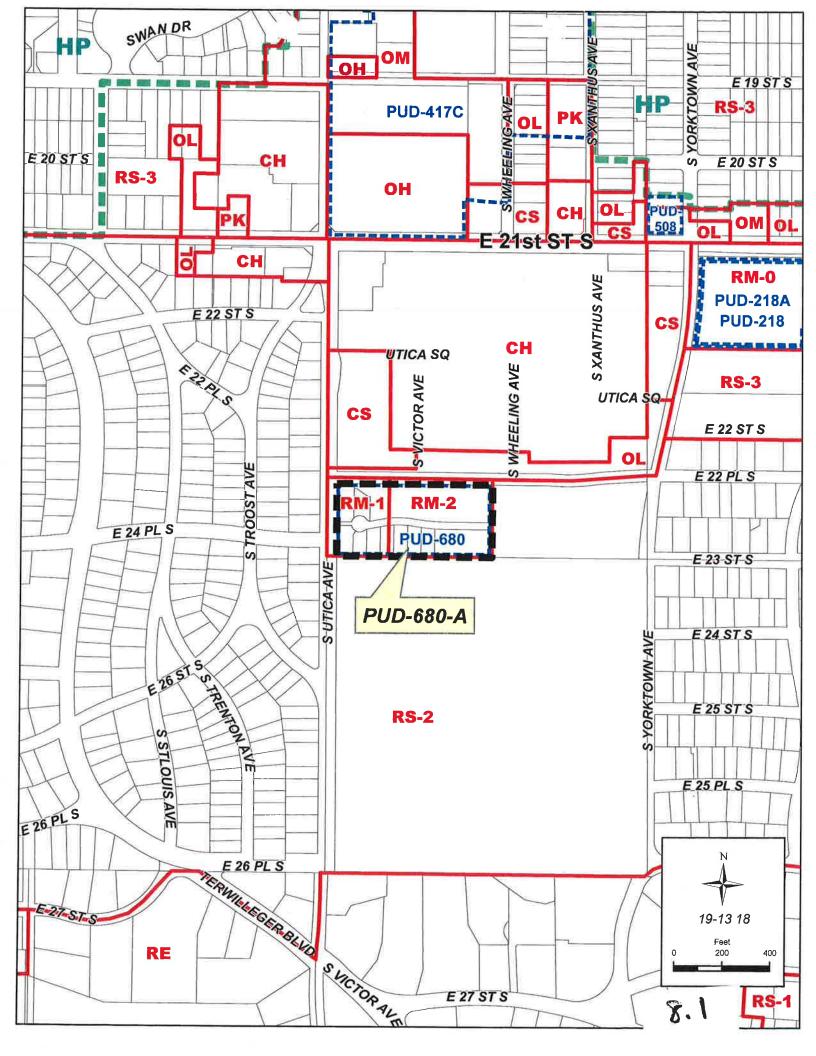
STAFF SUMMARY: Staff has reviewed the applicants request and believes that the changes requested are consistent with the intent of the approved PUD standards. Staff further agrees that acceptance of both request will not substantially alter the character of the development as outlined in the PUD. The Comprehensive Plan for the City of Tulsa recognizes that in many instances shared parking and reduced parking can and should be successfully implemented in this type of mixed use development.

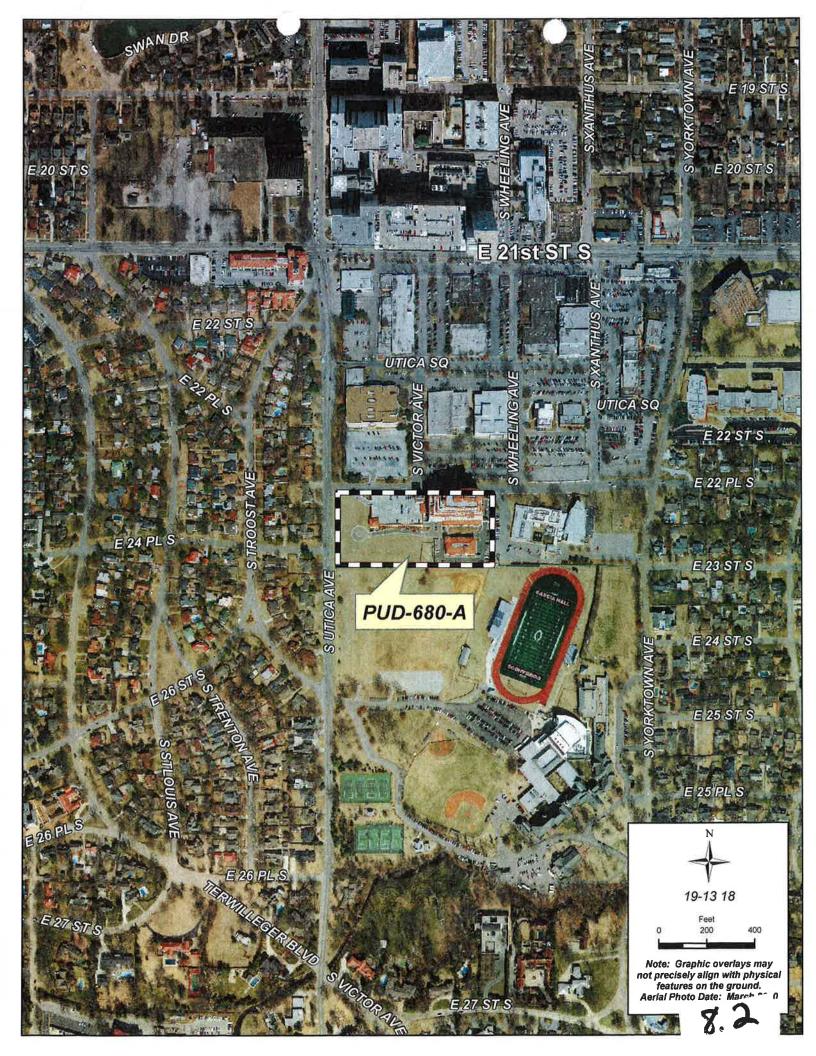
Staff recommends APPROVAL of the minor amendment for PUD 680-A-1 as noted above.

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



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PUD 680-A

**Detailed site plan** – South and East of the intersection of East 22<sup>nd</sup> Street at S. Utica Avenue Lots 1 Thru 11, Block 1 at Utica Place; TRS 19-13-18; CZM 37, Atlas 59: CD 2; PUD Development Area A

The applicant is requesting approval of a detail site plan for new Office Buildings and parking. The proposed use, Office Studio and Support Services (Use Unit 11) is a use allowed in the Planned Unit Development.

The submitted site plan meets all applicable, open space, building height and setback limitations. Please notice that the mechanical penthouse is above the 45' height limitation facing Utica and noted in the PUD however this area is a non occupied space and architectural element which is an allowed exception to the maximum building height as defined by section 208 of the Tulsa Zoning Code.

<u>Condition #1:</u> Parking quantity for the total PUD has been provided as permitted by PUD minor amendment PUD-680-A-1. This site plan cannot be approved separately from the minor amendment due to the requested parking reduction.

Condition #2: The maximum building area as shown on this site plan cannot be approved unless the minor amendment PUD-680-1 is approved prior to site plan approval.

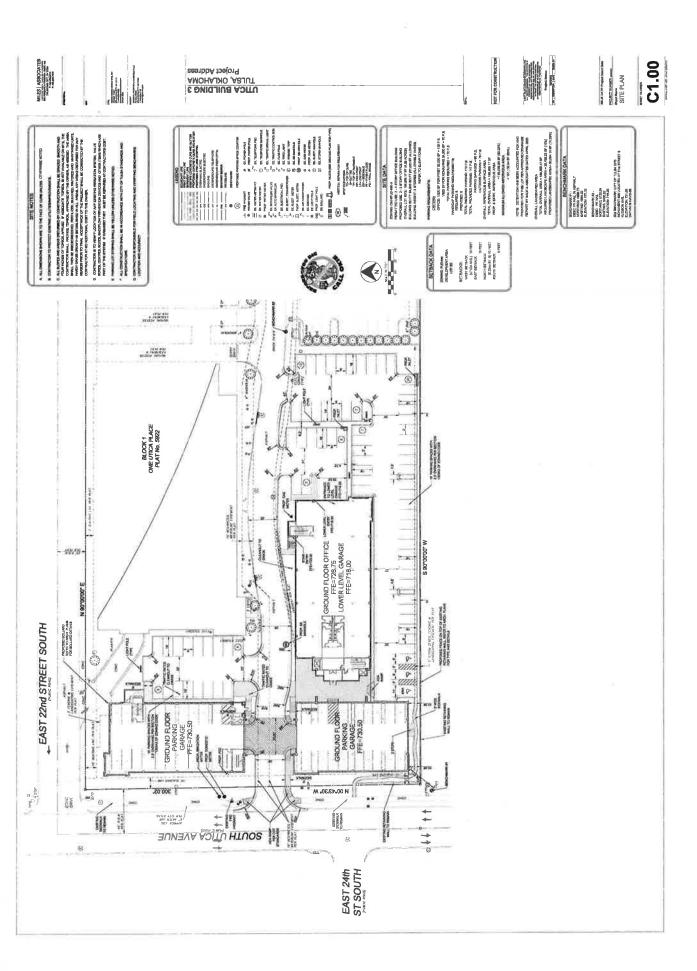
The Landscape Area is provided as outlined in the PUD.

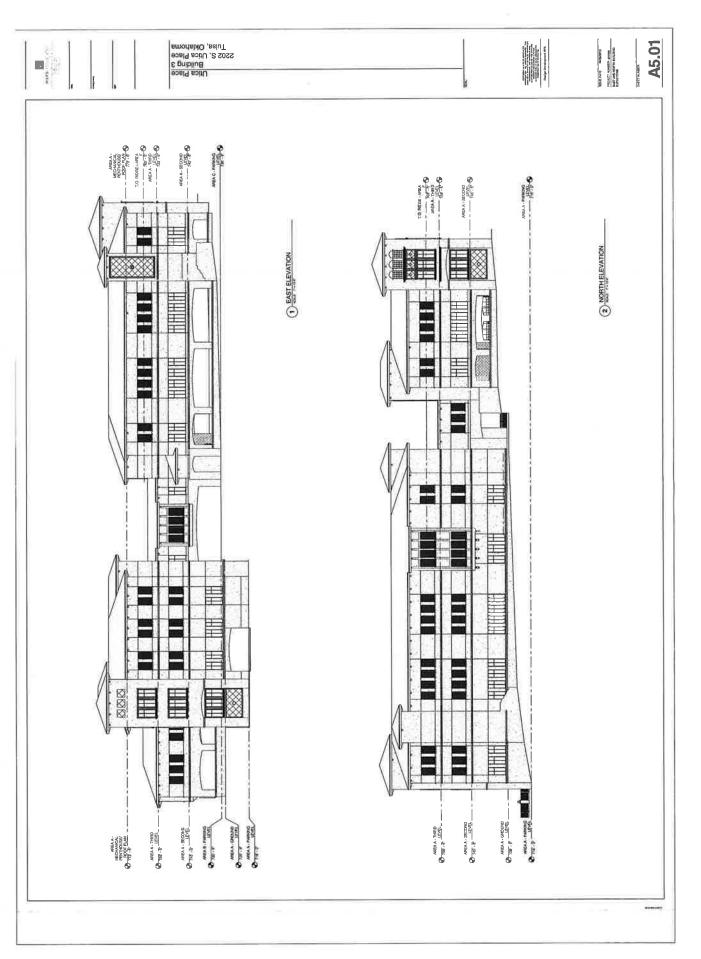
Sight lighting and parking garage lighting is directed down and away from residential properties west of the site. Light emitting elements shall not be visible from residential areas.

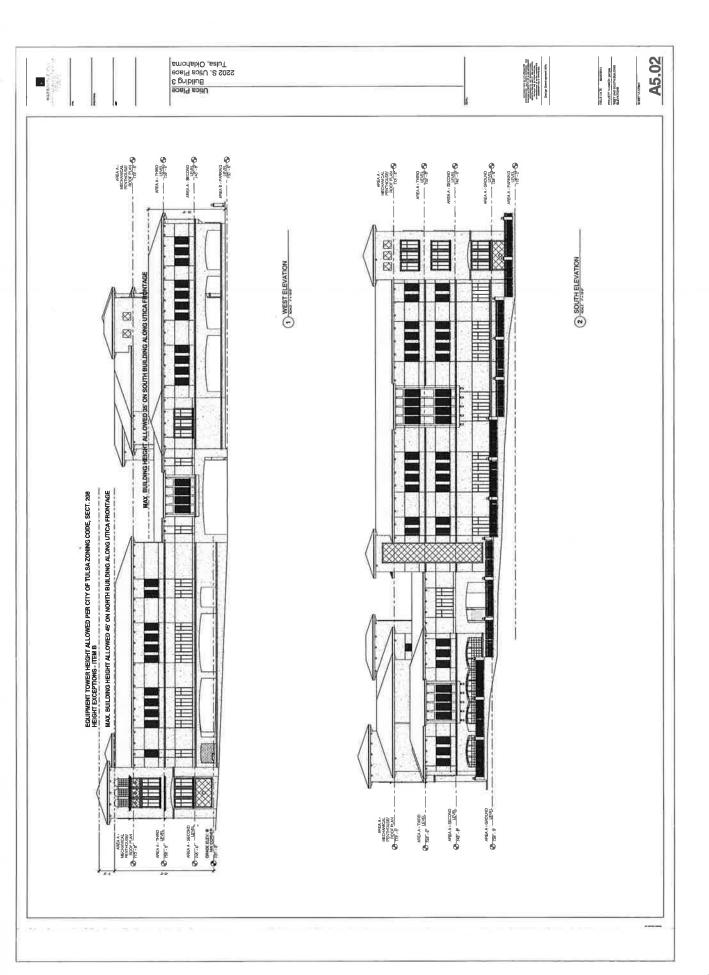
This building expansion will not add trash enclosures. Existing approved trash enclosures on the Utica Park property within PUD 680 will be used.

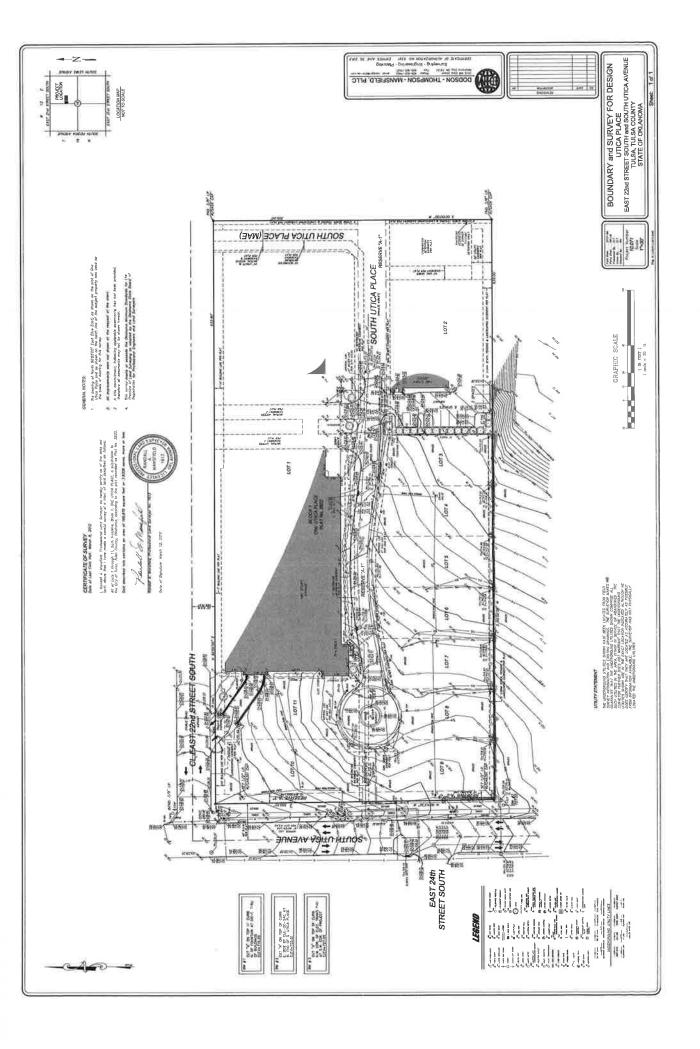
With the conditions noted above regarding minor amendment to PUD-680-1, staff recommends **APPROVAL** of the detail site plan for PUD-680-A

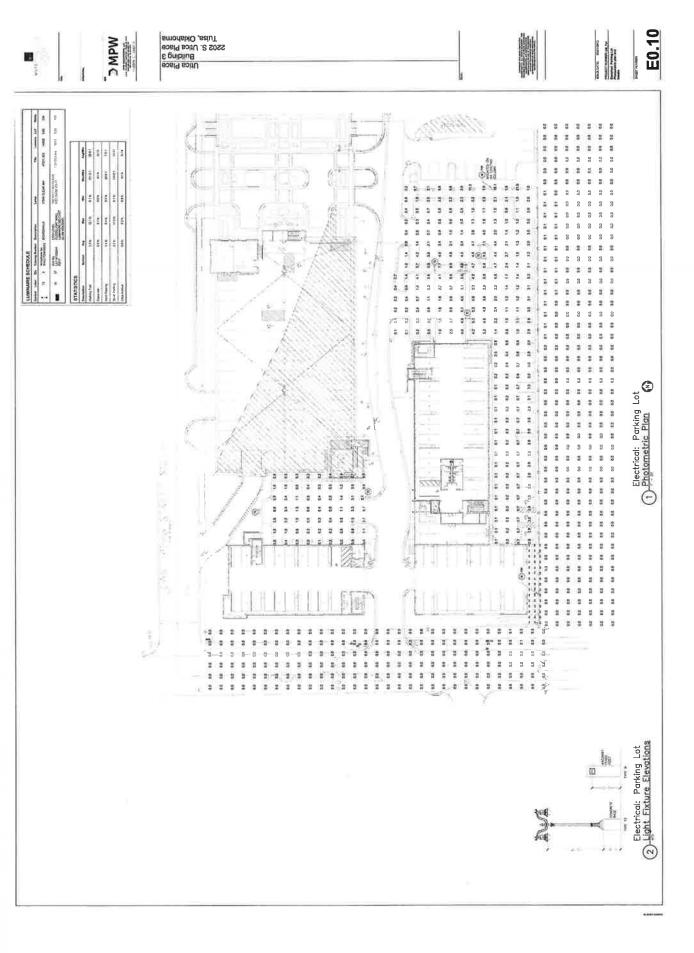
(Note: Detail site plan approval does not constitute landscape plan or sign plan approval.)

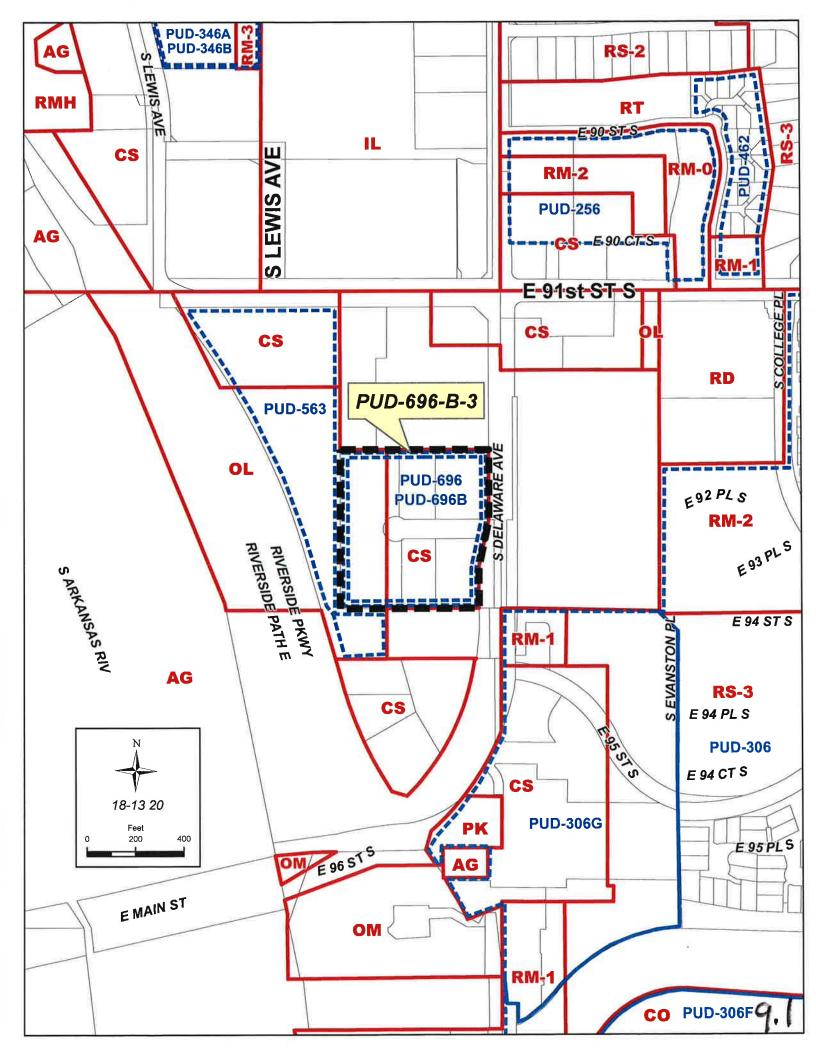














### STAFF RECOMMENDATION

## PUD-696-B-3:

PUD Minor Amendment (Reallocation of Signage and Sign Spacing) – 9200 Delaware North and west of the intersection of S. Delaware at East 95<sup>th</sup> Street South.; TRS 18-13-20; CZM 56; Atlas (na); CD 2; PUD-696-B

The applicant is requesting a minor amendment for reallocation of the signage area permitted in the original PUD. This minor amendment will further define the spacing, height and size of the ground signs within the PUD. The original PUD allowed 3 ground signs for a total aggregate display surface area of 305 square feet.

# Minor Amendment Summary:

The minor amendment does not increase the aggregate display surface area but defines the location, size and height as follows:

- 1. Allow maximum of four ground signs along Delaware Avenue frontage.
- Provide that the ground sign to be located along Delaware frontage and identifying the multifamily development may be located within the private street median.

Location, display surface area and sign height are proposed as follows:

# Development Area A:

- a) One ground sign to be located within Lot 1 9200 Delaware and along the Delaware Avenue frontage, and identify the various uses located within the various lots, and not exceeding 35 feet in height and 122 square feet of display surface area, provide however, the permitted ground sign shall be setback from Delaware one foot for each foot in height exceeding 25 feet. The ground sign shall maintain a minimum separation of 70 feet from the monument sign described in (d) below.
- b) One ground sign to be located within Lot 1- 9200 Delaware and along the Delaware Avenue frontage and identifying the uses within Lot 1- 9200 Delaware, and not exceeding 25 feet in height and 64 square feet of display surface area.

- c) One ground sign to be located within Lot 6 9200 Delaware and along the Delaware Ave. frontage, and identifying the uses located within Lot 6 9200 Delaware and not exceeding 25 feet in height and 64 square feet of display surface area. The ground sign shall maintain a minimum separation from the monument sign described in (d) below.
- d) One monument sign identifying the multifamily use within Development Area B, and to be located within the private street median within Reserve A-9200 Delaware and along the Delaware Ave. frontage and, not exceeding 8 feet in height and 55 square feet of display surface areas.

# **Development Area B:**

- a) One identification sign to be located within Development Area B not exceeding 32 square feet display surface area and not exceeding 20 feet in height.
- b) One monument sign identifying the multifamily use within Development Area B and to be located within the private street median within Reserve A 9200 Delaware and to be located along the Delaware Ave. frontage not exceeding 8 feet in height and 55 square feet of display surface area.

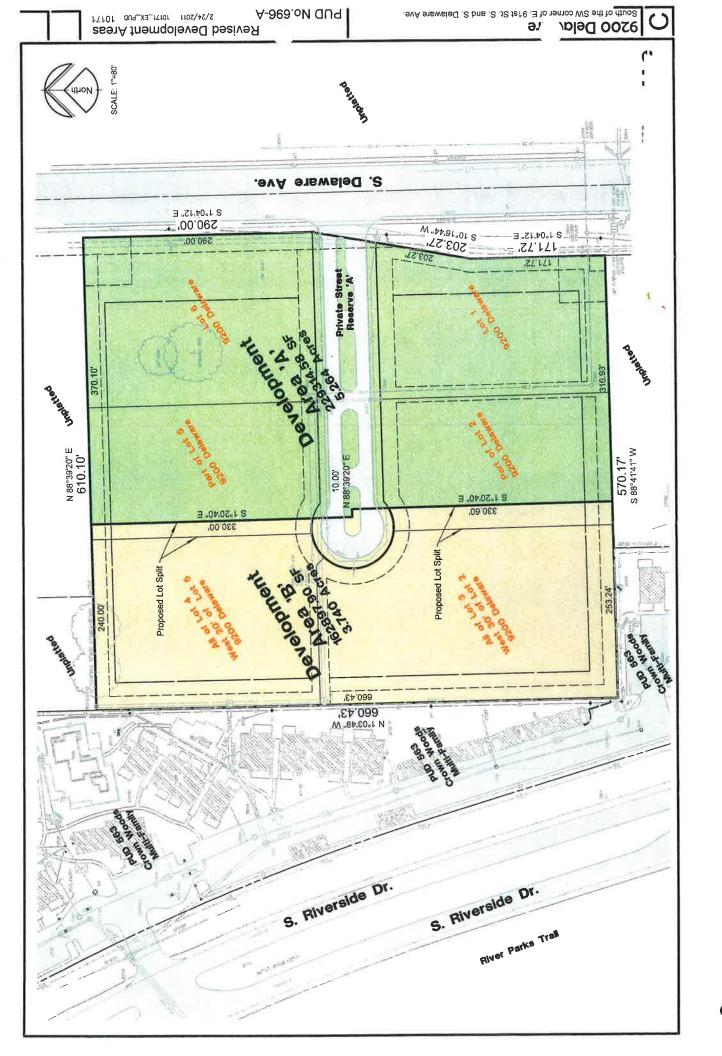
# Staff Summary:

Within the City of Tulsa Zoning Code, PUD Section 1107.H.12 a minor amendment may be considered for .... "modifications to approved signage, provided the size, location, number and character of the signs is not substantially altered".

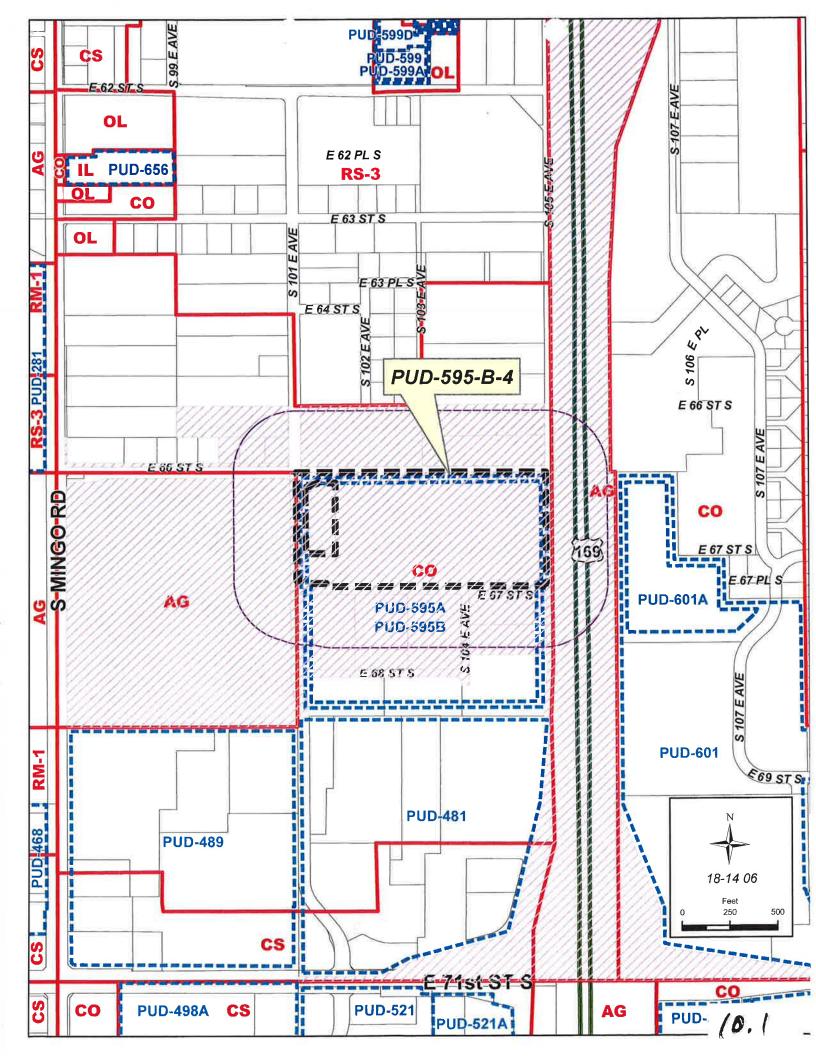
Staff considers that this sign allocation meets the intent of the PUD and that the PUD is not substantially altered.

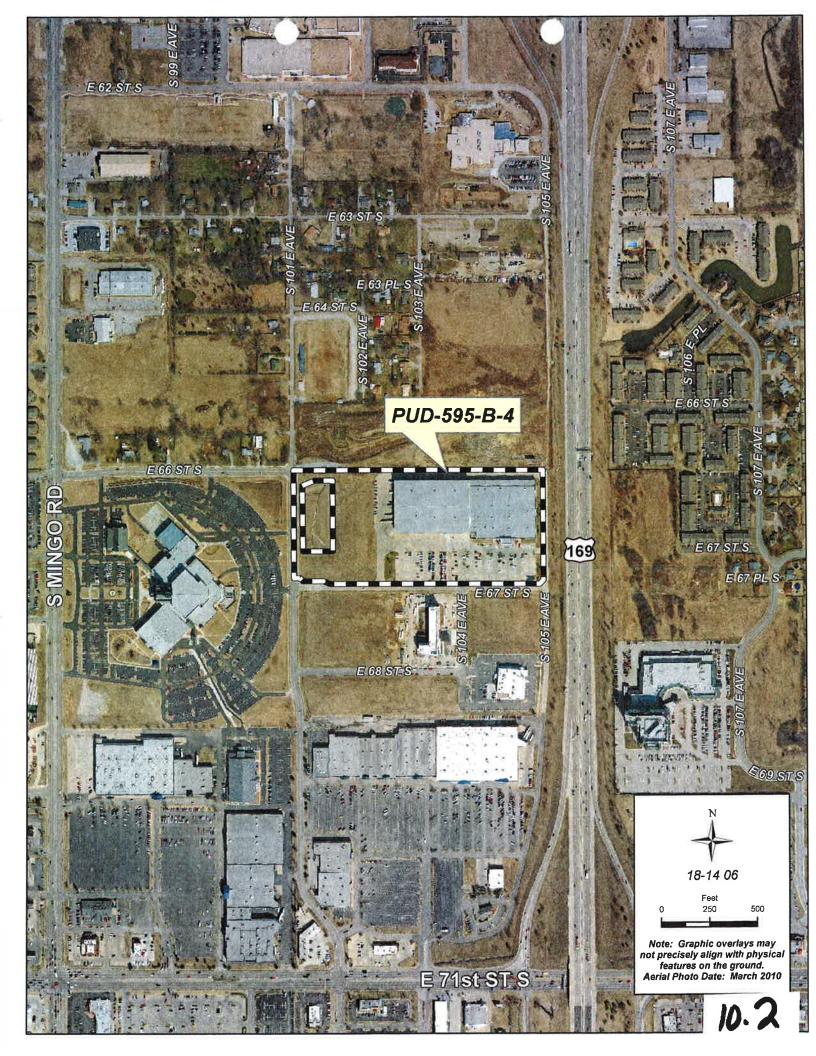
Staff recommends APPROVAL of the minor amendment request PUD-696-B-3 as outlined above.

Note: Minor amendment approval does not constitute sign plan approval.



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### STAFF RECOMMENDATION

### PUD-595-B-4:

PUD (Detailed Site Plan and Corridor Site Plan), Southeast of the intersection of E. 66<sup>th</sup> Street South at S. 101<sup>st</sup> East Ave.; TRS 18-14-06; CZM 110; Atlas 996,873; CD 8: PUD-595-B, Z 5970-SP-5

The applicant is requesting approval for a detailed site plan approval for a Warehouse Expansion of the Mathis Brothers facility on S. 101<sup>st</sup> East Ave. The proposed use, Retail Store with Warehousing of Furniture Goods, Use Units 14 & 23, is an allowable use within the Corridor District and in the PUD.

The submitted site plan meets all applicable bulk and area requirements as defined in the Tulsa Zoning Code.

Parking has been provided which exceeds the minimum required quantity and meets the minimum dimensional requirements per the applicable use unit of the Tulsa Zoning Code.

Landscaping is provided as required by the applicable use unit in the Zoning Code.

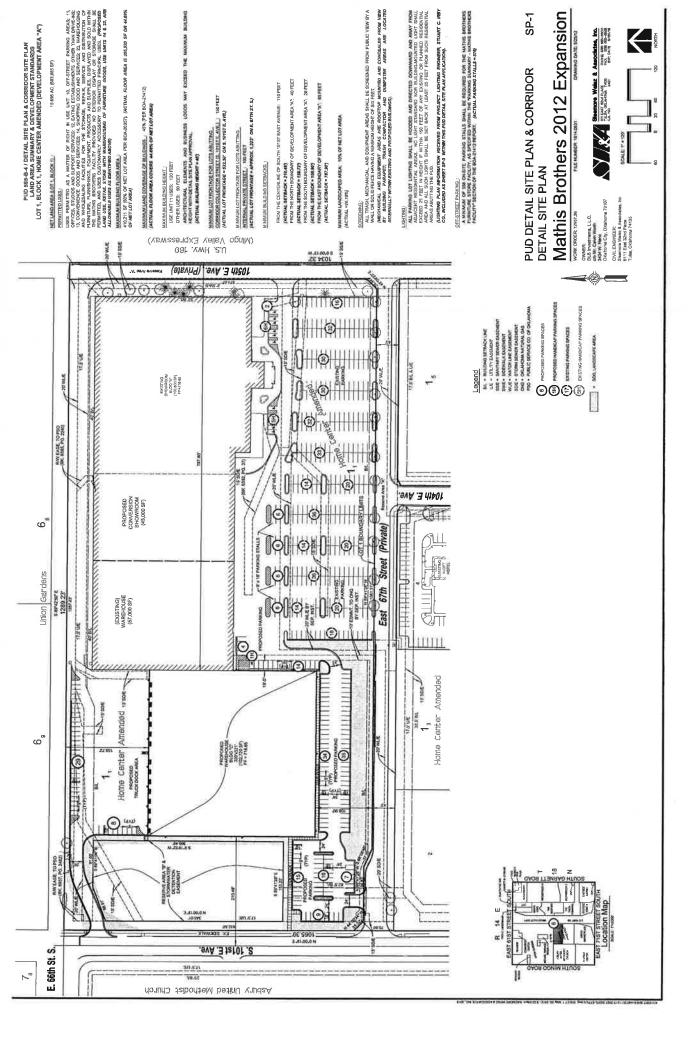
Trash Dumpsters are not shown on this site plan. All dumpster areas and trash compaction is located internally within existing and proposed buildings.

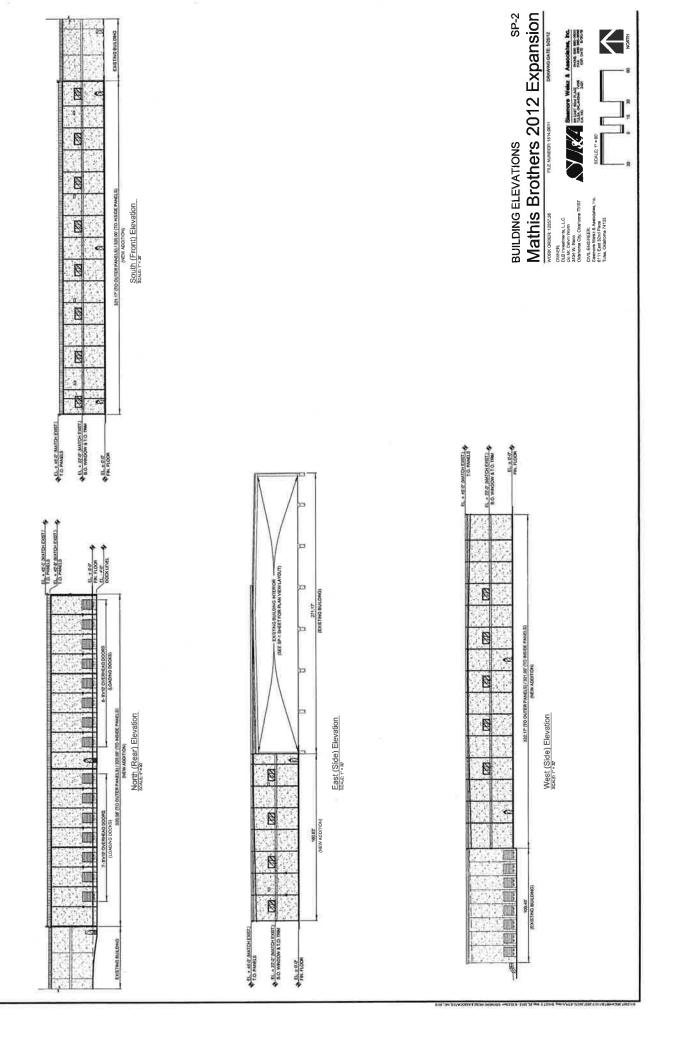
Screening as required in the PUD and the Zoning Code is provided by wall or solid fence having a minimum height of six feet. Rooftop equipment is concealed from view by a building parapet.

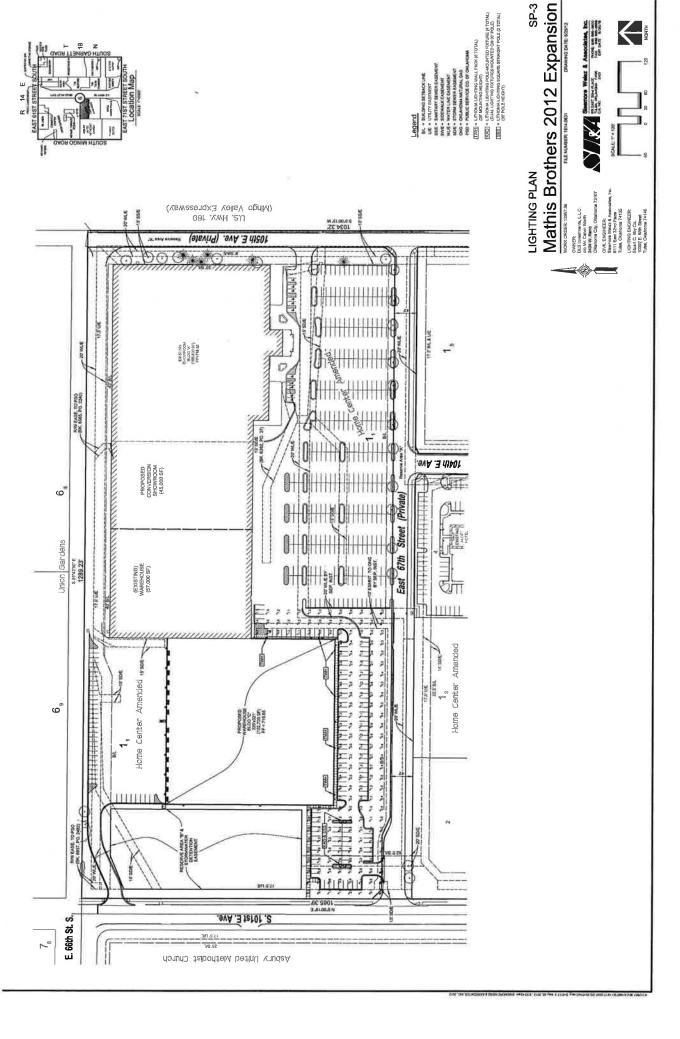
Lighting meets the minimum standards outlined in the PUD.

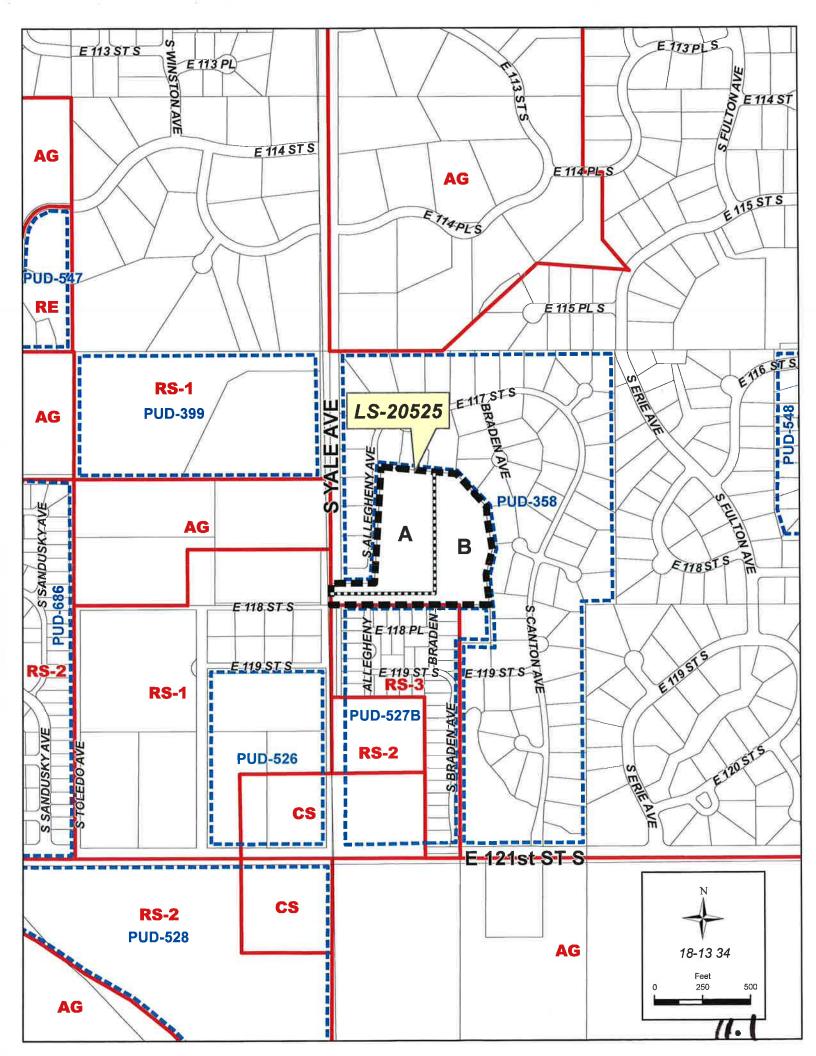
Staff recommends **APPROVAL** of the PUD and Corridor site plan outlined above.

Note: Detailed Site Plan approval does not constitute landscape plan or sign plan approval.











# **LOT-SPLIT FOR WAIVER OF SUBDIVISION REGULATIONS**

June 20, 2012

LS-20525 Roy D. Johnsen, (8334) (RS-1) (CD-8) East of the Northeast corner of East 118<sup>th</sup> Street and South Yale Avenue

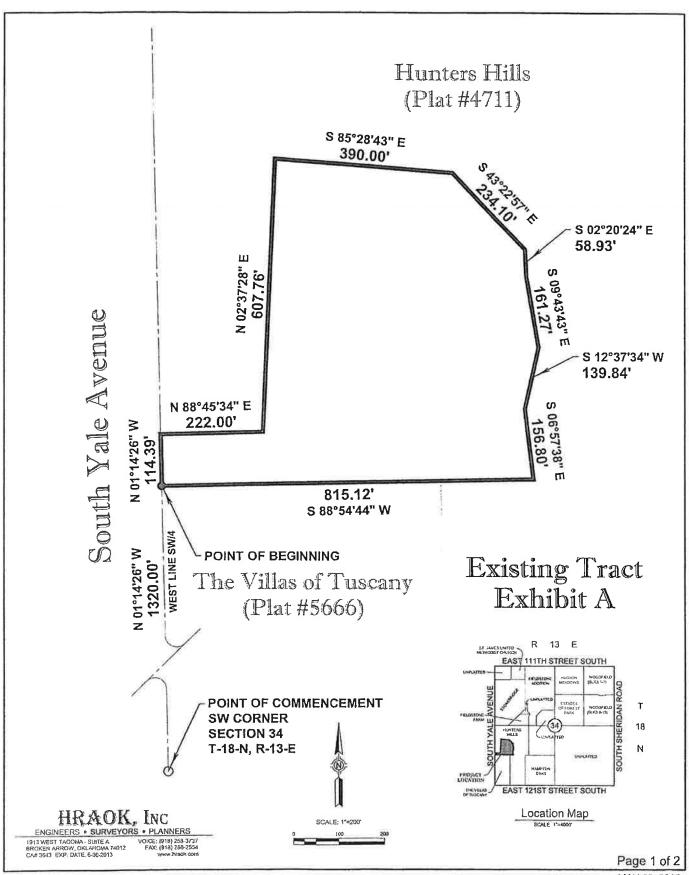
The Lot-split proposal is to split an existing RS-1 (Residential Single-Family) tract into two tracts. Both tracts will exceed the Bulk and Area Requirements of the City of Tulsa Zoning Code.

Both 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 Technical Advisory Committee met on June 7, 2012. Development Services is requiring that 50' feet of right-of-way be dedicated along South Yale Avenue, including any previously dedicated right-of-way. Also a sanitary sewer mainline extension is required to provide service to both lots, in addition to an easement for the sanitary sewer line. Finally, a fire hydrant will be required to be placed within 600' of any portion of a new residence.

Release letters will be required from Development Services on the before mentioned issues prior to Deeds being released for stamping and filing.

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



# Existing Tract Exhibit B

#### REAL ESTATE:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA; THENCE N 01°14'26" W AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 1320.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N 01°14'26" W AND ALONG SAID WEST LINE A DISTANCE OF 114.39 FEET TO THE SOUTHWEST CORNER OF HUNTER'S HILLS, FILED IN THE OFFICE OF TULSA COUNTY CLERK AS PLAT NO. 4711; THENCE N 88°45'34" E AND ALONG THE BOUNDARY OF SAID HUNTER'S HILLS A DISTANCE OF 222.00 FEET; THENCE N 02°37'28" E AND ALONG SAID BOUNDARY A DISTANCE OF 607.76 FEET; THENCE S 85°28'43" E AND ALONG SAID BOUNDARY A DISTANCE OF 390.00 FEET; THENCE S 43°22'57" E AND ALONG SAID BOUNDARY A DISTANCE OF 234.10 FEET; THENCE S 02°20'24" E AND ALONG SAID BOUNDARY A DISTANCE OF 58.93 FEET; THENCE S 09°43'43" E AND ALONG SAID BOUNDARY A DISTANCE OF 161.27 FEET; THENCE S 12°37'34" W AND ALONG SAID BOUNDARY A DISTANCE OF 139.84 FEET; THENCE S 06°57'38" E AND ALONG SAID BOUNDARY A DISTANCE OF 156.80 FEET; THENCE S 88°54'44" W A DISTANCE OF 815.12 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAINING 411,988.952 SQ. FEET OR 9.458 ACRES

BASIS OF BEARINGS FOR SAID TRACT IS OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83), NORTH ZONE.

### SURVEYOR'S CERTIFICATION:

I, ALAN C. HALL, CERTIFY THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL ESTATE AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

ALAN C. HALL

OKLAHOMA P.L.S. #1283

CERTIFICATE OF AUTHORIZATION #3643

CA EXPIRATION DATE: JUNE 30, 2013

DATE

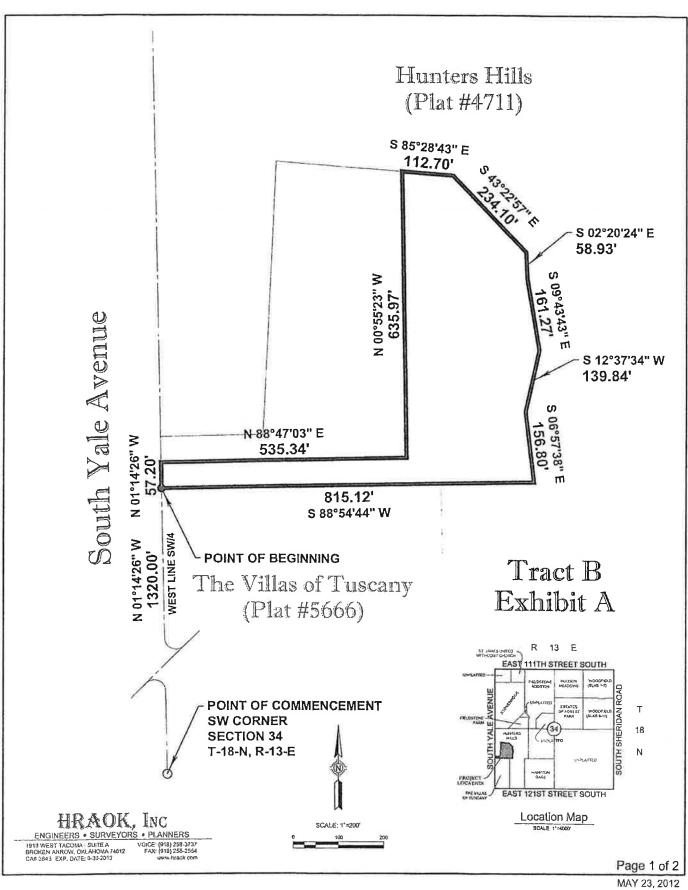
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HRAOK, Inc

ENGINEERS . SURVEYORS . PLANNERS

1913 WEST TACOMA - SUITE A BROKEN ARROW, OKLAHOMA 74012 CA# 3643 EXP. DATE: 6-30-2013 NCE: (918) 258-3737 FAX: (918) 258-2554

Page 2 of 2



# Tract B Exhibit B

#### **REAL ESTATE:**

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF,

COMMENCING AT THE SOUTHWEST CORNER OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA; THENCE N 01°14'26" W AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 1320.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N 01°14'26" W AND ALONG SAID WEST LINE A DISTANCE OF 57.20 FEET; THENCE N 88°47'03" E A DISTANCE OF 535.34 FEET; THENCE N 00°55'23" W A DISTANCE OF 635.97 FEET TO A POINT ON THE SOUTHERLY LINE OF HUNTER'S HILLS, FILED IN THE OFFICE OF TULSA COUNTY CLERK AS PLAT NO. 4711; THENCE S 85°28'43" E AND ALONG THE BOUNDARY OF SAID HUNTER'S HILLS A DISTANCE OF 112.70 FEET; THENCE S 43°22'57" E AND ALONG SAID BOUNDARY A DISTANCE OF 234.10 FEET; THENCE S 02°20'24" E AND ALONG SAID BOUNDARY A DISTANCE OF 58.93 FEET; THENCE S 09°43'43" E AND ALONG SAID BOUNDARY A DISTANCE OF 161.27 FEET; THENCE S 12°37'34" W AND ALONG SAID BOUNDARY A DISTANCE OF 139.84 FEET; THENCE S 06°57'38" E AND ALONG SAID BOUNDARY A DISTANCE OF 156.80 FEET; THENCE S 88°54'44" W A DISTANCE OF 815.12 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAINING 206,350.206 SQ. FEET OR 4,737 ACRES

BASIS OF BEARINGS FOR SAID TRACT IS OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83), NORTH ZONE.

### SURVEYOR'S CERTIFICATION:

I, ALAN C. HALL, CERTIFY THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL ESTATE AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

ALAN C. HALL

OKLAHOMA P.L.S. #1283

CERTIFICATE OF AUTHORIZATION #3643 CA EXPIRATION DATE: JUNE 30, 2013

DATE

ALAN C. HALL 1283

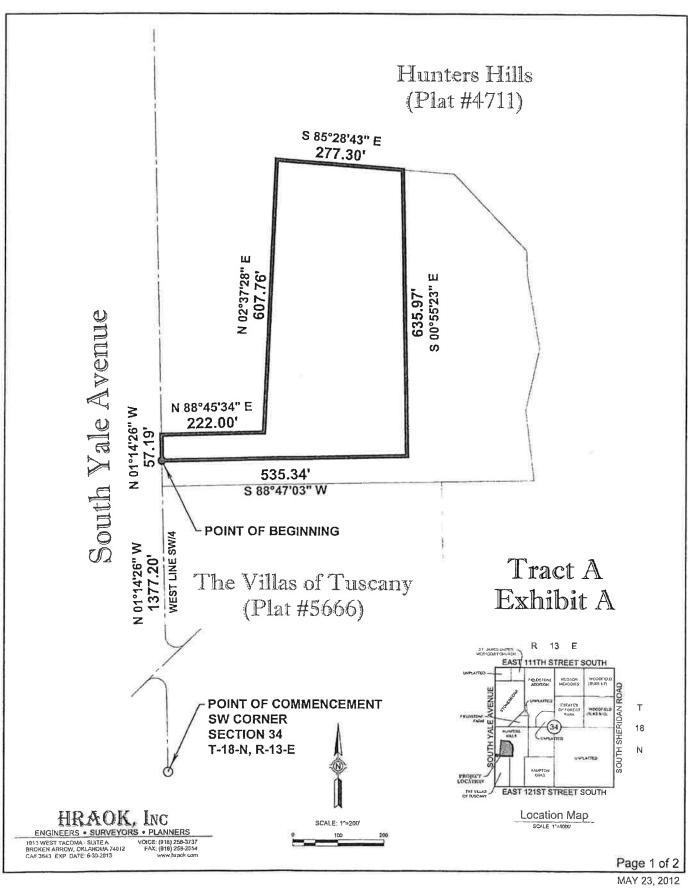
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HRAOK, INC

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1913 WEST TACOMA - SUITE A BROKEN ARROW, OKLAHOMA 74012 CA# 3613 EXP. DATE 6-30-2013 DICE: (018) 258-3737 FAX: (918) 258-2554

Page 2 of 2



# Tract A Exhibit B

### **REAL ESTATE:**

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA; THENCE N 01°14'26" W AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 1377.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 01°14'26" W AND ALONG SAID WEST LINE A DISTANCE OF 57.19 FEET TO THE SOUTHWEST CORNER OF HUNTER'S HILLS, FILED IN THE OFFICE OF TULSA COUNTY CLERK AS PLAT NO. 4711; THENCE N 88°45'34" E AND ALONG THE BOUNDARY OF SAID HUNTER'S HILLS A DISTANCE OF 222.00 FEET; THENCE N 02°37'28" E AND ALONG SAID BOUNDARY A DISTANCE OF 607.76 FEET; THENCE S 85°28'43" E AND ALONG SAID BOUNDARY A DISTANCE OF 277.30 FEET; THENCE S 00°55'23" E A DISTANCE OF 635.97 FEET; THENCE S 88°47'03" W A DISTANCE OF 535.34 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAINING 205,638.747 SQ. FEET OR 4.721 ACRES

BASIS OF BEARINGS FOR SAID TRACT IS OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83). NORTH ZONE.

### SURVEYOR'S CERTIFICATION:

I. ALAN C. HALL, CERTIFY THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL ESTATE AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

ALAN C. HALL

OKLAHOMA P.L.S. #1283

-23-

**CERTIFICATE OF AUTHORIZATION #3643** CA EXPIRATION DATE: JUNE 30, 2013

DATE

HRAOK, INC

1913 WEST TACOMA SUITE A BROKEN AHROW, SKLAHOMA 74012 CA# 3643 EXP. DATE: 6-30-2013

Page 2 of 2

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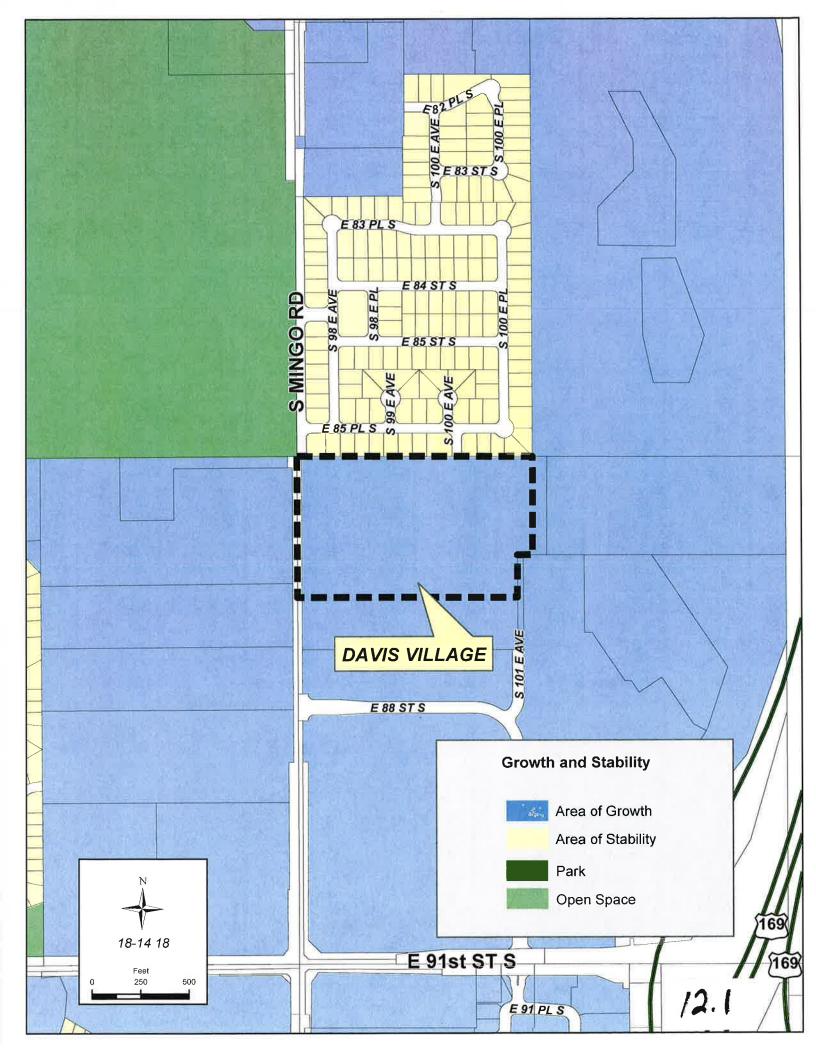
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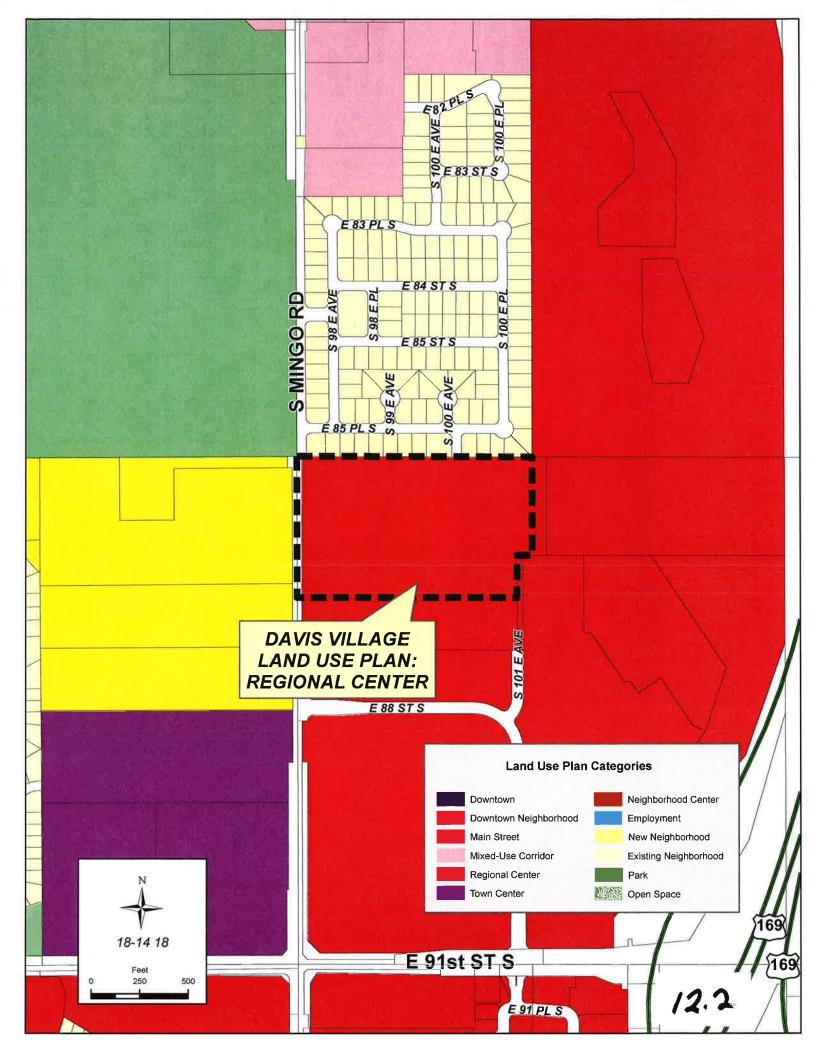
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# PRELIMINARY SUBDIVISION PLAT

<u>Davis Village -</u> (8418) (CD 7) North of East 91<sup>st</sup> Street South, East of South Mingo Road

This plat consists of 1 Lot, 1 Block, on 19.6 acres.

The following issues were discussed May 3, 2012, at the Technical Advisory Committee (TAC) meetings:

- **Zoning:** The property is zoned Planned Unit Development 559 and Corridor 5888-SP-1. Limits of Access need to be shown appropriately per Traffic Engineering approval. A cul-de-sac or hammerhead should be provided for the stub street that terminates in the apartment project if the street is not going to provide through access. Explorer pipeline has to release the plat and needs to determine if parking or crossing the existing line will be permitted. The "Gulf" pipeline at the northwest corner of the property has been sold to Verizon and this will need to have a release letter also. Show the full development area or areas over the plat on a separate sheet. The street to the east of the site is a private street and agreement to access the street needs to be shown from TCC and South Crest Hospital. There is no stub street or access to the property to the south. The original PUD conceptual plan showed an east/west street through the site. The consulting engineer needs to show why this could not be built as part of the proposal. Circulation is critical to the development. The Covenants need to be consistent with PUD and CO standards for the site. The existing trail, if crossed for access, would need approval through the Engineering Services Department especially as it was built with federal funding. After continuing the item for neighborhood concerns, the access along South Mingo Road has been shifted to the south.
- 2. Streets: No comment:
- 3. Sewer: Additional easement may be required to provide sanitary sewer service to the property. In Section I G, instead of "Installation or necessary maintenance" use "Constructing, Maintaining, Operating, Repairing, Replacing, and or Removing". You did not provide any information regarding sanitary sewer service to the proposed buildings. All 8 inch sewer lines, both public and private, must be constructed through the IDP (infrastructure development plan) process. Additional easement may be required for public sanitary sewer mains. No water connections will be approved until the sanitary sewer connections have been approved. The proposed finished floor elevation for building #14 does not appear to have enough fall to connect to the existing sanitary sewer main. The finished floor elevation for building # 4 also appears to be too low to allow a service line to connect.

- **4. Water:** Additional easement is required for a looped water main line. Per atlas there is an existing 12 inch line running along south side of South Mingo. Connection will require crossing of Little Haikey creek. A looped water main line inside a 20 foot restrictive waterline easement is required for serving the apartment complex.
- 5. Storm Drainage: Do not overlap detention easements, overland drainage easements, and storm sewer easements with each other. Please label the "Little Haikey Creek Tulsa Regulatory Floodplain" as such. The limits of the floodplain must be determined by plotting the master drainage plan profile elevations on a topography map with surveyed elevations. Please use City of Tulsa standard language for "Water, Sanitary Sewer, and Storm sewer service", "Surface Drainage" and "Roof Drain Requirements". In Section II: Please remove "Drainage Easement", and its language; and replace it with the City of Tulsa standard language for "Overland Drainage Easements".
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: PSO needs wording put in covenants for overhead lines and easements near the south of the site.
- 7. Other: Fire: Provide fire hydrants per the International Fire code. Provide fire department aerial access if buildings exceed 30 feet in height. GIS: On the Location Map "Union Elementary No. 13 Addition" is not labeled. On the face of the plat state the scale of the drawing in written form underneath the graphic scale bar. Add the words "Preliminary Plat" above the plat name on the face of the plat. Submit a Subdivision Control Data Form per Subdivision Regulations. Add standard language for Certificate of Occupancy restrictions and utility easement dedication.

Staff recommends **APPROVAL** of the subdivision plat with the TAC recommendations and the special and standard conditions listed below.

## Waivers of Subdivision Regulations:

None requested.

# **Special Conditions:**

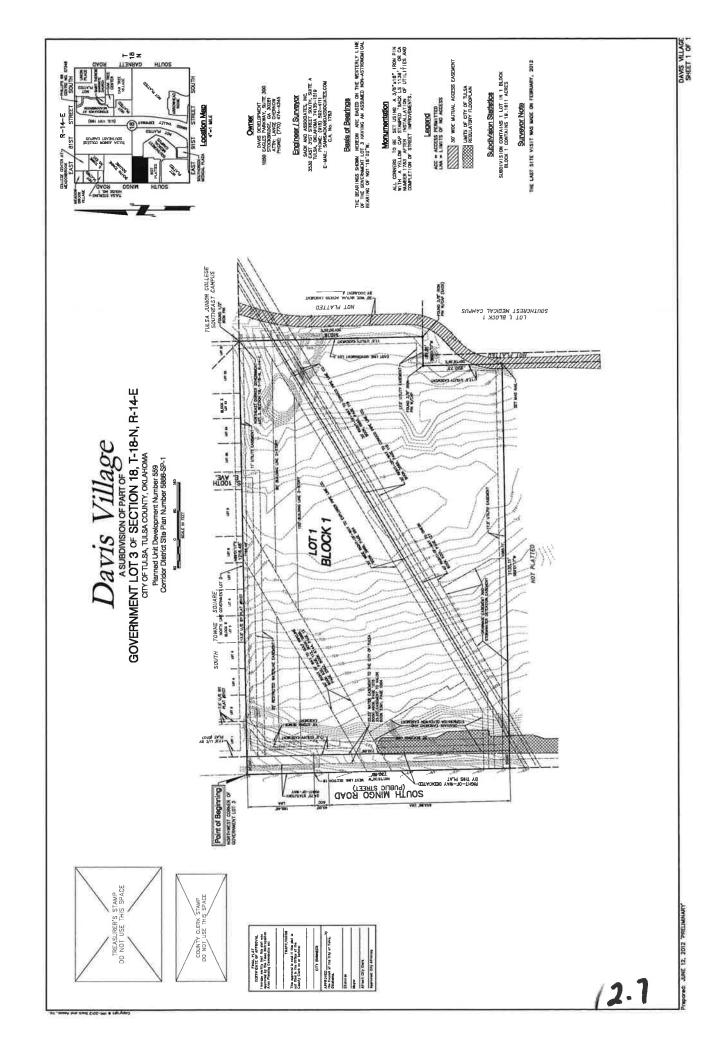
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

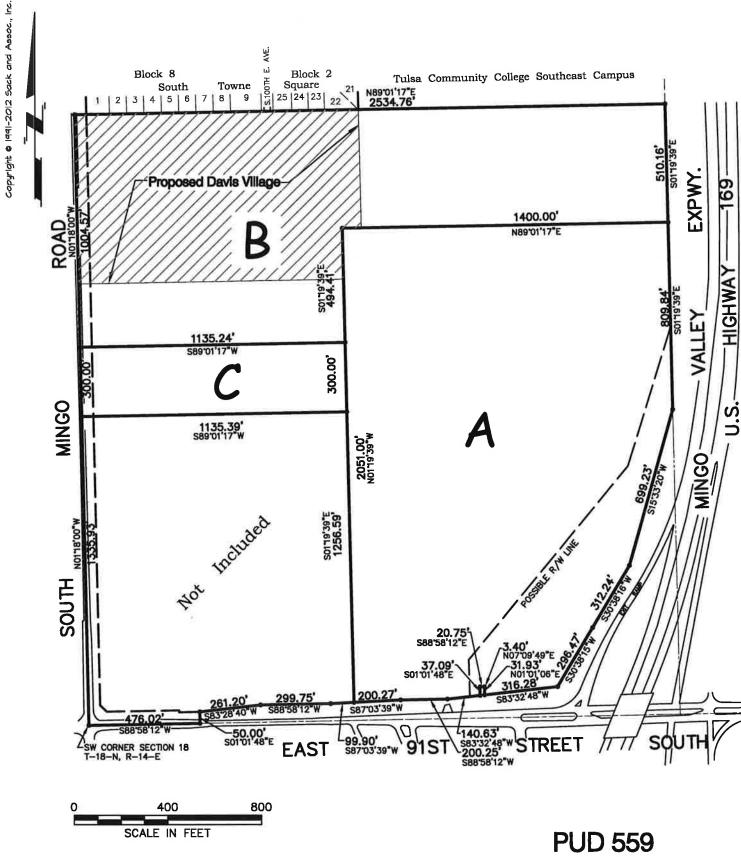
### Standard Conditions:

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.







SACK AND ASSOCIATES, INC.

3530 East 31st Street South, Suite A, Tulsa, Oklehoma 74135-1519 Ph:918.592.4111 Fax:918.592.4229 E-mail:sai@sackandassociates.com CA Number 1783 (PE/LS) and 1462 (LA)

Drawing: EXHBT05A File: 1814.18 Drawer: XREFs: COPYRITE S-811X T-SAI2 Plotted: 09 MAY 2012 DEVELOPMENT AREA
EXHIBIT
MAY 9, 2011

12.8

### STAFF RECOMMENDATION

PUD-559-2/Z-5888-SP-1b:

PUD Detail Site Plan – Northeast corner of South Mingo Road and East 88<sup>th</sup> Street South; TRS 18-14-18; CZM 54; Atlas 1731; CD 7; CO.

The applicant is requesting approval of a detail site plan for a 289-unit, two- and three-story apartment complex. The proposed use, Use Unit 8 – Multifamily and Similar Uses is a permitted use in Development Area B of PUD-559.

The submitted site plan meets all applicable building floor area, unit per acre requirements, open space, and setback limitations.

The minor amendment request that was shown on the May 16<sup>th</sup> agenda of the TMAPC was withdrawn by the applicant. The proposed site plan illustrates the building height at or below the maximum building height allowed in the PUD.

Access to the site will be provided from one point along Mingo Road on the west and one point along the north-south mutual access easement on the east side of the site. Use of the mutual access on the east side of the site will require proof that this property can use that access prior to platting the property.

Parking will be provided per the applicable Use Unit of the Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code.

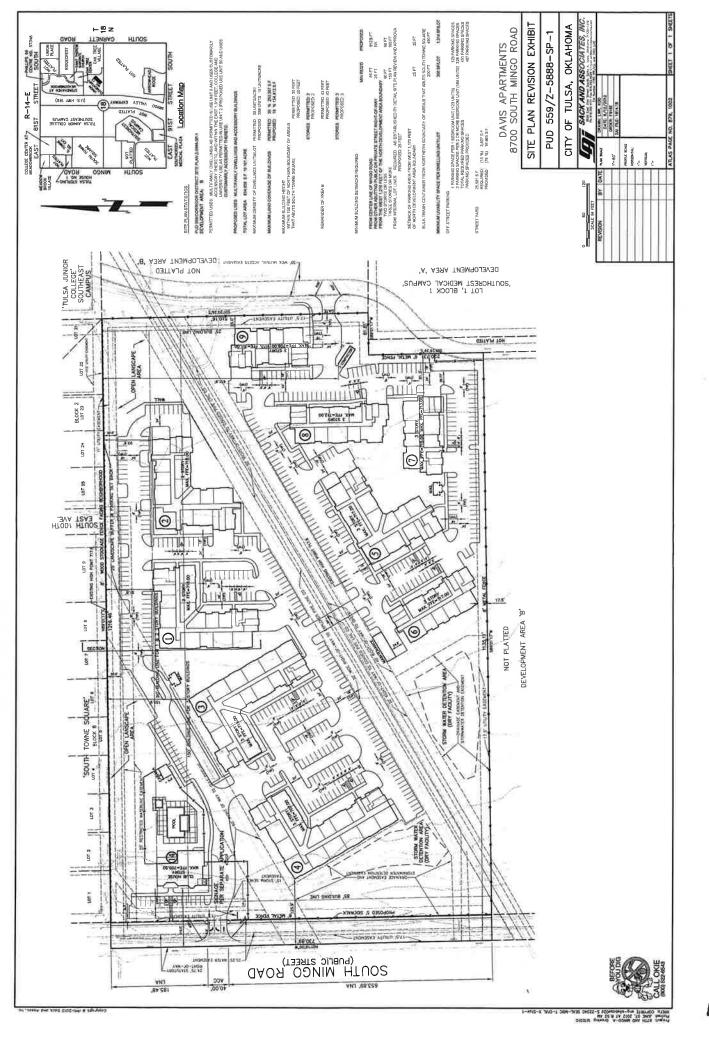
Landscaping will be provided per the PUD and Landscape Chapters of the Zoning Code. A separate landscape plan submittal will be submitted to the planning commission for approval. A landscape concept plan has been provided to illustrate that the site plan can be implemented with a 25' landscape buffer along the north property line.

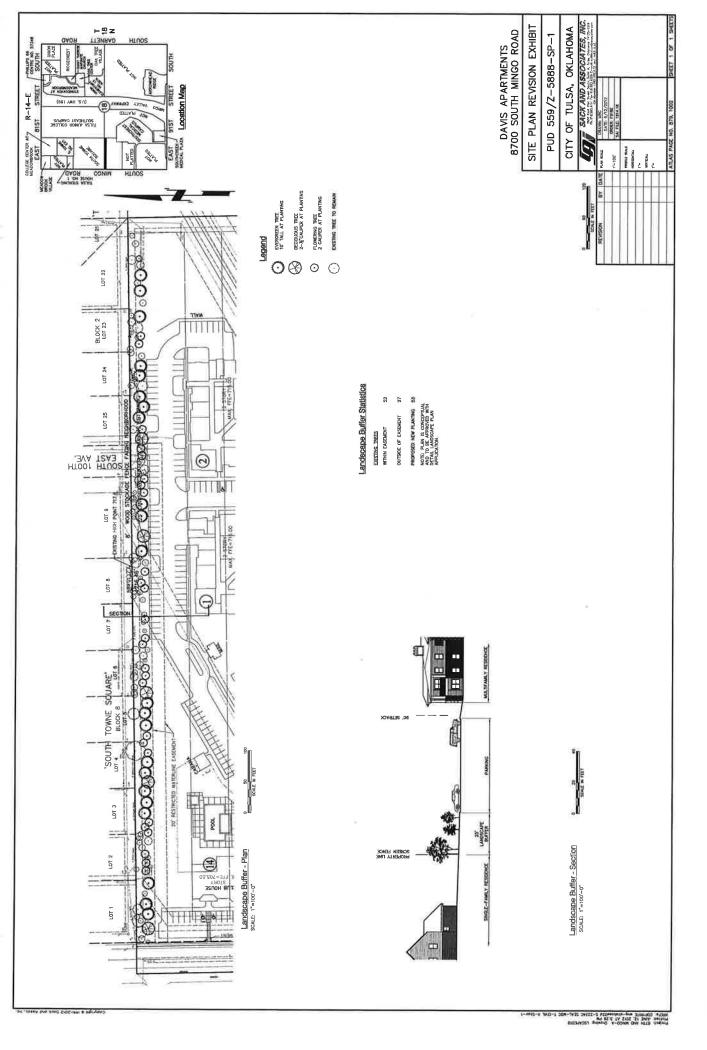
Site lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district. "Wall pack" style lighting will not be allowed on any north facing wall adjacent to the residential property.

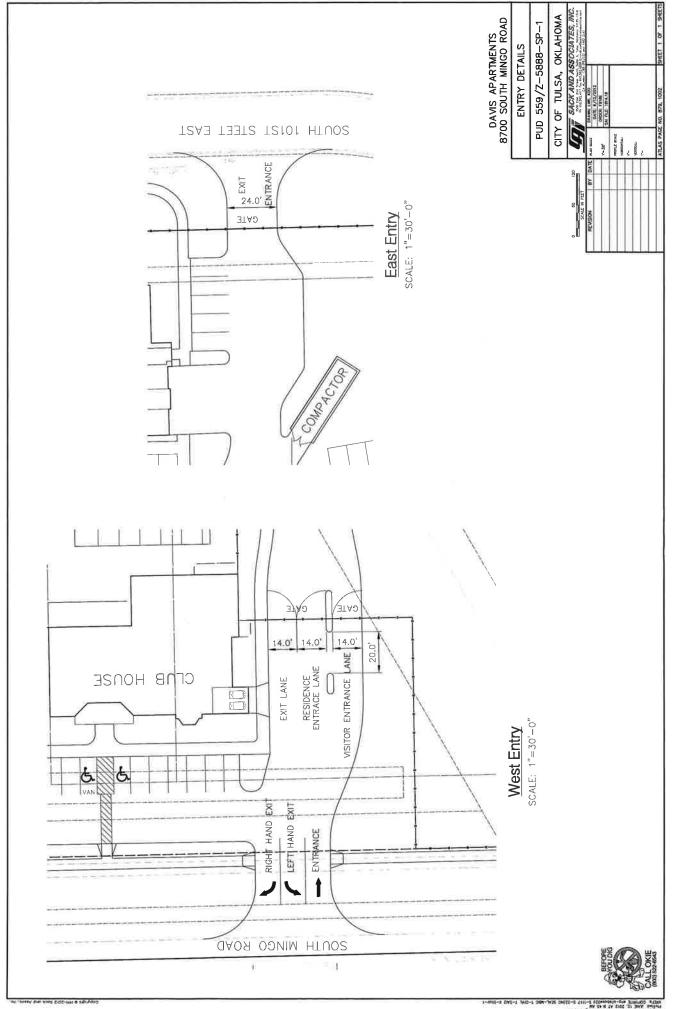
A six-foot screening fence will be provided along the north boundary of the development. The screening fence may be placed up to 25 feet from the north property line. A trash enclosure will be provided as required by the PUD and meets the minimum setback requirement as established by the PUD (200 feet required / 450 feet proposed). Sidewalks will be provided along Mingo Road as required by PUD Development Standards and Subdivision Regulations.

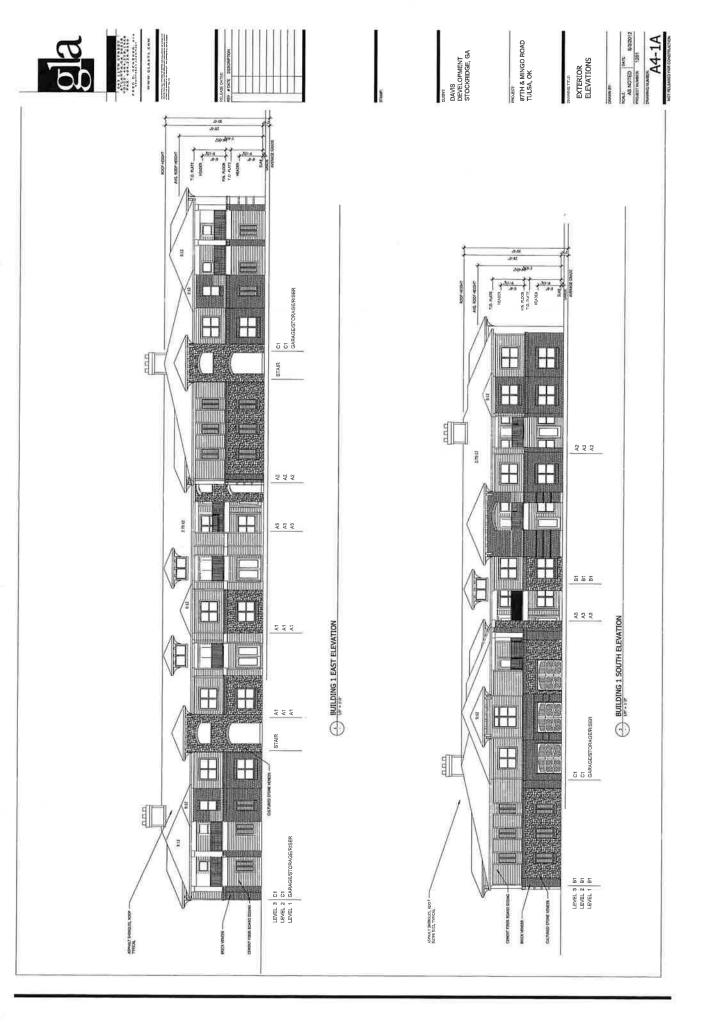
Staff recommends **APPROVAL** of the detail site plan for Development Area B of PUD-559 as noted above.

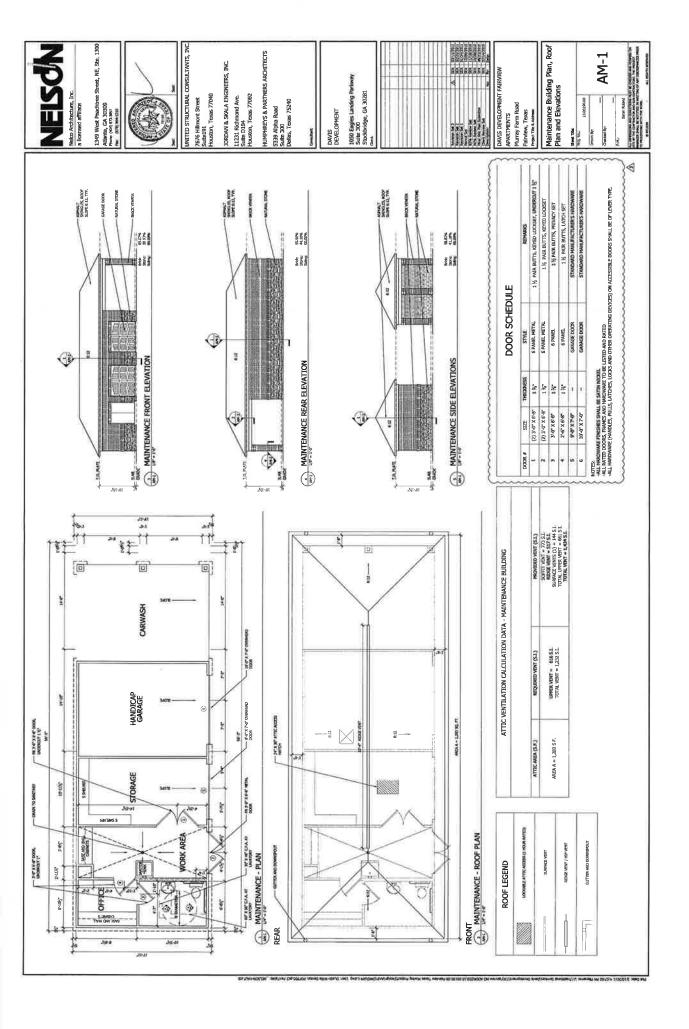
Note: Detail site plan approval does not constitute landscape and sign plan approval.

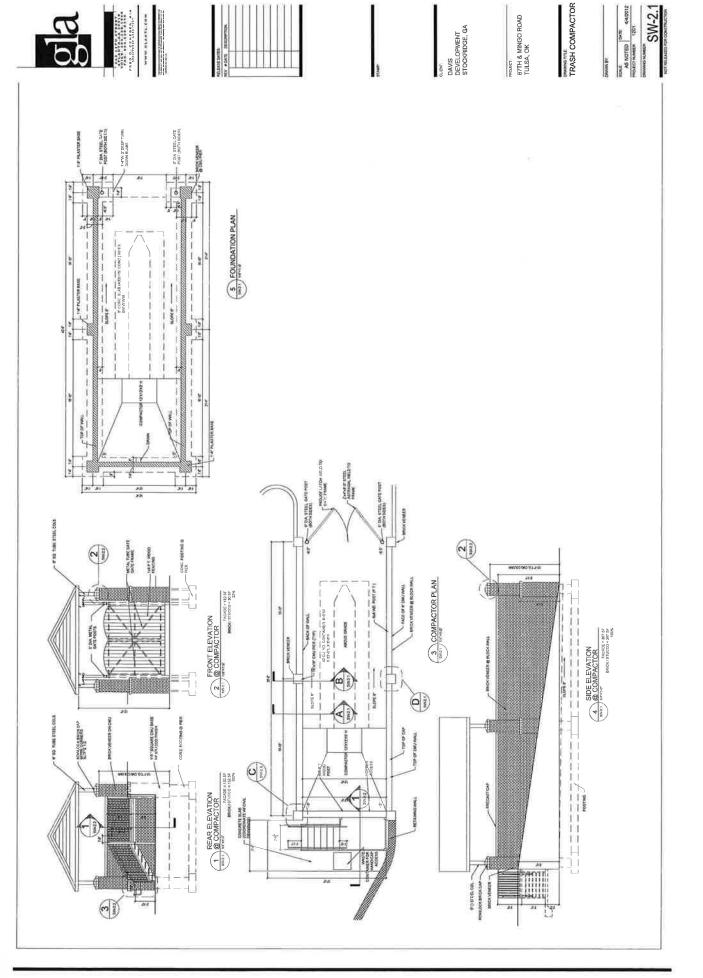


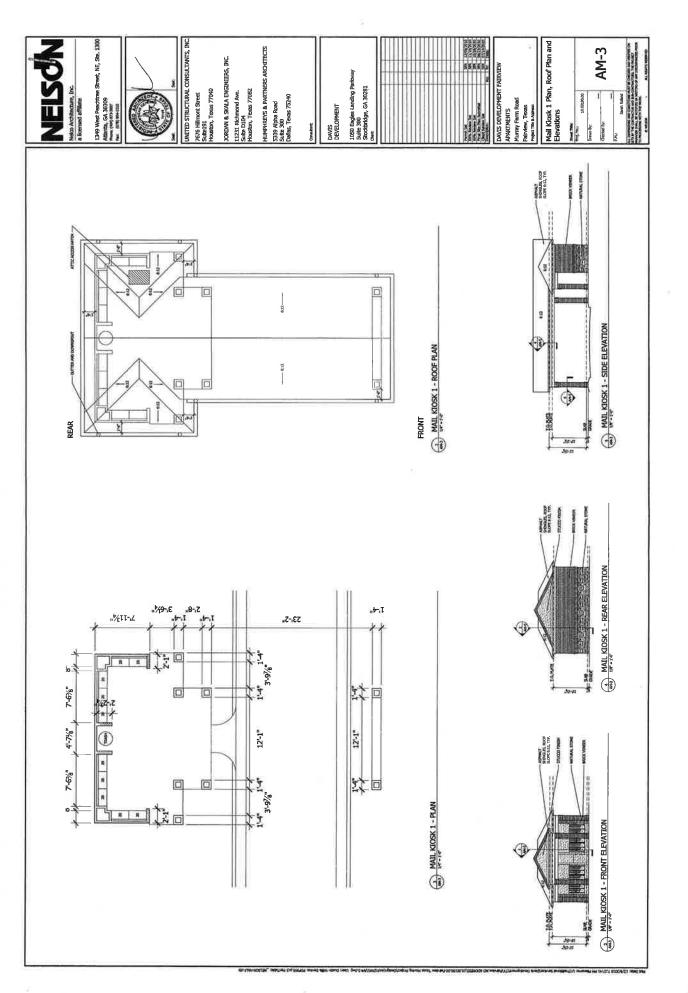


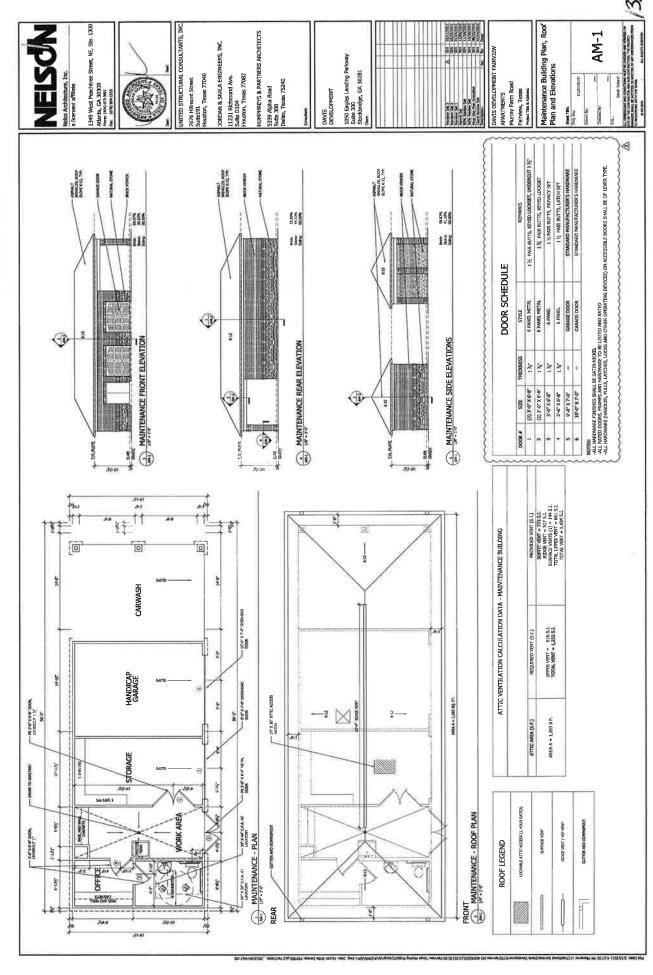


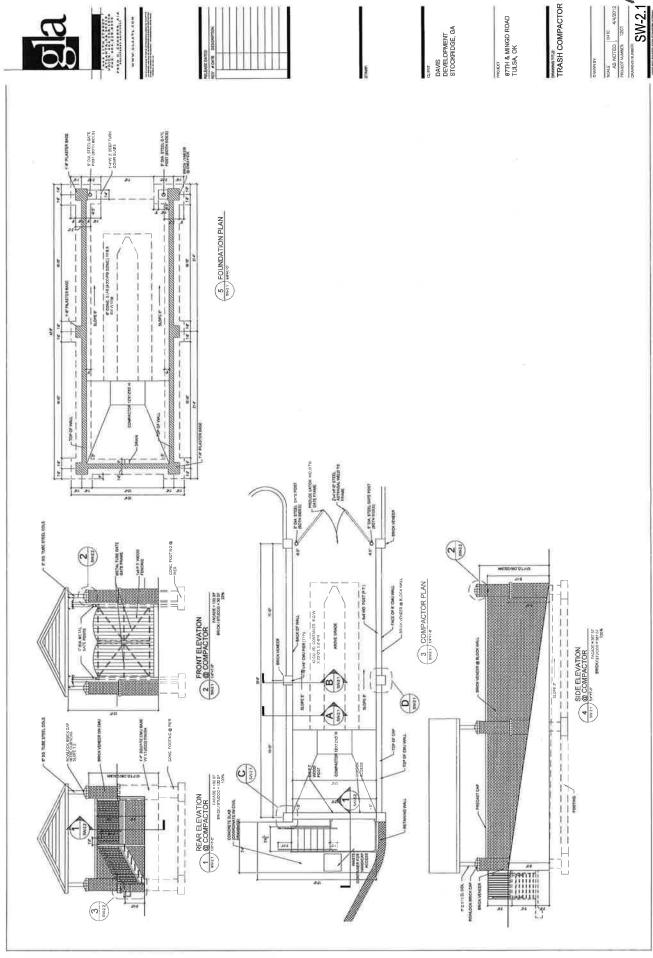


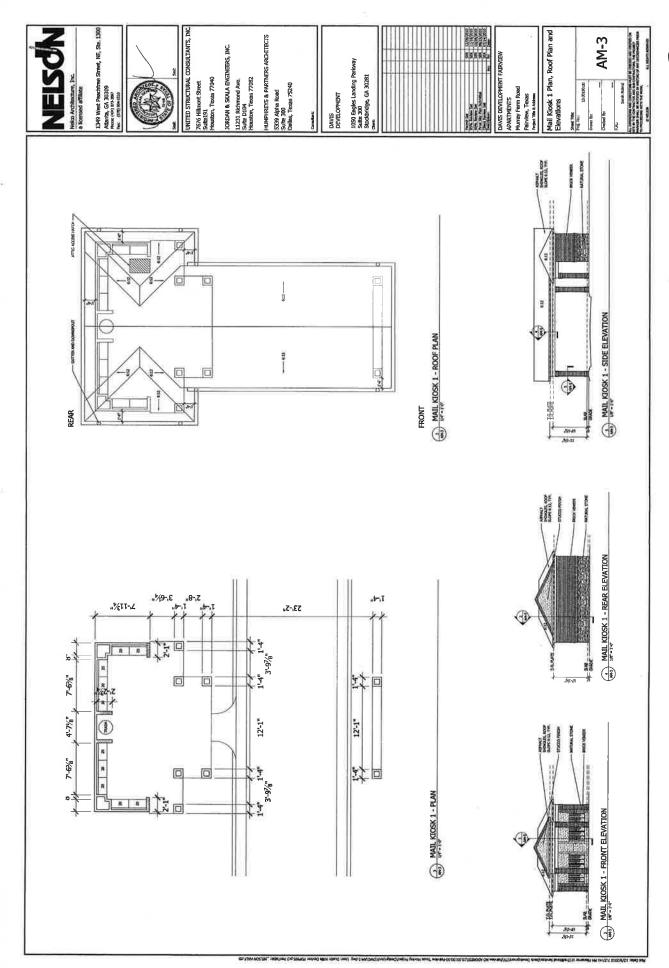














May 23, 2012

Mr. Eric Sack, Sack & Associates, Inc. and

Mr. Fred Hazel, Davis Development

Re: Davis Apartment Proposed Site Plan under PUD 559

Dear Sirs,

We appreciate the opportunity to visit with you today about your proposed site plan. On behalf of the South Towne Square residents, we appreciate and share your attraction to our City and community. We have enjoyed years of good relationships with our neighbors including TCC, Hillcrest South, and several new developments including two recent hotel developments.

Based on our review of your proposed site plan (as included in the Planning Commission agenda as of May 16, 2012), the STS residents have several concerns. Our neighbors at Highland Park suffered loss of privacy and decreased property values related to the Sonoma Grande apartment development due to similar issues. We wish to avoid repeating this for our neighborhood.

During the meeting, we will discuss our concerns and request you consider revisions to your site plan, including the following areas:

- Setback for parking and buildings.
- Entrance, exits and main road location.
- Grading and elevation (clarify).
- Trees and natural growth protecting our privacy today.
- Screen wall (fence) height, type and location.
- Pipeline safety and construction plans (clarify).
- Pool, clubhouse and mailbox locations.
- Lighting, garbage storage, maintenance facility and other aesthetics.

We understand you and the owner have rights under the current PUD, approved in 1997. The STS residents stand ready and willing to work with you. Please provide us any revised site plan as soon as practical.

Again, we appreciate your willingness to meet with us today.

Sincerely,

South Towne Square Residents



June 11, 2012

Mr. Eric Sack, Sack & Associates, Inc. and

Mr. Fred Hazel, Davis Development

Re: Davis Apartment Proposed Site Plan under PUD 559

Dear Sirs.

I appreciate your taking the time to visit with the South Towne Square residents on your proposed site plan on May 23, 2012, and Eric's visit to our neighborhood to inspect several homes that would be impacted. I received your revised site plan on June 6, 2012 and have been reviewing it with our neighbors and our attorney, Jim Weger. Your revised site plan included several of the items we discussed and we thank you for considering these matters.

The most significant change from our perspective is your move of the entrance and redesign of the traffic flow. The increase in the fence from 6' to 8' and the movement of the maintenance and mailbox facilities are also helpful.

However, several of the concerns we raised at our meeting were not addressed. We remain concerned about each of these issues and ask that you reconsider our requests:

- Setback for parking and building We asked you to consider a larger parking and building buffer, citing the 90 ft parking and 150 ft building buffer north of our neighborhood. You relocated the entrance and moved the maintenance facility which increases the parking buffer for lots 1-6, and 23 (this effectively increases the parking buffer for most of those lots to 90 feet). This did not help lots 7, 8, 9, 25 and 24. You did not adjust the building buffer in any areas it remains at 90 ft.
  - 1. Would you reconsider providing a 90 ft parking and 150 feet building buffer between your apartments and our neighborhood *in all areas*, as the developer of the hotels on the north side of our neighborhood was able to do?
  - 2. If, not, is there *any* amount of additional increase in parking buffer for lots 7, 8, 9, 25 and 24, or increase in building buffer *in all areas* that you could accommodate, or that is possible given your site plan and the PUD requirements?
- Entrance, exits and main road location We asked you to move the road adjacent to our homes. You moved the entrance south and moved a major crossing, which redirects traffic away from lots 1-6 and helps several other lots with traffic flow. You did not move the road and parking away from lots 7, 8, 9, 25, and 24, but as noted the access road will help reduce flow adjacent to these lots. There remains only one *public* access point and very limited options for apartment residents to move in and out of apartment complex. So our concerns about noise and traffic issues for the entire neighborhood remain.
  - 3. Would you consider moving the *remaining* road (and parking) away from lots 7, 8, 9, 25 and 24 to another location away from our homes (or provide a 90 ft parking buffer as described above)?

- 4. Did you resolve the issue of obtaining an easement to build the crossing over the pipeline?
- 5. Did you resolve the issue of gaining the east access point (as depicted on your site plan) on the *private drive* between TCC and Hillcrest South?
- 6. We understand the stub road off 85<sup>th</sup> Place is not in your current or future plans for access. Is our understanding correct?
- 7. Would you be willing to join us (or not object) if we request the City permanently close the stub road off 85<sup>th</sup> Place?
- Grading and elevation (clarify). We asked you to explain your grading plans to us. You explained this and provided a topography map. You did not provide a revised grading plan to us, but you explained the "finished floor elevations" depicted on your original site plan. We have reviewed these items and we remain concerned about the overall elevations.
  - 8. Would you confirm that the finished floor elevation of the apartments and the elevation of the parking, road and any other buildings at their highest point, will not be (significantly) higher than:
    - a) the floors of adjacent homes on 85<sup>th</sup> Place (at back room or patio level);
    - b) the backyards of adjacent homes on 85<sup>th</sup> Place (at southernmost property line);
    - c) the screen wall of the apartments (at the floor/base of the fence)?
  - 9. Would you provide us a map depicting actual or planned finished elevations at each of these points (we will grant you access to measure elevations at our properties if necessary)?
  - 10. Would you provide us a revised grading plan prior to the next Planning Commission meeting?
- Trees and natural growth protecting our privacy today We discussed concerns about loss of privacy (noise, line of sight, safety, etc) if the native trees abutting our properties are removed in your development. You described your plans and provided us a tree survey map, showing 85 trees as possible saves. You described plans to plant trees sufficiently tall and substantial enough to buffer our properties. We remain concerned that removal of any number of substantial trees abutting our properties will result in a significant loss of privacy for our neighborhood.
  - 11. Can you confirm that the native trees and brush abutting our properties in the 25 ft (or greater) buffer between our property line and your property, will either be retained, or trees of sufficient height and substance will be planted, so that the neighborhood and apartment complex will not have line of sight visibility into each other's properties (ie; we wish to maintain our current level of privacy, peace and enjoyment).
  - 12. Would you provide us a landscape plan prior to the next Planning Commission meeting that depicts your plans for tree removal, retention, planting, and other plans that impact line of sight, noise or other privacy concerns we have expressed?
- Screen wall (fence) height, type and location We discussed the fence type, height and location. You volunteered to increase the height of the fence to 8 ft. You also discussed the possibility of double-paneling the fence to block line of sight. We suggested a masonry fence material and higher fence to barrier the noise and line of sight concerns. We also discussed the possibility of moving the fence back away from our fence lines, to your parking buffer. You suggested it may be possible to move the fence back 11 or 12 feet from our properties. No changes other than the 8 ft fence height were noted in your revised site plan.
  - 13. Would you move the fence back away from our properties at least 20 feet (more important if our request to increase the buffer, move the road and retain the trees are not met or not possible)?
  - 14. Would you double panel the fence as you suggested, or consider a taller masonry fence as we suggested?
  - 15. Would you confirm that the fence will be constructed first or early in the apartment construction, so that there is no period where our properties will be totally exposed (more important if our requests to increase the buffer and retain the trees are not met or not possible)?

- Pipeline safety and construction plans (clarify) We discussed the safety of construction around the major pipelines and explained to you warnings we have received from pipeline owners. You explained that your design calls for more than is required, that the pipeline companies would be involved to ensure safety, and that road construction over the pipeline (or construction near the pipeline) was not a safety issue.
  - 16. Did you get the easements needed to build the road across the pipeline?
  - 17. Have you received any approvals from the pipeline companies regarding your plans to build around their pipelines?
  - 18. Do you have any reports or correspondence from owners, engineers or others that you could provide us to help ease our concerns about pipeline safety?
- Pool, clubhouse and mailbox locations We discussed the possible noise pollution from the pool, clubhouse and mailbox locations abutting our properties on the west side of 85<sup>th</sup> Place. You volunteered to split the mailbox, as noted in your revised site plan. You also noted redirecting the traffic would help with the noise. You moved the entrance in your revised site plan which also helps with traffic and noise for lots 1-6 as noted above. You also noted that the pool would close at 10 or 11pm and would be monitored for noise.
  - 19. Would you consider building a 20ft or higher masonry type wall surrounding the pool and cabana to buffer the noise for our neighbors in lots 1-4?
- Lighting, garbage storage, maintenance facility and other aesthetics We discussed each of
  these issues and you volunteered to move the maintenance facility to the south of the property as noted in
  your revised site plan. This frees up that space for more parking and allows more parking to be moved
  away from lot 23. We also discussed the lighting and you assured us that no light source would be visible
  from our properties. The garbage compactor is on the south end of the complex and is not a concern to us.
  - 20. Are the garbage and maintenance facilities depicted on your revised site plan the only facilities of such type you plan on this development?

We understand that you are not required by the PUD to make concessions to the neighborhood beyond the PUD requirements, and we sincerely appreciate the changes you have made to date.

If you intend to present your revise site plan to the Planning Commission on June 20, 2012 as scheduled, please contact me to discuss these questions and requests by June 13, 2012. I will likely include Mr. Weger in that discussion. I apologize for the short turnaround, but as you know, we have had your revised site plan for less than a week, and I have taken that time to visit with our attorney, the INCOG staff and our South Towne Square neighbors. Be assured, we are sensitive to your timeline and appreciate your willingness to work with us.

Jim and I would be happy to meet with you at a time that is convenient for you.

Sincerely,

Jeff Harjo South Towne Square Residents



June 13, 2012

To: TMAPC Recording Secretary,

City of Tulsa and County of Tulsa Board of Adjustments Recording Secretary,

Board Members of TMAPC, and

**INCOG Staff** 

From: Jeffrey R. and Shari A. Harjo, as individual homeowners and as representatives of the South Towne Square Homeowners Association

## Re: Request the Planning Commission Deny the proposed Site Plan related to PUD 559

This is in regards to the TMAPC hearing scheduled for June 20, 2012, where we understand Sack and Associates, Inc. and Davis Properties ("Applicant") will propose a site plan for a 289 unit apartment complex development ("Davis Village") in the Northeast corner of South Mingo road and East 88th Street South. This proposed development is immediately south of the South Towne Square neighborhood - a 157 home single-family neighborhood developed beginning in 1995 with approximately 500 residents.

We understand PUD 559 was approved 15 years ago in 1997, before our neighborhood was fully developed. We refer you to our letter dated May 14, 2012 provided to INCOG staff where we raised several concerns regarding this development. We appreciate the Planning Commission's continuance of this matter to June 20, 2012, which has afforded us time to meet with the Applicant and INCOG staff. We have also engaged an attorney, Jim Weger with Jones Gotcher, to represent us.

Jeffrey R. Harjo and Shari A. Harjo, residing at 10018 East 85th Place, Tulsa, OK 74133, and the residents of South Towne Square ("STS"), request the Planning Commission deny the proposed site plan on the basis the site plan fails to protect the existing neighborhood, as required by the guiding principles for new developments in the Comprehensive Plan.

After the May 16, 2012 meeting, we met with Eric Sack and Fred Hazel from Davis Development. We also met with INCOG staff. The Applicant made several helpful changes to the site plan, including relocating the main access street and relocating a maintenance facility. These changes marginally helped seven of the thirteen STS residents most impacted by the development. The Applicant also increased the fence height from 6 to 8 ft. However, the STS residents made several other requests to protect our privacy - including tree retention, relocation of the fence or larger buffers – that were not addressed. The Applicant made an effort, but could not provide assurance to any of our residents that our neighborhood would be protected.

Unfortunately, we have seen how this movie plays out. We do not wish to repeat the experience our Highland Park neighbors had with the Sonoma Grande development. We understand this Davis Village development is different, but certain characteristics are strikingly similar to the Sonoma Grande situation.

The STS neighborhood is unique in size and location. Our neighborhood is consistent with the City's plans for single family residences on smaller lots with access to schools, hospitals, public transportation and businesses. The STS residents have been welcoming of new developments, including recent hotel developments to our North, and are not opposed to any development as long as our rights are protected. The Planning Commission is in a position to protect the existing STS neighborhood, as contemplated and expected by the Comprehensive Plan.

We respectfully request you deny this site plan, and send the Applicant back to the drawing table to address the remaining concerns of the City and the STS neighbors.

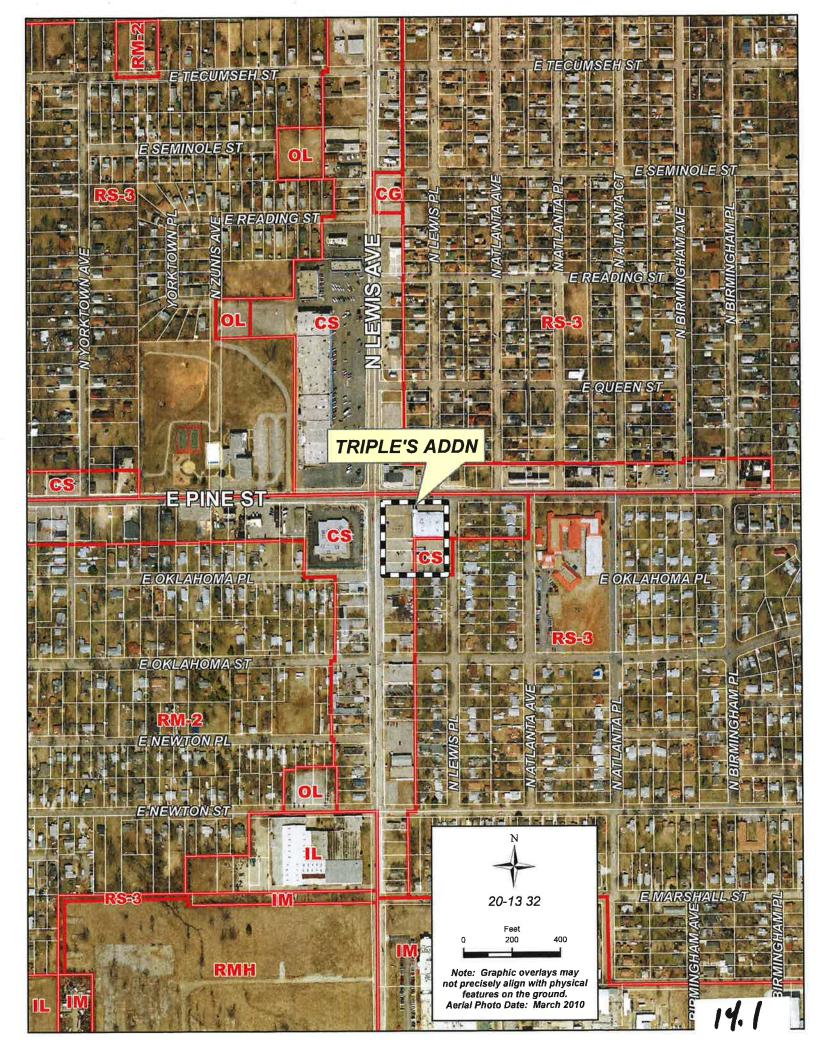
The STS residents are willing to continue working with the Applicant to resolve our remaining concerns. We have presented a list of remaining questions and requests to both the Applicant and INCOG. If these questions are resolved to our satisfaction by June 20, 2012, we are happy to change our recommendation, but otherwise we will be prepared to explain our position to the Planning Commission.

Shari and I, and the STS residents, wish to thank you for your time and consideration.

Sincerely,

Jeffrey R. Harjo and Shari A. Harjo and South Towne Square Residents

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#### MINOR SUBDIVISION PLAT

## Triple S Addition -

Southeast corner of North Lewis Avenue and East Pine Street (0332) (CD 3)

This plat consists of 2 Lots, 1 Block, on 1.8 acres.

The following issues were discussed June 7, 2012, at the Technical Advisory Committee (TAC) meetings:

- 1. Zoning: The property is zoned CS (commercial shopping). Limits of No Access are needed for the plat. Further define any mutual access easements.
- 2. Streets: Additional 15 foot right-of-way dedication required along Pine Street. Also provide 28 foot corner radius at intersection of Pine and Lewis. Access is limited to maximum 40 foot along Lewis Avenue and Pine Street. Include right-of-way dedication in Section 1.A. Modify sidewalk section I.H to reflect plat, i.e. remove reference to reserve area, common areas etc.
- 3. Sewer: No comments.
- 4. Water: No comments.
- 5. Storm Drainage: Overland drainage crossing lot lines or flowing between the two lots must be placed in an overland drainage easement; if such overland drainage occurs then the standard language for overland drainage easement and/or overland drainage easement in a Reserve must be placed in the covenants. A sanitary sewer relocation plan does not provide sufficient information for the remaining utilities. It is not possible to determine what easements are required for the stormwater drainage system, without a conceptual stormwater drainage system and site development plan.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: No comments. GIS: Label all subdivisions within the mile section of the location map. Add north and east designations to the four arterial street labels on the location map. The plat needs to be tied from a section corner using bearings and distances from a labeled point of

commencement to the labeled point of beginning. Submit a subdivision control data form. Applicant will work with MTTA on bus station shelter.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below.

## Waivers of Subdivision Regulations:

1. None requested.

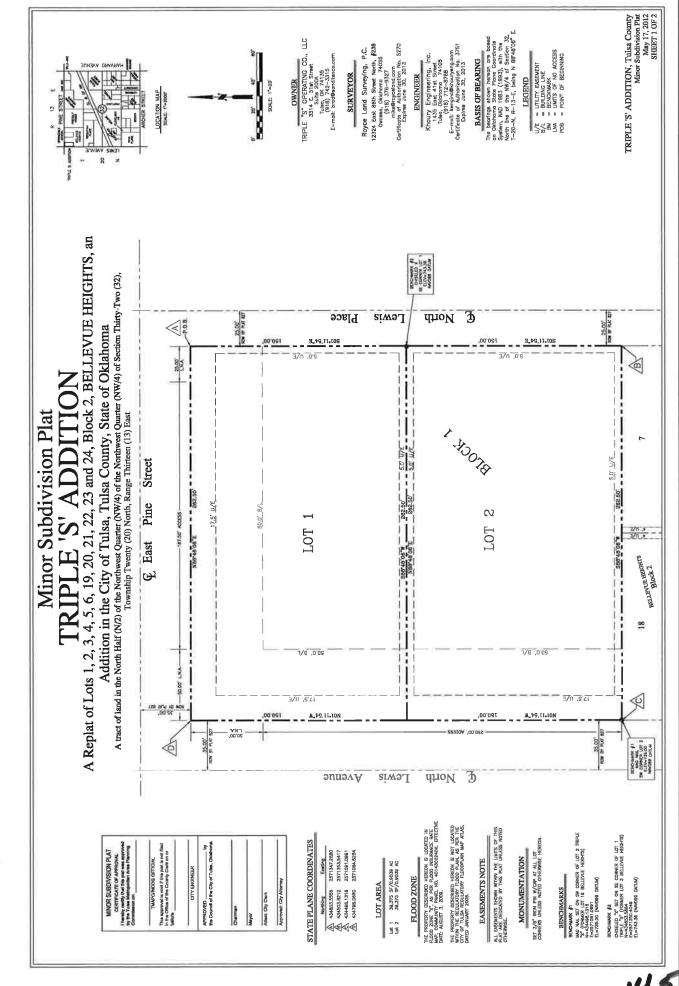
#### **Special Conditions:**

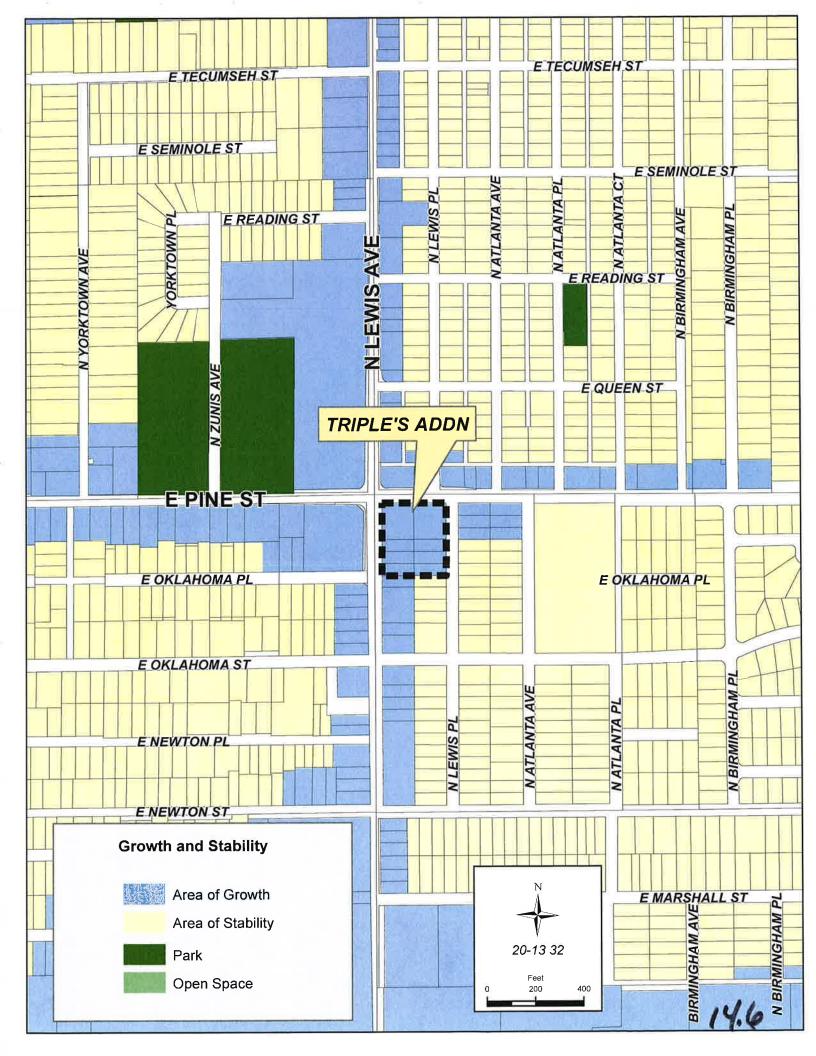
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

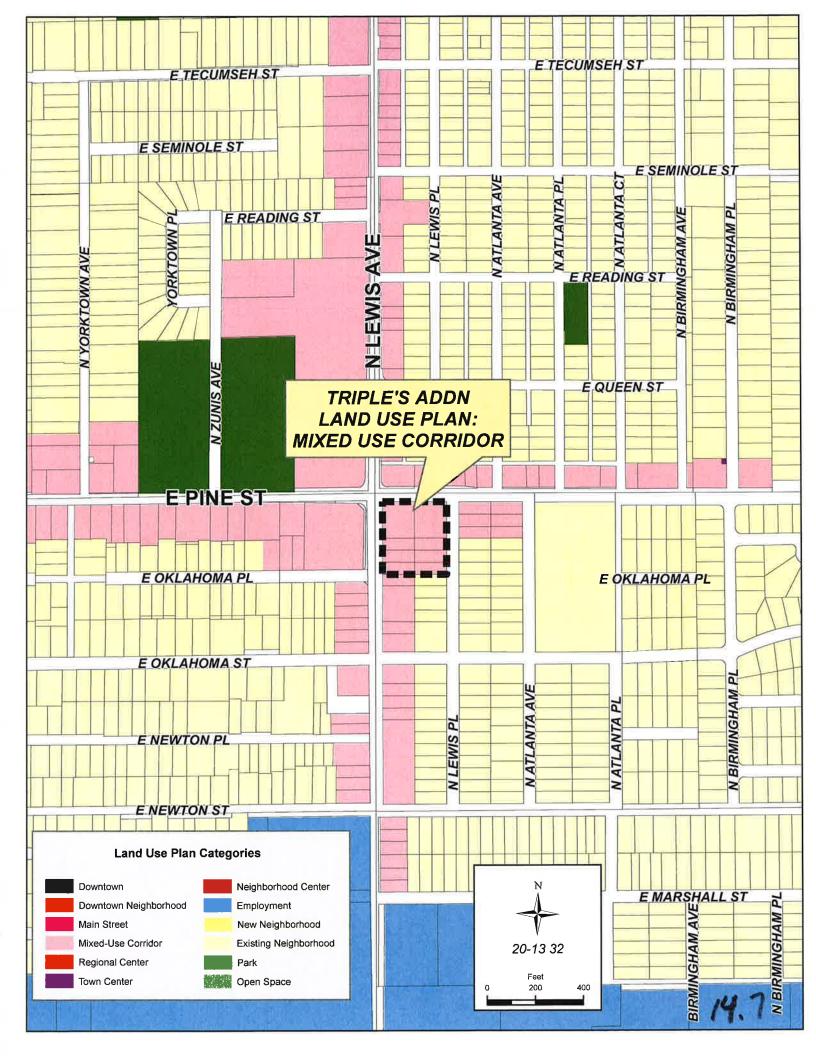
#### **Standard Conditions:**

- 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

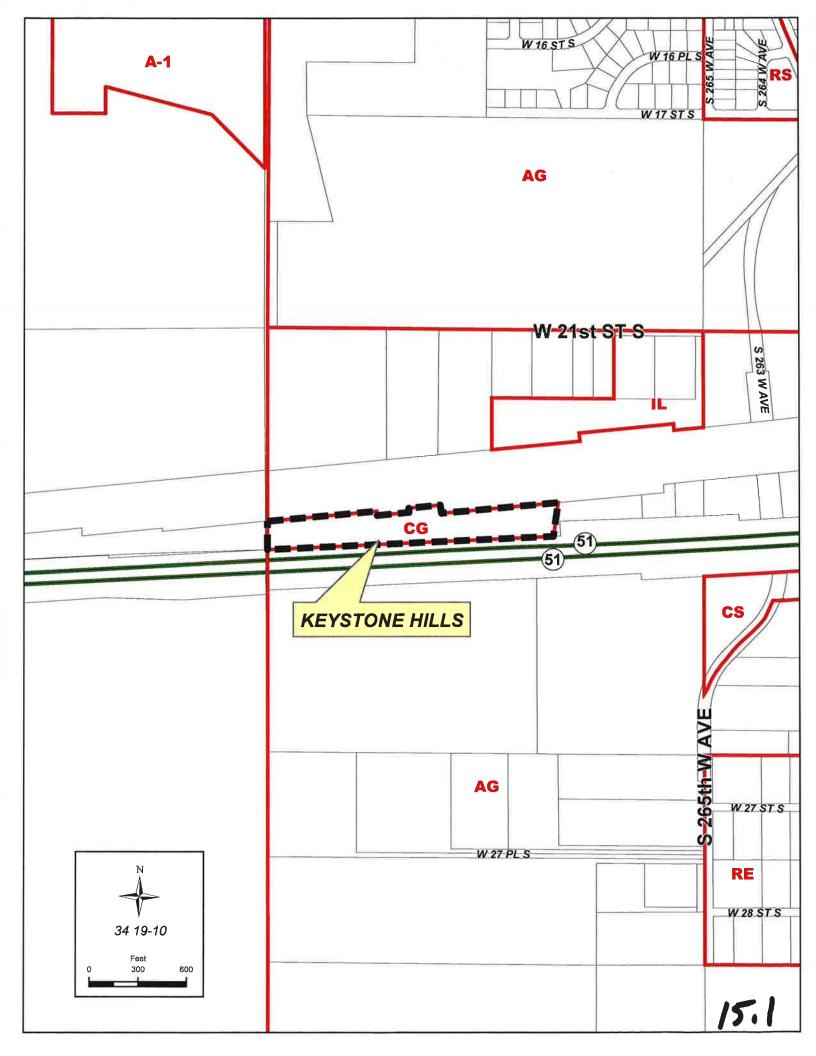
- platted or other bearings as directed by the County Engineer.
- 11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
- 12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the 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.)
- 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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#### MINOR SUBDIVISION PLAT

## **Keystone Hills-**

North of State Highway 51, East of Creek County Line (9018) (County)

This plat consists of 7 Lots, 1 Block, on 8 acres.

The following issues were discussed June 7, 2012, at the Technical Advisory Committee (TAC) meetings:

- 1. **Zoning:** The property is zoned CG (commercial general). Access to the site will need to be approved by ODOT and the County Engineer.
- 2. Streets: Show right-of-way with dimension lines. Provide references for all existing rights-of-way and easements e.g. plat number or book and page number. Lot 5 does not have access. Provide Limits of No Access and access points along Highway 51.
- 3. Sewer: No comments.
- 4. Water: Sand Springs water service area.
- 5. Storm Drainage: Drainage flowing onto the site and drainage flowing between lots in public drainage that should be placed in overland drainage easements, and/or should be collected at the property lines and be piped in a storm sewer system in storm sewer easements. Typically ODOT and the railroad must give written permission for additional stormwater to be drained onto their property. Drainage from lots and properties of high elevation will make lots 2 and 3 virtually inundated with storm water runoff, and there should be a Reserve Area for overland drainage, not lots. Add standard language for lot surface drainage. Section II.I is not sufficient to address the enumerable drainage challenges on these lots. Standard language for overland drainage easement in a Reserve Area should be added. Is this a commercial, residential and/or industrial subdivision? Covenants for the formation of a property owners' association, to maintain the Reserve Area, must be included.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: Release letters have been received.

7. Other: Fire: Get with Keystone Volunteer Fire Department for comments. International Fire Code would require fire hydrants within 400 feet to 600 feet of any portion of a structure. GIS: Label all subdivisions within the mile section of the location map. Show scale, north arrow and point of commencement and point of beginning. Show benchmarks and monument information. Submit subdivision control data sheet. County Engineer: Access points and mutual access easements will need to be approved by ODOT and County Engineer.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below. Releases have been received.

# Waivers of Subdivision Regulations:

1. None requested.

# **Special Conditions:**

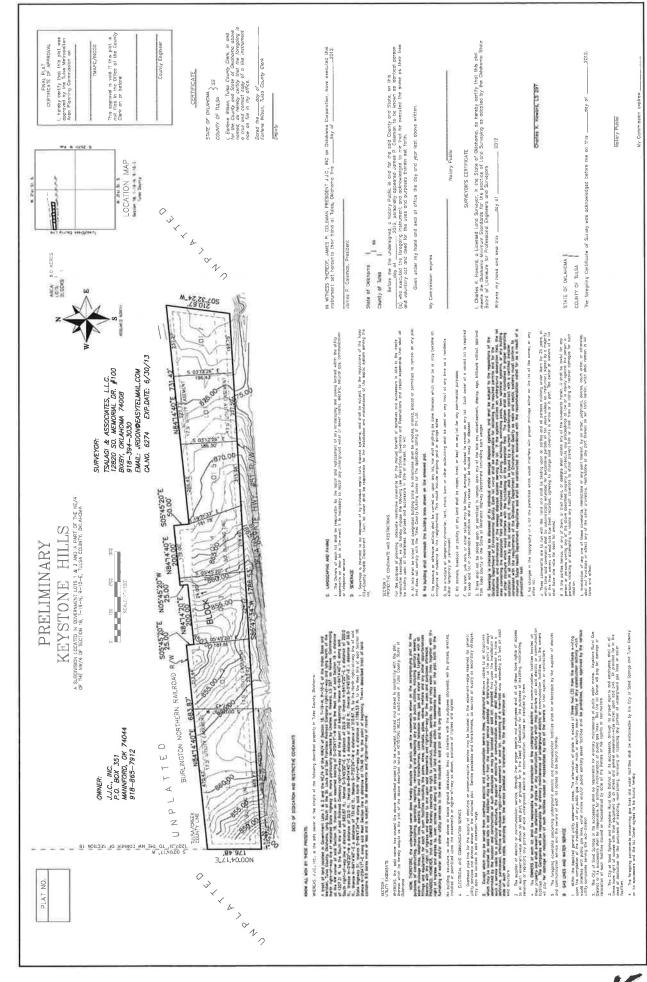
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

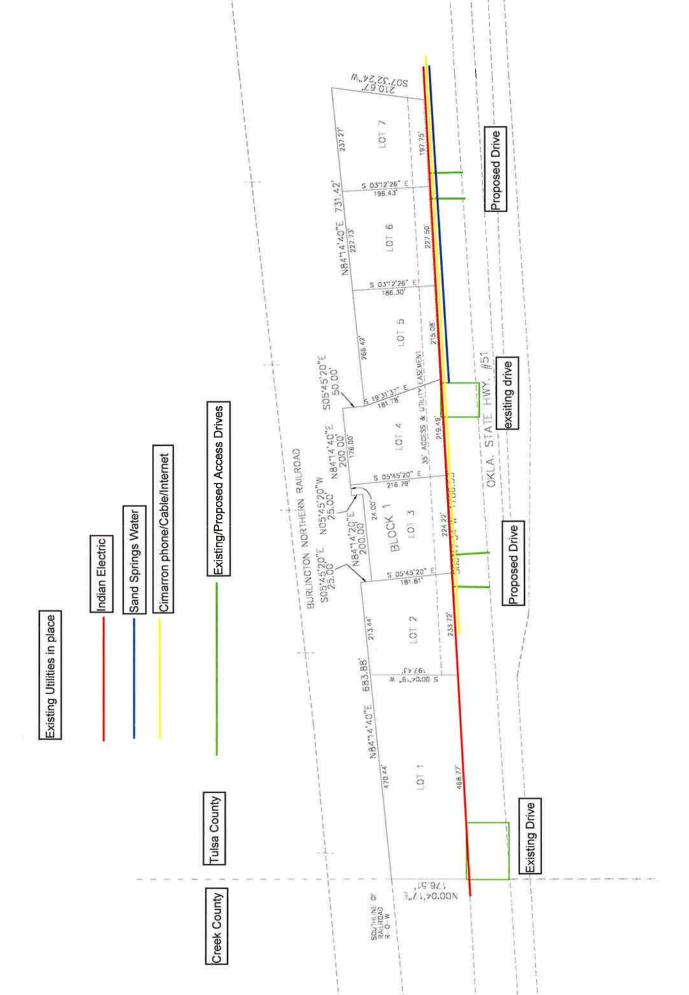
#### Standard Conditions:

- 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.
- 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.







PO BOX 338 • 100 EAST BROADWAY STREET • SAND SPRINGS, OKLAHOMA 74063-0338 • (918) 246-2500 • FAX (918) 245-7101

June 5, 2012

Ms. Diane Fernandez INCOG Two West Second Street, Suite 800 Tulsa, OK 74103

Re: Keystone Hills Preliminary Plat

Dear Ms. Fernandez:

We have been requested to provide comment on the suitability of the subject plat. The property is located within the Mannford Fence Line, and the City of Sand Springs has no foreseeable involvement with the property other than water distribution.

The City of Sand Springs will supply water service only to the lots created by the referenced plat. The developer has previously installed a 6-inch water main from 265<sup>th</sup> W Ave (Coyote Trail) extending west to the west Line of Lot 5 at its common property line with Lot 4, along with a fire hydrant for the benefit of the adjoining properties. Fire protection services are provided for that area by the Keystone Fire Department.

The developer has requested that the City allow Lots 1, 2, and 3 to be served domestic water by individual service lines and connections to the existing 6-inch public water main at the Southeast corner of Lot 4, as would service for Lot 4, on which the main terminates. The City of Sand Springs has agreed to providing water service to those lots in this manner due to the very limited service area of this property, which is bounded on the North side by the BNSF Railroad, on the West by the Tulsa/Creek County Line which marks the West boundary of the City of Sand Springs Water Service Area in this location, and on the South side by the State Highway 51 Right-of-Way.

The City's requirement for approval of this plat for which the City of Sand Springs has agreed to allow individually installed private water service lines for Lots 1-3, is that a 10' minimum width private utility easement be dedicated along the south side of the property line overlaying the 17.5' U/E to include Lots 1-4. Mr. Coleman has committed to provide this private utility easement by separate instrument. (See attached letter from Mr. Coleman) Also, a copy of the recorded private utility easement will be required to purchase water taps for Lots 1-4.

If you have any questions, please call me at 918-246-2585.

Sincerely

Jesse Vaverka, P.E.

**Assistant City Engineer** 

Cc: Derek Campbell, P.E., Public Works Director and City Engineer

Vernon Smith, Infrastructure Planning Administrator Ken Boswell, Water and Wastewater Division Supervisor

Jim Coleman, Developer

# KEYSTONE VOLUNTEER FIRE DEPARTMENT

25505 W. 41 ST SAND SPRINGS OK, 74063 (918)363-8300 EMERGENCY (918)363-8261 NON EMERGENCY (918)363-8261 FAX

May 17, 2012

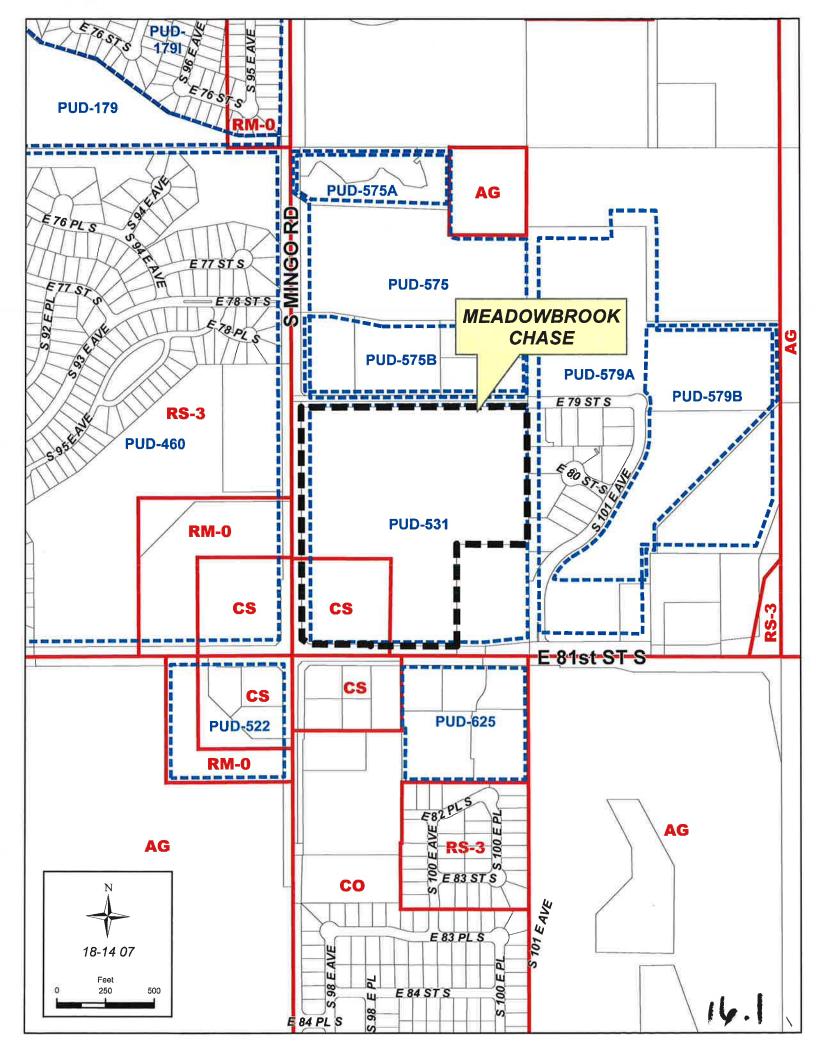
To Mr.Jim Coleman & To Whom It May Concern

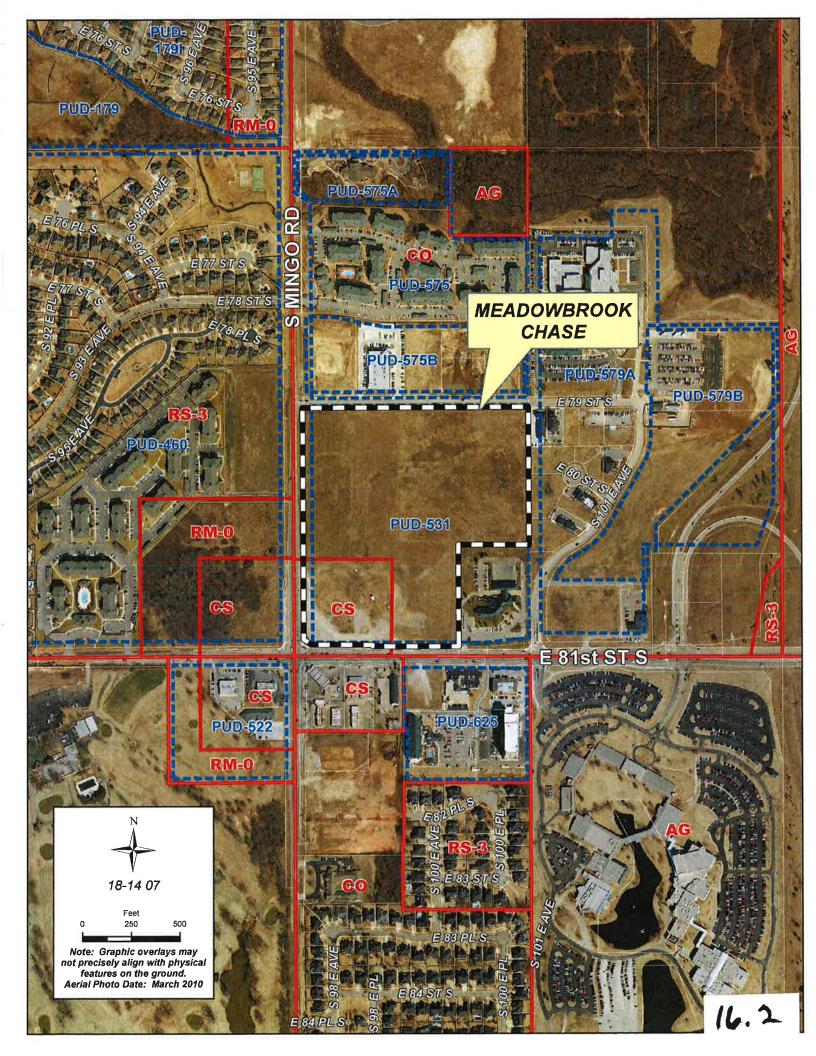
The following address, 27395 W. Hwy 51 is within the Keystone Vol. Fire Dept. response area. If you have any questions, feel free to call.

Best Regards,

George Blackburn - Capt. Safety Officer

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## PRELIMINARY SUBDIVISION PLAT

# Meadowbrook Chase -

Northeast corner of East 81st Street South and South Mingo Road (8407) (CD 7)

This plat consists of 3 Lots, 1 Block, on 28.57 acres.

The following issues were discussed June 7, 2012, at the Technical Advisory Committee (TAC) meetings:

- 2oning: The property is zoned Planned Unit Development 531/Corridor (CS underlying zoning). A discussion on concern about public and private streets and proper access and turn-arounds for the apartments and fire department access was held. The streets will be private and mutual access easements will be provided. These need approval of the fire department and traffic engineer. A property owners' association must be formed especially for maintenance purposes.
- 2. Streets: Mutual access easement shown for Lot 2, Block 1 is not needed as there is only one lot involved. Remove reference to right-of-way dedication in Section IA. Modify sidewalk Section I.J to remove reference to reserve, common areas, etc. to reflect actual plat condition. Show 5 foot wide sidewalks along all streets. East 80<sup>th</sup> Street cannot be a public street. It may be designated as a mutual access easement or private street. This access should either aligned with the Sonoma Grande drive across Mingo or be at least 125 feet from it, in conformance with our current subdivision regulations.
- **3. Sewer:** In Lot 2, the western-most 15 foot utility easement, where the sanitary sewer will be located, must be a sanitary sewer easement instead of a utility easement.
- **4. Water:** If East 80<sup>th</sup> Street South becomes private, a 20 foot dedicated restrictive waterline easement is required.
- 5. Storm Drainage: The overland drainage easement on Lot 1 cannot end in mid lot. It must continue to a storm sewer inflow structure and/or inlet, in a storm sewer easement and/or to a public right-of-way. Inflow structures and inlets collecting the public drainage, which flows from Lot 3 onto lots 1 and 2, must be place in storm sewer easements. The overland draingeways on Lot 3 should be placed in overland drainage easements to prevent obstructions from being placed in or across those drainageways. A stormwater detention easement in a Reserve is required to detain the fully-urbanized, additional, stormwater runoff created by the development of this subdivision. Standard

City of Tulsa language for "Overland Drainage Easement in Reserve---" and "Stormwater Detention in Reserve---" must be added. Must submit a conceptual plan showing proposed site development and the conceptual stormwater drainage systems for all 3 lots. A stormwater detention facility and related easement is required for the additional runoff from the fully-urbanized subdivision. All proposed and existing stormwater drainage systems including draingeways, inlets, manholes, junction boxes, pipe inflow and outflow structures, roadway culverts, and their easements must be included.

- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: Scale is wrong. If any of the buildings exceed 30 feet in height provide aerial fire apparatus access per the International Fire Code Section D105. Provide fire hydrants per Section 508.5 of the International Fire Code. Provide proper turn around at the end of 80<sup>th</sup> street. GIS: Add a leading zero to all single digit degree descriptions on the face of the plat to match what is shown in the legal description. Submit a subdivision control data form.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

#### **Waivers of Subdivision Regulations:**

1. None requested.

# **Special Conditions:**

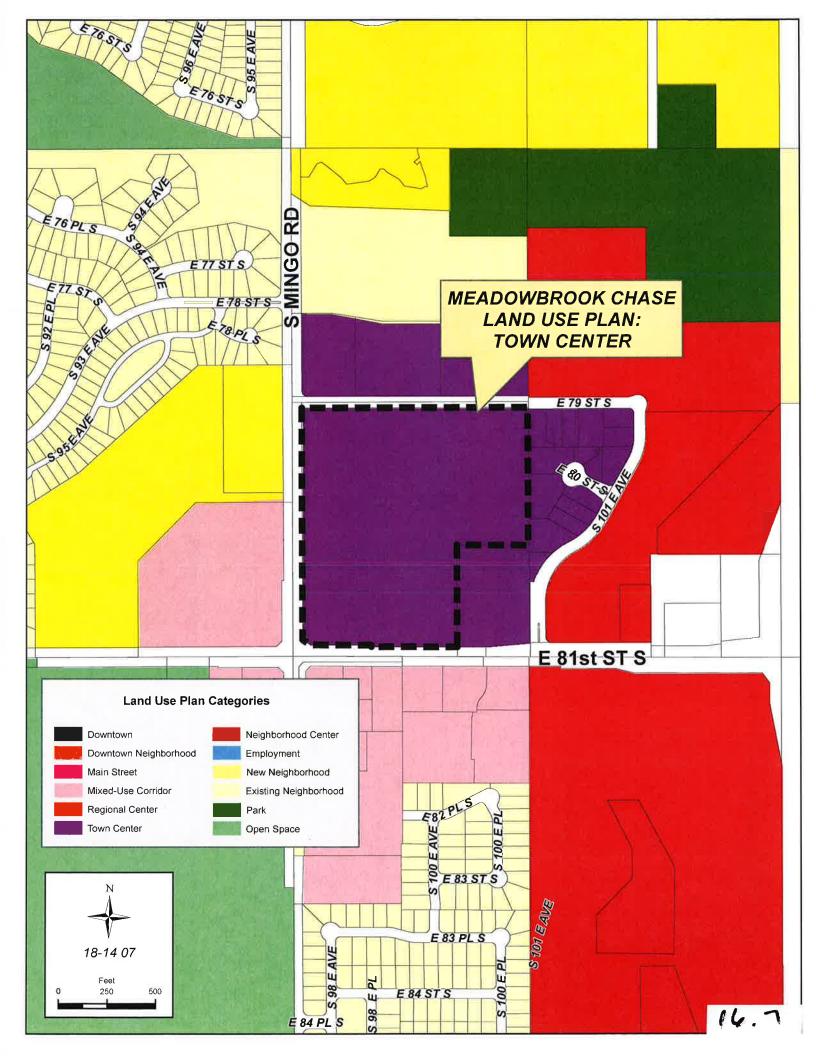
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

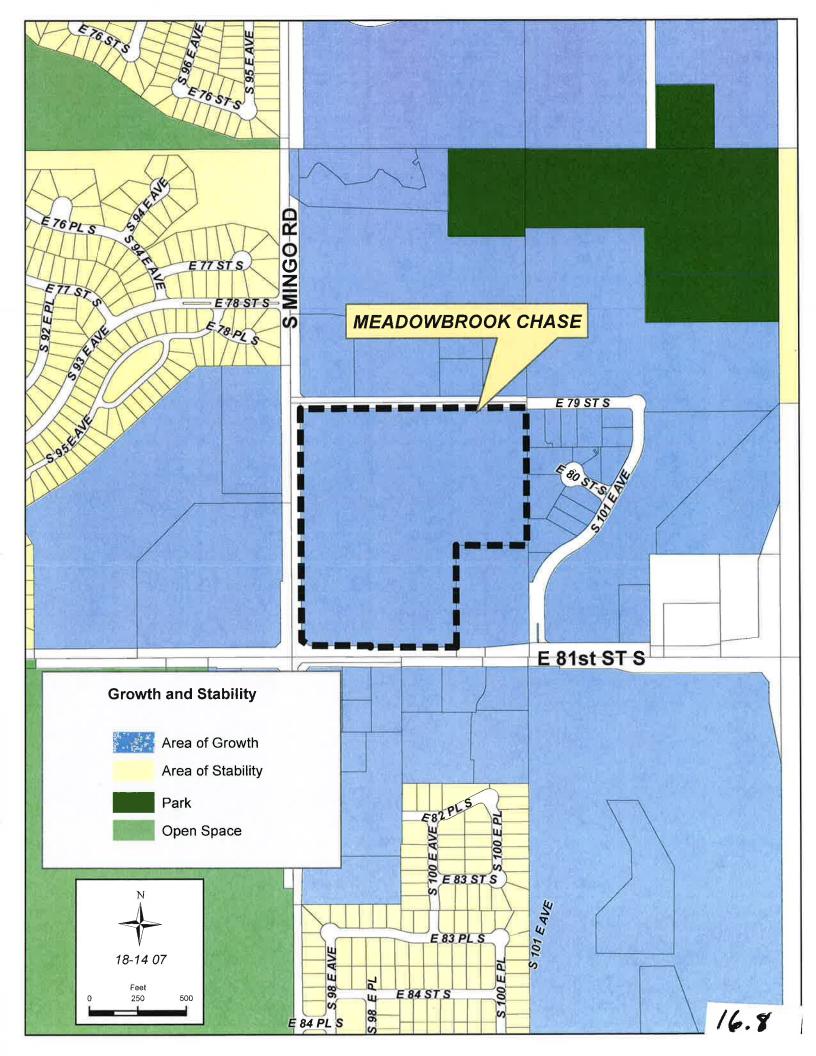
#### Standard Conditions:

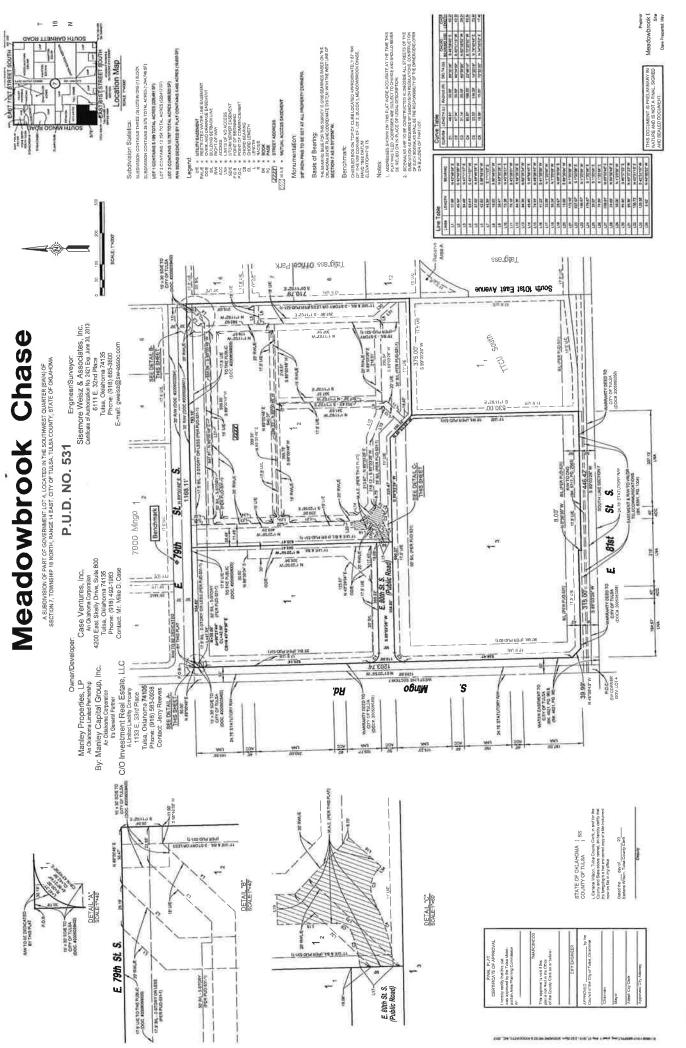
- Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- 2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
- 3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due

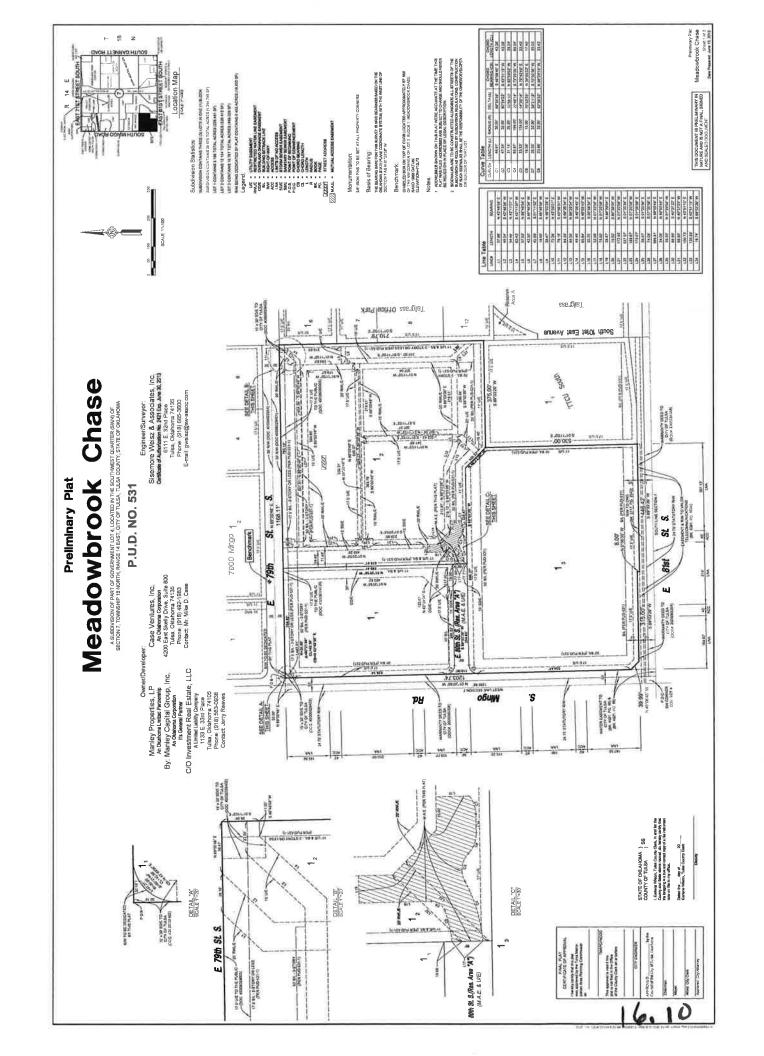
- to breaks and failures shall be borne by the owner(s) of the lot(s).
- 4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
- 5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
- 6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
- 7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
- 8. Street names shall be approved by the Public Works Department and shown on plat.
- 9. All curve data, including corner radii, shall be shown on final plat as applicable.
- 10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
- 11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
- 12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
- 13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
- 14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
- 15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
- 16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
- 17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
- 18. The key or location map shall be complete.
- 19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas

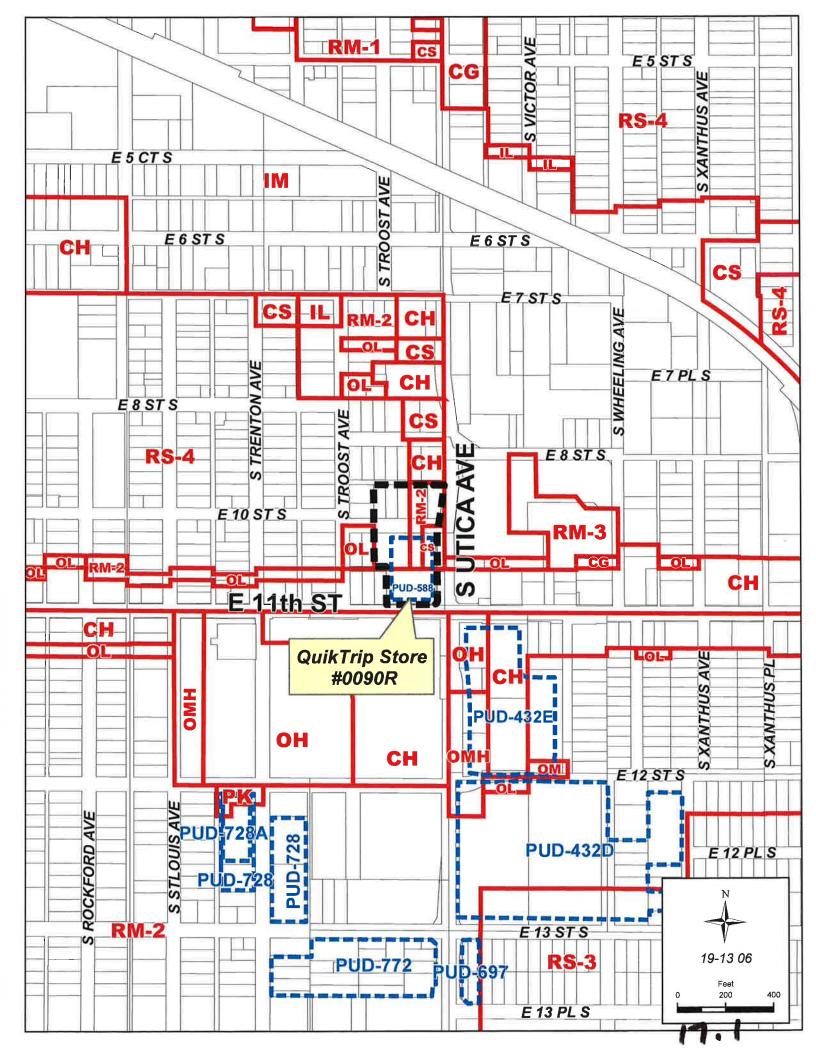
- wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
- 20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
- 21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

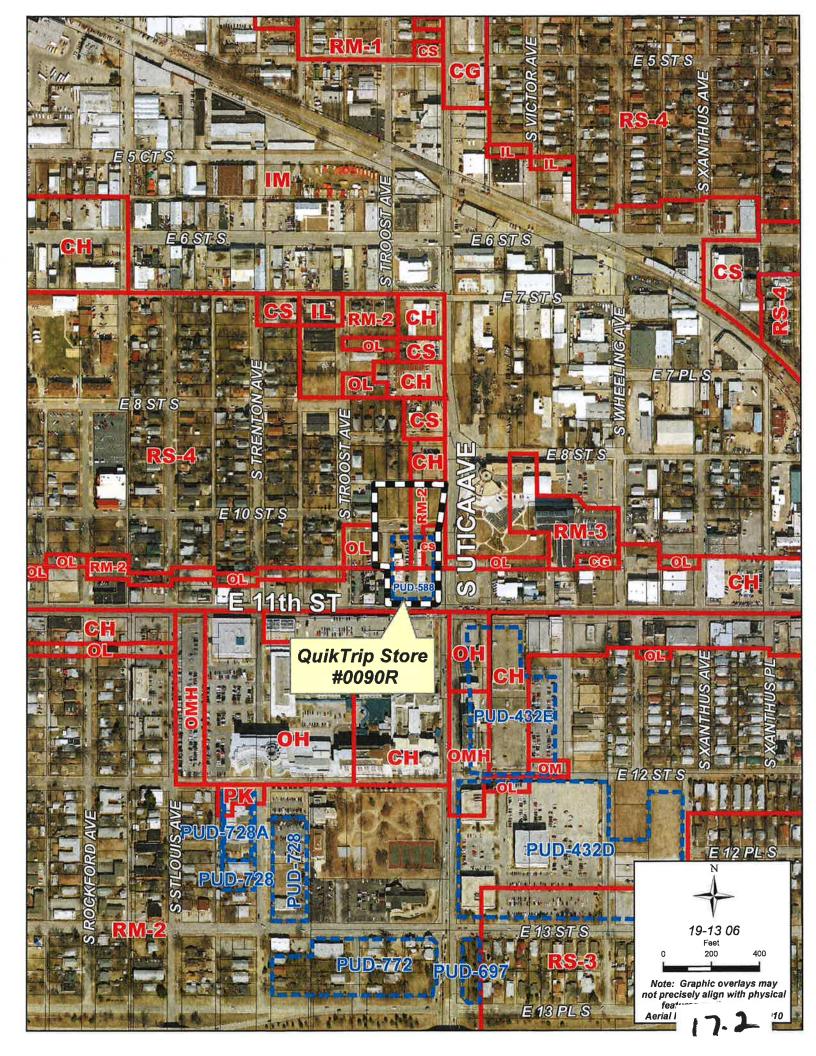












# PRELIMINARY SUBDIVISION PLAT

Quik Trip Store # 0090R -

Northwest corner of East 11<sup>th</sup> Street South and South Utica Avenue (9306) (CD 4)

This plat consists of 1 Lot, 1 Block, on 2.8 acres.

The following issues were discussed June 7, 2012, at the Technical Advisory Committee (TAC) meetings:

- 1. Zoning: The property is zoned Planned Unit Development 588 A. All PUD standards need to be shown in covenants. Access needs to be approved by traffic engineer for the City of Tulsa. Applicant will work with MTTA on bus shelter location and remodeling/construction.
- 2. Streets: Call out 2.5 foot right-of-way just south of property line on 11<sup>th</sup> Street. Reference is provided but the dimension is not called out. Provide reference for 20 foot alley and 15 foot alley.
- 3. Sewer: No comment.
- **4. Water:** The irrigation water service line cannot be allowed to be run inside the 17.5 foot utility easement. The service line should leave the meter then into the private property side towards the building.
- **5. Storm Drainage:** In Section I.H replace the word "Street" with "Public Storm Drainage System".
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: No comments. GIS: The plat needs to be tied from a section corner using bearings and distances from a labeled point of commencement to the labeled point of beginning. The basis of bearing should be clearly described and stated in degrees, minutes, and seconds. Submit a subdivision control data form.

Staff recommends APPROVAL of the preliminary subdivision plat with the

TAC recommendations and the special and standard conditions listed below.

# Waivers of Subdivision Regulations:

1. None requested.

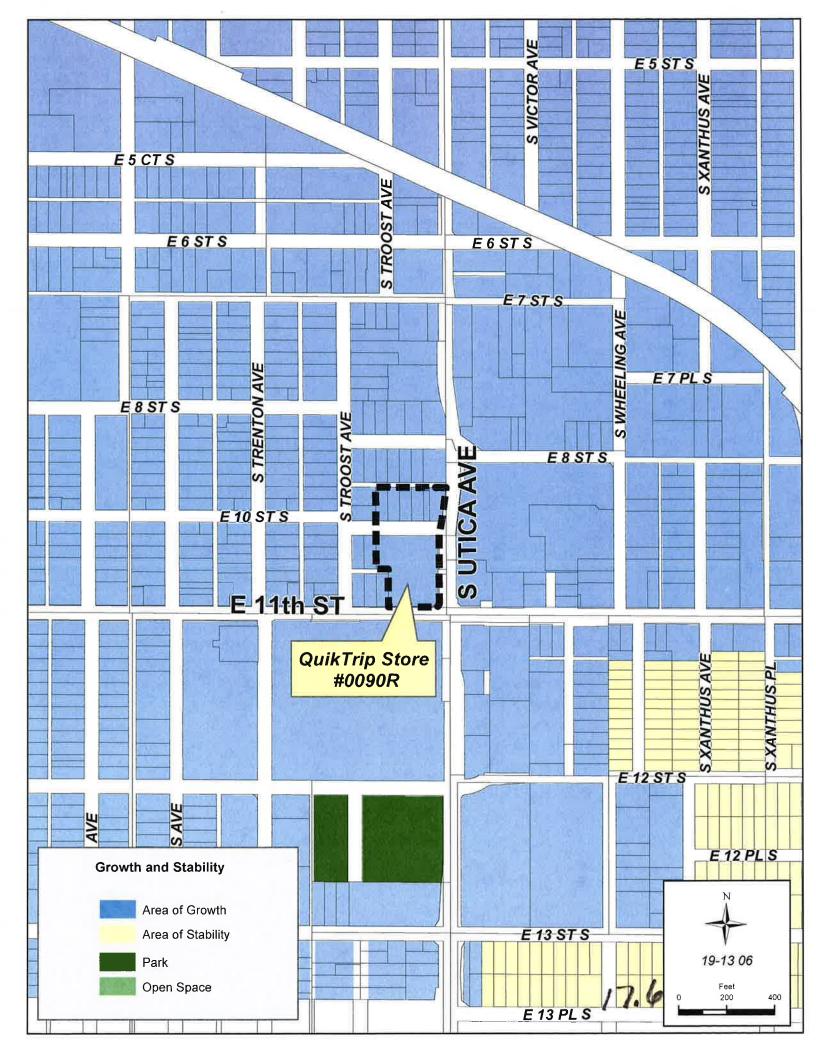
# **Special Conditions:**

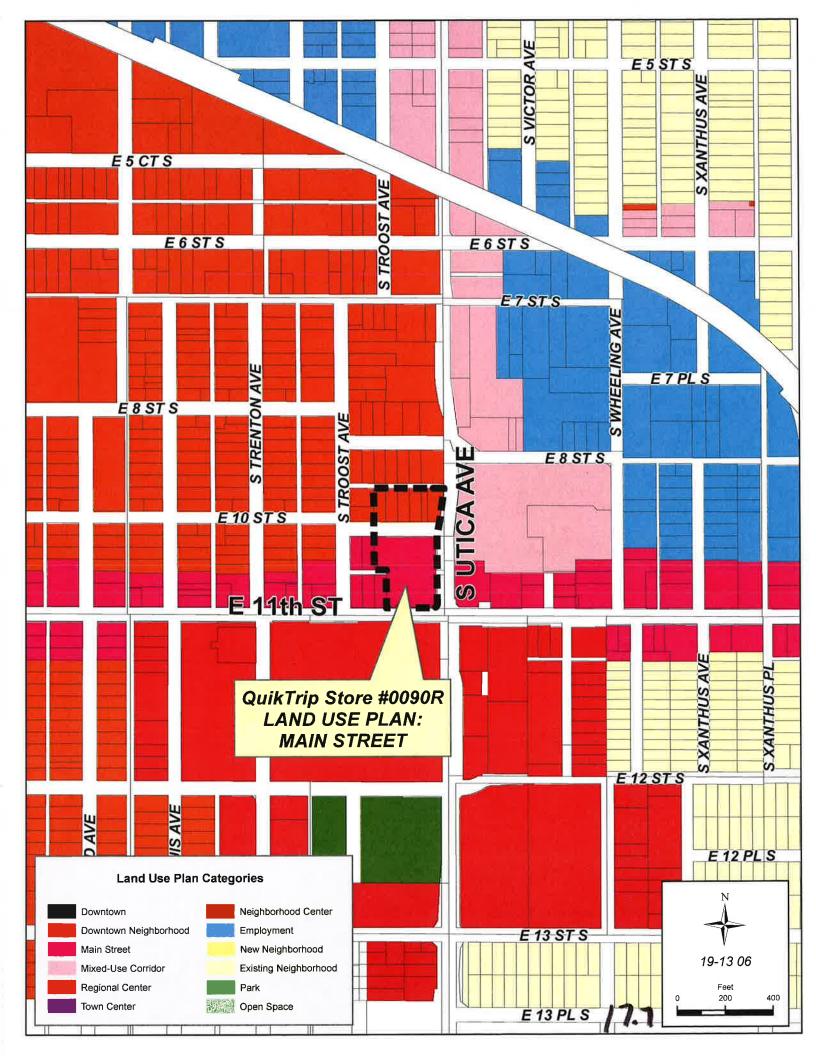
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

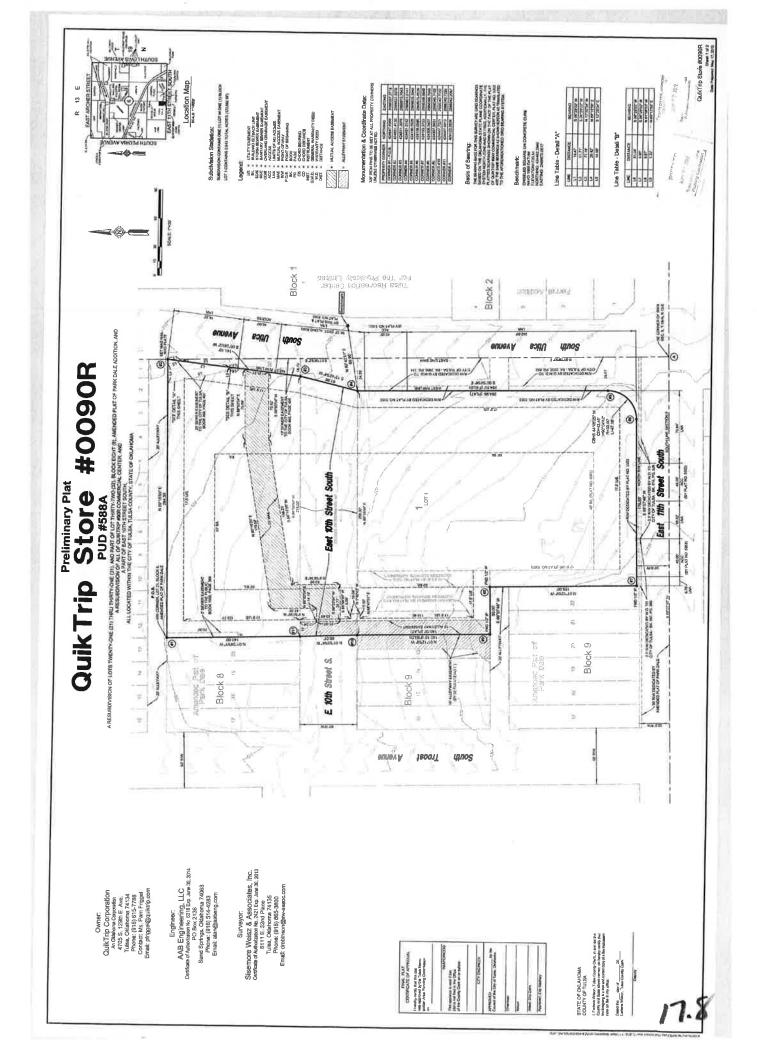
#### **Standard Conditions:**

- 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.







# **PLAT WAIVER**

# June 20, 2012

**PUD 680 A** – Southeast corner of East 22<sup>nd</sup> Place and South Utica Avenue (9318) (CD 4)

The platting requirement is being triggered by a major amendment to PUD 680 A.

Staff provides the following information from TAC for their June 7, 2012 meeting:

# **ZONING:**

TMAPC Staff: The property was platted as One Utica Place.

STREETS: Sidewalks required along all streets.

#### SEWER:

No comments.

#### WATER:

No comments.

#### STORMWATER:

• If this increases the amount of impervious area allowed on this site, then additional easements for the additional stormwater runoff collection and conveyance may be required.

#### FIRE:

No comments.

#### **UTILITIES:**

No comments.

Staff recommends **APPROVAL** of the plat waiver for the previously platted property.

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

1. Has Property previously been platted?

Yes NO

- Are there restrictive covenants contained in a previously filed X plat?
- 3. Is property adequately described by surrounding platted X properties or street right-of-way?

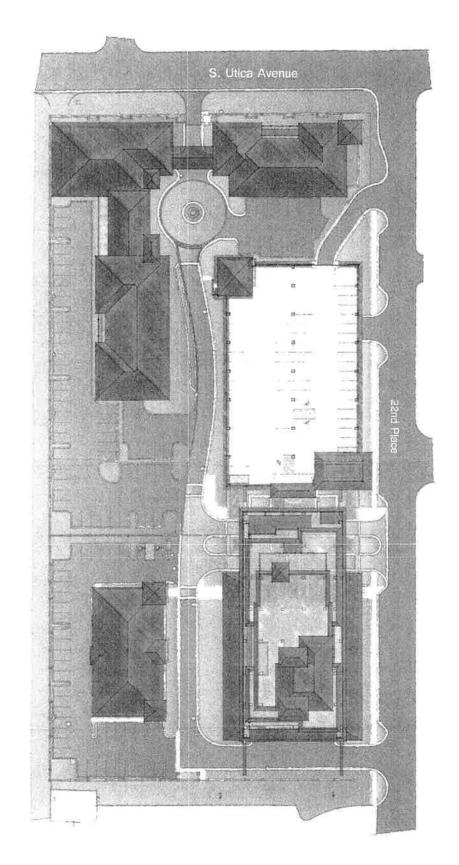
# A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

		YES	NO
4.	Is right-of-way dedication required to comply with Major Street and Highway Plan?	0	X
5.	Would restrictive covenants be required to be filed by separate instrument if the plat were waived?	X*	
6.	Infrastructure requirements:		
	a) Water		Χ
	i. Is a main line water extension required?		Χ
	ii. Is an internal system or fire line required?		Χ
	iii. Are additional easements required?		
	b) Sanitary Sewer		
	i. Is a main line extension required?		X
	ii. Is an internal system required?		X
	iii Are additional easements required?		Χ
	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?		Χ
7.	Floodplain		
	a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		Х
	b) Does the property contain a F.E.M.A. (Federal) Floodplain?		Χ
8.	Change of Access		
	a) Are revisions to existing access locations necessary?		X
9.	Is the property in a P.U.D.?	Χ	
	a) If yes, was plat recorded for the original P.U.D.	X	
10.	Is this a Major Amendment to a P.U.D.?	X	
	a) If yes, does the amendment make changes to the proposed		X
	physical development of the P.U.D.?		
11.	Are mutual access easements needed to assure adequate		Χ
	access to the site?		
12.	Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		Х

Note: If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

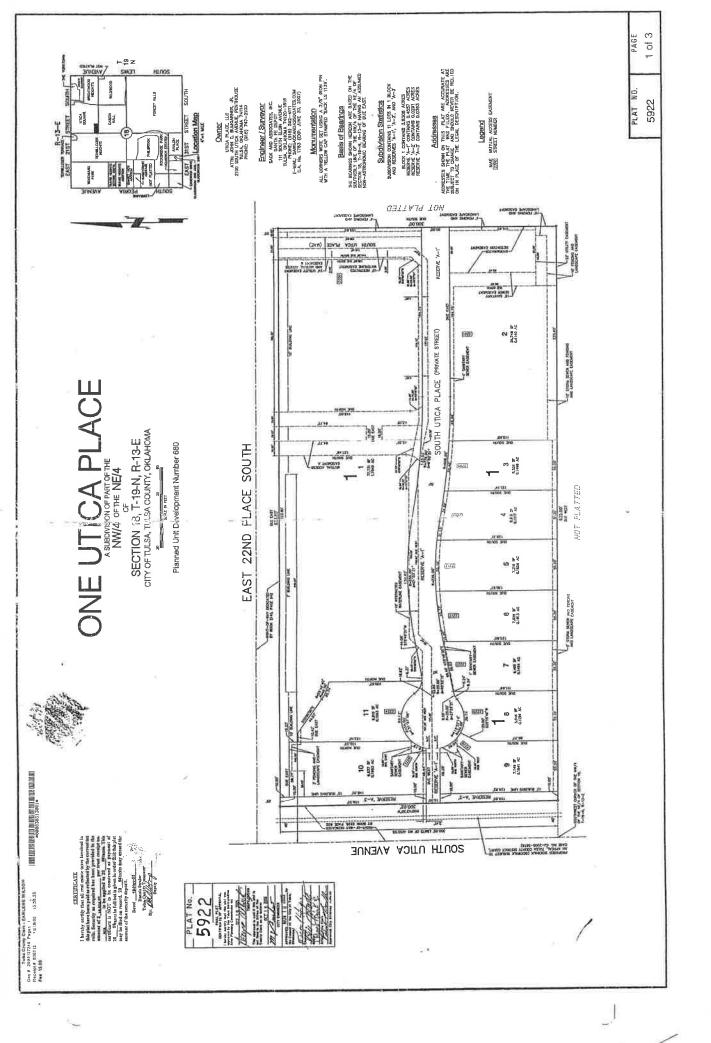
<sup>\*</sup>Amended covenants will be submitted for TMAPC approval and will be filed.

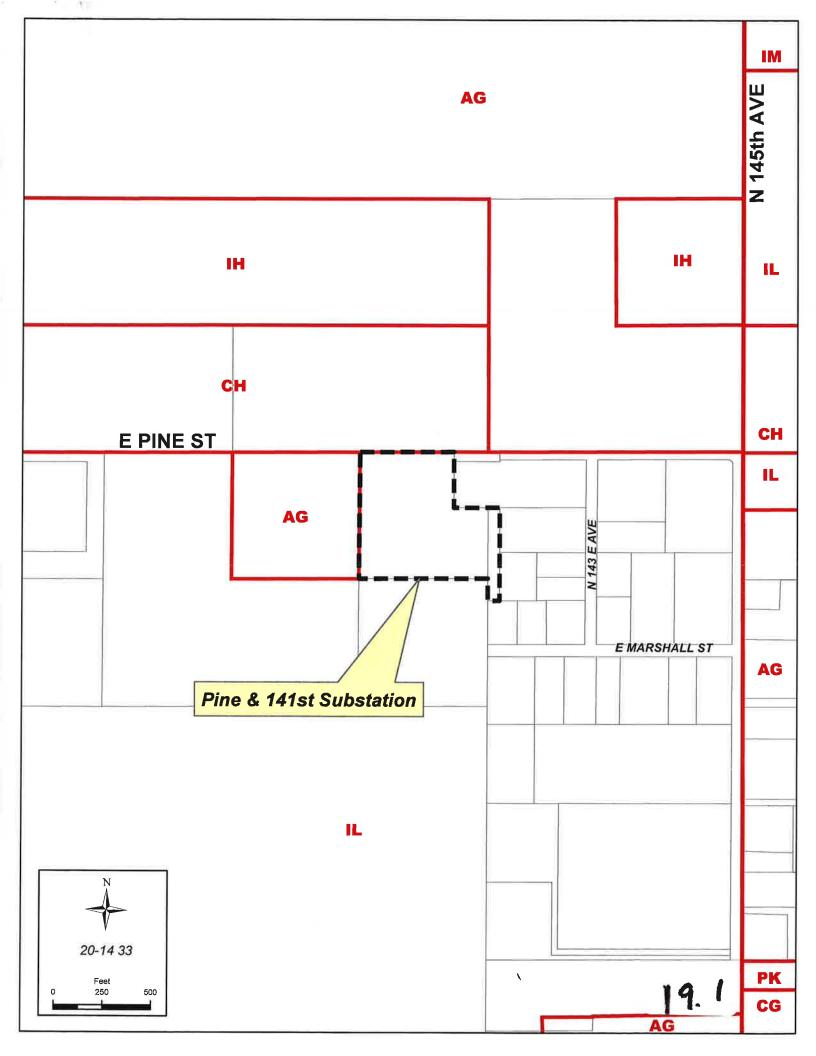
TULSA

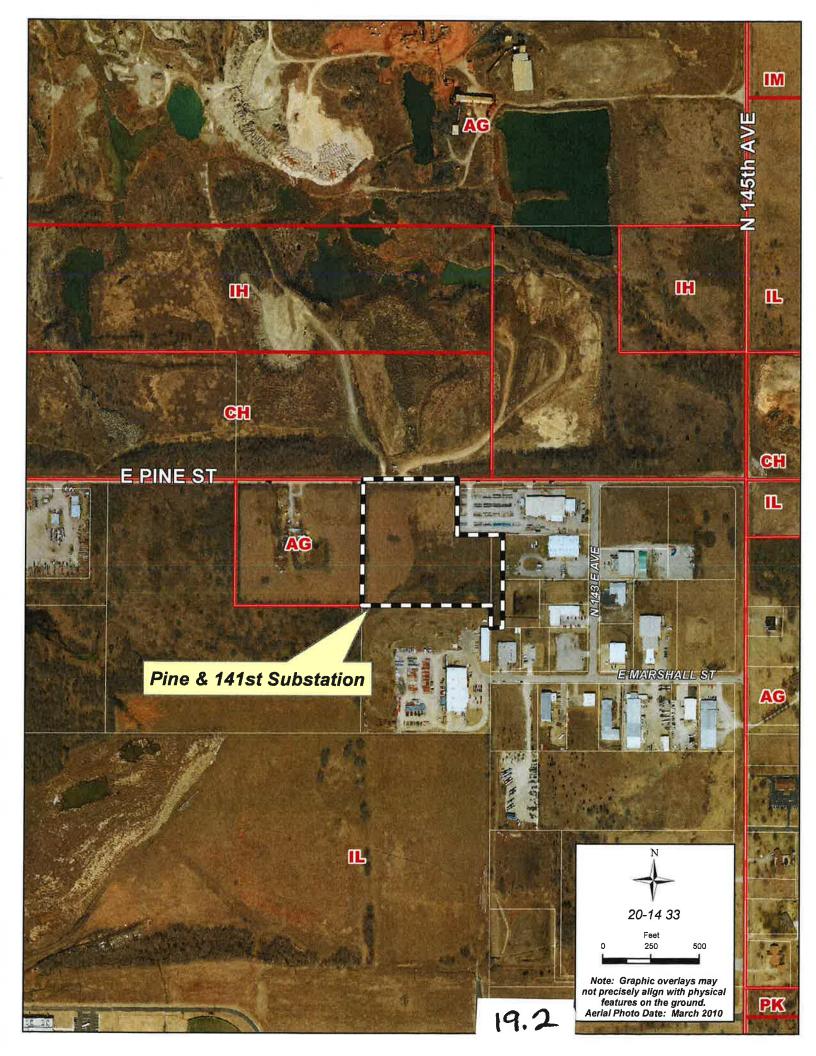


18.3

Ultica N Place







## MINOR SUBDIVISION PLAT

Pine & 141<sup>st</sup> Substation - (CD 3)

West of Southwest corner of East Pine Street and North 145<sup>th</sup> East Avenue (0433) (CD 3)

This plat consists of one lot, one block, on 9.52 acres.

The following issues were discussed May 17, 2012, at the Technical Advisory Committee (TAC) meetings:

- **1. Zoning:** The property is zoned IL (industrial light).
- 2. Streets: Show limits of no access along Pine Street. Include section on Limits of No Access. Modify section on sidewalks to reflect one lot, one block. Minimum driveway width required for each driveway is 24 feet.
- 3. Sewer: Identify what the existing 60-foot easement is for along the eastern boundary of the plat. If it is not for utility use, then you must provide an 11-foot utility easement where this plat shares a boundary line with Lots 2 & 7, Block 2, Airport Industrial Center. There is a "Section II" but no "Section I". Under Water, Sanitary Sewer, and Storm Sewer Service, paragraph 3, spell ordinary correctly. Also in this area, add a note requiring construction of a Sanitary Sewer Mainline Extension if the property is ever developed in a manner that requires water and sanitary sewer use. Under Paving and Landscaping Within Easements, use the standard language for this note. The City will have a right to do much more than just repair existing facilities within the easement, and we do not pay for encroachments into the easement for those activities either.
- **4. Water:** Remove the word "Restrictive" from paragraph 2 of "Water, Sanitary, and Storm Sewer Services Section".
- 5. Storm Drainage: The Eagle Creek Tulsa Regulatory Floodplain should be labeled as such. The Floodplain must be plotted onto the plat by using the Regulatory Water Surface Elevation Profiles from the Master Drainage Plan for this creek and utilizing the surveyed existing ground elevations. Boundary line for the Overland Drainage Easement must be labeled with the distances and bearings. The Stormwater Detention Easement must be shown and labeled on the Face of Plat, including the bearings and distances of all bounding lines. Add the City of Tulsa Standard Language for "Stormwater Detention Easements" and "Lot Surface Drainage".
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: Release letters from the utilities have been received.

7. Other: Fire: No comment

GIS: Add a section number label and a north arrow to the Location Map. Under the graphic scale bar on the face of the plat state the scale of the drawing. On the face of the plat show the actual corner for the point of commencement and show a label. Add leading zeros to descriptions. In the southeast corner of the plat correct legal and bearings. Clearly describe the Basis of Bearing. Submit a Subdivision Control Data Form. A 17.5-foot perimeter utility easement is needed along the west property line.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below. Releases have been received. A **sidewalk waiver request** needs to be decided by the planning commission.

# Waivers of Subdivision Regulations:

1. A waiver of the sidewalk requirement is requested to pay the "fee in lieu of" putting in the sidewalks as there are no sidewalks in the area at this time.

# **Special Conditions:**

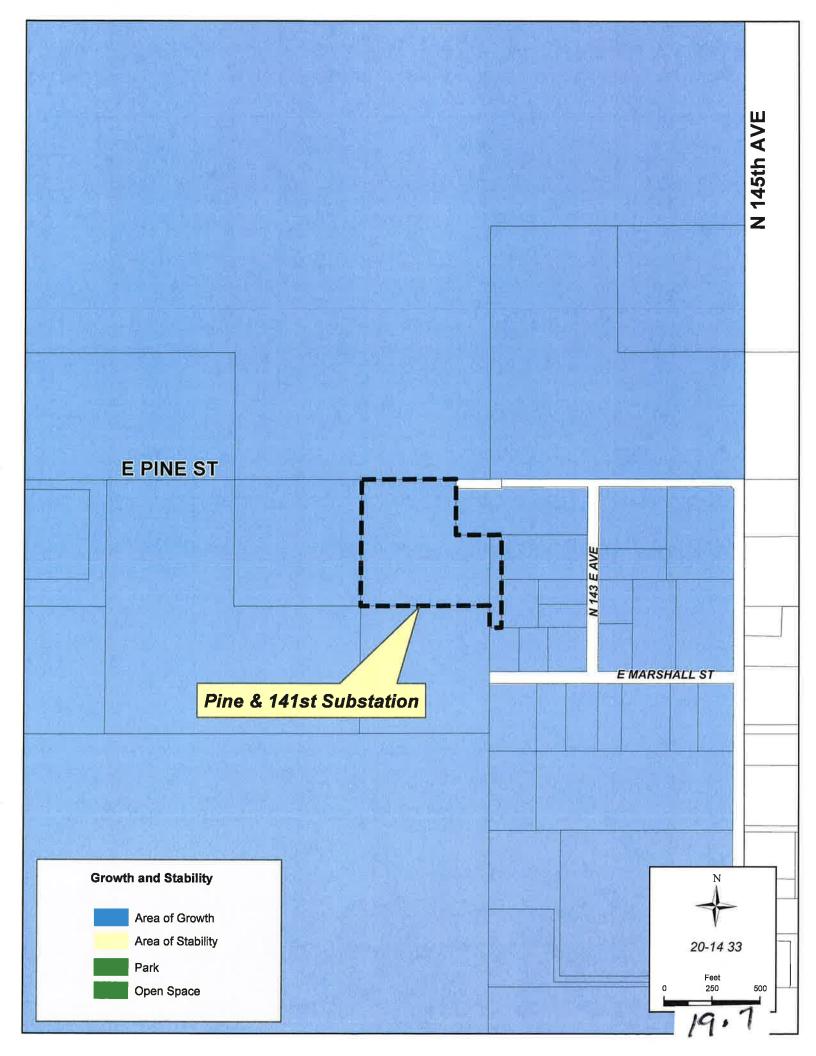
1. The concerns of the Public Works staff and Development Services staff must be taken care of to their satisfaction.

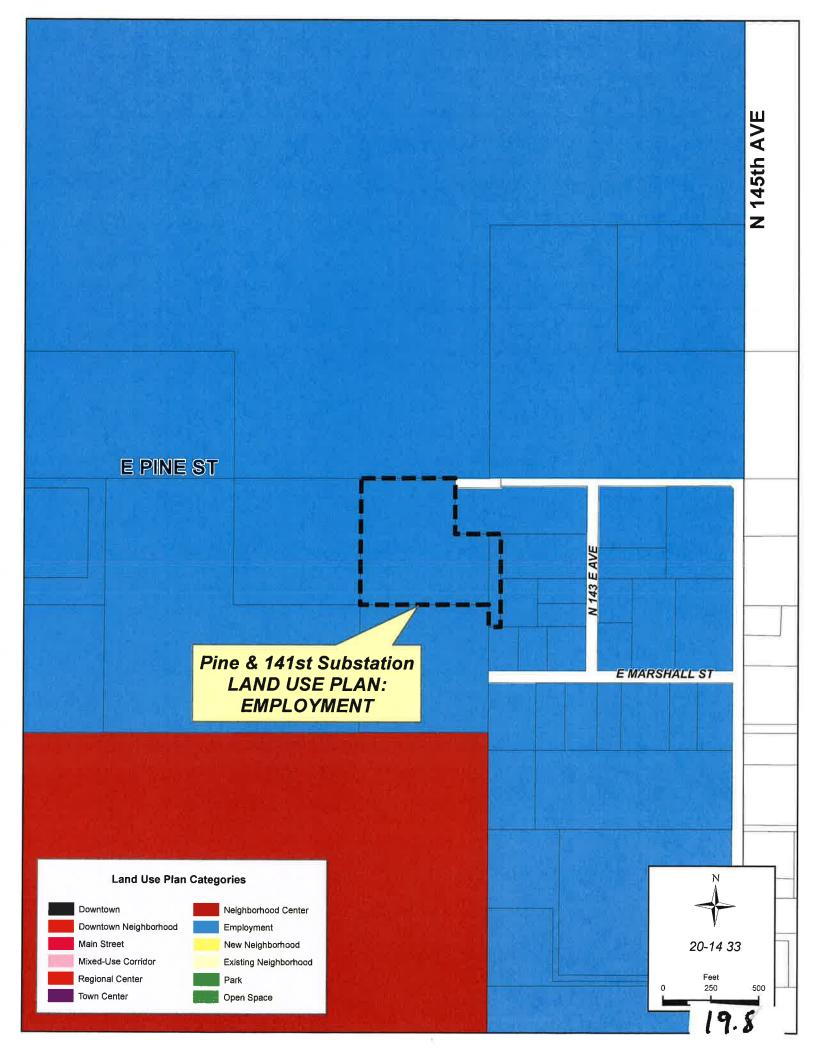
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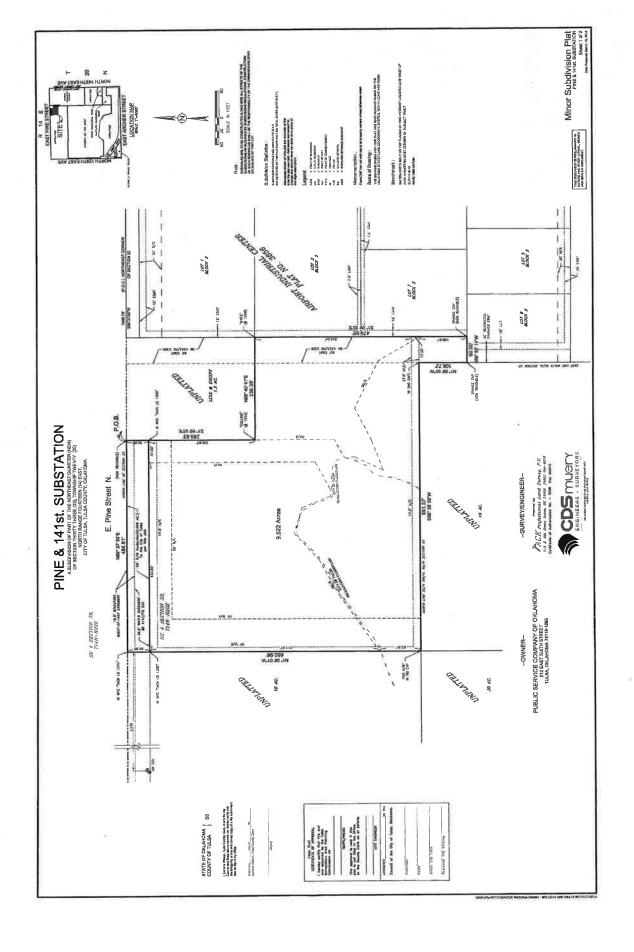
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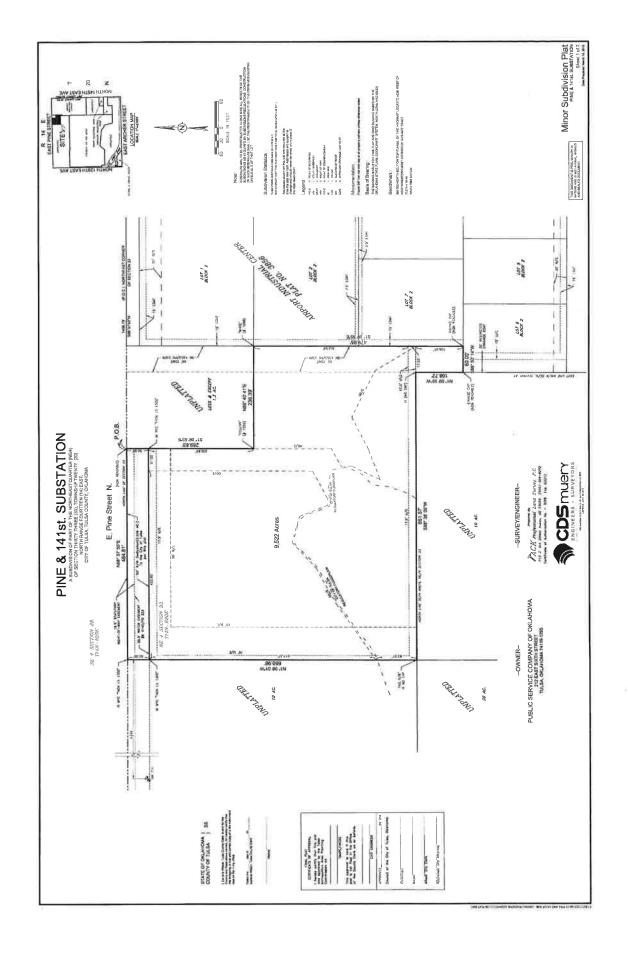
- Regulations). (Submit with drainage plans as directed.)
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May 29, 2012

Tulsa Metropolitan Area Planning Commission (TMAPC) Two West 2<sup>ind</sup> Street, Suite 800 Tulsa, OK 74103-4236

Pine and 141st Substation Subdivision Plat Sidewalk Waiver / Fee In Lieu OF Request

#### Gentlemen:

On behalf of Public Service Company of Oklahoma (PSO), I am requesting a waiver of sidewalk requirements and approval to pay a fee in lieu of sidewalk construction.

Currently, E. Pine Street between 129th E. Ave. and 145 E. Ave. is a narrow, un-curbed, twolane road with minimal existing development. There are no sidewalks along the length of Pine Street in the vicinity of the proposed PSO substation. Construction of new sidewalk along the arterial frontage of this subdivision (approximately 480') would not improve pedestrian accessibility in the area, because there would be no existing sidewalk to connect with at either end of the subdivision frontage.

Additionally, the substation will be unoccupied and generate no pedestrian traffic of its own. Most likely, there will be no sidewalks along other sections of E. Pine Street until the street is reconstructed according to the Major Street and Highway Plan, at which time the sidewalks that would be constructed with this subdivision would probably be replaced anyway. Paying a fee in lieu fund for sidewalks would be a better use of the monies that could be used for the construction of a sidewalk normally required for this development.

Please consider this waiver and approve our fee in lieu of request. Please do not hesitate to contact me if you have any concerns or questions.

Sincerely,

CDS Muer

Jason Hubbert, P.E.

Project Manager

JWH:lhg **Enclosures** 

