

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2097

Wednesday, January 22, 1997, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes, Chairman
Doherty, 1st Vice Chairman
Gray
Horner
Ledford
Lewis
Midget, Mayor's Designee
Pace

Members Absent

Westervelt

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, January 17, 1997 at 2:33 p.m., in the office of the County Clerk at 2:27 p.m., as well as in the Reception Area of the INCOG offices 2:42 p.m.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of January 8, 1997, Meeting No. 2095:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; Lewis "abstaining"; Ballard, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of January 8, 1997 Meeting No. 2095.

REPORTS:

Committee Reports:

Budget and Work Program Committee

Mr. Horner reminded the Commission the Budget and Work Program Committee will have a meeting today following the Planning Commission Meeting.

Comprehensive Plan Committee

Mr. Ledford stated the Comprehensive Plan Committee has two items, nos. 21 and 22, on today's agenda.

Rules and Regulations Committee

Mr. Doherty stated a letter of invitation to a City Council meeting on telecommunications was included in the agenda packet. He stated Budget and Work Program Committee may want to consider placing this item on the Budget and Work Program.

Mr. Doherty stated that Rules and Regulations Committee will also be meeting today to discuss outdoor advertising signs.

Director's Report:

Mr. Gardner stated information on the APA Conference was provided today and the Commissioners should notify staff as soon as possible if attending the conference.

SUBDIVISIONS:

Lot-Splits for Ratification of Prior Approval:

<u>L-18398 TEREX</u> (3292) 5400 South 49th West Avenue	(PD-9) (County)
<u>L-18401 Mary Connelly</u> (1893) 2134 East 27th Street	(PD-9) (CD-6)
<u>L-18402 Craig Dean Beaty</u> (1773) 2909 East 151st	(PD-21) (County)

Staff Comments:

Mr. Jones stated these lot-splits are in order and meet the Subdivision Regulations; therefore, staff recommends approval.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Midget, Westerveit "absent ") to **RATIFY** these Lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

Item 7 - Sketch Plat - The Village and Item 16 - PUD-378-A - Roy Johnsen were heard simultaneously.

Sketch Plat:

The Village (PUD-378-A) (2383) (PD-26) (CD-8)
West of the southwest corner of East 101st Street South and South Memorial Drive

TAC Comments:

Jones presented the sketch plat with Don East present.

The possible stub street to the south was discussed and Jones noted that the TMAPC will decide if one is required.

French again stated a concern regarding off-street parking close to the curve. In addition, the northwest intersection should be redesigned for a more 90° curve.

McGill stated that the emergency access to East 101st Street appeared to be adequate, assuming a minimum 14' width could be maintained and the surface paved with an approved surface by the fire department.

McCormick recommended the detention area be a Reserve and dedicated to the City.

The Village is a seven-acre residential subdivision plat which is part of PUD 378. Major amendment PUD 378-A requesting residential use has been applied for and will be heard by the TMAPC on January 22, 1997. An earlier version of the sketch plat was reviewed by the TAC on November 21, 1996 under the name of East Development.

Because of the very basic submittal for the sketch plat, staff is not recommending approval, rather using this drawing to provide input.

1. Final entry gate design shall be reviewed and approved by Traffic Engineering.
2. Emergency access and design shall be approved by the City of Tulsa, Office of the Fire Marshal.
3. All conditions of PUD-378-A shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.

4. 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.
5. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
6. 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).
7. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
8. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
10. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
17. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
18. 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.
19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.

21. 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.)

22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)

23. This plat has been referred to Bixby, Jenks and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.

24. 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.)

25. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.

26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Pierce, the Technical Advisory Committee voted unanimously to recommend Approval of the Sketch Plat of The Village, subject to all conditions listed above.

Jones pointed out that the Sketch Plat would be transmitted to the TMAPC for review at the same time as the amendment to the PUD.

Application No.: PUD-378-A

(PD-26) (CD-8)

Applicant: Roy D. Johnsen

Location: West of southwest corner East 101st Street and South Memorial Drive

Presented to TMAPC: Roy D. Johnsen

Staff Recommendation:

The applicant is proposing to change the uses permitted in Development Areas B and C of PUD-378. Currently, Area B is approved for up to a seven-story office building of up to 79,200 SF in floor area. Area C was approved as a 75' wide greenbelt/detention facility area on the west boundary of the PUD.

The new proposal is to develop up to 33 single-family dwellings on the seven acres contained within Areas B and C. These dwellings would be on at least 6,000 SF lots with zero lot-line style development on private streets with a gated entry.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-378A to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD-378A subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

Land Area (Gross)	7.016 acres
(Net)	6.482 acres
Permitted Uses:	Use Unit 6 uses (single-family dwellings) and customary accessory uses
Maximum Dwelling Units	33
Minimum Lot Area	6,000 SF
Minimum Lot Width	55'

Minimum Required Yards**

Abutting the east, west and south boundaries	17.5'
From centerline of 101st Street South	85'
Other front yards or yards abutting a private street, except the following:	30'*
Garage setback from centerline (excepting side entry garage)	35'*
Lots 2 and 6, Block 1 and Lots 1 and 7, Block 2	25'*
Lots 1 and 26, Block 1	22.5'

(For the purposes of determining the above required yards, areas depicted as private drives and emergency access shall not be considered as part of the private street system.)

Other rear yards:

Lots 5 - 7, Block 2; Lots 1-3, Block 1	0'
Lots 1,2,3 and 4, Block 2	15'

Other side yards:

Lots 1 and 26, Block 1	
zero side lot line	0'
other side lot line	5'
Lots 5 through 11, Block 1	
Two zero side lot lines designated	0'
Other Lots	
zero side lot line	0'
other side yard	12'

Minimum Building Separation

7'

Other Bulk and Area Requirements

As provided within an
RS-4 district

Signs shall comply with the provisions of the RS-4 district

*Measured from the centerline of the private street

3.** Prior to the issuance of the building permit for each lot, the building plans shall be submitted to the Tulsa Metropolitan Area Planning Commission for staff determination of conformity with the development standards, conceptual site plan and platted building envelope.

4. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

5. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.

6. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas, streets, gates, fences, and other commonly owned facilities, including any stormwater detention areas within the PUD.

7. All private roadways shall be a minimum of 26' in width, measured face-to-face of curb. Minimum private street right-of-ways width is 30'. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meet the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent.

8.** No Building Permit shall be issued until the requirements of Section 1170F of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants. The subdivision plat shall depict for each lot a building envelope (including specific designation of zero lot lines) designed in accordance with the siting concepts of the submitted site plan and the yard and setback requirements hereinafter set forth.

9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

** Incorporates modifications made by staff at the TMAPC meeting.

Staff Comments:

Mr. Jones noted an item of concern that occurred during the platting of the subdivision. TAC indicated a 20-acre parcel of land to the south could be land-locked. He feels if the stub street on 104th Street would access this 20 acres, it would eliminate the possible land-lock.

Applicant's Comments:

Roy Johnsen, 201 West 5th, Suite 440, distributed an Amended Development Standards for PUD-378-A - The Village. Mr. Johnsen stated the seven acre tract was a part of the larger tract that included Skaggs/Albertson complex. He stated the seven acres was originally approved for office use of 7900 square feet of floor area and a potential seven-story building. This included a greenbelt area for detention along the west boundary of the acreage for 75 feet in width.

Mr. Johnsen stated this seven acres was on the market and his client, Mr. East, investigated the zoning and uses allowed on the property. Mr. East feels this land would be good for transitional use between the major commercial complex at the intersection of 101st and Memorial and the single-family subdivision, Bridle Trails Estates, to the west.

Mr. Johnsen stated he checked with staff and staff confirmed that this would be good for a transitional type of development or a gated community. The proposal is for single-family, detached with a zero lot-line concept, private streets and gate. In pursuing this project, Mr. Johnsen feels it is difficult to implement the zero lot-line concept. He stated there have been several meetings with staff and a meeting with Bridle Trails Homeowners Association. He feels some of the Bridle Trails Homeowners Association's concerns have been addressed.

Mr. Johnsen stated the Association expressed concern over the drainage in the area and what type of use is proposed. He feels the Association is please with the single-family proposal. He stated the single-family homeowners abutting the west boundary raised the question of whether there will be a fence along the west boundary. Mr. Johnsen reminded the Commission that a fence is not required to screen single-family from single-family. However, Mr. East agreed to construct a fence along the west boundary.

In regards to drainage, Mr. Johnsen stated drainage is a difficult issue in this area. He stated the southwest corner of the proposed development is designated for a detention area. He stated preliminary review with the City Hydrology Department and engineers have studied the area and made the calculations necessary to contain the stormwater detention requirements that will be applicable to the proposed development. Mr. Johnsen stated some of the water will access 101st Street, but the south portion of the tract will drain to the south to the detention area. He stated the proposed development will meet the requirements of Stormwater Management.

Mr. Johnsen stated there have been several meetings with Traffic Engineering to review the layout and design of the gate access. He stated the plans have been designed to the standards of Traffic Engineering and Fire Marshal in regard to stacking space and turn around radius, as well as, the second point of access which is towards the east portion of

the tract. He feels if 101st Street is constructed to four lanes with a turning lane in the middle, there will still be unused right-of-way that should be considered during review of the stacking space.

Mr. Johnsen feels a stub street to the 20 acres, mentioned by Mr. Jones, is not appropriate in this situation. A stub street is not shown on the Major Street Plan as a collector system at this location and there are not any stub streets into the proposed development. He feels the property to the south has substantial frontage on Memorial and there is a stub street out of Bridle Trails farther south of the tract if east/west movement is needed. He feels the proposed development is an in-between tract and does not need the continuation of a public street to the south.

Mr. Johnsen presented the Amended Development Standards with smaller lots and zero lot-lines. He suggested the following items be incorporated as proposed development standards and additional development standards to this application.

Building Siting Review and Requirements

In order to effectively implement the zero-lot line concept and the predetermined open space relationship between adjoining lots, the following review procedures and requirements shall apply.

Subdivision Plat

The subdivision plat shall depict for each lot a building envelope (including specific designation of zero lot lines) designed in accordance with the siting concepts of the submitted site plan and the yard and setback requirements hereinafter set forth.

Building Plan Review

Prior to the issuance of the building permit for each lot, the building plans shall be submitted to the Tulsa Metropolitan Area Planning Commission for staff determination of conformity with the development standards, conceptual site plan and platted building envelope.

Required Yards and Setbacks

*Front yard/Private Street Setback

Garage opening setback from centerline
of private street (excepting side-entry garage) 35 feet

Other building wall setback from centerline
of private street

Lots 2 and 6, Block 1 and

Lots 1 and 7, Block 2 25 feet

Other lots

(excepting zero side lot line,
Lots 1 and 26, Block 1) 30 feet

* (For the purposes of determining the above setbacks, areas depicted as private drives and emergency access shall not be considered as part of the private street.)

Rear Yard

From West, South and East boundaries	17.5 feet
From 101st Street to centerline	85 feet
Designated zero rear lot line (Lots 5, 6, and 7, Block 2)	0 feet

Side Yards

Lots 1 and 26, Block 1	
zero side lot line	0 feet
other side lot line	5 feet
Other Lots	
One zero side lot line designated	
zero side lot line	0 feet
other side yard	12 feet
Two zero side lot lines designated (Lots 5 through 11, Block 1)	0 feet

<u>Minimum Separation Between Dwellings</u>	7 feet
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Mr. Johnsen noted two housekeeping matters. Item 3 of staff recommendation should be substituted with the first three paragraphs of his proposed amended development standards. Also the staff recommendation for "Minimum Required Yard" should be substituted with "Required Yards and Setbacks" of his proposed amended development standards.

In summary, Mr. Johnsen feels the standards have been met and exceeded in some areas.

Interested Parties Comments:

Alyne Eiland, 7515 East 106th Street, stated she met with Roy Johnsen, Don East and Dwain Wilkerson to discuss the proposed development. However, she is not aware or sure of the revised standards at this time.

Ms. Eiland expressed concerns with traffic, drainage, flooding and erosion control in the area. She stated she is aware of the proposed detention area in the southwest corner but expressed mixed emotions due to being told during the Albertsons development is not an appropriate way to manage stormwater runoff. She feels the neighborhood is open to discussion on the drainage issue, however, if the City feels this is an appropriate solution to the drainage issue; the neighborhood will stand behind it.

Ms. Eiland stated she has discussed the proposed detention area with the builders and Paul Zachary, Public Works Department, and asked that special attention be paid to the drainage and flooding problems in the area.

In regards to the gated entry, Ms. Eiland has been assured there is adequate room for a school to access the entry. She stated she contacted Jenks Public Schools and obtain a copy of their requirements are for school bus routes and school bus accessibility. She provided a copy of the requirements to the Planning Commission. She pointed out the requirement for a curb-turning radius of 40.8 feet and a bumper-to-bumper turning radius of 44.9 feet inside of a wall. She stated the plat indicates a 45-foot entrance. But she urged the Commission to allow for adequate space for safe turnaround of a school bus be considered for safety concerns.

Ms. Eiland stated the neighborhood is appreciative of the privacy fence. In regards to the height, the abutting neighbors requested a fence as tall as the City code will allow for privacy purposes.

Ms. Eiland stated, as indicated by Mr. Johnsen, part of the water flow, approximately one-third, will flow to the detention area. The other two-thirds will flow to a drainage ditch that is currently eroding from when the Albertsons site was built. Paul Zachary has addressed the concerns in that the drainage ditch will need to be rebuilt when The Village is designed. She questioned as to how much water the ditch is designed to hold.

Jane Allingham, 10142 South 77th East Avenue, stated she lives in Bridle Trails and a little creek flows through her yard. She expressed concern over the impact the stormwater runoff and drainage to her property, as well as others.

Applicant's Rebuttal:

Mr. Johnsen stated that the developer will provide a six-foot privacy fence. He feels Mr. Doherty makes a very good point opposing a taller fence. He expressed doubt about an eight-foot fence; however, his client would provide if so directed by the Commission.

TMAPC Comments:

Mr. Doherty stated the right-of-way for 101st Street allows the street to be developed as a four-lane street and it appears the gate of this private community would be very close to the southernmost lane. Mr. Jones stated that TAC discussed the gate and the possibility of a four-lane street. Mr. Jones reminded the Commissioners if they elect to approve this sketch plat it should be subject to approval of final design of the gated access by Traffic Engineering.

Mr. Doherty questioned whether approval by Traffic Engineering would be enough to ensure stacking distance and making the access work. Mr. Jones replied this has been the past practice as a PUD condition.

Mr. Doherty asked Ms. Eiland the height of the requested fence. Ms. Eiland replied the abutting property owners have requested a ten-foot fence. Mr. Doherty asked whether the abutting property owners realize what a ten-foot fence will look like. Ms. Eiland replied the abutting property owners are looking for privacy from the development.

Mr. Doherty stated the Commission has constraints when it comes to drainage due to having only one hydrologist on the Commission and the Commission is not prepared to discuss drainage. Mr. Doherty asked whether the drainage issues could be resolved by Stormwater Management since they are the experts. Ms. Eiland replied the neighborhood understands and the reason for the neighborhood's presence today is to express these concerns and make them known for the record.

Chairman Carnes and Mr. Doherty stated that provisions would be made for turnaround for school buses, whether it be at the entrance or throughout the subdivision. Ms. Eiland stated she asked the Jenks' Transportation Department whether the bus would circulate through the subdivision. She stated Jenks officials replied they would prefer the turnaround at the front of the subdivision.

Commissioner Harris stated with two-story buildings and a slope in the elevation, a ten-foot high fence would not provide privacy to abutting property owners. He questioned whether any consideration has been given to the possibility of wind damage to a taller fence.

Ms. Pace commented that private communities should consider requirements and guidelines of the Public School System in regards to school buses and feels a requirement for turning radius should be included as a condition of the PUD.

Mr. Ledford feels the school bus will have to circulate through the subdivision and feels the plan has allowed ample access for the school bus.

Ms. Pace feels accessibility of buses and bus routes should be considered.

Mr. Doherty feel the issue on the bus accessibility should not be addressed during the sketch plat stage. Therefore, he is prepared to make a motion.

Mr. Stump clarified the items to be substituted on the staff recommendation by Mr. Johnsen's amended development standards. Mr. Doherty asked whether Mr. Johnsen was in agreement with the changes to the staff recommendation. Mr. Johnsen replied in the affirmative and the noted the changes do not affect the west boundary.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent ") to **APPROVE** the Sketch Plat for The Village, subject to the conditions as recommended by TAC and City Council approval of PUD-378-A.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Midget, Pace "aye"; no "nays"; none "abstaining"; Westervelt "absent ") to recommend **APPROVAL** of Major Amendment PUD-378-A to permit single-family dwellings as recommended in the modified staff recommendation, noting a six-foot privacy fence is to be constructed on the west boundary, and the interested parties' concern with sensitivity of drainage and school bus access.

Legal Description for PUD-378-A:

A tract of land that is part of the N/2, NE/4, NE/4 of Section 26, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma according to the U. S. Government survey thereof, said tract of land being more particularly described as follows: Commencing at the Northeast corner of Section 26, T-18-N, R-13-E, of the IBM, Tulsa County, State of Oklahoma; thence S 89°51'51" W along the North line of the NE/4 of Section 26 a distance of 857.12' to the Northwest corner of Memorial Crossing an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the official Plat thereof, being the Point of Beginning; thence S 00°01'53" W along the West line of Memorial Crossing a distance of 660.19' to the Southwest corner of Memorial Crossing also being on the South line of the N/2, NE/4, NE/4 of Section 26; thence S 89°51'25" W along the South line of the N/2, NE/4, NE/4 of Section 26 a distance of 462.69' to the Southwest corner of the N/2, NE/4, NE/4 of Section 26; thence N 00°01'50" E along the West line of the N/2, NE/4, NE/4 of Section 26 a distance of 660.25' to the Northwest corner of the N/2, NE/4, NE/4 of Section 26 ; thence N 89°51'51" E along the North line of the NE/4 of Section 26 a distance of 462.70' to the POB, and located west of the southwest corner of East 101st Street South and South Memorial Drive, Tulsa, Oklahoma.

Preliminary Plat:

Castle Oaks (PUD-554) (2383) (PD-26) (CD-8)
West of the northwest corner of East 101st Street South and South Memorial Drive
(City Council has not acted on this PUD.)

Mr. Ledford left the dais and indicated he would be abstaining on this item.

Staff Comments:

Mr. Jones informed the Commission the City Council continued PUD-554 at their meeting. Therefore, the City Council has not acted upon this case. He feels it is the Commission's decision as to whether they want to hear the Preliminary Plat for Castle Oaks at this time.

Mr. Doherty questioned whether the Commission could hear the preliminary plat and make the motion subject to City Council approval of the PUD. Mr. Jones replied in the affirmative.

Mr. Boyle asked whether staff and the applicant are in agreement with this condition. Mr. Jones replied he feels they are in agreement and reminded the Commission the major issue was the street along the north to be built, constructed and maintained at the current City standards.

TAC Comments:

Jones presented the plat with Jerry Ledford, Jr. present.

After discussion, Jones and French recommended that the northern access point to Memorial be constructed to City of Tulsa specifications due to the amount of potential traffic.

McCormick noted that fees in lieu of detention would be required and noted that the Bridle Trails Detention Facility was only designed to accommodate the 10-year flood.

Somdecerff pointed out that the legal description does not match the plat. Also, East 101st Street South should be mentioned as dedicated in the deed of dedication.

French suggested a 90° break in the north/south private street.

Miller stated that existing utilities are in the private street connecting to Memorial.

Pierce recommended that overhead pole language be included along the north side of the development.

French recommended the design of the gated entry be reviewed and approved by Traffic Engineering.

Castle Oaks is a residential single-family subdivision plat that contains 108 lots and 30.89 acres. The development proposes private street and a second point of ingress and egress through a mutual access easement to South Memorial Drive. The companion PUD will also be heard at the December 18th TMAPC meeting.

Staff would offer the following comments and/or recommendations:

1. Identify right-of-way for East 101st Street South as "Right-of-Way" dedicated by this plat," or with appropriate book/page information.
2. Remove ownership information from abutting properties.
3. Label streets as "Private Street and Utility Easement".

4. Show addresses and disclaimer on face of plat.
5. Mutual access easement to Memorial must be filed of record prior to release of final plat.
6. All conditions of PUD-554 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
7. 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.
8. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
9. 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).
10. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
11. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
12. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
13. Street names shall be approved by the Department of Public Works and shown on plat.
14. All curve data, including corner radii, shall be shown on final plat as applicable.
15. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
16. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
17. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
18. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
19. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

20. 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.

21. All lots, streets, building lines, easements, etc. shall be completely dimensioned.

22. The key or location map shall be complete.

23. 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.)

24. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)

25. The zoning application Z-6579 shall be approved and the ordinance or resolution therefore published before final plat is released. (Plat shall conform to the applicable zoning approved.)

26. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.

27. 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.)

28. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.

29. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of French, the Technical Advisory Committee voted unanimously to recommend Approval of the preliminary plat of Castle Oaks, subject to all conditions and recommendations listed above.

Jones noted that these comments would be used for the PUD 554 review.

Applicant's Comments:

Jerry Ledford, Jr., Tulsa Engineering, stated he is representing the applicant on the project. He is in agreement with staff recommendation in regard to the technical advisory review of the plat. However, the issue of East 98th Street is still a concern.

Mr. Ledford, Jr. stated he has spoke with Jon Eshelman, Traffic Engineering, and based on these conversations, Mr. Ledford, Jr. provided boring test results for Traffic Engineering. At this time, an agreement has not be finalized on 98th Street in regards to what the street should be or how it should be constructed or improved. He reminded the Commission of the caveat on the minor amendment to the PUD.

Mr. Ledford, Jr. stated there has not been a precedent in the past to require the developer to upgrade an existing street. He feels the upgrade for 98th Street is not a condition imposed by Traffic Engineering on the preliminary plat. However, Traffic Engineering would not object to new curbs and gutters. He feels the upgrade of 98th Street should be reconsidered when he and Mr. Eshelman reach an agreement.

Interested Parties Comments:

Alyne Eiland, 7515 East 106th Street, expressed concerns with traffic, drainage, flooding and erosion control in the area as she did with the previous case, The Village, due to both developments being located within the same area.

Ms. Eiland stated comments of concern were expressed in regard to the private streets. There are only a few 22-foot streets within the development. Concerns were expressed in regard to emergency vehicle access within the development due to the width of the streets.

Ms. Eiland stated the school bus issue is also a concern since this development will have two entrances, one on 98th and the other on 101st. She feels a turnaround should be provided for school buses.

In regard to stormwater runoff, Ms. Eiland stated the plans indicate the water will be channeled to an existing detention pond. She would like to know more about how the detention pond is operated. She asked the stormwater concerns be noted in the record. Ms. Eiland feels privacy fences should be constructed for safety and security purposes around the detention area and it has been included in the plans.

Ms. Eiland stated there was discussion of the improvement of 98th Street. Although it was not determined who should be required to upgrade 98th Street, she feels the street should be brought up to today's standards. She feels consideration should be given to stacking distance and the need for a street light at 98th and Memorial to provide visibility.

Ms. Eiland requested the entrances located on 101st for both The Village and Castle Oaks be built directly across from each for visibility purposes due to 101st Street being on an incline. She gave examples of automobile accidents that occurred on 101st Street.

Applicant's Rebuttal:

Mr. Ledford, Jr. requested the issue of upgrading 98th Street, as well as the entrance and stacking space be discussed and agreed upon with Traffic Engineering.

TMAPC Comments:

Mr. Horner reminded the Commission the major issue was on the street to the north. The standards under which this street was built supersede the current standards.

Mr. Doherty stated the requirement to upgrade 98th Street can be changed by Minor Amendment.

Mr. Boyle clarified the previous action taken by the Commission regarding 98th Street. He asked whether approval of the Preliminary Plat for Castle Oaks would alter that action. Mr. Doherty replied in the negative.

Mr. Boyle stated he is prepared to make a motion; however, he wants it understood that the Commission is not guaranteeing any amendments to 98th Street without review by the Commission.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-1** (Ballard, Boyle, Carnes, Doherty, Gray, Harris, Horner, Midget, Pace “aye”; no “nays”; Ledford “abstaining”; Westervelt “absent”) to **APPROVE** the Preliminary Plat for Castle Oaks (PUD-554), subject to the conditions as recommended by TAC and City Council approval of PUD-554.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6579

RS-1 to CO

Applicant: Jerry W. Ledford, Jr.

Location: Northwest corner East 101st Street and South Memorial

Presented to TMAPC: Jerry W. Ledford, Jr.

Mr. Ledford left the dais and indicated he would be abstaining on this item.

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Corridor.

According to the Zoning Matrix the requested CO zoning **is** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is located north of the northwest corner of East 101st Street South and South Memorial Drive and is approximately 24.5 acres in size. It is gently sloping, non-wooded, vacant, and zoned RS-1.

Surrounding Area Analysis: The tract is abutted on the north by single-family dwellings, zoned RS-1; to the west by vacant land, zoned RS-1; and to the south by vacant property, zoned AG; and to the east by automobile sales, zoned CO.

Zoning and BOA Historical Summary: Previous zoning actions within this area have established CO zoning on the east side of South Memorial Drive with commercial uses.

Conclusion: The Comprehensive Plan supports Corridor zoning in this area and based on the existing zoning and development, staff recommends **APPROVAL** of CO zoning for Z-6579.

Staff Comments:

Mr. Gardner reminded the Commission that staff was previously directed to perform a special study on the corridor boundaries for the area to the west of Memorial and south of 96th. With this corridor applicant and the single-family development to the west, there is nothing left to study.

In regards to a commercial collector street, since the depth is relative shallow in this area, Mr. Gardner feels there is no need for a commercial collector to the south. However, 96th Street may need to be studied due to this street becoming a dead-end at the western boundary of the subject property. In the development of this corridor, a mutual access along the frontage would be required.

Applicant's Comments:

Jerry W. Ledford, Jr., Tulsa Engineering, stated he is in agreement with staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Horner, Lewis, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Westervelt "absent") to recommend **APPROVAL** of CO zoning for Z-6579 as recommended by staff.

Legal Description for Z-6579:

A tract of land located in a part of the E/2, SE/4 of Section 23, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the official U.S. Government survey thereof, being more particularly described as follows: Commencing at the Southeast corner of the SE/4 of Section 23, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the official U. S. Government survey thereof; thence N 00°07'43" E along the East line of the SE/4 a distance of 1,322.17' to the Point of Beginning; thence N 89°57'48" W a distance of 636.08'; thence N 00°05'16" E and parallel to the West line of the E/2, SE/4 of Section 23, T-18-N, R-13-E of the IBM a distance of 573.38'; thence S 60°47'52" E a distance of 444.13' to a point of tangent curve to the left; thence along said tangent curve to the left having a central angle of 29°04'23", a radius of 450.00', a distance of 228.34'; thence S 89°52'17" E a distance of 29.66' to a point on the East line of said SE/4; thence S 00°07'43" W along the East line of said SE/4 a distance of 299.84' to the POB, less and except previously dedicated right-of-way for S. Memorial Drive; **and** a tract of land located in a part of the E/2, SE/4 of Section 23, T-18-N, R-13-E, of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows: commencing at the southeast corner of the SE/4 of

Section 23, T-18-N, R-13-E, of the IBM, Tulsa County, Oklahoma; thence N 00°07'43" E along the East line of the SE/4 a distance of 826.36' to the POB; thence N 89°57'22" W a distance of 551.41'; thence N 00°05'16" E and parallel to the west line of the E/2, SE/4 of Section 23, a distance of 495.74'; thence S 89°57'48" E a distance of 551.76' to a point on the East line of said SE/4; thence S 00°07'43" W along the East line of said SE/4 a distance of 495.81' to the POB, less and except previously dedicated right-of-way for S. Memorial Drive; **and** a tract of land located in a part of the E/2, SE/4 of Section 23, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the official U. S. Government survey thereof, being more particularly described as follows: commencing at the Southeast corner of the SE/4 of Section 23, T-18-N, R-13-E, thence N 00°07'43" E along the East line of the SE/4 a distance of 330.54' to the POB; thence N 89°56'57" W a distance of 551.06'; thence N 00°05'16" E and parallel to the West line of the E/2, SE/4, of Section 23, T-18-N, R-13-E, a distance of 495.75'; thence S 89°57'22" E a distance of 551.41' to a point on the East line of said SE/4; thence S 00°07'43" W along the East line of said SE/4 a distance of 495.81' to the POB, less and except previously dedicated right-of-way for South Memorial Drive, and located on the northeast corner of East 101st Street South and South Memorial Drive, Tulsa, Oklahoma.

Application No.: Z-5110-SP-1a

(PD-17) (CD-6)

Applicant: Gale Plummer

Location: Southwest corner 123rd Street and I-44

Presented to TMAPC: Gale Plummer

(Minor Amendment to Corridor Site Plan to add a building.)

Staff Recommendation:

An application for a Minor Amendment to a Corridor Site Plan to permit the construction of a 15' x 30' equipment enclosure to be constructed on the southeast corner of an existing warehouse.

The proposed enclosure will be 34' high and structurally attached to the existing building. The equipment to be enclosed consists of a U-shaped tube, vacuum device and furnace which processes a natural mineral material into a powder which is packaged on site. The processing equipment has already been erected but requires an enclosure to work more efficiently. The processing equipment was not approved in the original Corridor Site Plan and has not been part of any subsequent revisions in the Site Plan.

A condition of the Corridor Site plan approval was that Use Units 11 and 23 (Offices and Warehousing/Wholesaling) be allowed, however manufacturing and retail sales were expressly prohibited.

Although the Site Plan permitted a maximum building height of 35' and required an 8' site screening fence, staff is concerned about the effect of the proposed enclosure on the residential areas to the east and south. Additionally, the processing of mineral materials on-site appears to violate the Zoning Code's prohibition against manufacturing or industrial uses in Corridor Districts.

Staff has reviewed the information provided by the applicant and finds the proposed amendment to be for activities which are not allowed in a Corridor District. Therefore, staff recommends **DENIAL** of the amended Corridor Site Plan.

Staff Comments:

Mr. Stump reminded the Commission that this item was continued to allow the applicant to provide additional information in regard to the type of processing that will take place inside the facility.

Applicant's Comments:

Gale Plummer stated the request is to add an enclosure around a piece of equipment that is for the purpose of drying out a product. He stated the moisture will be evaporated. The equipment will not create noise, effluent or contamination of the atmosphere.

Mr. Plummer stated the enclosure will be a painted metal wall and he indicated brochures illustrating the walls. He feels the enclosure will be a well-designed, well-constructed one and will enhance the property.

Interested Parties Comments:

Mike Buchert, 542 South 127th East Avenue, stated his property backs to the facility and the machinery in question. He feels the facility is high-quality and attractive. There have been problems in the past, but the problems have been corrected.

Mr. Buchert stated there is not a registered neighborhood association in this area; however, he has met with several of the neighbors to discuss concerns with the enclosure. The neighborhood feels the current operation at the facility is not a manufacturing process. However, the neighborhood expressed concerns with future manufacturing in the event the facility is sold.

Mr. Buchert stated the other concern is the enclosure itself. The neighborhood was informed the enclosure would be 34 feet in height, but after further investigation they determined that the enclosure will be attached to the main facility, and the concerns were diminished.

Mr. Buchert stated he had a discussion with the architect in regard to the architectural look of the enclosure and blending with the main facility. Mr. Plummer submitted the materials and paint samples that would be used on the enclosure.

Mr. Buchert noted again the neighborhood does not object to the current operations of this facility; however, it objects to future manufacturing in the area.

TMAPC Comments:

Mr. Boyle stated the real debate is whether or not the operation of the machinery is a manufacturing process. Mr. Plummer replied the machinery is a dryer or evaporator that will be used to dry a solution to a powder form that will be transported to another facility for processing and packaging. Mr. Stump stated the operation fabricates something for later use.

Ms. Gray reminded Mr. Plummer that the Commission continued this item to allow the applicant to provide information to the neighborhood as to the operation of the machinery. She stated, based on her investigation of the machinery, the machinery is used to dry minerals to a powder form for vitamins and pharmaceuticals to be transported. She feels this is a pharmaceutical classification. Mr. Plummer replied the powder form will be transported to another facility to be processed and distributed not at this location.

Mr. Doherty feels this is a gray area. However, under the new study of use units, packaging is allowed as a non-industrial use, Use Unit 15, and a bottling plant is not. The question that remains is how much processing is performed. He stated his understanding of the process is an organic shale, which is mined and brought in bulk to this location to be dehydrated and then transported to another location for encapsulation and distribution. He feels this process does not create a health or environmental hazard; however, he expressed concern that the neighborhood should be informed.

Mr. Horner stated there is a broad area between processing and manufacturing. He feels this is a simple processing, one-step operation.

Commissioner Harris asked whether Mr. Buchert, as an engineer, views this as a manufacturing process. Mr. Buchert replied, as an engineer, the Public Works Department has issued the Occupancy Permit under the concept that this is not a manufacturing or processing operation.

Ms. Pace asked whether there are accesses from the facility to the neighborhood. Mr. Buchert replied in the negative and noted there is an 8-foot high fence surrounding the facility.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Pace "aye"; no "nays"; none "abstaining"; Ballard, Midget, Westervelt "absent ") to **APPROVE** the Minor Amendment to a Corridor Site Plan for Z-5110-SP1a to add a building finding the use in the building was not a manufacturing use.

Application No.: PUD-166-J

(PD-18) (CD-8)

Applicant: LeeAnn Fager

Location: South of southeast corner East 91st Street South and South Sheridan Road

Presented to TMAPC: LeeAnn Fager

(Major Amendment to permit a telecommunications tower.)

Staff Recommendation:

The request is to add to the permitted uses in the PUD a Use Unit 4 telecommunications tower for Southwestern Bell's PCS network. The tower site will be within the Summit Storage facility at 9135 South Sheridan Road in the southwest portion of the site. The tower would be a 100' high monopole and more than 100' from the nearest residential district. The closest dwelling would be over 300' from the tower.

Staff can support the proposed use under the restrictions proposed as being compatible with the existing and planned surrounding uses. Therefore, staff recommends **APPROVAL** of PUD-166J to add to the permitted uses a telecommunications tower with these conditions.

1. Tower shall be monopole design.
2. Height shall be no taller than one hundred feet (100') measured from the ground elevation at the bottom of the tower to the highest point of the tower exclusive of any appurtenances (e.g. lightning rods).
3. Tower shall not be lit unless required by FAA or governing authorities. Currently no lighting is required for a tower of this height.
4. No additional parking shall be required.
5. Tower shall be set back a minimum of one hundred ten percent from any residential zone, which more than complies with current codes for commercially zoned districts.
6. Transmitting equipment shall be housed inside existing structures and shall not be visible.
7. Tower shall be fenced and such fence shall be located inside existing fencing around the mini-storage compound.
8. A Detail Site Plan of the tower including its design and height be approved by TMAPC prior to issuance of a building permit.

Applicants Comments:

LeeAnn Fager stated she was in agreement with staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to recommend **APPROVAL** of the Major Amendment to PUD-166J to add to the permitted uses a telecommunications tower, subject to the conditions as recommended by staff.

Legal Description for PUD-166J:

A parcel of land located in part of Lot 2, Block 1, Sheridan Square, a Subdivision of a part of the NW/4, NW/4 Section 23, T-18-N, R-13-E of the IBM, City of Tulsa, County of Tulsa, State of Oklahoma, described as follows: commencing at the northwest corner of said Lot 2; thence S 00°09'03" E a distance of 403.63', thence S 89°15'45" E a distance of 205.13' to the point of beginning of land to be described, thence S 00°01'38" W a distance of 21.00', thence S 89°19'33"E a distance of 10.20', thence N 00°15'56" E a distance of 11.00', thence S 89°11'55" E a distance of 10.00', thence N 00°13'45" W a distance of 10.00', thence N 89°15'45" W a distance of 20.20' to the point of beginning, and located south of the southeast corner of S. Sheridan and E. 91st Street South, Tulsa, Oklahoma.

Application No.: Z-6078-SP-3

(PD-18) (CD-8)

Applicant: Jerry Ledford, Jr.

Location: Northwest corner East 66th Street and South 101st East Avenue

Presented to TMAPC: Jerry Ledford, Jr.

(Corridor Site Plan for a mobile home.)

Mr. Ledford left the dais and indicated he would be abstaining on this item.

Staff Recommendation:

The applicant is requesting approval of a Corridor Site Plan for a single mobile home dwelling on a 120' x 138' lot at the northwest corner of 101st East Avenue and 66th Street South. The area is in transition from single-family residential to more intense uses. Corridor Site Plan Z-6078-SP-2 approved a mobile home on a tract fronting 101st East Avenue approximately 400' north of the subject tract. Because the area is in transition, staff recommends **APPROVAL** of Z-6078-SP-3 subject to the following conditions and modifications:

1. The setback from the north property line be increased to 50'.

2. Two (2) paved parking spaces and a paved access drive be provided.
3. The site is approved for a septic tank by the City-County Health Department
4. Adequate tie-downs and skirting be provided.

Applicant's Comments:

Jerry Ledford, Jr. stated he would hold his comments until rebuttal.

Interested Parties Comments:

Reba Terry, 4617 South 72nd East Avenue, stated she is a representative of Prudential/Detrich Realtors and represents the purchasers of the property, Russell Finn, directly to the west of the subject tract.

Ms. Terry expressed concern with the lack of a septic system. She stated she discussed the septic system issue with Don Whittle, Health Department. She understood Mr. Whittle to say a septic system will not be permitted on this property due to the property not being able to pass a perc test. However, the Health Department allowed an extension to the abutting property where extensive dirt work has been performed to improve the septic system.

Ms. Terry stated Mr. Finn is concerned with a mobile home next door, the lack of a septic system and the effect on his property and property value.

Applicant's Rebuttal:

Jerry Ledford, Jr. stated it is his understanding that there is an existing septic system on the property in question. He feels the property will have to have an adequate septic system to permit the owner to place his mobile home on the property.

In regards to the setback, parking spaces and paved access drive, Mr. Ledford, Jr. stated he is in agreement with staff recommendation.

TMAPC Comments:

Mr. Doherty questioned what is currently on Mr. Finn's property. Ms. Terry replied a home and storage building. Mr. Doherty questioned whether Mr. Finn's home is on a septic system. Ms. Terry replied in the affirmative due to the extensive dirt work to improve the soil content and permitting of the septic system.

Mr. Doherty asked whether the mobile home is intended as a permanent use or if a time frame has been imposed. Mr. Ledford, Jr. replied he is not aware of a time frame. Mr. Stump stated there is no time frame.

Commissioner Harris stated there are a number of properties in this area zoned as residential use that cannot obtain Health Department approval for a septic system. He asked whether the Planning Commission and Health Department actions are one and the same or separate actions. Mr. Linker replied they are separate actions.

Commissioner Harris asked whether there were any areas of public disposal systems. Mr. Ledford, Jr. replied in the negative.

Ms. Gray expressed concerns with the trash heap, but reminded the Commission the trash issue is under Code Enforcement jurisdiction. Mr. Ledford, Jr. stated there are many code violations in the area.

Ms. Pace questioned why there are no sanitary sewer systems in the area. Mr. Doherty replied sewer systems are provided or extended by the developer. He stated this particular area was subdivided years ago and sanitary sewer systems have not been extended to the property. Mr. Gardner stated the neighborhood could establish a sewer system, but it is very expensive.

Mr. Boyle noted staff's recommendation indicated the area being in transition and Mr. Finn's letter indicates the surrounding properties are permanent and asked for clarification. Mr. Stump replied these are older, existing homes on septic systems and due to the proximity to 71st Street and Mingo, staff feels this area will probably transition to higher-intensity uses within the next ten years.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-1** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Ballard, Westervelt "absent ") to recommend **APPROVAL** of Z-6078-SP-3 Corridor Site Plan for a single mobile home dwelling, subject to the four conditions as recommended by staff.

Legal Description for Z-6078-SP-3:

The East 120.00' of Lot 8, Block 7, Union Gardens, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the official recorded Plat thereof, and located on the northwest corner of East 66th Street South and South 101st East Avenue, Tulsa, Oklahoma.

Application No.: Z-6581

RM-2 to CS

Applicant: Louis Levy

Location: Southeast corner East 44th Place South and South Peoria

Presented to TMAPC: Louis Levy

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity - Residential.

According to the Zoning Matrix the requested CS zoning **is not** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is located south of the southeast corner of East 44th Place South and South Peoria Avenue and is approximately 140' x 214' in size. It is flat, non-wooded, contains three duplex buildings, and is zoned RM-2.

Surrounding Area Analysis: The subject tract is abutted on the north by a children's nursery, zoned CS/PUD-541; to the east by single-family dwellings, zoned RS-3; to the south by an apartment complex, zoned RM-2; and to the west across Peoria Avenue, by a strip shopping center, zoned CS.

Zoning and BOA Historical Summary: The most recent activity in this area was the approval of a mixed use PUD that was approved in 1996 on the Zink property located north of the subject tract.

Conclusion: The Comprehensive Plan designates this property as Medium Intensity - Residential and the requested CS zoning is not in accordance with that designation. This tract and the residential tract to the south do not front on Peoria Avenue, but rather a frontage road paralleling Peoria. This makes them more appropriate for medium intensity residential use rather than commercial. Therefore, staff recommends **DENIAL** of CS zoning for Z-6581.

Applicant's Comments:

Louis Levy, 5314 South Yale, Suite 310, stated the subject property is approximately one-half acre in size, immediately across the street from property included in the Zink PUD. He requested low-density commercial, CS zoning for this tract of land.

Mr. Levy stated the property was originally platted as a residential subdivision in 1949. It consisted of two lots on Peoria Avenue with a 50-foot planting or public park area separating Peoria Avenue from the lots. Since 1950 this property has been used for six duplexes. He feels the duplexes are in a deteriorating state and are only 50 percent occupied. If approved, the owners will be converting this property within the next year to general commercial property.

Mr. Levy believes the Comprehensive Plan for this neighborhood shows everything to be commercial. If the Comprehensive Plan has not been amended to show everything in this area as commercial, it feels it should be. He stated everything from 33rd Street to 53rd Street on Peoria is commercial, zoned CS, CG or CH, with the exception of this one-block tract of property and one other tract to the south.

Mr. Levy feels the Comprehensive Plan is outdated and the subject property is spot-zoned RM-2. He stated there is no other RM-2 zoning along Peoria. He requested bringing the subject property into conformance with the surrounding properties.

Mr. Levy stated there would be no changes in the 10-foot setbacks and due to the small tract size, there is no benefit in filing a PUD. The requested zoning will not allow for any type of sexually-oriented business. He stated the 50-foot planting or public park area will remain. He informed the Commission an attempt was made in 1975 in District Court to remove the 50-foot strip and it failed.

Interested Parties Comments:

Nancy Apgar, 3914 South Norfolk, stated she is the Vice-President of the Brookside Neighborhood Association and the subject property falls within the boundary of this association. She stated the association was not notified of this request until January 16; therefore, she has not been able to call an association meeting.

Ms. Apgar stated the association is not in favor of the zoning change because the property fronts on an access road, there is no space for parking and it would allow many uses under CS zoning. She feels there is not enough property to allow for a buffer zone to the residences on Quaker. Finally, CS zoning is not in accordance with the Comprehensive Plan.

Ms. Apgar requested neighbors opposing this request stand and be acknowledged.

Ms. Apgar feels a PUD would allow protection of the neighborhood.

George Matson, 4424 South Quaker, expressed concern with the uses allowed under CS zoning. He feels if a business is allowed there would be no room for parking.

Michael Smith, 4420 South Quaker, expressed concern with increased traffic. He noted turning left on Peoria has become very dangerous. Also, there is a school crossing zone in this area and he expressed concern for the safety of the children due to the increased traffic.

Opal Dunham, 4517 South Peoria, No. 26, stated she is a resident and represents the Swiss Riviera Condominiums. She requested clarification on the street closing. Chairman Carnes informed her the street will not be closed.

Ms. Dunham asked whether the condominiums could be included in the zoning change. Chairman Carnes informed Ms. Dunham the Commission cannot include the condominiums due to notification requirements.

Mr. Midget asked whether the residents of Swiss Riviera would still support the zoning change since the condominiums cannot be included. Ms. Dunham replied in the affirmative.

Applicant's Rebuttal:

Mr. Levy stated the property will be replatted and will include a condition which calls for a setback on trash containers. He stated again that sexually oriented businesses would not be permitted within 500 feet of a residential area.

Mr. Levy informed the Commission there are currently seven CS businesses across from the proposed property. He stated, at this time, there is no specific use intended.

TMAPC Comments:

Mr. Doherty stated the site appears to be hard to develop with the narrow widths. He feels it will be difficult to develop this site with all the setbacks and parking requirements under CS zoning. He expressed concern with restaurant usage with late night traffic and lack of parking. A PUD would require a 75-foot setback for trash containers. Mr. Linker stated Mr. Levy could propose setback for trash containers at the platting stage, but the setbacks could not be imposed on zoning without a PUD.

Ms. Ballard asked whether a restaurant is being proposed for this site. Mr. Levy replied in the negative.

Mr. Boyle stated he recognizes the requested zoning is not in accordance with the Comprehensive Plan and he understands the fears of the neighborhood in regard to uses. however, the property is surrounded by CS zoning along Peoria Avenue.

Ms. Pace feels changing the zoning will only add to the problems, and that money has already been spent to achieve a compatible solution for both the people who live in the area and the people who work in the area. She feels if the property is developed as a commercial use, this item should be continued to allow consideration for a PUD for the protection of the neighborhood.

Mr. Midget acknowledged the need for a PUD to protect the abutting neighborhood; however, there are other safeguards in place to protect the neighborhood from adult entertainment.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-1-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Midget "aye"; Pace "nay"; none "abstaining"; Westervelt "absent") to recommend **APPROVAL** of the CS zoning for Z-6581.

Legal Description for Z-6581:

The North Half of Lot 11, and all of Lots 12, 13, and 14, Block 5, Wilder Addition to the City of Tulsa according to the recorded Plat thereof, and located south of the southeast corner of East 44th Place South and South Peoria Avenue, Tulsa, Oklahoma.

* * * * *

Application No.: Z-6582

Applicant: Roy D. Johnsen

Location: Southwest corner East 41st Street and South Garnett

Presented to TMAPC: Roy D. Johnsen

CO to CS
(PD-6) (CD-9)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity - Corridor.

According to the Zoning Matrix the requested CS zoning **is** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is located on the southwest corner of East 41st Street and South Garnett Road and is approximately 10.9 acres in size. It is flat, non-wooded, vacant and zoned CO.

Surrounding Area Analysis: The subject tract is abutted on the north by restaurants and a shopping center, zoned CS; to the east by a commercial business, zoned CS; to the west by a hotel, zoned CO; and to the south by an apartment complex, zoned CO.

Zoning and BOA Historical Summary: The most recent zoning action in this area was the approval of a Detail Corridor Site Plan for the adjoining property to the south, approving an apartment complex.

Conclusion: The Comprehensive Plan supports commercial zoning within this intersection and based on the surrounding zoning patterns and development, staff recommends **APPROVAL** of CS zoning for Z-6582.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-1-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Midget "aye"; Pace "nay"; none "abstaining"; Ballard, Westervelt "absent ") to recommend **APPROVAL** of CS zoning for Z-6582 as recommended by staff.

Legal Description for Z-6582:

A tract of land that is part of the NE/4 of Section 30, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, Oklahoma, according to the U. S. Government survey thereof, said tract of land being described as follows, to-wit: Starting at the Northeast corner of said Section 30; thence N 89°56'28" W along the Northerly line of Section 30 for 50.00'; thence S 00°08'29" W and parallel with the Easterly line of Section 30 for 82.95' to the Point of Beginning of said tract of land; thence continuing S 00°08'29" W and parallel with the Easterly line of Section 30 for 646.08'; thence N 89°51'31" W for 700.85'; thence N

00°08'29" E and parallel with the Easterly line of Section 30 for 678.02' to a point, said point being 50.00' Southerly of the Northerly line of Section 30; thence S 89°56'28" E and parallel with the Northerly line of Section 30 for 347.44'; thence S 84°13'50" E for 80.40'; thence S 89°56'28" E and parallel with the Northerly line of Section 30 for 248.40'; thence S 44°56'28" E for 35.28' to the Point of Beginning of said tract of land, and located on the southwest corner of East 41st Street South and South Garnett Road, Tulsa, Oklahoma.

Application No.: Z-6583

Applicant: Roy D. Johnsen

Location: East of southeast corner East Pine Street and North Garnett

Presented to TMAPC: Roy D. Johnsen

RS-3 to IL
(PD-16) (CD-6)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 2.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is located east of the southeast corner of East Pine Street and North Garnett Road and is approximately 110' x 233' in size. It is flat, non-wooded, has one vacant dwelling which is in the process of being removed, and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north and east by industrial businesses, zoned IL; to the south by vacant property, zoned IL; and to the west by vacant single-family dwellings, zoned IL.

Zoning and BOA Historical Summary: The abutting lot on the west was rezoned from RS-3 to IL in 1982 and the larger tracts on both the north and south side of Pine Street east of North Garnett Road have been zoned IL since 1970.

Conclusion: The Comprehensive Plan designates this area for industrial uses based on the physical characteristics of the land and the availability of transportation links. The requested IL zoning is compatible with the surrounding zoning and development; therefore, staff recommends **APPROVAL** of IL zoning for Z-6583.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Midget, Pace "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of the IL zoning for Z-6583 as recommended by staff.

Legal Description for Z-6583:

A tract of land in the NW/4, NW/4, NW/4 of Section 32, T-20-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, being more particularly described as follows, to-wit: commencing at the Northeast corner of said NW/4, NW/4 NW/4 of said Section 32, and running thence South along the East line of said NW/4, NW/4, NW/4 of Section 32 a distance of 233'; thence West a distance of 110'; thence North a distance of 233'; thence East a distance of 110' to the place of beginning, and located east of the southeast corner of East Pine Street and North Garnett Road, Tulsa, Oklahoma.

Application No.: PUD-422-B

(PD-6) (CD-9)

Applicant: John Woolman

Location: 1215 East 33rd Street

Presented to TMAPC: John Woolman

(Major Amendment to allow a beauty/hair salon.)

Staff Recommendation:

The application is to allow a beauty/hair salon on Lot 4, Block 1 of Crow Creek Office Park. The use appears to be compatible with the office development and the surrounding uses if sufficient parking is provided. If the office space on Lot 4 is converted to beauty/hair salon, two additional spaces would be required.

Therefore, staff recommends approval of adding a beauty/hair salon as a permitted use on Lot 4, Block 1 subject to the following conditions:

1. All the development standards for PUD-422 continue to apply.
2. Additional parking be provided to meet the code requirements for a Use Unit 13 use.
3. A revised Detail Site Plan be approved by TMAPC staff and changes constructed prior to establishing the new use.

Interested Parties Comments:

Maxine Rule, Trust Company of Oklahoma, P. O. Box 3627, Tulsa, signed up as an interested party but did not speak.

Leslie Hill, 1214 East 32nd Place, stated she lives directly across the street from the proposed site. She expressed concerns with the additional parking spaces and asked where the spaces will be added. Mr. Doherty informed Ms. Hill the applicant will have to provide two additional parking spaces or request a variance from the Board of Adjustment. He stated the code requirement for this use for the building size requires the additional spaces.

Ms. Hill informed the Commission of the lack of space, the unstable banks of Crow Creek and continuing erosion in the area. She feels there are serious drainage problems in the area.

Steve Jennings, Coury Properties, stated he was involved in the placement of the lessee in the building. He stated there are currently two landscaping/dividing areas that are present in the parking area where the trees were previously removed due to storm damage. This area can be opened up provide the additional spaces.

TMAPC Comments:

Mr. Doherty informed Mr. Jennings the landscape plans should be reviewed before converting the two landscaping/dividing areas to parking to avoid violating any landscape requirements.

Mr. Horner asked whether additional buildings will be located on this site. Mr. Jennings replied in the negative.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Harris, Pace "aye"; no "nays"; none "abstaining"; Ballard, Midget, Westervelt "absent ") to recommend **APPROVAL** of Major Amendment for PUD-422B to add a beauty/hair salon as a permitted use on Lot 4, Block 1, subject to the conditions as recommended by staff.

Legal Description for PUD-422B:

Lot 4, Block 1, Crow Creek Office Park Resub, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located at 1215 East 33rd Street, Tulsa, Oklahoma.

Application No.: CZ-230

RS to CS

Applicant: B. G. Brummett

Location: Southeast corner South 73rd West Ave. and West 41st St. (PD-9) (County)

Presented to TMAPC: John Shafer

Staff Recommendation:

Relationship to the Comprehensive Plan:

The Sand Springs Comprehensive Plan, designates the north 445' of the subject property as Medium Intensity - Commercial and the balance as Low Intensity - Residential.

According to the Zoning Matrix the requested CS is in accordance with the Plan Map on the north 445' but is **not** in accordance with the Plan Map on the south.

Staff Comments:

Site Analysis: The subject property is approximately five acres in size and is located on the southeast corner of West 41st Street South and South 73rd West Avenue within the Sand Springs Fenceline. It is sloping, partially wooded, vacant and zoned RS in the County.

Surrounding Area Analysis: The subject tract is abutted on the north by single-family dwellings, zoned RS-3; to the east, west and south by vacant land, zoned RS; and to the northwest by vacant property, zoned CS.

Zoning and BOA Historical Summary: The most recent Board action in this area was to approve a children's nursery on existing church property located east of the subject tract. The adjoining parcel to the west on the southwest corner of the intersection has been zoned CS since 1970.

Conclusion: The Sand Springs Comprehensive Plan designates the north 445' of the property as Medium Intensity - Commercial with the balance to remain RS. Therefore, staff recommends **APPROVAL** of CS zoning on the North 345' of the subject tract and **DENIAL** of CS zoning on the balance for CZ-230.

Applicant's Comments:

John Shafer, 320 South Boston, stated he is representing the owner, D. H. Miller. He stated Mr. Miller owns approximately 45 acres to the east of the subject tract, which he proposes to develop in to a residential subdivision called Stratford Estates. He presented a plat of Stratford Estates. Mr. Shafer stated Stratford Estates is still in the platting stage; however, plans are for 36 large lots to accommodate 2500 square foot houses in the \$200,000 price range.

Mr. Shafer stated the reason for the change in zoning is due to the changing conditions in the area, as well as Mr. Miller's proposed development. He pointed out that 41st Street was recently widened from 65th West Avenue west to Highway 97 and he stated there were changes in conjunction with the widening. He feels property to the west was spot-zoned in 1970 to CS based on the property ownership.

Mr. Shafer pointed out a tract to the west, handle-shaped, is the site for the proposed National Guard Armory. He also pointed out the new Tulsa Community College developed to the northeast. Immediately to the east of Stratford Estates are two tracts that have been allowed for as a church and a daycare center and nursery. The property to the south of Skyline Drive is also zoned CS.

Mr. Shafer stated the property to the west of the proposed Stratford Estates is zoned CS. He stated Mr. Miller requested the zoning change to allow buffering between his development and the CS-zoned property to the west. He stated Mr. Miller's desire is to develop something in this buffer area that will enhance his development.

Mr. Shafer requested the Commission to consider the changing conditions in the area and proposed use of the property and approve the zoning change.

Interested Parties Comments:

Carl and Nancy Westfall, 4222 South 73rd West Avenue, presented pictures and a layout of their property. Ms. Westfall stated they have no objections to the front half of the property being zoned CS, which the City of Sand Springs has already recommended. However, they believe the back half should remain as currently zoned to allow residential use to front residential uses.

Ms. Westfall stated the residences in the area are country-type with 10 or more acres. Mr. Miller is proposing one-acre lots with large homes. She believes people will not purchase these large homes if they abut or face commercial property. She agrees with the commercial fronting 41st Street, but not backing into the residential area.

Bill Hoover, 4221 South 78th West Avenue, feels Mr. Miller is proposing a mini-storage with living quarters for the subject property. He stated Mr. Miller has previously shown him plans for a mini-storage facility.

Mr. Hoover informed the Commission the City of Sand Springs will not allow anyone to tap onto the City water system and there is currently no sanitary sewer system in the area of the proposed development. He feels the property will not pass a perc test due to the ponds and standing water in the area.

Mr. Hoover expressed concern with commercial zoning and the uses that would be allowed. He feels there has been enough spot zoning in the area and does not want 41st Street to look like Memorial, Sheridan or Peoria.

Applicant's Rebuttal:

Mr. Shafer stated Mr. Miller has no actual plans for a mini-storage type development. He informed the Commission that Mr. Miller owns the property he is developing and desires the development in the area to be a nice residential addition that will enhance the entire area and provide adequate buffering from the commercial.

TMAPC Comments:

Mr. Boyle asked whether the AG property to the south of CS zoned property across the street from the proposed site is being developed commercially. Mr. Shafer replied in the negative and stated there is currently a residence on the AG property. Mr. Boyle clarified the residence is currently fronting AG- or R-zoned property. Mr. Shafer replied in the affirmative.

Commissioner Harris asked Mr. Shafer to clarify his statement in regards to the Stratford Estates development facing CS-zoned property if the request is not approved. Mr. Shafer stated the zoning change is to allow Mr. Miller to develop the tract between the Stratford Estates development and the CS-zoned property to the west in a manner that would serve as a buffer between residential and commercial.

Mr. Doherty commented the Sand Springs Planning Commission noted they would not support a plat waiver on this development. He stated Sand Springs Planning Commission will review the plat, not the TMAPC, and ultimately have control of the development.

Commissioner Harris asked Mr. Gardner to review the zoning controls in the unincorporated areas in regards to sexually-oriented businesses. Mr. Gardner replied there would be no prohibition against a bar, but there is a 500-foot spacing requirement from residential development for a sexually-oriented businesses. Since unincorporated areas can actually be developed as residential in AG, the 500-foot requirement spacing is enforceable.

Mr. Gardner stated in regards to the amended request for OL on the south portion, staff would not support OL due to this portion of property being too far into the interior.

Commissioner Harris feels the recommendation of the Sand Springs Planning Commission and TMAPC staff is appropriate.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to recommend **APPROVAL** of CS zoning on the north 345' of the subject tract and **DENIAL** of CS zoning on the balance for CZ-230 as recommended by staff.

Legal Description for CZ-230:

A tract of land, that is part of the W/2, NW/4, NE/4 of Section 30, T-19-N, R-12-E of the IBM, Tulsa County, Oklahoma, and said tract of land being more particularly described as: The north 34.5' of the following commencing at the Northwest corner of said W/2, NW/4, NE/4 of said Section 30; thence S 0°24'06" W along the West line of said W/2, NW/4, NE/4, for a distance of 100.00'; thence due East along a line parallel to and 100' South of the North line of said Section 30, for a distance of 30.00' to the Point of beginning; thence continuing due East for a distance of 310.50' to a point; thence due South for a distance of

697.10'; thence North 89°35'54" W, for a distance of 315.38'; thence North 0°24'06" E along a line parallel to and 30' E of the West line of said W/2, NW/4, NE/4 for a distance of 694.91' to the Point of Beginning, and located on the southeast corner of South 73rd West Avenue and West 41st Street South, Sand Springs, Oklahoma.

Application No.: PUD-190F

(PD-18) (CD-8)

Applicant: Randal Busby

Location: 6022 East 71st Street

(Site Plan for an elderly assisted living development.)

Staff Recommendation:

The applicant is requesting Site Plan approval for a 46-unit assisted living facility on 3.01 acres. The single-story building contains 28,801 SF of floor area and is classified as Use Unit 8.

Staff has reviewed the request and finds the proposed site plan conforms to bulk and area, landscaped area, setback, access and circulation requirements of the PUD Outline Development Plan. Parking requirements, however, are below the standard required within Use Unit 8 for Life Care which would require 35 spaces or a ratio of .75 spaces per dwelling unit. The site plan indicates the provision of 25 spaces. The reduction of parking spaces indicated in the site plan was the result of the granting of a variance by the Board of Adjustment (BOA 17595v) on December 10, 1996.

Therefore, based on review of the Detail Site Plan as submitted, staff recommends **APPROVAL.**

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to **APPROVE** the Detail Site Plan for PUD-190-F for an elderly assisted living development as recommended by staff.

Application No.: PUD-378

(PD-26) (CD-8)

Applicant: Jennifer Bonner

Location: South of southwest corner East 101st Street and South Memorial
(Site Plan for an Arby's Restaurant.)

Staff Recommendation:

The applicant is requesting Site Plan approval for a 6,918 SF (conditioned) area single-story eating establishment, Use Unit 12, on a 36,535 SF lot.

Staff has reviewed the request and finds the proposed site plan conforms to parking, landscaped area, setback, access and circulation requirements of the outline development plan of the PUD and the underlying CS District.

Therefore, staff recommends **APPROVAL** of the submitted plan.

Note: Site Plan approval does not constitute Landscape or Sign Plan approval.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to **APPROVE** the Detail Site Plan for PUD-378 for an Arby's Restaurant as recommended by staff.

OTHER BUSINESS:

Public Hearing to Amend the District 2 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area by extending the Medium Intensity node at the southwest corner of Peoria and Apache Street westward.

Staff Comments:

Ms. Matthews presented the information in the agenda packet.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to **APPROVE** the amendment of the District 2 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area by extending the Medium Intensity node at the southwest corner of Peoria and Apache Street westward as recommended by staff.

Tulsa Development Authority Resolution finding that the Urban Renewal Plan amendments are in accordance with the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Comments:

Ms. Matthews presented the Resolution that was included in the agenda packet.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Doherty, Gray, Harris, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Westervelt "absent ") to **APPROVE** the Tulsa Development Authority Resolution finding that the Urban Renewal Plan amendments are in accordance with the Comprehensive Plan for the Tulsa Metropolitan Area.

There being no further business, the Chairman declared the meeting adjourned at 4:00 p.m.

Date Approved: Feb. 5, 1997

James R. Doherty
Chairman

ATTEST: [Signature]
Secretary