

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2253

Wednesday, October 4, 2000 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes	Boyle	Beach	Boulden, Legal
Harmon	Collins	Dunlap	Counsel
Hill	Ledford	Huntsinger	
Horner	Westervelt	Matthews	
Jackson		Stump	
Midget			
Pace			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, October 2, 2000 at 10:00 a.m., posted in the Office of the City Clerk at 9:51 a.m., as well as in the office of the County Clerk at 9:46 a.m.

After declaring a quorum present, 2nd Vice Chair Jackson called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of September 6, 2000 Meeting No. 2250

On **MOTION** of **CARNES** the TMAPC voted **6-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of September 6, 2000 Meeting No. 2250.

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REPORTS:

Committee Reports:

Community Participation Committee

Mr. Harmon stated that he would be attending a meeting of the Brookside Pilot Project on October 5, 2000.

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CONTINUED ITEMS:

GreenHill (PUD-637) (2993)

Northeast corner of 45th and Lewis

PRELIMINARY PLAT

(PD-6) (CD-9)

TMAPC Comments:

Mr. Jackson stated that PUD-637 has not been before the City Council and therefore, the preliminary plat for GreenHill should be continued to October 18, 2000.

TMAPC Action; 6 members present:

On **MOTION** of **PACE**, the TMAPC voted **6-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Midget, Westervelt "absent") to **CONTINUE** the preliminary plat for GreenHill to October 18, 2000 at 1:30 p.m.

R and J Property 2 (2392)

Southwest corner of West 37th Place South and South Elwood Avenue

PRELIMINARY PLAT

TMAPC Comments:

Mr. Jackson stated that the applicant has requested a continuance to October 18, 2000.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Midget, Westervelt "absent") to **CONTINUE** the preliminary plat for R and J Property 2 to October 18, 2000 at 1:30 p.m.

PUD-432-E (793)

East side of South Utica Avenue between East 11th Street and East 12th Street

PLAT WAIVER

TMAPC Comments:

Mr. Jackson announced that this item has been stricken from the agenda.

PUD-638 (2193)

Northwest corner of East 33rd Street South and South Jamestown Avenue

PLAT WAIVER

TMAPC Comments:

Mr. Jackson announced that this item has been stricken from the agenda.

The overall original standards for the development area included 635,000 square feet of building area. This is proposed to be split with 400,000 square feet for hospital and office types of uses for the platted area and 235,000 square feet for the remainder of the Development Area for these types of uses. The retail sales uses originally allocated as 25,000 square feet will be split to the platted hospital area with 5,000 square feet, and the unplatted remaining area with 20,000 square feet. The allocated space for eating establishments will be split from 20,000 square feet as approved to 5,000 square feet in the hospital platted area and 15,000 square feet in the unplatted area. Signs will adhere to the standards as approved in the original PUD.

Staff finds that the minor amendment is in keeping with the intent of the adopted Planned Unit Development, and can therefore recommend **APPROVAL** of the split of Development Area A as proposed with the conditions as follow:

1. That the proposed mutual access easements be dedicated;
2. That the maintenance of the mutual access easements be defined and assured by each of the individual lot owners;
3. That the landscaping area for each tract meet the approved PUD requirements and be maintained by the individual owners of each tract;
4. That the **DEVELOPMENT STANDARDS** be specified as follows:

All existing requirements of PUD-559 shall continue unless modified below:

DEVELOPMENT AREA A

Tract 1 – Hospital Tract	275,000 square feet Permitted Uses per PUD
	5,000 square feet Retail Sales Use
	5,000 square feet Eating Establishments Use
Tract 2 – Office Tract	125,000 square feet Permitted Uses per PUD
Tract 3 – Unplatted Area	235,000 square feet Permitted Uses per PUD
	20,000 square feet Retail Sales Use
	15,000 square feet Eating Establishments Use

Applicant's Comments:

Mark Reentz, no address given, stated that he has filed a proposed declaration of easement with his lot-split and minor amendment. He commented that he assumes that the declaration satisfies the requirements of the Planning Commission and staff with regard to providing the easement, maintenance, etc.

Mr. Dunlap stated that staff is recommending approval of the minor amendment; however, if the applicant would like the minor amendment continued until the declaration is reviewed, staff has no problem with a continuance. Staff is recommending approval of the minor amendment and the lot-split.

Mr. Reentz explained that he would like to have the lot-split and minor amendment approved, but he wanted to make sure that the proposed language is satisfactory. In response, Mr. Stump stated that staff has not reviewed the proposed language at this time.

Mr. Reentz stated that he would like to have the lot-split and minor amendment heard today.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** of the lot-split for L-19108 and **APPROVE** the minor amendment for PUD-559-A-2 subject to the conditions as recommended by staff.

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FINAL PLAT:

Sheridan Center – (PUD-206) (2283)

(PD-18) (CD-8)

Southwest corner of 93rd and South Sheridan

Staff Recommendation:

This plat consists of one lot in one block. The land area is not shown but staff estimates it to be about 2.2 acres. It will be developed under PUD-206 with office uses.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

APPLICATION NO.: CZ-271

AG TO RS

Applicant: Pat Garner

(PD-23) (County)

Location: West of West 61st Street and South 170th West Avenue

TMAPC Comments:

Mr. Jackson announced that staff has requested a continuance due to the application fees not being paid.

Staff Recommendation:

Mr. Stump explained that the applicant's check was insufficient and the applicant has been contacted twice; however, he has never taken care of the problem.

Mr. Garner stated that he would take care of the insufficient check. In response, Mr. Stump informed the Planning Commission to continue the case to the October 18th TMAPC meeting.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins Ledford, Midget, Westervelt "absent") to **CONTINUE** zoning case CZ-271 to October 18, 2000 at 1:30 p.m.

Director's Report:

Mr. Stump reported that the TMAPC does not have any items on the City Council agenda for October 5th.

Mr. Stump stated that the TMAPC receipts for the month of August are down slightly.

SUBDIVISIONS

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19088 – Jeffrey D. Lower (RS-3/PUD-1st-2-7)

(PD-18) (CD-2)

7415 South Atlanta Avenue

Mr. Midget in at 1:40 p.m.

Applicant's Comments:

Roy Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, requested a continuance to October 18, 2000 since it requires a two-thirds vote of the members of the Planning Commission present and voting.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins Ledford, Westervelt "absent") to **CONTINUE** the lot-splits for waiver of Subdivision Regulations L-19088 to October 18, 2000 at 1:30 p.m.

LOT-SPLITS FOR DISCUSSION:

L-19108 – Mark Reentz (1884)

(PD-18) (CD-8)

East 91st Street and west of Highway 169

Staff Recommendation:

The applicant has applied to split the Southcrest Medical Campus into two tracts, splitting off the office complex from the hospital. A lot-split is required because the property has been platted.

With proper access easements and maintenance agreements for each individual lot to be created, along with the PUD minor amendment, staff recommends **APPROVAL** of this lot-split, with the condition that the access easements and maintenance agreements be filed of record at the county courthouse.

AND

APPLICATION NO.: PUD-559-A-2

MINOR AMENDMENT

Applicant: Mark Reentz

(PD-18) (CD-8)

Location: North and east of northeast corner of East 91st Street and South Mingo

Staff Recommendation:

The applicant is requesting a minor amendment to split Development Area A in the Southcrest Hospital Campus. The proposal is to separate the hospital and medical office building on the platted Lot 1, Block 1, of the Southcrest Medical Campus. The Tract 1 hospital parcel will contain 19.9 acres, and the Tract 2 office parcel will contain 8.9 acres. A remainder Tract 3 is not platted at this time and will contain all property in Development Area A that is not currently platted.

The minor amendment proposes development standards in accordance with the original PUD. The uses proposed will be per the original PUD. The parking standards will meet or exceed the zoning code requirements. Mutual access easements between the lots are detailed for the proposal. Specific allotments for each parcel as proposed meet the overall density development standards for this PUD.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the final plat for Sheridan Center as recommended by staff.

Southern Woods Park – (PUD-355-B) (1683)

(PD-18) (CD-8)

Northwest corner of East 91st Street and South Yale Avenue

Staff Recommendation:

This plat consists of nine lots in one block and two reserves on 9.05 acres. It will be developed for office and commercial uses under PUD-355-B.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat, subject to inclusion of easements detailed in the release letter from PSO.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the final plat for Southern Woods Park, subject to conditions as recommended by staff.

PRELIMINARY PLAT:

Woodland Animal Hospital East – (3693)

(PD-18) (CD-7)

9509 East 61st Street

Ms. Hill announced that she would be abstaining on this item.

Staff Recommendation:

This plat consists of one lot in one block on 1.197 acres. The property currently contains a veterinary clinic, which is being expanded. TAC reviewed this as a sketch plat on August 17, 2000.

The following were discussed **September 21, 2000** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

- This property was rezoned to CS in 1982 and has been subject to plat since then. Apparently there have been building permits issued as recently as 1995 without requiring the plat. A recent application for a permit to build a new building flagged the platting requirement. A plat waiver request was approved with the condition that a plat be filed prior to occupancy.

2. Streets/access:

- The property fronts on East 61st Street. Access limits corresponding to the existing drives have been shown on this plat.
- Price, Traffic, stated that these limits are acceptable.

3. Sewer:

- The plat waiver review said connection to the 18" sanitary sewer on the north is not permitted and an 8" main extension would be required to serve both buildings. Sanitary sewer is shown on this plat along the west side of the property connecting with a manhole off-site near the northwest corner. There were no concerns or special requirements during the sketch plat review.
- There were no concerns or special requirements for this preliminary plat.

4. Water:

- The plat shows a 48" waterline along the north side of 61st Street. There were no concerns or special requirements during the sketch plat review.
- Holdman, Water, stated that the service tap should be made from the 12" line along south side of 61st Street. A tap will not be permitted from the 48" line.

5. Storm Drainage:

- The property appears to be in or near the floodplain. There were no concerns or special requirements during the plat waiver review and the only comment during sketch plat review was that the floodplain needs to be placed in a reserve. An overland drainage easement has been shown around the FEMA floodplain.
- McCormick, Stormwater, stated that the requirement is still that the floodplain area be placed in a dedicated reserve and the covenants need to include standard language for the reserve.

6. Utilities:

- During plat waiver review, PSO asked for additional easements to serve the property. This plat shows a 17.5' perimeter easement along the north and east sides.
- There were no representatives from the franchise utility companies and it was assumed that the easements shown would suffice.

7. Other:

- There were no other comments.

Staff recommends approval of the preliminary plat subject to the conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Place floodplain in a dedicated reserve area.

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 topo 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 therefore 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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Comments:

Mr. Harmon stated that the subject property has an existing building. In response, Mr. Beach explained that the Planning Commission extended the time to file a plat in order to allow construction, with the condition that the applicant file a subdivision plat prior to occupancy.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-1** (Carnes, Harmon, Horner, Jackson, Midget, Pace "aye"; no "nays"; Hill "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the preliminary plat for Woodland Animal Hospital East, subject to special conditions and standard conditions as recommended by staff.

* * * * *

4M Vocational School – (1223)

(PD-16) (CD-6)

North of northwest corner of Mingo Road and 46th Street North

Staff Recommendation:

This plat consists of one lot in one block on 7.08 acres. This is a replat of Lots 5, 6, & 7, Mingo Addition. The property is currently vacant and will be developed for use as a welding school and shop with dormitories for students.

The following were discussed **September 21, 2000** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

- This property was rezoned to IL in February 1998 and has been subject to plat since then. The setback requirement is 100 feet from the centerline of Mingo Road and 50 feet from the centerline of 95th East Avenue. In addition, there is a setback requirement of 75 feet from the abutting AG zoning to the west and north. The zoning boundary is along the centerline of 95th East Avenue and along the north property line of this tract.

2. Streets/access:

- The property fronts on North Mingo Road on the east and North 95th East Avenue on the west. The Mingo Addition plat dedicated 40 feet to 95th East Avenue but it has not been constructed adjacent to this property. An additional five feet was dedicated by the Fulsom Addition plat abutting to the south. This plat should also dedicate five feet. This plat dedicates 15 feet to Mingo Road to complete the 50 feet required. There are no internal streets. Two 40-foot access locations are shown on Mingo at the northeast and southeast corners.
- Price, Traffic, stated that the southernmost access location should be moved north at least ten feet.

- Somdecerrff, Transportation, concurred with the need for additional five feet along 95th East Avenue and the proposed 15 feet additional to Mingo Road. Dedications should be labeled "by this plat". Existing right-of-way should be labeled with the book and page numbers.
3. **Sewer:**
 - Atlas page 437 shows a ten-inch sewer about 700 feet west of the subject tract.
 - The applicant stated that the property would be developed using an existing septic system. ODEQ has stated the lot meets its requirements for a septic system.
 - Bolding, Wastewater, stated that septic system would not be permitted and a sanitary sewer extension would be required.
 - The applicant stated that his instructions were to proceed assuming a septic system and he would advise his client of the City policies. The issue has not been resolved as of this writing.
 4. **Water:**
 - Atlas page 437 shows a 24" and a twelve-inch water line on the west side of Mingo Road.
 - Holdman, Water, stated that the service tap should be made from the twelve-inch line and looped through the site if a fire line is needed. A tap will not be permitted from the 24" line.
 5. **Storm Drainage:**
 - The stormwater review in the zoning file indicates that a fee-in-lieu of detention would be allowed.
 - McCormick, Stormwater, concurred and had no concerns with storm drainage.
 6. **Utilities:**
 - The plat shows 17.5' perimeter easements.
 - There were no representatives from the franchise utility companies and it was assumed that the easements shown would suffice.
 7. **Other:**
 - References to "Mingo Subdivision" on the plat should be changed to "Mingo Addition".

Staff recommends approval of the preliminary plat subject to the conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Change the building setback line along Mingo Road to 100 feet from the centerline and delete the setback line along 95th East Avenue. The Zoning Code will control the setbacks from abutting AG, R, or O districts and may change if the zoning is changed on surrounding properties.
2. Move southernmost access location north ten feet.

3. Dedication of five feet of right-of-way to 95th East Avenue and 15 feet to Mingo Road.
4. Extension of a public sewer main to serve the property with easements acceptable to the City.

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 topo 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.

Mr. Beach stated that the dormitories are no longer part of the project and therefore this will only be a welding school and shop.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the preliminary plat for 4M Vocational School subject to special conditions and standard conditions as recommended by staff.

CONTINUED ZONING PUBLIC HEARING

***SEE MODIFICATION BY THE CITY COUNCIL ON 11/9/00.**

APPLICATION NO.: Z-5620-SP-10

CORRIDOR SITE PLAN

Applicant: Ted Sack

(PD-18) (CD-8)

Location: East of southeast corner of East 91st Street and South Memorial

Staff Recommendation:

The applicant is requesting Corridor Site Plan approval for a one-story office building containing 10,548 square feet of floor area on a 2.5-acre tract. The Plan proposes to connect its parking lot to the existing development to the west, but does not have access to a corridor collector street as required by the Corridor Chapter of the Zoning Code. This tract contains the location where a corridor collector street should be provided, but this Site Plan does not propose one. A corridor collector street is needed on this tract to serve the already developed tracts to the west and the 13.7 acres of undeveloped land zoned corridor to the interior of this tract.

Therefore, staff recommends **DENIAL** of corridor site plan 5620-SP-10 as not being in conformance with the Corridor Chapter.

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

Mr. Stump stated that the subject property is the last lot before abutting the stormwater detention area owned by the city. The applicant is showing a loop-roadway going between 91st Street and Memorial, but is a private drive that is built to the same standards as a single-family residential private street. The subject property is not within a PUD and subdivision regulations require that all lots that are in PUD have frontage on a public street. When the interior property is divided (Tract A), there will not be a public street to subdivide off of and there would be a low-capacity street in place. There is no provision for ongoing maintenance of the private street. If this is allowed to occur, there will be 30 feet left between the eastern boundary of the subject tract and the stormwater detention area. There would not be enough right-of-way for any public street, much less a collector street. The whole interior would have no public street

access and the corridor district requires that all lots that are developed have their principal access off a corridor collector street. The proposed private drive does not meet the requirements of a collector street. The eastern portion of the tract needs to provide at least half of the right-of-way for the collector street and the collector street developed as a public street to the southern boundary of Tract B. He indicated that because of the configuration, there would be excessive cut-through traffic trying to avoid the traffic light at 91st Street and Memorial. This would mean a lot of outside traffic that would wear out the private street and create an additional burden on whoever is in charge of maintaining the road.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, submitted site plans (Exhibit A-1) representing the 1995 Land Company, stated that originally this application was to be heard on September 20th and at that time the recommendation was for approval of the site plan. He commented that he believes that staff is satisfied with the site plan itself for the use on Tract B and that the opposition is based upon the issue of the internal collector street.

Staff Comments:

Mr. Stump explained that the reason for the recommendation of approval on September 20th is because there is a new employee reviewing the detail site plan and she did not realize that the bigger picture had to be considered regarding serving the interior lot. In response, Mr. Norman stated that he is not bringing this up as an issue for the purpose of the previous recommendation for approval, but only to eliminate any questions about the site plan itself. Mr. Stump stated that a critical part of the site plan is the eastern side that would have to devote some of the site plan to collector street right-of-way and if the site plan is approved, then the ability to have a public street is eliminated. Mr. Norman asked if there is any issue regarding the land use or the layout that is shown on the detail site plan. Mr. Stump stated that the revised detail site plan indicates a mutual access to a private drive and that solves one of the problems, but it doesn't go to a collector street. There are no problems with the detail site plan, except for the east 30 to 40 feet boundary of the subject property.

Mr. Norman stated that the building setbacks, land use and the internal circulation have been satisfied. The only real issue is the matter of how the internal tracts will be served. Mr. Norman read Section 804 of the Zoning Code pertaining to corridor site plans.

Mr. Norman stated that there is 18 acres of land and the east boundary of the subject property is 900 feet from Memorial and the south boundary of the subject property is 800 feet to 91st Street. He questioned if there is any need for a public street, internal collector street, to serve the 18 acres that includes all of the parcels that front onto 91st Street to the north.

Mr. Norman indicated that the subject property originated in the late 1970's or early 1980's. He stated that typically there would have been an L-shaped collector street coming from 91st Street and down to 93rd and then back out to Memorial. He indicated that 93rd Street was constructed as a collector street and it serves the Sun Chase apartments and extends into the residential area to the north. The next development was the dedication of the stormwater detention facility, which is immediately to the east of the proposed road. He indicated that the State Farm Agency was developed later and fronts on South Memorial. He stated that in 1985 the plat was approved without establishing a collector street, but internally the property owners agreed that there would be established a perimeter road that would connect to Memorial and 91st Street and be maintained by his client. He indicated that the easement was 30 feet in width and slightly wider at Memorial. He stated that two-thirds of the roadway was constructed in 1985 to the city standards. Mr. Norman submitted photographs (Exhibit A-2). Mr. Norman commented that the road is in good condition and is obligated to be maintained by his client.

Mr. Norman stated that the Planning Commission has approved two prior site plans, the Sonic drive-in and O'Reilly's Auto Parts on 91st Street, with a requirement that there be established a mutual access easement. He commented that the Shelter Insurance site plan did not include the mutual access easement; however, that has been added to the revised site plan submitted today. He explained that now vehicles from the Sonic Drive-in, O'Reilly's Auto Parts and the proposed Shelter Insurance site could access the proposed private internal collector street by the mutual access easement.

Mr. Norman indicated that his client proposes to construct the entire length of the street from the existing pavement onto the east and around to the north. He stated that this has been presented to the city as a PFPI 570. The street will have curbs, gutters and storm sewer collection, which will go into the stormwater facility. PFPI 570 has been approved and construction is underway. The location of the driveway onto 91st Street has been approved by Traffic Engineering indicating that it meets the distance from South Memorial.

Mr. Norman stated that the lot-split for Tract B was approved in January 2000, with a provision that left the right-of-way between Tract B and the detention facility (30 feet in width) with a wider throat opening onto 91st Street. The specification for the internal collector street will be up to city standards and will be a street 26 feet in width with curbs and gutters. He commented that a 26-foot wide street would be sufficient for the small number of acres that will be remaining on the interior (approximately 13 acres). He concluded that the issue today is whether there is any need for a public street to go 900 feet from Memorial to the east and then 800 feet to the north. He stated that his client is willing to install a private street and maintain it. He indicated that his client is prepared to provide a mutual access easement all the way around. He explained that the same thing was done for the State Farm road 15 years ago.

Mr. Norman stated that he believes that his proposal meets the spirit of the Zoning Code. He commented that the Zoning Code does not use the word "public" nor the term of "internal collector street". He commented that he believes that as long as internal access is acceptable and adequate to serve the proposed land use, then it is left open to meet the standard for a corridor development by private street.

Mr. Norman concluded that with the provision of the private easement, mutual access and with the obligation for maintenance being imposed upon the remaining property, he feels that his client has satisfied staff's concerns. He stated that before Tract A can be developed it would require a corridor site plan and if there should be any further subdivision internally, then it would have to come before the Planning Commission and platted as well. He stated that this situation is different because of its history and the establishment of a collector street at East 93rd Street.

Mr. Norman informed the Planning Commission that vehicles are driving around construction barriers to cut through from Memorial to 91st Street. He proposes to change the curve to a right-angle turn where a stop sign could be in place to interrupt and make it less convenient to cut through to avoid the traffic signal.

TMAPC Comments:

Mr. Midget asked if there is any indication that his client anticipates the city to take over the proposed street at some point. In response, Mr. Norman answered negatively.

Mr. Carnes asked why his client does not want to dedicate the street since it is being built to the city standards. In response, Mr. Norman stated that his client's point is that the traffic that will be created by this internal tract would not require a collector street 36 feet wide and does not require 60 feet of right-of-way. Mr. Norman further stated that if this roadway could be established privately and to public standards, then he believes that he has met the intent of the Zoning Code.

Mr. Carnes asked staff if there is really any reason for a 36-foot wide street considering the room available for the proposed street. In response, Mr. Stump stated that his biggest concern is that it be a public street. Mr. Stump commented that he doubts if Mr. Norman's client would be willing to commit to never subdividing Tract A (13.67 acres). Mr. Stump stated that if the applicant does not provide adequate public street right-of-way going to 91st Street, then it could never be a public street in the future. Mr. Stump explained that staff is concerned with setting a precedent. Mr. Stump stated that there have been other corridor districts with PUDs on top of them, which specified the intensity of the development in the undeveloped areas and the PUD would specify who would maintain the private road and there is some control, which the city is party to. Mr. Stump further stated that the proposal does not have a PUD in place and therefore, it goes back to the corridor district. Mr. Stump explained that if the

applicant comes back with a high intensity use for Tract A and the zoning indicates that high intensity is permitted on Tract A, the Planning Commission would have to approve it. Mr. Stump further explained Tract A would not have frontage to a public street because there would only be 30 feet of right-of-way going out to 91st Street and the applicant cannot go back and retro-fit. Mr. Stump stated that the solution is to make sure that a collector street system is in place, which could handle high intensity uses.

Mr. Stump stated that the corridor site plan showed a private access drive and there has been no corridor collector street approved. He further stated that State Farm was the only proposed use in the whole area and the Planning Commission said that there is no use to start the collector street since the only thing State Farm needed was to direct vehicles from their parking lot out to Memorial. The Planning Commission allowed State Farm to use a private access drive to get from their parking lot out to Memorial and this did not set a precedent to lower standards for collector streets, but simply stall the collector street until more development comes along.

Mr. Carnes asked staff if the north/south street or private drive was developed with the full right-of-way would that suffice to take care of Tract A at a future date. In response, Mr. Stump stated that would allow more options. Mr. Stump explained that if a high intense use were developed on Tract A it would allow for the road to be widened.

Mr. Norman stated that what he is trying to bring to the Planning Commission's attention is the practical side of the issue. Mr. Norman commented that there is no need for a collector street to serve 18 acres (Mr. Norman compared this application to the development directly across 91st Street, which has private internal collector streets that tie into major streets.)

In response to Mr. Carnes, Mr. Norman stated that his proposal would allow access to Memorial or 91st Street by utilizing the private roadway. Mr. Norman indicated that this particular language (Zoning Code) has been waived in a number of instances where there is obviously no need for or physically possible for a public road.

Mr. Norman predicted that Tract A would more than likely be sold as a single unit. He questioned the possibility that Tract A would be developed with high intensity.

Mr. Stump stated that the tract to the north does not compare to this application. He explained that the tract to the north has approximately ten different access points in and out. The subject property is proposing to funnel a great deal of internal traffic onto the private street with only two ways in and out. Mr. Stump stated that the subject property is not out of proportion to the other corridor districts. Mr. Stump pointed out that there is a smaller area zoned corridor

directly across the street from the subject property, which has a collector street serving the area.

Mr. Carnes asked staff if the proposed roadway were a 36-foot street who would drive to the traffic light at the corner. Mr. Midget stated that it appears that the developer doesn't want the roadway to be a pass-through street, but would like to keep it a private service road for the development.

Mr. Midget commented that the real issue is that because there is no PUD, this becomes a quagmire because there is no way to regulate the density or intensity of uses on Tract A. Because the roadway is internal it becomes a "buyer beware" issue. The developer seems to want this roadway to be for internal use only to service the internal uses.

Mr. Stump stated that the roadway is not even paved yet and it is already being used as a cut-through street, so how will the applicant curtail this use when the roadway is paved.

Mr. Norman stated that if the roadway was developed as a 36-foot wide street it would be more of an invitation to cut through and avoid the traffic light at 91st and Memorial.

Mr. Midget stated that he is concerned that this is not a PUD, a PUD gives the Planning Commission an opportunity to be more flexible, but his most concern is whether this roadway is anticipated to become a public street in the future. He explained that when the city is not in charge of maintaining a roadway it becomes buyer beware.

Ms. Pace asked Mr. Norman what would prevent someone from developing Tract A and then deciding to close the private roadway. In response, Mr. Norman stated that Tract A has not been approved for any use, but has been zoned corridor. Mr. Norman further stated that the front part of Tract A could be adequately served by the frontage on Memorial and by access to the existing State Farm Road. Mr. Norman commented that it is hard to imagine what would be developed in the back portion of Tract A should it be cut into two lots. Mr. Norman stated that possibly a mini-storage would be developed on the back portion of Tract A, but there is no viability for a high-density use. Mr. Norman pointed out that should a use come back before the Planning Commission that would be too high intensity of use for the existing roadway, they have the option to turn it down.

Ms. Pace asked if the private roadway could be closed since it is not publicly dedicated. In response, Mr. Norman stated that the roadway couldn't be closed if the Planning Commission imposed conditions on a corridor site plan approval that the roadway be maintained privately and kept open continuously. Mr. Norman indicated that he has no objection to such a condition. Ms. Pace asked

Mr. Norman if the real issue is the amount of right-of-way his client would have to provide. In response, Mr. Norman stated that technically he would have to request a waiver from the subdivision regulations that require a 36-foot wide paving section for public collector street. Mr. Norman further stated that his argument would be the same because there is no need for that width to serve 900 feet and 800 feet.

Ms. Pace stated that it would seem that vehicles would need a way to get away from the 91st and Memorial traffic. She commented that this seems to be an appropriate place for a public street. Because of the dead-end on the south, due to the expressway, one wouldn't want vehicles going through the residential streets. She stated that corridor districts were developed because there is a unique problem with the lack of ability to get to a certain point because of the expressway. In response, Mr. Norman stated that there is no need for a wide street to serve 13 acres that would be left on this property. Mr. Norman asked why his client should build a public street and require the public to take it and maintain it if it is not needed.

Mr. Norman stated that the shopping center directly across from the subject property has three entrances that serve thousands of vehicles. It is self evident that driveways 26 feet in width will serve a great deal of traffic.

Ms. Pace asked Mr. Norman, that given the location of this development, which is the prime commercial area in the city, isn't it possible that a developer would likely propose intense uses on the balance of the subject property. In response, Mr. Norman stated that it would be hard to imagine what separate uses would be on the backside of Tract A. Ms. Pace stated that the Planning Commission needs to plan according to a wide range. Mr. Norman asked Ms. Pace what type of commercial use would she see on Tract A. Mr. Norman indicated that the most likely use would be as a total tract because of its frontage on Memorial, which would not create separate generators back on the interior.

Ms. Pace asked Mr. Stump what uses may be able to go on Tract A. In response, Mr. Stump stated that judging from the other areas, the western portion might be attractive to an auto dealership. Mr. Stump stated that the subject area talks about 2.04 FAR, which means over a million square feet of office in the remaining parcel. Mr. Stump commented that he doesn't believe that would be built, but certainly medical offices, etc., which are fairly high traffic generators could be built on Tract A. Mr. Stump stated that private streets typically are not maintained because it is assumed that it is a public street. Mr. Stump indicated that there is no limit on building height on the subject property.

Mr. Harmon stated that he believes that the subject area is going to be developed intensely. With the 169 Highway, Memorial Drive, the Creek Expressway and the South Loop, he could see high-rise buildings being built on the subject property. This property is so easy to access from so many different

directions that it would be a significant growth area. He stated that he could see the 91st Street being developed more intensely in the immediate future than any other area in Tulsa. He expressed concerns with approving something where there are no controls over the access to the property in Tract A. It should be a public street, at least to the depth of Tract B. Mr. Harmon concluded that it is good planning to prepare for streets needed in the future.

Mr. Jackson asked if it would be possible to build the private street with 26-foot in width pavement and dedicate the right-of-way for the additional ten feet. In response, Mr. Stumps stated that if the applicant is going to dedicate the right-of-way then they have to install a street that meets city standards in the right-of-way or otherwise the city will not accept it. Mr. Stump further stated that it doesn't mean that the applicant can't dedicate 60 feet of right-of-way with a 26-foot roadway; however, the widening of the roadway would be the city's responsibility and not the developer.

In response to Mr. Jackson, Mr. Stump stated that beyond the depth of Tract B, the applicant could develop what he would like now and leave open the option to continue the public collector street all of the way over to Memorial if an intense development moves in. Mr. Stump explained that staff is not saying to build the entire street over to Memorial, but to build the collector to the depth of Tract B.

Mr. Carnes stated that the subject property is zoned corridor and the Planning Commission can ask for the private street to be left open and require the additional easement on the east half to allow a full 36-foot street later if needed.

Ms. Pace stated that she feels the Planning Commission should hold to what the staff has recommended. This is not the same piece of property it was in 1970 or 1980 and it is prime property.

Mr. Midget stated that the purpose of the street is not intended as a public street or a pass-through street for vehicles from 91st to Memorial. The street is intended for internal circulation like shopping centers. He commented that it is hard to imagine the street needing to be that wide for internal circulation. He stated that he didn't think it would be possible for the traffic to travel through the neighborhood and the road would only create a short cut for vehicles to get from 91st Street to Memorial. Mr. Midget concluded that the short cut could be detrimental to the businesses.

Mr. Harmon stated that businesses usually like high traffic counts because it provides exposure.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, to recommend **APPROVAL** of the corridor site plan for Shelter Insurance Office, subject to the dedication 30-foot of right-of-way along

the east of Tract B, the private street shall remain open, the private street shall be paved at 26 feet of width as modified by the TMAPC.

TMAPC Comments:

Mr. Harmon asked Mr. Carnes if the motion would grant the easement but not develop a public street. In response, Mr. Carnes answered affirmatively. Mr. Stump stated that he understands the motion to require a 30-foot private easement that would be in favor of the property owner of Tract A in order to use the easement for roadway developing purposes. Mr. Stump stated that the easement would remain in private hands and not in the City's hands.

Mr. Norman stated that his client would be willing to impose a 60-foot wide mutual access easement along the east side of Tract B and construct the private road. When the balance of the property is under application for platting and site plan review, then the Planning Commission could demand the dedication if they feel that all of the 60 feet of easement for a public street is necessary. He further stated that he would ask for approval of the site plan subject to the imposition of a 30-foot mutual access easement on the east side of charter and the remaining 30 feet for the benefit of charter. This would keep it open until the balance of the property is reviewed.

Mr. Carnes motion failed due the lack of a 2nd.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to recommend **APPROVAL** of the corridor site plan Z-5620-SP-10, subject to the imposition of a private roadway easement 60 feet in width along the full length of Tract B on the east side (30 feet within Tract B and 30 feet within Tract A), finding that the private street shall be developed to city standards and 26 feet in width and providing a public street if future development In Tract A requires a public collector street for adequate access to 91st Street.

***The City Council made the following modification for Z-5620-SP-10 approval: APPROVAL of the corridor site plan Z-5620-SP-10**, subject to the imposition of a **private public** roadway easement 60 feet in width along the full length of Tract B on the east side (30 feet within Tract B and 30 feet within Tract A), finding that the private street shall be developed to city standards and 26 feet in width and providing a public street if future development In Tract A requires a public collector street for adequate access to 91st Street. (Language in the approval that was deleted by the City Council is shown as strikeout; language added or substituted by the City Council is underlined.)

Legal Description for Z-5620-SP-10:

A TRACT OF LAND THAT IS PART OF SECTION 24, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN ACCORDING TO THE US GOVERNMENT

SURVEY THEREOF IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: STARTING AT THE NORTHWEST CORNER OF SECTION 24; THENCE N 89°37'44" E ALONG THE NORTHERLY LINE OF SAID SECTION 24 FOR 535.00 FEET; THENCE DUE SOUTH FOR 50.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE N 89°37'44" E AND PARALLEL WITH THE NORTHERLY LINE OF SECTION 24 FOR 333.83 FEET TO A POINT OF CURVE; THENCE EASTERLY AND SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 90°22'16" AND A RADIUS OF 30.00 FEET FOR 47.32 FEET TO A POINT OF TANGENCY; THENCE DUE SOUTH ALONG SAID TANGENCY FOR 17.87 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 14°18'42" AND A RADIUS OF 145.00 FEET FOR 36.22 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG SAID REVERSE CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 14°18'42" AND A RADIUS OF 145.00 FEET FOR 36.22 FEET TO A POINT OF TANGENCY; THENCE DUE SOUTH ALONG SAID TANGENCY FOR 175.89 FEET; THENCE DUE WEST FOR 373.02 FEET; THENCE DUE NORTH FOR 58.28 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, OF O'REILLY AUTOMOTIVE, AN ADDITION TO THE CITY OF TULSA; THENCE DUE NORTH ALONG THE EASTERLY LINE OF O'REILLY AUTOMOTIVE FOR 235.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

ZONING PUBLIC HEARING

APPLICATION NO.: Z-6788

Applicant: Steve Coder

Location: Southwest corner of Highway 244 East and North 129th East Avenue

AG/RMH TO RMH

(PD-5) (CD-6)

Staff Recommendation:

RELEVANT ZONING HISTORY:

BOA-18295 February 1999: All concurred in approval of a request for a special exception to allow a truck wash facility on property located east of the northeast corner of East Admiral Place and North 129th East Avenue and east of the subject property.

Z-6643 August 1998: A request to rezone a 12.6-acre tract located on the southeast corner of I-244 and North 129th East Avenue and across 129th East Avenue to the east from the subject property from CO to CG. All concurred in approval of CG zoning for proposed commercial storage.

BOA-18256 December 1998: All concurred in approval of a request for a special exception to permit a truck stop in a CG-zoned district on property located in the southeast corner of I-244 and North 129th East Avenue and east across North 129th East Avenue from the subject property.

Z-6374 January 1993: A request to rezone a 30.5-acre tract north and west of the northwest corner of East Admiral Place and North 129th East Avenue from RMH to IL for mobile homes sales. All concurred in approval of IL zoning.

Z-6192 July 1988: A request to rezone the northeast corner of East Admiral Place and North 129th East Avenue and including the subject tract, from AG and RS-3. Staff recommended the southern portion be rezoned from RS-3 to CG to a depth that would line up with the existing CG zoning to the east and that the remaining tract be rezoned CO zoning. The Comprehensive Plan was subsequently amended to reflect the CG zoning. All concurred in the recommendation.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 21.5 acres in size and is located in the southwest corner of Highway 244 East and South 129th East Avenue. The property is flat, non-wooded, vacant, and zoned AG.

STREETS:

<u>Existing Access</u>	<u>MSHP Design.</u>	<u>Exist. No. Lanes</u>	<u>Surface</u>	<u>Curbs</u>
North 129 th East Avenue	100'	4 lanes	Paved	No

The Major Street Plan designates North 129th East Avenue as a secondary arterial street and Highway 244 is a freeway. The City of Tulsa 1998-99 traffic counts indicate 12,700 trips per day on North 129th East Avenue at East Admiral Place.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject tract is abutted on the north by I-244, zoned RS-3; on the south by a mobile home park and apartments, zoned RMH; on the west by a mobile homes sales, zoned IL; and on the east by vacant property, zoned RMH, a truck stop, zoned CG and vacant land, zoned CG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity – No Specific Land Use and Corridor.

According to the Zoning Matrix the requested RMH is in accordance with the Plan Map.

STAFF RECOMMENDATION:

Based on the existing development, trends in the area and the District 5 Plan, staff can support RMH zoning on this property and therefore recommends **APPROVAL** of RMH for Z-6788.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Comments:

Ms. Hill stated that she is very pleased to know that Mr. Coder met with the neighborhood and this appears to be a very good development.

Mr. Jackson announced that the TMAPC received letters of support from the East Tulsa Mingo Valley Association and Western Village. (Exhibit B-1).

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to recommend **APPROVAL** of RMH zoning for Z-6788 as recommended by staff.

Legal Description for Z-6788:

Part of the SE/4, SE/4, Section 32, T-20-N, R-14-E of the IBM, Tulsa County, Oklahoma, according to the U. S. Government survey thereof, more particularly described as follows: Beginning at a point 379.80' North and 50' West of the Southeast corner of said SE/4, SE/4, said point being the Northeast corner of Lot 1, Block 1, Cooley Lake East Addition to the City of Tulsa; thence along the Northerly and Westerly boundary of said Addition to the following: West 20.00'; Northwesterly 147.02' around a curve to the right through a central angle of 27°54'17", a radius of 326.54' and a chord bearing of N 76°02'51" W 145.57'; Westerly 147.02' around a curve to the left through a central angle of 27°54'03", a radius of 326.54' and a chord bearing of N 76°02'44" W 145.57'; West 911.44', S 00°19'23" W 450.00' to the Southwest corner of said Addition; thence West along the South line of said SE/4, SE/4, 50.00'; thence N 00°19'23" E 1,408.39' to a point on the Southerly right-of-way of Interstate Highway 244; thence along said right-of-way the following: 579.42' around a curve to the right through a central angle of 10°31'47", a radius of 3,154.05' and a chord bearing of S 78°49'23" E 578.61'; S 55°04'21", E 373.24'; S 42°31'47", E 375.00'; S 69°38'47" E 91.76'; S 00°21'07" W 153.99'; S 31°42'38" E 90.15' to a point on the West right-of-way line of North 129th East Avenue; thence S 00°21'10" W along said right-of-way 163.79' to the Point of Beginning, and located in the southwest corner of Highway 244 East and North 129th East Avenue, Tulsa, Oklahoma, **From AG & RMH (Agriculture District and Residential Manufactured Home District) To RMH (Residential Manufactured Home District).**

APPLICATION NO.: PUD-542-2

MINOR AMENDMENT

Applicant: Roy Johnsen

(PD-18) (CD-8)

Location: North of northwest corner of East 91st Street and South Sheridan

Staff Recommendation:

The applicant is requesting an amendment to allow a 35-foot setback along interior private streets in the Sheridan Oaks Estates Addition. This proposal would allow a total setback from the centerline of these streets of 50 feet.

There are residential zonings and subdivisions surrounding the subject Planned Unit Development. Setbacks range from 25 feet to 45 feet of required front yard in the area.

The subdivision has severe topographic conditions and the PUD allows interior private streets with 30 feet of total right-of-way, and also provides for one public collector street.

Staff recommends **APPROVAL** of the proposed setback for front yards along interior private streets in this residential area.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the minor amendment for PUD-542-2 as recommended by staff.

* * * * *

OTHER BUSINESS:

APPLICATION NO.: PUD-569

DETAIL SITE PLAN

Applicant: Jerry Ledford, Jr.

(PD-18) (CD-8)

Location: Southeast corner of East 81st Street and Mingo Valley Expressway

Staff Recommendation:

The applicant is requesting detail site plan approval for a 3,725 square foot Burger King restaurant, and for a 3,530 square foot Kicks 66 convenience and gas station. Both structures are one-story in height.

Staff has examined the request and finds conformance to bulk and area, building square footage, setback, parking, lighting, general screening and total landscaped area standards and specifications as outlined in PUD-569. A plat is being processed which will establish acceptable street access per the underlying CO (corridor) zoning requirements.

Staff, therefore, having found conformance to the approved standards and specifications for PUD-567 recommends **APPROVAL** of the detail site plan with the condition that the plat be processed in accordance with the access and mutual access easements as depicted on the detail site plan.

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

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the detail site plan for PUD-569, subject to conditions as recommended by staff.

* * * * *

APPLICATION NO.: PUD-287

Applicant: Stephen J. Olsen

Location: 6950 South Utica

DETAIL SITE PLAN

(PD-18) (CD-9)

Staff Recommendation:

The applicant is requesting detail site plan review for a proposed one-story, 3,948 square foot office building on Lot 3, Block 1, and South Utica Place Addition.

Staff has examined the request and finds conformance to bulk and area, building square footage, setback, parking, lighting, general screening and total landscaped area standards and specifications outlined in PUD – 287.

Staff therefore, having found conformance to the approved standards and specifications for PUD–287 within Lot 3, Block 1, of the South Utica Place Addition, recommends **APPROVAL** of the detail site plan as submitted.

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

The applicant indicated his agreement with staff's recommendation.

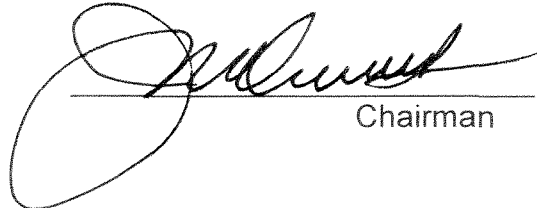
There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Collins, Ledford, Westervelt "absent") to **APPROVE** the detail site plan for PUD-287 as recommended by staff.

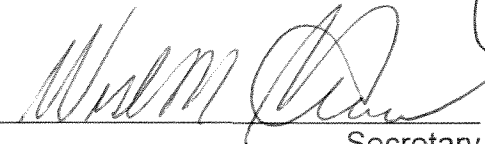
There being no further business, the Chairman declared the meeting adjourned at 2:55 p.m.

Date approved: 10-25-88



Chairman

ATTEST:



Secretary