

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2285

Wednesday, September 5, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Bayles	Selph	Beach	Romig, Legal
Carnes		Bruce	
Harmon		Dunlap	
Hill		Huntsinger	
Horner		Matthews	
Jackson		Stump	
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, September 4, 2001 at 9:19 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Minutes:

Approval of the minutes of August 15, 2001, Meeting No. 2283

On **MOTION** of **HORNER** the TMAPC voted 7-0-1 (Bayles, Carnes, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Harmon, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of August 15, 2001, Meeting No. 2283.

REPORTS:

Chairman's Reports:

Mr. Westervelt announced the following changes for the meeting agenda:

Preliminary Plat, Sheridan Cypress Green, located at the northeast corner of East 41st Street South and South Sheridan Road is stricken from the agenda.

APPLICATION NO.: Z-6827/PUD-654

RS-1 TO OL/PUD

Applicant: Roy D. Johnsen

(PD-18) (CD-2)

Location: Southwest corner of East 71st Street and South Harvard

The applicant has withdrawn this item.

APPLICATION NO.: Z-6833

IL TO CS

Applicant: Thomas Vogt

(PD-18-C) (CD-5)

Location: 7901 East 41st Street South

Applicant timely requested a continuance.

TMAPC Action; 8 members present:

On **MOTION** of **HILL**, the TMAPC voted **8-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Harmon, Midget, Selph "absent") to **CONTINUE** Z-6833 to September 19, 2001 at 1:30 p.m.

Mr. Harmon in at 1:36 p.m.

APPLICATION NO.: CZ-288

AG TO CG

Applicant: Paul Dean

(PD-15) (County)

Location: East of the southeast corner of East 116th Street and North Garnett Road

Applicant timely requested a continuance to October 3, 2001.

Interested Parties Comments:

Jerry Pretty, no address given, stated that he ended his vacation early in order to attend today's meeting and it would be an inconvenience to have to return at a later date. He indicated that the he is opposed to the rezoning. Mr. Pretty submitted a letter of opposition from his neighbor (Exhibit B-1).

TMAPC Comments:

Mr. Westervelt advised Mr. Petty to write his concerns in letter form and submit it to staff. He explained that the letter would be made a part of the record and all Planning Commissioners would receive a copy of his letter.

Mr. Stump advised Mr. Petty to submit his letter before September 28th in order to include it with the TMAPC agenda packets.

TMAPC Action; 9 members present:

On **MOTION of HORNER**, the TMAPC voted **9-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget, Selph "absent") to **CONTINUE CZ-288** to October 3, 2001 at 1:30 p.m.

* * * * *

Rezoning request for Countryside Estates

Staff Recommendation:

Ms. Matthews stated that this is an area of Residential Estate zoning in the northern part of Tulsa County. This neighborhood didn't realize they were zoned for Residential Estate and now wants to be rezoned to AG.

Mr. Stump stated that the neighborhood is requesting that the Planning Commission initiate the rezoning.

Mr. Westervelt directed staff to set this item on the next worksession agenda for discussion.

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Director's Report:

Mr. Stump stated that there are no items on the City Council agenda this week.

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LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-19121 – Tom Christopoulos (2603) (PD-16) (CD-3)

North side of Virgin and east of Sheridan

L-19264 – Jeffrey G. Levinson (3293) (PD-18) (CD-9)

5136 South Columbia Place

L-19283 – City of Tulsa (2383) (PD-26) (CD-8)

9801 South Sheridan

L-19284 – City of Tulsa (3204)

1220 North 129th East Avenue

(PD-16) (CD-6)

L-19285 – LeRoy Mattingly (691)

16919 Wekiwa Road

(PD-23) (County)

Staff Recommendation:

Mr. Bruce stated that these lot-splits are in order and staff recommends **APPROVAL.**

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget, Selph "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations, as recommended by staff.

FINAL PLAT:

Village Park Of Tulsa II - (PUD 587) (1683)

(PD 18) (CD 8)

Location: South and west of East 81st Street and South Yale Avenue

Staff Recommendation:

The area to be platted is Development Area A, located in the northern portion of the PUD. Development standards allow a variety of uses, including offices and studios, entertainment and eating establishments, convenience and shopping goods and services.

Release letters are substantially in order. Staff recommends approval subject to revisions per City Legal Department.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted **9-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget, Selph "absent") to **APPROVE** the final plat for Village Park of Tulsa II as recommended by staff.

41st and Lewis (PUD 637) (2993)

(PD 6) (CD 9)

Location: Northeast corner of 45th Street South and South Lewis Avenue

Staff Recommendation:

The area to be vacated is a portion of the 41st and Lewis Addition in an area that is covered by the Green Hill replat. The purpose of the vacation is to allow clear title for sale of lots as configured under the Green Hill plat, eliminating old easements and lot lines as created by the previous plat. No public streets will be affected.

The affected portion of the 41st and Lewis plat is as follows: All of Lots 1,2,3,6,7, and 8 and a part of Lot 4 in Block 2 and, all of Lot 12 in Block 1.

The request is by Grab Properties, L.L.C.; the applicant indicates through their attorney that they own the entirety of the area contained within the Green Hill Addition and that they have obtained approval of the vacation by more than the required 60% of owners of the 41st and Lewis Addition.

Staff recommends **APPROVAL** of the requested vacation of that portion of the 41ST and Lewis Addition affected by the Green Hill replat.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget, Selph "absent") to **APPROVE** the requested vacation of that portion of the 41st and Lewis Addition affected by the Green Hill replat as recommended by staff.

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Birmingham Square Addition – (PUD 649) (2093)

(PD 6)(CD 9)

Location: West of the intersection of 33rd Street and South Birmingham Avenue

Staff Recommendation:

This plat consists of four lots in one block and two reserves on 2.46 acres. It will be developed as single-family residential.

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.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted **9-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Midget, Selph "absent") to **APPROVE** the final plat for Birmingham Square Addition as recommended by staff.

Mr. Midget in at 1:45 p.m.

PRELIMINARY PLAT:

Pleasant Oaks IV - (3191) (PD 23) (County)
Location: South west quarter, Section 31, T-19-N, R-11-E, Tulsa County

Staff Recommendation:

This plat consists of 26 lots in two blocks on 37.14 acres. It was rezoned recently to RS and will be developed with single-family residential uses.

The following were discussed **August 16, 2001** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

Staff: This property was rezoned from AG to RS in November 2000. Minimum lot width is 60 feet. Minimum lot area is 6,900 square feet. The proposed lots far exceed these minimums.

2. Streets/access:

Staff: Sixty feet of right-of-way on internal streets. Cul-de-sacs exceed maximum 500' length. Fifty feet of dedication being made to West 61st Street South. South 177th West Avenue is a section line and would normally be a 100' wide secondary arterial, but it's not shown on the MSHP at this location, only in Creek County.

County Engineer: Add 25' corner radii on all street corners or 15'x15' triangle. Add LNA on section line where there are double-frontage lots. Show building line along west side. Add, "dedicated by this plat" where street right-of-way is being dedicated on arterials.

Applicant: Cul-de-sacs were originally to be connected but topography

prevents this. Wants waiver to allow over-length.

3. Sewer:

Staff: Individual septic systems will be used.

Sewer jurisdiction: No attendee.

Applicant: No comments.

4. Water:

Staff: No additional information.

Sand Springs Water: Submitted comments by email. Detailed list of required utility easement locations to provide looped water system with no dead-ends.

Applicant: Will comply.

5. Storm Drainage:

Staff: Floodplain limits should be shown on plat.

County Engineer: No concern; concurred on showing floodplain.

Applicant: No comments.

6. Utilities:

Staff: No additional information.

Franchise utilities: Requested applicants contact them to discuss plans. Utility easement needed along front of Lots 1 through 7.

7. Other:

No other comments.

Staff recommends **APPROVAL** of the waiver of the subdivision regulations and of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. To allow cul-de-sacs to exceed 500 feet in length.

Special Conditions:

1. Meet all requirements made by contributing TAC members as detailed above. Where there is discretion, the final release letter will signify satisfactory compliance.

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. 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).
3. Paving and/or drainage plans (as required) shall be approved by the County Engineer.
4. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
5. Street names shall be approved by the County Engineer and shown on plat.
6. All curve data, including corner radii, shall be shown on final plat as applicable.
7. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
8. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
9. It is recommended that the developer coordinate with the County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
10. 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.
11. The method of sewage disposal and plans therefor shall be approved by the Oklahoma Department of Environmental Quality.

12. 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.)
13. The method of water supply and plans therefor shall be approved by the Oklahoma Department of Environmental Quality.
14. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
15. The key or location map shall be complete.
16. 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.)
17. 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.)
18. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
19. 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 Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the preliminary plat for Pleasant Oaks IV, subject to special conditions and standard conditions as recommended by staff

Storage Station Amended - (3293)

(PD 18) (CD 9)

Location: 2916 East 51st Street

Staff Recommendation:

This plat consists of seven lots in one block on 4.45 acres. The property is the site of a mini storage and office uses. It is abutted on the south and west by a PUD containing Brittany Square and on the east by unplatted property containing a residence or small office.

The following were discussed **August 16, 2001** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

Staff: The PUD was amended in early 1999 to add 1.8 acres to the west and to allow the mini-storage and office uses. This triggered a requirement to plat.

2. Streets/access:

Staff: The mini storage site gains access from a private street connecting with East 51st Street. One other access location is shown at the northwest corner of the property to serve the two westernmost lots.

Public Works Traffic & Transportation: Access locations OK; PFPI will be needed to modify the median; street name should be removed since this is a private drive.

Applicant: Concurred.

3. Sewer:

Staff: No additional information.

Public Works Waste Water: Sewer main extension to serve Lots 3, 5, and 6; need easement on east side of Lot 6.

Applicant: Concurred.

4. Water:

Staff: No additional information.

Public Works Water: Water main extension with 20' restricted waterline easement and appropriate covenant language.

Applicant: Concurred.

5. Storm Drainage:

Staff: No additional information.

Public Works Stormwater: Fees in lieu are acceptable; collect on-site stormwater and pipe to Joe Creek; will need off-site easements and language in covenants.

Applicant: Concurred.

6. Utilities:

Staff: No additional information.

Franchise utilities: No comments.

Applicant: No comments

Staff recommends **APPROVAL of the waiver of the preliminary plat** subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Extend water and sewer mains, provide sufficient easements, and include appropriate language in covenants as required by Department of Public Works.
2. Provide off-site storm drainage system and acquire adequate off-site storm drainage easements as required by Department of Public Works.

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 therefore 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 Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the preliminary plat for Storage Station Amended, subject to special conditions and standard conditions as recommended by staff.

Wenmoor - PUD 646 (2683)

(PD 26) (CD 8)

Location: 111th and Sheridan, northeast of intersection

Staff Recommendation:

This plat consists of 33 lots in three blocks and two reserves on 37.5 acres. The PUD will allow single-family residential use. Detached accessory buildings may be allowed with up to 1,100 square feet of living space in addition to other accessory uses such as a garage.

This plat was reviewed by the TAC on June 21, 2001 and was recommended for denial because of significant changes to the layout of lots and streets that would likely be required once the floodplain was properly located.

It was revised and resubmitted with most of the first TAC comments addressed satisfactorily. The following were discussed **August 16, 2001**, at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

Staff: The PUD was considered by the TMAPC June 20 and recommended for approval. It will allow single-family residential use. Detached accessory buildings may be allowed with up to 1,100 square feet of living space in addition to other accessory uses such as a garage. The development standards are attached for TAC review.

2. Streets/access:

Staff: These will be private streets, 26' wide paving to City specs, 30' right-of-way, and maximum grade of 12% allowed by the PUD. Cul-de-sacs and entry gates are subject to review and approval by the Traffic Engineer. Principal access will be from Sheridan. Secondary access is from 68th Place in Forest Trails to the north.

Public Works Traffic & Transportation: Add right-of-way dedication in covenants.

Public Works Fire Marshal: Cul-de-sac is too small for fire truck turnaround.

Applicant: Asked if Fire Department has had any discussions about revising the Subdivision Regulations to make provisions for cul-de-sacs to handle newer equipment. Answer: No.

3. Sewer:

Staff: No additional information.

Public Works Wastewater: Sewer main extension required.

Applicant: No comment.

4. Water:

Staff: No additional information.

Public Works Water: Water main extension required.

Applicant: No comment.

5. Storm Drainage:

Staff: The site has severe topography and is bordered by creeks on the south and east. Special consideration should be given to erosion control and bank stabilization during construction.

Public Works Stormwater: 100-year floodplain must be shown on plat and labeled and put in a reserve. Include 15' maintenance access on both sides. Will need a PFPI. Must address erosion control and bank stabilization. All storm sewers must be placed in easements. Covenants refer to a drainage easement but none is shown on the plat.

Applicant: Objects to showing location of floodplain.

Public Works Stormwater: City's floodplain information conflicts with what is currently shown on the plat. The 100-year floodplain must be shown to verify it is properly located. This will also provide better notice to the public.

6. Utilities:

Staff: No additional information.

Franchise utilities: Add revised standard language regarding utilities.

Applicant: No comment.

Staff recommends **APPROVAL** of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Extend sewer main and provide easements as required by Department of Public Works.
2. Extend water main and provide easements as required by Department of Public Works.

3. Clearly indicate limits of 100-year floodplain on plat and place in reserve and provide maintenance access easement around perimeter; place all storm sewers in easements; modify covenants to include appropriate language for all stormwater-related elements, satisfactory to Department of Public Works.

Standard Conditions:

1. All conditions of PUD-646 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.
2. 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.
3. 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.)
4. 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).
5. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
6. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
7. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
8. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
9. Street names shall be approved by the Public Works Department and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.

12. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
13. 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.)
14. 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.
15. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
16. 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.)
17. The method of water supply and plans therefore shall be approved by the City/County Health Department.
18. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
19. The key or location map shall be complete.
20. 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.)
21. 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.)
22. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
23. 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 Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the preliminary plat for Wenmoor, subject to special conditions and standard conditions as recommended by staff.

PLAT WAIVER:

CBOA - 1817 (3292)

(PD-23) (County)

Location: ½ mile south of the southeast corner of West 51st Street and South 65th West Avenue

Staff Recommendation:

In February 2001 the County Board of Adjustment approved a special exception to permit a cemetery under Use Unit 2 on this property. Approval of special exceptions uses under Use Unit 2 always triggers the platting requirement.

This property was previously platted as Solid Rock Fellowship after approval of church use under use Unit 2.

The following information was provided at the TAC meeting of August 16, 2001.

STREETS:

County Engineer: Will need to process Change of Access to allow proposed drive location. **(Change of Access request appears later on this agenda and may be considered together with this plat waiver.)**

SEWER:

No one present to address this item. Will be septic – regulated by ODEQ. Lot size is adequate to meet their requirements.

WATER:

No one present to address this item.

STORM DRAIN:

County Engineer: No comments or concerns.

UTILITIES:

Franchise Utilities: No comments or concerns.

Based on the requirements stated above and the answers to the checklist below, staff recommends **APPROVAL** of the request for plat waiver with the following conditions:

1. No special conditions.

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

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street R/W?	X	

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

4. Is right-of-way dedication required to comply with major street and highway Plan?		X
5. Will restrictive covenants be filed by separate instrument?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		NA
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		NA
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?	X	

- | | | |
|-----|--|----|
| 9. | Is the property in a P.U.D.? | X |
| | a) If yes, was plat recorded for the original P.U.D. | NA |
| 10. | Is this a Major Amendment to a P.U.D.? | X |
| | a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | NA |

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the plat waiver for CBOA-1817, subject to the change of access approval and conditions as recommended by staff.

PUD-652 – (3193) (PD-18) (CD-9)

Location: Northeast corner of East 55th Place and Peoria

Staff Recommendation:

In July 2001 the zoning was changed on this property from OL to CS/PUD 652. This triggered a requirement to plat. A plat has greater significance when a PUD is involved because of the requirement to record the PUD conditions. The conditions often contain elements that are best communicated graphically. Without a plat, the conditions must be filed by separate instrument.

The property was previously platted as part of the JE Nichols Subdivision in 1926.

The following information was provided at the TAC meeting of August 16, 2001.

STREETS:

Public Works, Transportation: Need additional 15' right-of-way on Peoria and 30' radius at the corner of Peoria and 55th Place.

Public Works, Traffic: No comments.

SEWER:

Public Works, Waste Water: No comments.

WATER:

Public Works, Water: No comments.

STORM DRAIN:

Public Works, Storm Water: No comments.

FIRE:

Public Works, Fire: No comments.

UTILITIES:

Franchise Utilities: No comments.

Based on the requirements stated above and the answers to the checklist below, staff recommends **DENIAL** of the request for a plat waiver.

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

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

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

- | | | |
|---|---|---|
| 4. Is right-of-way dedication required to comply with major street and highway Plan? | X | |
| 5. Would restrictive covenants be required to filed by separate instrument if the plat were waived? | X | |
| 6. Infrastructure requirements: | | |
| a) Water | | |
| i. Is a main line water extension required? | | X |
| ii. Is an internal system or fire line required? | | X |
| iii. Are additional easements required? | | X |
| b) Sanitary Sewer | | |
| i. Is a main line extension required? | X | |
| ii. Is an internal system required? | | X |

	Yes	NO
iii Are additional easements required?	X	
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?	X	
iv. Are additional easements required?	X	
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?	X	
9. Is the property in a P.U.D.?	X	
a) If yes, was plat recorded for the original P.U.D.		NA
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		NA

There were no interested parties wishing to speak.

Applicant's Comments:

Max Heidenrich, no address given, stated that he would like to withdraw the plat waiver request. He indicated that his client would plat the subject property.

Plat Waiver for PUD-652 has been withdrawn.

* * * * *

CHANGE OF ACCESS ON FINAL PLAT:

Lot 1, Block 1, Solid Rock Fellowship (3292)

Location: ½ mile south of southeast corner West 51st Street and South 65th West Avenue

Staff Recommendation:

This application is made to accommodate the location of a new drive for an approved cemetery. The access location that was previously platted was based on a site plan for a church, which never materialized.

The County Engineer has reviewed and approved the request.

Staff recommends **APPROVAL** of the change of access.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HARMON**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the change of access for Lot 1, Block 1, Solid Rock Fellowship as recommended by staff.

Lot 16, 101 Yale Village (2783)

Location: South of the southeast corner of East 101st Street and South Yale Avenue

Staff Recommendation:

This application is made to accommodate the location of a new drive. The only access location previously platted to serve this lot is in common with Lot 17, abutting to the north.

The Traffic Engineer has reviewed and approved the request.

Staff recommends **APPROVAL** of the change of access.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the change of access for Lot 16, 101 Yale Village as recommended by staff.

APPLICATION NO.: Z-6830

RM-1 TO CS

Applicant: Roy D. Johnsen

(PD-18) (CD-8)

Location: South of southeast corner of East 81st Street and South Memorial

Staff Recommendation:

RELEVANT ZONING HISTORY:

PUD-571 February 1998: All concurred in approval, per modifications, of a request for a PUD on property located east of the northeast corner of East 81st Street and South Memorial Drive to allow a retail shopping center and mini storage facility with underlying zoning of CS and RM-1.

PUD-574 November 1997: All concurred in approval, as modified, of a mixed use development on an 18-acre tract located north and east of the northeast corner of East 81st Street and South Memorial Drive for a 388-unit multifamily apartment in Development Area A and commercial uses on Development Areas B and C.

Z-6594/PUD-562 June 1997: All concurred in approval of a request to rezone an 8.7-acre tract located north of the northeast corner of East 81st Street and South Memorial Drive, from AG to RM-1 for a 168-unit multifamily development.

PUD-523-A January 1996: A request for a major amendment was approved to allow office uses on the west 300' of Development Area B, which had been originally approved for multifamily dwellings, and to increase the permitted floor area ratio for the office development. The subject property is within Development Area B.

PUD-456-A March 1995: A major amendment was approved subject to modifications to the standards, to change the permitted uses in the PUD from offices to multifamily dwellings for a maximum number of dwelling units to be 360. Included in the amended conditions and standards were the requirements for a solid eight-foot masonry-screening wall to be constructed on the east, exterior of buildings to be 60% masonry, and building setback requirements modified.

Z-6471/PUD-523 January 1995: A request to rezone a 66-acre tract located in the southeast corner of East 81st Street South and South Memorial Drive and which included the subject, from AG to RS-3, RM-1 and CS for a mixed-use development. The request was approved for CS zoning on the north 660' of the west 660', a 300' RM-1 strip wrapping around the CS zoning area and RS-3 on the remainder.

Z-6264/PUD-456 December 1989: All concurred in approval of a request to rezone an 18-acre tract located north of the subject tract on the east side of Memorial Drive from RS-3 to OL/PUD.

Z-6101/PUD-412 May 1986: A request to rezone a sixty-acre tract located in the southeast corner of East 81st Street and South Memorial Drive and including the subject tract, from AG to CS, RM-1 and RS-3. TMAPC and staff were not supportive of the application as it was submitted and recommended the application be amended with ten acres of CS, twenty acres for RM-1 and the balance RS-3 zoning. The applicant, prior to a final hearing, withdrew the application.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.3 acres in size and is located south of the southeast corner of East 81st Street South and South Memorial Drive. The property is sloping; non-wooded; vacant and zoned RM-1/PUD-523.

STREETS:

Exist Access	MSHP Design	Exist. No. Lanes
South Memorial Drive	120'	4 lanes
East 81 st Street South	100'	2 lanes

The Major Street Plan designates South Memorial Drive as a primary arterial street and East 81st Street South as a secondary arterial street. The City of Tulsa Traffic Counts 1998 – 1999 indicates 39,300 trips per day on South Memorial Drive at East 81st Street South.

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

SURROUNDING AREA: The subject tract abuts vacant land on the north and east and beyond the vacant tract to the north is a Walgreen's Drug store, zoned CS/PUD-523; to the east are apartments and single-family homes, zoned RM-1 and RS-3; to the south is a single-family dwelling surrounded by vacant land, zoned RS-3/PUD-523; and to the west is a multi-story office building, zoned RM-1/PUD-270.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Low Intensity – Linear Development.

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

Z-6471/PUD-523 January 1995: A request to rezone a 66-acre tract located in the southeast corner of East 81st Street South and South Memorial Drive and which included the subject property, from AG to RS-3, RM-1 and CS for a mixed-use development. The request was approved for CS zoning on the north 660' of the west 660', a 300' RM-1 strip wrapping around the CS zoning area and RS-3 on the remainder.

Z-6264/PUD-456 December 1989: All concurred in approval of a request to rezone an 18-acre tract located north of the subject tract on the east side of Memorial Drive from RS-3 to OL/PUD.

Z-6101/PUD-412 May 1986: A request to rezone a sixty-acre tract located in the southeast corner of East 81st Street and South Memorial Drive and including the subject tract, from AG to CS, RM-1 and RS-3. TMAPC and staff were not supportive of the application as it was submitted and recommended the application be amended with ten acres of CS, twenty acres for RM-1 and the balance RS-3 zoning. The applicant, prior to a final hearing, withdrew the application.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.39 acres in size and is located south of the southeast corner of East 81st Street South and South Memorial Drive. The property is sloping, non-wooded, vacant and zoned RM-1/RS-3/PUD-523.

STREETS:

Exist Access	MSHP Design	Exist. No. Lanes
South Memorial Drive	120'	4 lanes
East 81 st Street South	100'	4 lanes

The Major Street Plan designates South Memorial Drive as a primary arterial street and East 81st Street South as a secondary arterial street. The City of Tulsa Traffic Counts 1998 1999 indicate 39,300 trips per day on South Memorial Drive at East 81st Street South.

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

SURROUNDING AREA: The subject tract abuts vacant land on the north and east and beyond the vacant tract to the north is a Walgreen's Drugstore, zoned CS/PUD-523; to the east are apartments and single-family homes, zoned RM-1 and RS-3; to the south is a single-family dwelling surrounded by vacant land, zoned RS-3/PUD-523; and to the west is a multi-story office building, zoned RM-1/PUD-270.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Low Intensity – Linear Development Area.

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

The major amendment proposes commercial uses on 2.396 net acres located approximately 771 feet south of the southeast corner of East 81st Street and South Memorial Drive. The subject tract is Development Area B-1 of PUD-523-A (approved in 1995). The tract has been approved for office uses. This major amendment proposes to allow uses that are permitted by right in a CS district.

The subject tract is zoned RM-1/RS-3/PUD-523-A. Concurrently an application (Z-6830) has been filed to rezone the RM-1 portion of the tract to CS. The tract is abutted on the north by office uses zoned RM-1/PUD-523, on the east by residential uses zoned RM-1/RS-3/PUD-523-B and on the south by vacant property zoned AG. There are office uses zoned RM-1/PUD-270 to the west of the tract across South Memorial Drive.

The District 18 Plan, a part of the Comprehensive Plan, designates the subject tract as Low Intensity-Linear Development Area. The requested zoning and PUD are not in accordance with the plan map.

The Planning Commission, at their August 22, 2001 meeting, directed staff to prepare the following standards:

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

Net Land Area: 2.396 Acres 104,381 SF

Permitted Uses:

The permitted uses shall be limited to the uses included within Use Unit 11, Offices, Studios, and Support Services; Use Unit 12, Eating Establishments Other Than Drive-Ins; Use Unit 13, Convenience Goods and Services; and Use Unit 14, Shopping Goods and Services and Health Club/Spa, provided, however, that convenience grocery, gasoline service station, blood bank and plasma center, day labor hiring center and laundromat self service shall be prohibited.

Maximum Floor Area: 29,000 SF

Maximum Building Height: One story.

Minimum Building Setbacks:

From centerline of Memorial 200 FT

From north boundary 10 FT

From south boundary 45 FT

From east boundary 50 FT

Parking Ratio: As provided within the applicable use unit.

Minimum Landscaped Area: 10% of net lot area.

Landscaping and Screening:

Landscaping and screening within the development shall be in compliance with the requirements of the Landscaping and Planned Unit Development chapters of the Tulsa Zoning Code. Along the east boundary of the site, the adjoining and gated patio home development has constructed a screening/security fence as a part of the common area of the patio home development and no additional screening fence shall be required at this time, but it shall be the responsibility of the owner or owners of the subject tract to ensure that screening is maintained along the east boundary of the PUD, either by a maintenance agreement with the residential development abutting on the east or the construction of a new screening fence along the east boundary of the PUD which shall be a minimum of eight feet high. The screening fence shall be of a type approved by TMAPC.

Access and Circulation:

There shall be a maximum of two access points to Memorial. The north access point shall be located at a Memorial median break providing left turn access. The south access point shall be a right turn only. Access shall be prohibited to and from East 84th Place South (a private street), unless an access easement is granted by the record owner of East 84th Place South. All access shall be approved by Traffic Engineering.

Building Design:

The exterior finish of building walls (excepting doors, windows and architectural features) shall be stucco, masonry or Dryvit-type finish.

Single Building Limitation:

The permitted uses shall be located within one principal building.

Signs:

One pylon-style ground sign may be located along the Memorial frontage not exceeding 20 feet in height and a display surface area of 124 square feet.

One monument-style ground sign may be located at the north access point to Memorial, not exceeding six feet in height and a display surface area of 48 square feet.

Wall signs shall be permitted, not exceeding 1 ½ square feet of display surface per lineal foot of building wall of tenant space to which affixed. The length of a tenant wall sign shall not exceed 75% of the frontage on the tenant space. No wall sign shall be permitted on the east-facing wall of the building.

Hours of Operation:

No use permitted within the PUD shall be open to the public except between the hours of 6:00 a.m. and ~~11:00 p.m.~~ 12:00 a.m. provided; however, patrons who arrive at a restaurant prior to ~~11:00 p.m.~~ 12:00 a.m. may complete their meals after ~~11:00 p.m.~~ 12:00 a.m.

The limitations on the hours that permitted uses may be open to the public shall not apply to janitorial services, merchandise stocking and maintenance conducted between the hours of ~~11:00 p.m.~~ 12:00 a.m. to 6:00 a.m.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. There shall be no bulk trash receptacle within the east 40 feet of the PUD.
7. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in adjacent residential areas or street right-of-way. No light standard nor building-mounted light shall be located within the east 25 feet of the PUD. No light standard nor building mounted light located east of the principal building shall exceed 15 feet in height.
8. The Department Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have 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 that relate to PUD conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

TMAPC Comments:

Mr. Ledford questioned the prohibition of access onto 84th Place and expressed concerns regarding this condition. In response, Mr. Dunlap stated that the applicant requested that there be no access onto 84th Place.

There were no interested parties wishing to speak.

Applicant's Comments:

Roy D. Johnsen, 201 West 5th Street, Suite 501, Tulsa, Oklahoma 74103, stated that the original PUD for this development did indicate access, but after meeting with the neighborhood representatives from Honey Creek, it was determined that they have the actual ownership of the street location and it was their request that access not be permitted. He indicated that he is in agreement with this condition; however, there may be additional dialogue regarding this issue in the future.

Mr. Johnsen stated that the proposed development is lower density than the previously approved. He explained that he met with the Honey Creek residents and representatives of St. John's Medical Center, both of which support this application. The staff was directed to prepare development standards after the previous hearing. He stated that he is in agreement with the standards except for one issue. He explained that his client expects a restaurant to be a use in the proposed development and he is concerned with the staff's recommendation. After discussing this issue with several restaurants he has determined that the closing time of 11:00 p.m. is too early for diners. He requested that the Planning Commission allow the restaurant use to remain open until 12:00 a.m.

TMAPC Comments:

Mr. Midget asked Mr. Johnsen if the neighborhood had an opinion regarding the hours of operation. In response, Mr. Johnsen stated that the only issue of concern was the access.

Ms. Pace asked Mr. Johnsen if the neighborhood is aware of the requested change to 12:00 a.m. In response, Mr. Johnsen stated that the hours of operation was not an issue with the neighborhood.

Mr. Dunlap stated that the staff received a letter from the neighborhood supporting the original request.

Mr. Horner stated that he is in favor of changing the hours of operation for a restaurant to 12:00 a.m., because if someone arrives at 11:00 p.m. it would take patrons an hour to complete their meal.

Mr. Stump reminded the Planning Commission that the staff recommendation was for 11:00 p.m. with the understanding that the restaurant can seat until 11:00 p.m. and patrons are allowed to remain in the restaurant until they are through with dining.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of the CS zoning for Z-6830.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of the major amendment for PUD-523-B, subject to standard conditions as amended by the TMAPC. (Language in the staff recommendation that was deleted by TMAPC is shown as ~~strikeout~~; language added or substituted by TMAPC is underlined.)

Legal Description for Z-6830:

A part of the NW/4 of Section 13, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, being particularly described as follows: commencing at the Northwest corner of said NW/4; thence S 00°00'00" W along the West line of said NW/4 a distance of 773.99' to the point of beginning; thence N 89°42'10" E a distance of 340'; thence S 00°00'00" E a distance of 175'; thence S 89°42'16" W a distance of 340' to the West line of said NW/4, thence N 00°00'00" W along said West line a distance of 175' to the Point of Beginning, and located south of the southeast corner of East 81st Street South and South Memorial Drive, Tulsa, Oklahoma, From RM-1/PUD (Residential Multifamily Low Density District/Planned Unit Development) To CS/PUD (Commercial Shopping Center District/Planned Unit Development).

Legal Description for PUD-523-B:

Lot 13, Block 12, Honey Creek, Blocks 10 through 12, a subdivision in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof a part of the NW/4 of Section 13, T-18-N, R-13-E, of the IBM, Tulsa County, Oklahoma, being more particularly described as follows: with the basis of bearing being N 89°42'10" E along the North line of said Section 13, and all bearings contained herein relative thereto, commencing at the Northwest corner of said NW/4; thence S 00°00'00" W along the West line of said NW/4 a distance of 773.99' to a point; thence N 89°42'10" E a distance of 120.00' to a point or place of beginning on the East right-of-way line of South Memorial drive; thence from said Point of Beginning N 89°42'10" E a distance of 220.00'; thence S 00°00'00" E a distance of 496.12'; thence S 89°42'16" W a distance of 200.00' to a point on the East right-of-way line of South Memorial Drive; thence N 00°00'00" W a distance of 238.17' along said right-of-way line of South Memorial Drive; thence S 90°00'00" W a distance of 20.00'; thence N 00°00'00" West along said right-of-way line a distance of 257.84' to the point of beginning, and located south of the southeast corner of East 81st Street South and South Memorial Drive, Tulsa, Oklahoma, From RM-1/RS-3/PUD-523-A To RS-3/CS/PUD-523-B.

ZONING PUBLIC HEARING

APPLICATION NO.: Z-6832

RS-1 TO IL

Applicant: William b. Jones

(PD-17) (CD-16)

Location: East of northeast corner of East Admiral and 177th East Avenue

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6731 January 2000: All concurred in approval of a request to rezone a 2.5-acre tract located south of the southeast corner of East Admiral Place and South 177th East Avenue from RS-3 to AG.

Z-6505 October 1995: A request to rezone a 3.5-acre tract located east of the subject property approximately 230' from RS-1 to CG or IL. All concurred in denial of CG zoning and approved IL zoning on the tract.

Z-6465 October 1994: All concurred in denial of a request to rezone a five-acre tract located south of the southeast corner of East Admiral Place and South 177th East Avenue from AG to CH or CG for a machine shop.

Z-6135 January 1987: A request to rezone a 1.8-acre tract located east of the northeast corner of East Admiral Place and South 177th East Avenue, approximately 435' east of the subject tract, from RS-1 to IL. All concurred in approval of IL zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.63 acres in size and is located east of the northeast corner of East Admiral Boulevard and South 177th East Avenue. The property is sloping, partially wooded, vacant, and zoned RS-1.

STREETS:

Exist Access	MSHP Design	Exist. No. Lanes
East Admiral Boulevard	100'	2 lanes
South 177 th East Avenue	100'	2 lanes

The Major Street Plan designates East Admiral Boulevard and South 177th East Avenue as secondary arterial streets. The City of Tulsa Traffic Counts 1998 – 1999 indicates 6,600 trips per day on East Admiral at the intersection of South 177th East Avenue.

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

SURROUNDING AREA: The subject tract is abutted on the north by U.S. Highway 412, zoned RS-3 and AR (Catoosa) and farther on the north by large-lot single-family residential and agricultural uses, zoned RS-25 (Catoosa); on the south by vacant agricultural land, zoned CS; on the west by a single-family residential use, zoned IL; and on the east by large-lot single-family residential and agricultural land, zoned RS-1.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District – Industrial.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map by virtue of its location in a Special District.

STAFF RECOMMENDATION:

Based on existing adjacent zoning, proposed development on the tract and the District 17 Plan, staff recommends **APPROVAL** of the requested IL zoning for Z-6832.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of IL zoning for Z-6832 as recommended by staff.

Legal Description for Z-6832:

The W/2, W/2, E/2 of Lot 4, Section 1, T-19-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof and located east of the northeast corner of East Admiral Boulevard and South 177th East Avenue, Tulsa, Oklahoma, From RS-1 (Residential Single-family Low Density District) To IL (Industrial Light District).

APPLICATION NO.: Z-6834

AG TO RS-3

Applicant: David Cameron

(PD-17) (CD-6)

Location: North of northwest corner East 51st and South 177th East Avenue

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6816 June 2001: All concurred in approval of a request to rezone 11 acres located on the northeast corner of East 41st Street South and South 177th East Avenue from RM-0 and RS-3 to AG and RS-3.

Z-6500 September 1995: A request to rezone a 107-acre tract located west of the northwest corner of East 51st Street South and South 193rd East Avenue and southeast of the subject property from AG to RS-4. All concurred in approving RS-4 zoning.

Z-5802 May 1983: A request to rezone a 23-acre tract located on the northwest corner of East 51st Street and South 193rd East Avenue from CS, RM-1 and RS-3. Staff and TMAPC recommended five acres of CS zoning with a wrap-around of RM-0 and the balance RS-3. All concurred in approval of the request per TMAPC recommendation.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 80 acres in size and is located north of the northwest corner of East 51st Street South and South 177th East Avenue. The property is gently sloping, partially wooded, vacant and zoned AG.

STREETS:

Exist Access	MSHP Design	Exist. No. Lanes
East 51 st St. South	100'	2 lanes
South 177 th East Avenue	100'	2 lanes

The Major Street Plan designates East 51st Street South and South 177th East Avenue as secondary arterial streets. The City of Tulsa Traffic Counts 1998 – 1999 indicates 5,200 trips per day on South 177th East Avenue at East 51st Street South.

UTILITIES: Water is available to the subject property and sewer would be by private septic or lagoons.

SURROUNDING AREA: The subject tract is abutted on the north by two single-family homes on large acreages and vacant farmland zoned AG; to the east and west by vacant land, zoned AG; and to the south by a single-family home and vacant land, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – No Specific Land Use.

According to the Zoning Matrix the requested RS-3 zoning **is** in accordance with the Plan Map.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, existing development and trends in the area, staff recommends **APPROVAL** of RS-3 zoning for Z-6834.

Interested Parties Comments:

Patty Lohrenz, 4516 South 177th East Avenue, Tulsa Oklahoma 74108, stated that she would like to know what the RS-3 entails and how the water and sewer will be supplied to the subject property.

Mr. Stump stated that RS-3 is a single-family residential zoning, which allows one house on one lot. The minimum lot size is 6900 SF and the minimum lot width is 60 feet. In order to build on this type of small lot, the applicant would have to provide water and sewer, which would be addressed when the applicant applies to subdivide the subject property into lots. Mr. Stump explained that this could not be done until there is adequate water, sewer and storm drainage.

The applicant indicated his agreement with staff’s recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of RS-3 zoning for Z-6834 as recommended by staff.

Legal Description for Z-6834:

The N/2, SE/4, of Section 26, T-19-N, R-14-E, of the IBM, Tulsa County, Oklahoma, more particularly described as follows: Beginning at the Northeast corner of the SE/4 of said Section 26; thence due South along the Easterly line of said Section 26 for 1,317.66'; thence N 89°54'44" W for 2,648.62'; thence N 0°01'40" E along the West line of said SE/4 of Section 26 for 1,315.32'; thence S 89°57'46" E along the North line of said SE/4, Section 26 for 2,647.97' to the Point of Beginning of said tract of land, and located north of the northwest corner East 51st Street south and South 177th East Avenue, Tulsa, Oklahoma, **From AG (Agriculture District) To RS-3 (Residential Single-family High Density District).**

* * * * *

APPLICATION NO.: CZ-287
Applicant: Louis Levy
Location: 6635 North Peoria Avenue

RS TO CS
(PD-24) (County)

Staff Recommendation:

RELEVANT ZONING HISTORY:

CZ-281 May 2001: All concurred in approval of a request to rezone a nine-acre tract located on the northeast corner of East 73rd Street North and North Victor Avenue from AG to RS.

CZ-256 November 1999: All concurred in approval of a request to rezone a one-acre tract located on the southeast corner of East 69th Street North and North Peoria Avenue from RS to CS.

CZ-219 March 1995: TMAPC recommended denial of a request to rezone a 1.3-acre tract located on the southeast corner of East 71st Street North and North Peoria Avenue, from RS to CG and recommended approval of CS zoning. The County Commission concurred in approval of CS zoning.

CZ-185 September 1990: All concurred in approval to rezone a ten-acre tract located in the southwest corner of East 73rd Street North and North Zunis Avenue from RS to AG for agriculture purposes.

CZ-172 June 1989: A request to rezone a .14-acre tract located on the northeast corner of East 71st Street and North Peoria Avenue from CS to CH or IL. Staff recommended denial of IL, CH or CG. The County Commission approved IL zoning on the north 150' with the balance of the property to remain CS.

CZ-135 July 1985: All concurred in denial of the requested CG zoning from RS on a tract located on the northeast corner of East 69th Street North and North Peoria Avenue. Approval was granted for CS zoning in the alternative.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.27 acres in size and is located south of the southeast corner of East 67th Street North and North Peoria Avenue. The property is gently sloping, partially-wooded, contains a non-conforming gear shop, and is zoned RS.

STREETS:

Exist Access	MSHP R/W	Exist. No. Lanes
North Peoria Avenue	100'	4 lanes

UTILITIES: Sewer is available to the subject site. Water is available through a rural water district.

SURROUNDING AREA: The surrounding area is a very mixed-use area that is one of the main streets of Turley. The subject tract is abutted on the north by the Turley Lions Club and a single-family residential use, zoned RS; on the south by single-family residential uses, zoned RS; on the east by single-family residential uses, zoned RS; and on the west by mixed commercial/industrial and mobile home uses, zoned IL, RS and CG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Peoria Special District.

According to the Zoning Matrix the requested CS zoning **may be found** in accordance with the Plan Map by virtue of the site's location within a Special District. The Plan states that the area is committed to commercial development and it is felt that the trend cannot be reversed.

STAFF RECOMMENDATION:

Staff would ordinarily cite this as spot zoning and recommend denial. However, based on the District Plan, existing mixture of uses in this area and the facts that this is a nonconforming use that has evidently been in existence quite some time and is located on a major street, staff can support the requested rezoning and recommends **APPROVAL** of CS zoning on CZ-287.

Applicant was not present.

Interested Parties Comments:

Don Edwards, 1304 East 67th Street North, Tulsa, Oklahoma 74126, stated that his property borders the subject property on the west. Mr. Edwards submitted photographs (Exhibit A-1) and maps (Exhibit A-2). He stated that in the past a trash company has misused the subject property. He indicated that the trash company brought vermin to the subject area.

Mr. Edwards requested that the subject property be zoned something besides business because he does not want wrecked cars on the subject property.

TMAPC Comments:

Mr. Stump cited the CS uses that would be allowed and restrictions.

Mr. Harmon asked Mr. Edwards if he would be comfortable with the CS zoning. In response, He answered affirmatively.

Ms. Pace asked staff to explain the fencing requirement for CS zoning abutting residential.

Mr. Stump cited the Zoning Code regarding screening requirements for CS zoning.

Interested Parties Comments:

Donna Turner, 1304 East 67th Street North, Tulsa, Oklahoma 74126, expressed concerns regarding the street and its hazards. She explained that the intersection is dangerous and should be looked at when rezoning.

TMAPC Comments:

Mr. Westervelt explained that the Planning Commission is only considering the change of the use on the subject property.

Mr. Stump explained that the subject property would be subject to platting, and at that time, the appropriate access point would be determined.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of CS zoning as recommended by staff.

Legal Description for CZ-287:

South Half of Lots 6 and 7, Block 12, Golden Hill Addition, an addition to the County of Tulsa, State of Oklahoma, and located on the southeast corner of East 67th Street North and North Peoria Avenue, Turley, Oklahoma, **From RS (Residential Single-family District) To CS (Commercial Shopping Center District).**

APPLICATION NO.: CZ-289

RS TO CG OR IL

Applicant: Deborah Zuckerman

(PD-23) (County)

Location: Southwest corner of West 56th Street and South Highway 97

Staff Recommendation:

RELEVANT ZONING HISTORY:

CBOA-1566 April 1998: The County Board of Adjustment approved a special exception to allow Use Unit 26 (a cooking oil purification plant) in an IL-zoned district. The property is located south and west of the subject tract.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .72 acres in size (105 ' 300') and is located on the southwest corner of West 56th Street South and Highway 97 South, Sand Springs. The property is sloping, non-wooded, contains a landscape and yard ornament business, and is zoned RS.

STREETS:

Exist Access	MSHP R/W	Exist. No. Lanes
Highway 97 South	120'	4 lanes

The Major Street and Highway Plan designates Highway 97 South as a primary arterial street. The Oklahoma Department of Transportation County 1998 – indicate 10,800 trips per day on Highway 97 South between West 51st Street South and West 61st Street South.

UTILITIES: Sapulpa Rural Water District supplies water to subject tract and sewer service is from the City of Sand Springs.

SURROUNDING AREA: The subject tract is abutted on the north by a farm feed and supply store, zoned CG; to the northwest by a mobile home park, zoned RMH; to the west by a non-conforming truck and implement storage and farther west are single-family dwellings, zoned RS; to the south by an industrial park, zoned IL and to the east across Highway 97 South is an industrial business, zoned IL, a single-family dwelling and a non-conforming outdoor flea market, zoned RS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 23 Plan, a part of the Comprehensive Plan for Sand Springs designates the subject property as Mixed Use.

According to the Zoning Matrix the requested CG zoning **is** in accordance with the Plan Map as is the alternate IL.

STAFF RECOMMENDATION:

Based on the existing zoning and existing uses in this area and the fact that the property adjoins CG zoning on the north, staff recommends **APPROVAL** of CG zoning for CZ-289.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of CG zoning for CZ-289 as recommended by staff.

TMAPC Comments:

Mr. Midget asked staff if the comments from Sand Springs regarding buffering were included in the staff recommendation. In response, Ms. Matthews stated that the applicant is subject to the Zoning Code requirements regarding buffering.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **RECONSIDERATION** of the motion.

TMAPC Comments:

Mr. Midget stated that CG zoning is too general for him and he cannot approve of this application.

Ms. Pace pointed out that County Zoning Code stipulates that there shall be a privacy fence between the subject property and the RS properties, which would be a form of buffering. Mr. Stump agreed.

Mr. Midget stated that a screening fence would be sufficient for him.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to recommend **APPROVAL** of CG zoning for CZ-289 as recommended by staff.

Legal Description for CZ-289:

Part of the NE/4, SE/4, of Section 34, T-19-N, R-11-E, beginning 260' W of the northeast corner of the SE/4, thence S 300', W 105', N 300', E 105' to Point of Beginning, less the North 25' for road, Tulsa County, State of Oklahoma, and located on the southwest corner of West 56th Street South and Highway 97 South, Sand Springs, Oklahoma, **From RS (Residential Single-family District) To CG (Commercial General District).**

* * * * *

APPLICATION NO.: PUD-598-I
Applicant: David L. Perkins
Location: 4748 South Atlanta Avenue

MINOR AMENDMENT
(PD-6) (CD-9)

Staff Recommendation:

The applicant is requesting a minor PUD amendment for a change in the required front yard setback from 20 feet to twelve feet ten inches to accommodate a new residential dwelling unit. The new residence would be permitted to infringe upon the setback along South Atlanta Avenue just north of the street turn around area for Lot 2, Block 1, of the Tara Addition.

There is a ten-foot utility easement existing along the private right-of-way of South Atlanta Avenue, in the required front yard setback. The proposed building will not interfere with the utility easement.

Staff can recommend **APPROVAL** of the minor amendment as requested, per the submitted site plan. The infringement as proposed is located near the turnaround of the roadway for the lot and will not cause a visibility problem to traffic flow.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the minor amendment for PUD-598-I as recommended by staff.

* * * * *

OTHER BUSINESS:

APPLICATION NO.: PUD-617
Applicant: Danny Mitchell
Location: South side of East 21st Street at South Atlanta Avenue

DETAIL SITE PLAN
(PD-4) (CD-9)

Staff Recommendation:

The applicant is requesting a detail site plan approval for a new 4,669 square foot office building. The use proposed does not include medical offices and is in conformance with the approved PUD for this site.

The site plan meets the development standards for the Planned Unit Development for Claremont Park. Staff recommends **APPROVAL** of the site plan as submitted.

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

There were no interested parties wishing to speak.

The applicant was not present.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the detail site plan for PUD-617 as recommended by staff.

* * * * *

APPLICATION NO.: PUD-557-A

DETAIL SITE PLAN

Applicant: Eric Sack

(PD-18) (CD-8)

Location: East of southeast corner of East 93rd Street and South Memorial

Staff Recommendation:

The applicant is requesting a detail site plan approval for the new Hardesty Regional Library. The library will be 48,669 square feet and two stories tall with a center architectural feature, which is 65'6" tall.

The site plan as proposed is in conformance with the Planned Unit Development standards as approved and amended for the library use and for the height of the library. Setbacks, parking, and lighting standards are in conformance with the PUD.

Staff recommends **APPROVAL** of the detail site plan as submitted.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the detail site plan for PUD-557-A as recommended by staff.

APPLICATION NO.: PUD-637

Applicant: Neal Harten

Location: East 44th Street and South Lewis

DETAIL SITE PLAN

(PD-6) (CD-9)

Staff Recommendation:

The applicant is requesting a detail site plan approval for a gated entryway and guardhouse on a private street in the Greenhill Subdivision.

Staff can recommend **APPROVAL** of the proposed gateway per the submitted site plan with the approval of Traffic Engineering and the Tulsa Fire Department.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the detail site plan for PUD-637 as recommended by staff.

APPLICATION NO.: PUD-628

Applicant: Rebekah Powell

Location: 9311 South Mingo Road

DETAIL SITE PLAN

(PD-18) (CD-8)

Staff Recommendation:

The applicant is requesting a detail site plan approval for a new 12,782 square foot allergy clinic. The use proposed is in conformance with the uses approved for the Planned Unit Development.

The site plan as proposed meets the development standards for the Planned Unit Development in which it is located.

Staff recommends **APPROVAL** of the detail site plan as submitted.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the detail site plan for PUD-628 as recommended by staff.

Mr. Westervelt abstained from the following application:

APPLICATION NO.: AC-060 - ALTERNATIVE LANDSCAPE COMPLIANCE

Applicant: Steve Powell (PD-17) (CD-6)

Location: Northwest corner of East Admiral and South 193rd East Avenue

Staff Recommendation:

The applicant is requesting alternative compliance to Zoning Code landscaping requirements for a QuikTrip store to be located at the northwest corner of 193rd and Admiral Place. The request is for relief from the requirement to have a landscaped area within 50 feet of several parking spaces in front of the store. The use of crape myrtles to be substituted for trees due to overhead power lines is also requested.

Alternative Compliance allows the Planning Commission to review a proposed plan and determine that, although not meeting the technical requirements of the landscape chapter in the Zoning Code, the plan is equivalent to or better than the requirements.

The use of crape myrtles instead of trees approved per the landscape chapter of the Zoning Code, will be approved only under power lines, and only using the variety of crape myrtle that will grow to a mature height of 15 to 20 feet.

Staff can agree that the placement of the required number of trees along South 193rd under power lines would be difficult.

The applicant's street yard landscape calculations show 13 trees required and provided along South 193rd East Avenue. Technically, these 13 trees are proposed to be crape myrtles, which are not permitted and are not included on the approved and adopted landscape tree list. Also, two of the trees provided along East Admiral Place are crape myrtles. Sod is provided to surround the site, but landscaped area is not provided interior to the site. There are 16 pear trees provided to the rear and west side of the store.

Staff recommends that two or three of the honey locust trees from the southwest corner of the landscape plan be placed in the area north of the twelve parking spaces along the north property line. Staff can recommend **APPROVAL** of the Alternative Compliance requested with the recommended condition.

There were no interested parties wishing to speak.

Applicant's Comments:

Stephen A. Schuller, 500 Oneok Plaza, 100 West 5th Street, Tulsa, Oklahoma 74103, representing QuikTrip Convenience Stores, stated that his client has no objections to the staff recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-1** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; Westervelt "abstaining"; Selph "absent") to **APPROVE** the alternative landscaping compliance for AC-060, subject to conditions as recommended by staff.

APPLICATION NO.: PUD-498-B
Applicant: Danny Mitchell
Location: 10008 73rd Street South

DETAIL SITE PLAN
(PD-18) (CD-8)

Staff Recommendation:

The applicant is requesting a detail site plan approval for a new 33,955 square foot hotel. The use requested is in conformance with the Planned Unit Development for the site.

The hotel proposed is three stories with 60 guest rooms and no manager's apartment. The detail site plan as submitted meets the development standards for the Planned Unit Development in which it is located. The tallest part of the hotel is 39' 8".

Staff recommends **APPROVAL** of the detail site plan as submitted. No signage is approved for the hotel in this site plan approval. All signage will be reviewed separately per the Planned Unit Development standards.

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

There were no interested parties wishing to speak.

Applicant was not present.

TMAPC Action; 10 members present:

On **MOTION** of **HORNER**, TMAPC voted **10-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Selph "absent") to **APPROVE** the detail site plan for PUD-498-B as recommended by staff.

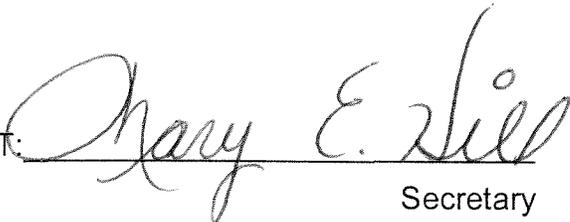
There being no further business, the Chairman declared the meeting adjourned at 2:40 p.m.

Date Approved:



Vice - Chairman

ATTEST:



Secretary