

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2287**

Wednesday, September 26, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Selph	Dunlap	Romig, Legal
Carnes	Midget	Huntsinger	
Harmon		Matthews	
Hill		Stump	
Horner			
Jackson			
Ledford			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, September 21, 2001 at 11:30 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.

**REPORTS:**

**Director's Report:**

Mr. Stump reported that there are several TMAPC items on the City Council agenda for September 27, 2001.

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**OTHER BUSINESS:**

**APPLICATION NO.:** PUD-634

**Applicant:** Mike Chase

**Location:** 1002 South 177<sup>th</sup> East Avenue

**DETAIL SITE PLAN**

(PD-17) (CD-6)

**Staff Recommendation:**

The applicant is requesting a detail site plan approval for a new 7,000 square foot automotive garage. The use proposed is in conformance with the approved Planned Unit Development on the site.

The detail site plan proposed is in conformance with the PUD development standards. The applicant has provided details as to color, location and type of lighting, and trash enclosure elevations.

Staff can recommend **APPROVAL** of the site plan as submitted.

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

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Bayles, Carnes, Harmon, Hill, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Jackson, Midget, Selph "absent") to **APPROVE** the detail site plan for PUD-634 as recommended by staff.

\* \* \* \* \*

**APPLICATION NO.:** PUD-599-C

**Applicant:** Clint Herman

**Location:** Southwest corner of East 61<sup>st</sup> Street and South 104<sup>th</sup> East Avenue

**DETAIL SITE PLAN**

(PD-18) (CD-8)

**Staff Recommendation:**

The applicant is requesting a detail site plan approval for a new automobile body shop and coffee shop. The body shop and office will be 19,160 square feet. The coffee shop will be 1,110 square feet.

The site plan as submitted meets the development standards for the Planned Unit Development in which it is located with one exception. The PUD anticipated a building that looks "like a lodge". The submitted building elevations show a metal building with some brickwork surrounding the lower half of the structure.

Staff recommends **DENIAL** of the site plan as submitted because of the Planned Unit Development requirement that "the architectural style of the buildings in the PUD 599-C shall be similar to that which is described in the applicant's submittal and shall be subject to approval by TMAPC at the time of site plan review".

Note: Detail site plan approval does not constitute sign or landscape plan approval. Platted "Limits of No Access" need to be adhered to for access to the site.

Mr. Dunlap stated that there is a minor amendment for the subject property scheduled for October 3, 2001, which would change the requirement regarding the building. He further stated that it would better to continue this site plan until the next meeting and consider it after the minor amendment. Staff does not have a particular problem with the building; however, it does not meet the current conditions that were approved for the PUD.

**TMAPC Comments:**

Mr. Westervelt asked staff if the minor amendment and detail site plan could be heard on the same day. In response, Mr. Dunlap stated that it would be a better procedure to hear the minor amendment first and then consider the detail site plan rather than to deny today's site plan if the Planning Commission is inclined to do so.

Mr. Westervelt asked if the Planning Commission would be causing any problems for the applicant if the detail site plan were to be denied today. In response, Mr. Dunlap stated that if the site plan were denied today, then the applicant would have to make a new application for a detail site plan.

**Mr. Jackson in at 1:36 p.m.**

Mr. Harmon asked what a "lodge look" is, exactly. In response, Mr. Dunlap stated that he had the same question when it was originally submitted. Mr. Dunlap read the standards that the applicant submitted previously describing a lodge look. Mr. Dunlap explained that the second request was withdrawn; however, the third request had the same language without a picture depicting the proposed building. Mr. Dunlap reiterated that staff is concerned that according to the language that is within the PUD and the proposed building, it is obvious that the new proposal is not what everyone was thinking when the original proposal was approved.

Mr. Westervelt asked Mr. Dunlap if the PUD were amended and satisfactory to the staff and TMAPC, then the detail site plan could be reviewed and approved if the Planning Commission deems to do so. In response, Mr. Dunlap agreed.

**Applicant's Comments:**

**John Moody**, 7146 South Canton Avenue, Tulsa, Oklahoma 74136-6303, representing Todd Fox (developer and applicant), stated that the first rendering was submitted with a major amendment, but the Planning Commission never saw the major amendment because it was withdrawn. He explained that the major amendment was withdrawn because the lender said the building was too large for the financing. He indicated that later his client filed a new application and the same language was retained (lodge-like appearance), but did not submit the new building design.

Mr. Moody explained that not realizing that this application might be a problem, his client ordered the new proposed building and entered into his contract, platted the property, removed the old buildings and graded the property. After realizing that it would require a minor amendment and it would be October 3<sup>rd</sup> it caused Mr. Fox considerable problems regarding finances and losing his contractor. He stated that his client requested that the detail site plan be on today's agenda in order to get it approved and have the contractor start the project. The delay would be very expensive to Mr. Fox and that is the reason for today's request.

Mr. Moody stated that his client is not trying to switch the buildings, it was simply that the elevations were not submitted at the time the application was filed. He commented that the "lodge" language should have been removed from the application, but it wasn't. The design submitted today does not show all of the landscaping, which has been submitted for approval.

Mr. Moody stated that the proposed building has split-face block exterior on the lower half, columns and building. Mr. Moody submitted a photograph depicting the material that would be used for the roof (Exhibit A-1).

**TMAPC Comments:**

Mr. Westervelt asked Mr. Moody if he explained to his client the problem if the detail site plan were to be denied today and the problem Legal would have if the Planning Commission were to approve a detail site plan that is not in compliance with the PUD that would be amended the following week. In response, Mr. Moody stated that his client is requesting the Planning Commission to determine if the proposed building meets the requirements. Mr. Moody further stated that if the Planning Commission feels that the proposal does not meet the intent of the lodge language, then he doesn't want the detail site plan considered.

Mr. Carnes suggested that this application be continued for one week in order to hear the minor amendment before considering the detail site plan. Mr. Carnes requested Mr. Moody to confer with his client regarding continuing this application one week.

Mr. Romig stated that if the Planning Commission were to approve this detail site plan before hearing the minor amendment, it could cause several legal problems.

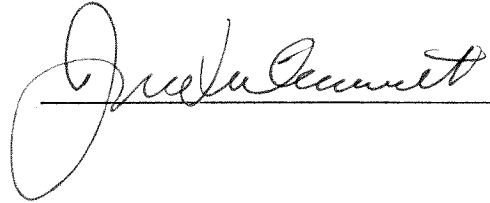
Mr. Moody stated that understanding that both the minor amendment and the detail site plan could be considered next week, his client agrees to wait one week.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, 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** the detail site plan for PUD-599-C to October 3, 2001 at 1:30 p.m.

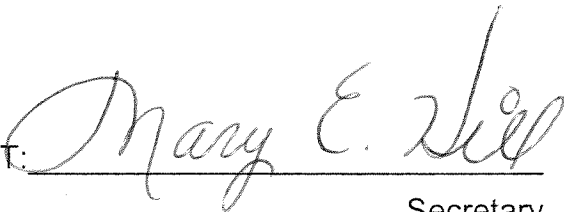
There being no further business, the Chairman declared the meeting adjourned at 1:45 p.m.

Date Approved: 10-03-01



Chairman

ATTEST:



Secretary

