

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2305

Wednesday, April 3, 2002, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, April 1, 2002 at 9:17 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 Harmon called the meeting to order at 1:30 p.m.

REPORTS:

Director's Report:

Mr. Dunlap reported that the TMAPC receipts for the month of February are on the agenda for review. He further reported that there are two subdivision plats on the City Council agenda for April 4, 2002.

Mr. Westervelt reported that Planning Commissioner Mary Hill would be going into surgery Thursday, April 04, 2002. He suggested that the other Planning Commissioners call and wish her well.

ITEMS TO BE CONTINUED:

South Springs South – PUD-405-K (2383) (PD-18) (CD-8)

Location: East of 93rd Street and South 76th East Avenue

Staff Recommendation:

This plat consists of 142 lots in six blocks and five reserves on 42.66 acres.

The plat was scheduled to be reviewed by the TAC on March 21 but because of outstanding issues in the PUD, it was tabled. The PUD is on today's TMAPC agenda. Depending on the outcome of that hearing, the plat will be on the April 4, 2002 TAC agenda, or later.

The plat appears on today's agenda because notice was given as required. Staff recommends continuing the plat to April 24, 2002.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

Mr. Beach explained that the continued date should be changed to May 1, 2002.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **CONTINUE** the preliminary plat for South Springs South to May 1, 2002 at 1:30 p.m.

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APPLICATION NO.: PUD-405-K/Z-6722-SP-15 **Major Amendment/Corridor
Site Plan**

Applicant: Roy Johnsen (PD-18) (CD-8)

Location: South and west of southwest corner of East 92nd Street and South 78th East Avenue

Staff Recommendation:

Mr. Dunlap stated that staff recommends a continuance for this item. He explained that staff received information late yesterday afternoon pertaining to a piece of property west of the subject property, which may be landlocked. There are some concerns and staff would like more time to analyze the new information in order to modify the recommendation.

Applicant's Comments:

Roy Johnsen, 201 West 5th Street, Suite 501, Tulsa, Oklahoma 74103, stated that he would like to continue this application one week if it is acceptable to the commission. He has no objection to the continuance because there are some background facts that need to be explored. He requested that the continuance be limited to one week.

TMAPC Comments:

Mr. Harmon asked Mr. Dunlap if staff would have enough time to analyze the new information in one week. In response, Mr. Dunlap stated that there would be time to analyze the new information and make a recommendation, but it would not be ready by the time the packets are mailed for the next meeting. He explained that the new recommendation would have to be presented at the meeting.

Mr. Dunlap explained that Mr. Stump (Manager of Land Development Services) would not be back from vacation in time to review and submit a new recommendation for the packets. He stated that he would like for Mr. Stump to review this case and have his comments before developing a new recommendation.

Mr. Carnes and Mr. Horner both stated that they would not be present at the April 10th meeting.

In response to Mr. Westervelt, Mr. Dunlap stated that it appears that this could be a complex issue and he would prefer that Mr. Stump be involved with the recommendation.

Mr. Johnsen agreed to a continuance for April 24th, 2002 in order to give enough time for staff and the Planning Commission to review the new information. He stated that he would prefer to have this heard when there would be a full Planning Commission present.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **CONTINUE** the major amendment and corridor site plan for PUD-405-K/Z-6722-SP-15 to April 24, 2002 at 1:30 p.m.

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APPLICATION NO.: CZ-303

AG to RM-0

Applicant: R. L. Reynolds

(PD-12) (County)

Location: South of southeast corner of East 96th Street North and North Cincinnati

Staff Recommendation:

The applicant has requested a continuance in order to submit a PUD with this zoning application.

Interested Parties Comments:

Tom Baker, 2431 East 51st Street, Suite 306, Tulsa, Oklahoma 74105, stated that he has no problem with a continuance, but requests that the continuance be for May.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **CONTINUE** CZ-303 to May 15, 2002, at 1:30 p.m.

APPLICATION NO.: Z-6857

RS-3 to CH

Applicant: Harry K. Myers

(PD-5) (CD-5)

Location: North side of East 15th, between South Erie and South Fulton

Staff Recommendation:

The applicant has requested a continuance in order to submit a PUD with this zoning application.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **CONTINUE** Z-6857 to May 15, 2002, at 1:30 p.m.

SUBDIVISIONS:

PLAT WAIVER:

CBOA-1944 (592)

(PD-11) (County)

Location: 155 North 65th West Avenue, Sand Springs

Staff Recommendation:

This church has existed on this site since 1961. They now want to expand to include classroom and gym space.

The following information was provided at the TAC meeting March 21, 2002.

ZONING:

TMAPC Staff: This property was approved by the County Board of Adjustment for expansion of the existing church. This triggers the platting requirement.

STREETS:

County Engineer: The existing right-of-way is 40 feet from centerline. It was granted by deed and is recorded in Book 830, Page 524. The Major Street and Highway Plan calls for 50'. This should be dedicated.

SEWER:

No representative.

WATER:

No representative.

STORM DRAIN:

County Engineer: No concerns.

FIRE:

No representative.

UTILITIES:

No concerns.

The new "Minor Subdivision Plat" process was designed for this type of situation. Since the property is unplatted, an ALTA survey would be required if the plat waiver were granted. The effort to produce the ALTA survey may well be similar to the effort required to produce a minor plat.

Based on the fact the property is unplatted, not adequately described or surrounded by platted properties that would constrain the property boundaries, and the right-of-way dedication required, staff recommends **DENIAL** of the request for a plat waiver.

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.	Would restrictive covenants be required to be 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
	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

	Yes	NO
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.

Applicant's Comments:

Darin Akerman, 6111 East 32nd Place, Tulsa, Oklahoma 74135, stated that the church has existed on the site since 1961 and there have been several expansions onto the church. The most recent expansion was in 1987, and to his knowledge, there has not been a requirement for platting the property in the past.

Mr. Akerman indicated that there would be an expansion of the gym and classroom area to the east portion of the existing structure. He stated that the proposed expansion does not infringe or encroach on any setbacks, easements, etc. He commented that he believes that this is a well-defined site and it does not need to be platted. There are adjacent properties that are platted and there are property deeds and title work that is in good order for the subject site; therefore, the boundaries are adequately addressed.

Mr. Akerman stated that the church would dedicate the additional ten feet of right-of-way needed to meet the Major Street and Highway Plan requirement. He further stated that there would be a detention requirement on the site and the engineering plans have total approval through the County. There are no separate instruments to record.

Mr. Akerman stated that the church has existed on the subject site for a long period of time without a platting requirement. This proposal is minor in nature and it would not encroach on easements or new mainline extensions to serve this site. There is no need for platting or an ALTA survey and a plat waiver would be in order.

TMAPC Comments:

Mr. Westervelt stated that the plat waiver checklist indicates that the waiver is unfavorable. Mr. Westervelt asked Mr. Akerman if he would file the restrictive covenants separately. In response, Mr. Akerman stated that he is not sure what would need to be filed regarding restrictive covenants because the County considers it a private property issue, and there are mechanisms in place if the property owner were to default. Mr. Akerman indicated that there would be a deed-of-dedication for the easement.

Mr. Beach stated that the restrictive covenants refer to the filing of separate instruments in general and not necessarily just restrictive covenants.

Mr. Carnes stated that if the Planning Commission were to waive the plat, then they would have to waive every plat for church properties within the County and City of Tulsa. In response, Mr. Akerman stated that the Planning Commission looks at plat waivers on a case-by-case basis and the BOA action triggered the platting requirement. Mr. Akerman explained that if this were an empty tract proposed of a Use Unit 5, which triggers the platting and the easements may not be order, then it may be a real issue to plat the property. Mr. Akerman stated that this is an existing use and the church only comes in at interim periods for expansion.

Mr. Carnes asked Mr. Akerman what his client had to gain by not platting the subject property. In response, Mr. Akerman stated that all the plans are approved and the architectural plans are finalized. Mr. Akerman explained that the church was hoping to have a building permit by next week and start work immediately. Mr. Akerman stated that he is not sure what the church would gain by having the property platted because the boundaries are set per deed and title work.

Mr. Beach stated that the property boundary would be taken care of with an ALTA survey. Mr. Beach commented that he is not clear of the time length it would take to prepare an ALTA survey, but it is the alternative to platting.

Mr. Westervelt asked staff what the timing would be if the applicant filed a minor subdivision plat. In response, Mr. Beach stated that it would be approximately 60 days. Mr. Westervelt stated that an ALTA survey could be prepared within three weeks if all the property data is available. Mr. Akerman stated that abstracting work is being taken care of through an attorney and an ALTA survey will be done within one month. Mr. Westervelt stated that the applicant may save about 40 days by a plat waiver with an ALTA survey versus filing a minor subdivision plat.

Mr. Carnes asked if the applicant could obtain a building permit without an occupancy permit. In response, Mr. Beach stated that the applicant could apply for an accelerated building permit, but he has not.

Mr. Carnes stated that he wouldn't want to delay the church from their expansion. In response, Mr. Akerman stated that it is his understanding that the accelerated building permit still requires platting of the subject property.

Mr. Beach stated that he is not sure that the Planning Commission contemplated combining the minor plat with the accelerated release of the building permit. It was designed so that the applicant submits the accelerated release application with the preliminary plat. Since the applicant has not started a preliminary plat the process would delay his client for quite some time.

Applicant's Comments:

Scott Palmer, pastor of the church, stated that the church has been on the subject property since the early 1960's and expanded in the early 1970's. Then the most recent expansion was an auditorium in 1987. He is excited about expanding the church and didn't realize the platting requirement. He commented that he would prefer not to have a delay so that the church can move forward as soon as possible. He explained that he would like to have the expansion started during the upcoming months that are considered good months for building.

TMAPC Comments:

Mr. Westervelt asked Pastor Palmer if he has selected a contractor for the expansion. In response, Pastor Palmer answered affirmatively. Mr. Westervelt asked Pastor Palmer if the contractor is ready to start immediately or if he would have to wait until previous jobs are completed. In response, Pastor Palmer stated that Mr. Hudson is ready to start as soon as the church acquires a building permit.

Mr. Westervelt stated that he understood that there have been two other expansions. In response, Pastor Palmer stated that the most recent expansion is the worship center in 1987.

Mr. Harmon asked Pastor Palmer if a plat was required for the expansion in 1987. In response, Pastor Palmer stated that he doesn't believe that there was a platting requirement then. Mr. Harmon asked Pastor Palmer if he requested a plat waiver in 1987. In response, Pastor Palmer stated that he doesn't think a plat waiver was requested. Mr. Harmon questioned why the church has been allowed to exist for 30 years with two expansions and never required to plat.

Ms. Pace asked staff what problems the plat waiver would create for future development in the subject area. Mr. Beach stated that he doesn't know of any specific plans to develop the properties to the east, but as they do develop, then there are ample opportunities for the surrounding properties to be platted and pin the subject property in.

Mr. Westervelt stated that he would like to make a motion and then have discussion. He commented that he does want to be of assistance to the church, but it has been the Planning Commission's experience that many times the largest problems have been that when the plat is waived for a church and the funds are tight, therefore corners are cut. Mr. Westervelt stated that recently the Subdivision Regulations were redone and he believes that the Planning Commission should stay with the new Subdivision Regulations and it is time to plat this property.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **DENY** the plat waiver for CBOA-1944 as recommended by staff.

APPLICATION NO.: Z-6854/PUD-186-A

RM-1/PUD to CS/PUD

Applicant: Charles Norman

(PD-18) (CD-7)

Location: 6737 South 85th East Avenue

Staff Recommendation for Z-6854:

RELEVANT ZONING HISTORY:

BOA-17807 August 1997: The Board of Adjustment approved a variance of the frontage requirements within a CG and PK district in order to transfer ownership of parking lots from one owner to the other within the mall development. The transfer of these tracts was required in order for Dillard's to meet their parking requirements due to the expansion of the store. The property is located south and east of the subject tract on the south side of the private access street that surrounds the mall.

Z-6320/PUD-470 June 1991: A request to rezone a tract approximately 4.85 acres in size and located on the southeast corner of East 66th Street South and South Memorial Drive from AG and OM to CS/PUD for commercial uses. All concurred in approval of CS zoning on the east 32' of the south 605' of Lot 1, Block 3, to align with the CS zoning to the east. The balance of the tract remained zoned OM and the PUD was approved for 9,500 square feet of commercial use.

BOA-13835 November 1985: The Board of Adjustment approved a variance of the required frontage on a public street to allow a lot-split. The anchor stores and the mall own the parking areas and the expansion of an anchor store precipitated additional parking. The requested lot-split was requested in order to balance the shared parking for all mall occupants. The property is located south and east of the subject tract.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.97 acres in size and is located on the east side of South 85th East Avenue and south of East 66th Street South. The property is gently sloping, non-wooded, contains a public library facility, and is zoned RM-1/PUD-186.

STREETS:

Exist. Access	MSHP Design.	MSHP ROW	Exist. No. Lanes
South 85 th East Avenue	80'	80'	4 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by an apartment complex zoned RS-3/RM-1/PUD-186; to the east by a drainage channel, zoned RM-1; to the west by a shopping center, zoned CS/PUD-309 and to the south by the Woodland Hills Shopping Center, zoned CG with a buffer around the outer perimeter of the shopping center that is zoned OL and PK.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as being in Special District 3 – Commercial Complex. Land activities within the Special District will be limited to commercial shopping, office, residential and cultural/public activities associated with the Woodland Hills Mall. The requested CS/PUD **may be found** in accord with the Comprehensive Plan, by virtue of its location within a Special District.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, the surrounding land uses, and existing zoning, staff recommends **APPROVAL** of CS zoning for Z-6854 if the Planning Commission finds PUD-186-A to be satisfactory.

Staff Recommendation PUD-186-A:

PUD-186 was approved in 1976. Development Area D was platted as Lot 3, Block 5, Woodland Hills Mall, Blocks 2, 3, 4 and 5. The PUD as approved in 1976 restricts the use of the tract to a public library.

The existing library is relocating to a new facility and the Tulsa City/County Library Commission will offer for sale the present library building and land.

The PUD proposes retail and office uses on 2.947 acres located on the north side of the perimeter road of Woodland Hills Mall at 6737 South 85th East Avenue. The subject tract is zoned RM-1/PUD-186. Concurrently, an application (Z-6854) has been filed to rezone the tract to CS. The tract is abutted on the north by multifamily uses zoned RM-1/RS-3/PUD-186 and on the east by a drainage facility zoned RM-1/PUD-186. There are commercial uses to the south of the tract across the perimeter service road of Woodland Hills Mall zoned OL/CG. To the east of the tract across South 85th East Avenue are commercial uses zoned CS/PUD-309.

If Z-6854 is approved as recommended by staff, staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-186-A as modified by staff, to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-186-A subject to the following conditions:

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

2. **Development Standards:**

Land Area:	2.974 Acres	129,547 SF
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Permitted Uses:

Uses included within Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments Other Than Drive-Ins; 13, Convenience Good and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

Maximum Aggregate Building Floor Area:

All Uses	64,775 SF
Uses included within Use Units 12, 13 and 14	32,385 SF
Uses included within Use Unit 11	64,775 SF

Maximum Building Floor Area Ratio Per Lot:

Uses included within Use Units 12, 13 and 14	.25
Uses included within Use Unit 11	.5

Maximum Building Height:

Uses included within Use Units 12, 13 and 14	30 FT
Uses included within Use Unit 11	70 FT

Minimum Building Setbacks:

From the east boundary of South 85 th East Avenue right-of-way	65 FT
From the east boundary of the PUD	15 FT
From the north boundary of the PUD:	
25 feet plus two feet of setback for each foot of building height above 35 feet.	
From the south boundary of the PUD	25 FT

Off-Street Parking:

As required by the applicable Use Unit of the Tulsa Zoning Code.

Landscaped Area;

A minimum of 15% of the net lot area of lots containing Use Unit 11 uses and 10% of the net lot area of lots containing no Use Unit 11 uses shall be improved as internal landscaped open space in accord with the provisions of the Planned Unit Development and Landscape Chapters of the Tulsa Zoning Code.

Signs:

Ground signs shall be limited to one sign on the South 85th East Avenue frontage and one sign on the Woodland Hills Mall internal private collector street frontage with a maximum of 120 square feet of display surface area for each sign and 20 feet in height.

Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall of tenant space to which attached. The length of a tenant wall sign shall not exceed 75% of the frontage of the tenant space. No wall sign shall be permitted on the north-facing walls.

Screening Walls or Fences:

A six-foot screening wall or fence shall be constructed along the entire north boundary of the PUD. The exact location of the screening wall or fence shall be determined at detail site plan review.

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.
7. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from properties abutting the PUD on the north. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the properties abutting the PUD on the north. No light standard nor building-mounted light shall exceed 35 feet in height.
8. The Department of 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. Bulk trash containers shall be setback at least 50 feet from the north boundary of the PUD.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that the existing library, Hardesty Regional Library, is over 20 years old and the Regents have determined that it is no longer large enough nor properly located to serve the patrons.

Mr. Norman indicated that Mr. Hardesty has donated a tract of land located at 93rd and Memorial for the relocation of the library. It is the intent of the library system to offer the existing building and property for sale and devote the proceeds to the new regional library system. He stated that he has requested rezoning to commercial subject to typical PUD standards.

Mr. Norman submitted photographs of the existing property (Exhibit A-1). He stated that he has no objection to the screening wall or fence placement being determined at detail site plan review. He demonstrated the difficulty in screening with the topography of the subject property and the adjacent property.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to recommend **APPROVAL** of the CS zoning for Z-6854 and **APPROVAL** of the major amendment for PUD-186-A subject to conditions as recommended by staff.

Legal Description for Z-6854/PUD-186-A:

Lot 3, less the North 4' thereof, Block 5, Woodland Hills Mall, Blocks 2, 3, 4, and 5, and addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, and located at 6737 South 85th East Avenue, Tulsa, Oklahoma, From RM-1/PUD-186 (Residential Multifamily Low Density District/Planned Unit Development) To CS/PUD-186-A (Commercial Shopping Center District/Planned Unit Development)

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APPLICATION NO.: Z-6855

RM-1 to CH

Applicant: Clifton W. Crisp

(PD-4) (CD-4)

Location: West of northwest corner of East 4th Street and South Utica Avenue

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6573 January 1997: A request to rezone three lots located on the southwest corner of East 4th Place and South Trenton from RM-1 to IM for a machine shop. The requested IM zoning was denied and IL zoning was approved in the alternative.

Z-6414 October 1993: All concurred in approval of a request, initiated by a large representation of homeowners within the Kendall-Whittier district and located between East 3rd Street and East 6th Street from South Lewis Avenue to South Utica Avenue, from RM-1 to RS-4.

Z-6362 July 1992: TMAPC and staff recommended denial of a request to rezone a lot located on the southwest corner of South Victor Avenue and East 2nd Street from RS-2 to CG to allow a taxi service.

Z-6175 October 1989: A request to rezone two lots, located north of the northwest corner of South Utica Avenue and 5th Street from RM-1 to CS. All concurred in approval of the request.

Z-6035 April 1985: A request to rezone two acres located on the northeast corner of South Rockford Avenue and East 4th Street from RM-1 to IL. All concurred in approval of IL zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property consists of two adjoining lots that form a reverse L, one lot fronting on South Utica and the other lot fronting on East 4th Street. The combined lots contain approximately .275 acre. The property is flat, vacant and zoned RM-1.

STREETS:

Exist. Access	MSHP Design.	MSHP ROW	Exist. No. Lanes
South Utica Avenue	80'	80'	4 lanes
East 4 th Street South	50'	50'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the south by a commercial bearing sales/offices use, zoned CH and a fast-food restaurant, also zoned CH; on the north by a barber/beauty supply business, zoned CH; on the east by a strip shopping center and a branch City/County Health Department, zoned CH; and on the west by older single-family residential uses, zoned RM-1.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District – Industrial. Plan policies (Section 3.1) call for future industrial development to locate here and for the provision of adequate infrastructure to accommodate industrial growth. By virtue of the site's location within a Special District, the requested CH zoning **may be found** in accordance with the Plan Map.

STAFF RECOMMENDATION:

Based on surrounding uses and zoning patterns, as well as the intensity of the zoning category requested, staff can support the requested CH zoning, but only on the north 50' of Lots 23 and 24 (the eastern portion). However, staff cannot support CH zoning on Lot 22 (the western portion) and recommends CG zoning in the alternative to provide more protection for the residential uses. Therefore, staff recommends **APPROVAL** of CH zoning for the north 50' of Block 6, Lots 23 and 24 and **DENIAL** of CH zoning and **APPROVAL** of CG zoning for Lot 22, Block 6 for Z-6855.

TMAPC Comments:

Mr. Carnes asked why the applicant would need CH zoning on any part of the subject property. In response, Ms. Matthews stated that she is not sure why they requested CH zoning, but possibly because the large tract adjacent to the north is all zoned CH. Ms. Matthews further stated that the CH zoning would be appropriate next to the existing CH property, but not appropriate to be next to the RM-1 zoned properties. Ms. Matthews indicated that the applicant could achieve his goal with CG zoning.

Applicant's Comments:

Clifton Crisp, 5505 South 66th East Avenue, Tulsa, Oklahoma 74136, stated that he would like to use one lot for parking and the other lot for a 3,000 SF building for barber and beauty salon and equipment space.

TMAPC Comments:

Mr. Harmon asked Mr. Crisp if he is in agreement with the staff recommendation. Mr. Carnes stated that the applicant could achieve the same goal with CG zoning, which is a less intense zoning. Mr. Crisp stated that the reason he requested CH is because the adjacent property is zoned CH. Mr. Crisp stated that he would be in favor of the CG zoning if it would allow him to achieve all of his goals.

Mr. Westervelt asked staff if the CG zoning would achieve all the goals of Mr. Crisp. After reviewing the Zoning Code book, Ms. Matthews answered affirmatively.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to recommend **APPROVAL** of the CG zoning for the entire tract of Z-6855.

Legal Description for Z-6855:

Lot 22, Block 6, and the North 50' of Lots 23 and 24, Block 6, Midway Addition, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, and located north and west of the northwest corner of East 4th Street South and South Utica Avenue, (314 South Utica Avenue and 1644 East 4th Street South), Tulsa, Oklahoma, **from RM-1 (Residential Multifamily Low Density District) to CH (Commercial High Intensity District).**

* * * * *

APPLICATION NO.: Z-6856

RS-4 to OM

Applicant: David Giacomo/TDA

(PD-11) (CD-1)

Location: Northeast corner of East Queen Street and North Cincinnati

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6440 May 1994: At the request of many homeowners within the Lincoln-Dunbar Neighborhood, the Planning Commission and City Council approved a request to rezone approximately 215 acres lying between East Pine and Zion Streets between North Peoria and the Union Pacific Railroad right-of-way from RM-1 and RM-2 to RS-4.

Z-6428 January 1994: All concurred in approval of a "blanket rezoning" on lots lying between North Cincinnati Avenue and the Missouri-Pacific Railroad right-of-way; from East Ute Place on the north to East Pine Place on the south, from RM-1 to RS-4. The subject property was included in this action.

BOA-14162 September 1986: A request to allow a day-care center on property located south of the southeast corner of North Cincinnati Avenue and East Seminole Place was denied by the Board of Adjustment.

Z-5893 March 1984: All concurred in approval of a request from TURA (now TDA) for zoning changes within an area located between North Peoria Avenue and North Cincinnati Avenue; East Apache Street and East Archer Street for rehabilitation of housing and businesses. The existing zoning included CS, RS-3, RM-1, IM and IL. The requested zoning districts included RS-3, IL, CS, CH, RM-2 and RM-1. All concurred in approval of the request, with the exception of a triangle-shaped area between Greenwood Avenue and the Missouri-Pacific railroad, which was rezoned to OM rather than CH as requested.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property consists of six adjoining lots. Three lots front North Cincinnati Avenue and three lots front East Queen Street. The combined lots contain approximately .915 acres. The property is flat, vacant and zoned RS-4.

STREETS:

Exist. Access	MSHP Design.	MSHP ROW	Exist. No. Lanes
North Cincinnati Avenue	100'	100'	4 lanes
East Queen Street	60'	60'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The subject tract is abutted on the north by single-family residential uses and vacant land, zoned RS-4; on the west by single-family residential uses, zoned RS-3; on the southwest by a service station under construction, zoned CH; on the east by single-family residential uses, zoned RS-4; and on the south by the North Pointe office/commercial development, zoned CS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – No Specific Land Use within Special District 1 – NDP Area.

According to the Zoning Matrix the requested OM zoning **may be found** in accordance with the Plan Map due to its location within a Special District. Specific language in the update to the Extension-Moton Sector Plan (a part of the Urban Renewal Plan for the City of Tulsa, also an adopted part of the Comprehensive Plan for the Tulsa Metropolitan Area) calls for this Queen Street frontage to be developed as additional convenience goods establishments that are compatible with the existing North Pointe development to the south.

STAFF RECOMMENDATION:

Based on the existing development, the adopted Comprehensive and NDP Plans and surrounding uses, staff can support the requested OM zoning and therefore recommends **APPROVAL** of OM zoning for Z-6856.

TMAPC Comments:

Mr. Harmon asked if the OM zoning is the least intensive that would allow a funeral home. In response, Ms. Matthews answered affirmatively.

Applicant's Comments:

David Giacomo, Tulsa Development Authority (TDA), stated that TDA supports this application for a funeral home. He cited the Urban Renewal Plan for the City of Tulsa, which called for either commercial or office. There is a trend in the adjacent property, North Pointe, and TDA believes that it would be compatible.

TMAPC Comments:

Mr. Midget asked if single-family homes are still proposed for the lots to the east of the subject property. In response, Mr. Giacomo stated that at this time that is the plan and there are three lots on the east end.

Mr. Midget asked if the proposed development backs up to the residential lots. In response, Mr. Giacomo stated that it would and there would have to be a screening wall or fence of some type installed. Mr. Midget asked Mr. Giacomo if he knew what type of screening would be installed. Mr. Giacomo stated that he does not have that information available.

In response to Mr. Westervelt, Ms. Mathews stated that the TDA review process is very detailed and the proposal would be looked at very closely.

Mr. Midget stated that he is always concerned about landscaping and especially since a new standard is trying to be developed in the subject area. Mr. Midget asked if the landscaping would be of the same quality and standards that have been set in the subject area. In response, Mr. Giacomo stated that would be TDA's intent.

Mr. Horner stated that he would like to hear from the applicant and to congratulate him on his selection of area.

Applicant's Comments:

Keith Biglow, 2312 Elgin, Muskogee, Oklahoma, stated that he currently operates two funeral homes, one in Muskogee, which has historical value, and one in Okmulgee along the main thoroughfare. The planned facility would be the nicest funeral home in North Tulsa and one of the nicest funeral homes in Tulsa. He stated that he went through the neighborhood and reviewed the homes, as well as the future it would establish. He indicated that he would make sure that the funeral home would complement the neighborhood and not stick out.

Mr. Biglow stated that he picked the subject area because there are homes in the subject area. He explained that in the old days the funeral homes used to be in the neighborhoods where people could walk by in the evening to pay their respects. He stated that he would try to enhance the subject neighborhood and still be on a main thoroughfare.

TMAPC Comments:

Mr. Horner congratulated Mr. Biglow again and stated that he has seen Mr. Biglow's facility in the Turley area.

Mr. Horner made a **MOTION** to recommend **APPROVAL** of the OM zoning for Z-6856.

Mr. Harmon informed Mr. Horner that there are several interested parties signed up to speak on this application.

There was no second and motion failed.

Interested Parties Comments:

Tim Smallwood, 1607 North Detroit Avenue, Tulsa, Oklahoma 74106, stated that he lives directly in front of where the funeral home is proposed. He commented that it sounds to him that this proposal is an already-done deal before the public hearing. He stated that he thought when he received notice of today's hearing he would have the opportunity to protest before a decision was made. He asked the Planning Commission if he was mistaken or if this is correct.

Mr. Harmon informed Mr. Smallwood that he has all the freedom he wants to express his concerns and objections.

Mr. Westervelt commented that there has not been a decision made by the Planning Commission at this time. In response, Mr. Smallwood stated that Mr. Horner was congratulating Mr. Biglow and welcoming him to the area. Mr. Horner stated that he was congratulating Mr. Biglow regarding the selection of site he chose to make an application on.

Mr. Smallwood stated that he is a homeowner in the subject area that was supposed to be under the jurisdiction of Urban Development. The subject area is coming along well and some of the property owners are present today to protest the proposal. He explained that he has some concerns with the funeral home being located in the neighborhood. He expressed concerns regarding his children playing in the neighborhood and the traffic that would be generated from the funeral home.

Mr. Smallwood informed the Planning Commission that there are two existing funeral homes in North Tulsa and they are not adjacent to homes. He expressed concerns that a funeral home would decrease the value of his new home. He stated that he understood that the subject area was proposed to be developed like South Tulsa, but now a funeral home is proposed.

Mr. Smallwood stated that he fears that cars for a funeral would be parking in front of neighborhood homes and back into the neighborhood. He commented that he wouldn't be able to enjoy his yard and the outdoors if a funeral was in process. He expressed concerns that his family would be subjected to seeing grieving families' emotions on a day-to-day basis. He prefers not to see this on an everyday basis and he definitely does not want his children to see this.

Mr. Smallwood commented that he is sure that Mr. Biglow does have wonderful facilities, but he would prefer that it wasn't in front of his home. He concluded that there are houses being built in the subject area. Urban development is working well and he would like to see it remain residential. He stated that he doesn't feel that a funeral home would stimulate the subject area.

TMAPC Comments:

Mr. Carnes requested Mr. Smallwood to indicate the location of his property. In response, Mr. Smallwood stated that he is on Detroit Avenue and the funeral home is proposed for the lots facing Queen and Cincinnati. There are three vacant lots behind the proposal that are planned to be residential. Mr. Smallwood expressed concerns that the three lots would never sell for residential if there is an existing funeral home.

Mr. Midget asked Mr. Giacomo if the plans still indicate residential on the three lots behind the proposal. In response, Mr. Giacomo stated that the three lots in question are planned to be residential and the Board voted to keep it residential.

Mr. Smallwood asked if anyone has expressed interest in the three lots since the proposal of the funeral home. In response, Mr. Giacomo stated that he couldn't answer that question. Mr. Giacomo explained that he doesn't handle the lot sales, but he could obtain this information for Mr. Smallwood. Mr. Giacomo stated that TDA did hold off putting the three lots on the lot sales list in order to accommodate the proposed facility.

Ms. Pace asked Mr. Smallwood if he would feel the same if the three lots were developed with houses before the funeral home was built. In response, Mr. Smallwood stated that it may make a difference, but he doesn't understand why the lots would have been held up for this project. Mr. Smallwood stated that he built his house six years ago and TDA told him they were going to develop the subject area. Mr. Smallwood commented that several of the lots have been vacant for over five years. Mr. Smallwood indicated that he knew there are people looking to buy houses in the subject area.

Ms. Pace stated that there was a similar case like this with the same concerns and it was a difficult decision for the Planning Commission. She commented that the Planning Commission maybe should ask what type of services would be done on the premises; however, this can't be done since it is straight zoning and not a PUD. She explained that a PUD would give the Planning Commission more control over the development. Ms. Pace asked Mr. Giacomo if he would be interested in submitting a PUD. In response, Mr. Giacomo stated that a PUD would be more complicated and he is not sure he has the authority to say that TDA would submit a PUD. Mr. Giacomo further stated that he would be willing to submit a PUD if that is what the Planning Commission wishes.

Mr. Midget asked Mr. Giacomo if the site was assembled for residential or commercial. In response, Mr. Giacomo stated that the Extension-Moton Plan, which basically states commercial/office, was adopted in March of 1996. Mr. Giacomo explained that the TDA owns 14 of the 18 lots or parcels in the subject block.

Mr. Westervelt asked Mr. Smallwood if he understood what a PUD is. In response, Mr. Smallwood answered negatively. Mr. Westervelt explained the conditions and requirements of a PUD.

Ms. Pace asked Mr. Smallwood if he would object to a funeral home that would have a chapel service or assemblage of people or the full service that a funeral home usually provides. In response, Mr. Smallwood stated that he definitely objects to the embalming being done on the premises. Ms. Pace explained that a funeral home is a low use for OM and it would be less intrusive than other uses allowed under office zoning. Mr. Smallwood stated that he is surprised that the subject property could be used for office space.

Mr. Midget stated that the subject site is planned for office, and regardless whether it is a funeral home or an office, that is what the plan calls for. In response, Mr. Smallwood stated that he would rather see offices than a funeral home. Mr. Smallwood stated that he would like to ensure that the neighborhood stays up and continues coming up.

Interested Parties Opposing Z-6856:

James & Colleen Brooks, 1601 North Detroit, Tulsa Oklahoma 74106; **Stephen & Jackie Woodbury**, 1549 North Detroit Avenue, Tulsa, Oklahoma 74106.

Interested Parties Opposing Z-6856 Comments:

The interested parties believed that there would be houses built in the subject area; would not have built in the subject area they had known that there would be a funeral home in front of their home; concerns regarding traffic the funeral home would generate; concerned that the funeral home would decrease their property values; not opposed to Mr. Biglow expanding his business, but it shouldn't be

located in a neighborhood; neighbors understood that Queen Street would be developed with new homes; the North Pointe office center is completely fenced off and the neighbors don't have to deal with the daily activity and traffic; if the funeral home is allowed to be located on Queen Street, then traffic would be brought into the neighborhood; cars will go down Detroit to avoid the Cincinnati traffic; the funeral home should be on Cincinnati in the commercially-zoned areas; fears that their homes would not have a resale value because of the funeral home; landscaping and screening would not change the social aspects that there is a funeral home across the street from where one lives.

Applicant's Rebuttal:

Mr. Giacomo requested a continuance in order to come back with a PUD application.

TMAPC Comments:

Ms. Pace stated that before she was more supportive of a PUD before the interested parties expressed their concerns. She doesn't understand why the subject site has been chosen for this proposal because this appears to be a very stable neighborhood. She concluded that she would hope that the TDA wouldn't do something to jeopardize the other clients. Ms. Pace stated that she doesn't believe she can support a PUD after hearing from the interested parties.

Ms. Bayles asked Mr. Giacomo to restate his intent for the three lots to the east. In response, Mr. Giacomo stated it would be residential. Ms. Bayles asked Mr. Giacomo if there would be a change in the lot orientation. In Mr. Giacomo stated that the three lots would have to be turned to face the east (Detroit). Mr. Giacomo indicated that there are developers interested in the southwest lot and he can't explain the interest is just this area, but the Urban Renewal Plan did call for the subject site to be commercial/office and the reason for the assemblage of the lots.

Ms. Pace stated that the six lots seem to be out of sync with the rest of the zoning in the subject area. Ms. Pace stated that the six lots are surrounded on three sides by residential. In response, Mr. Giacomo stated that the subject site is viewed as a continuation of the CS to the south (North Pointe) and there was an option between commercial or office use. The staff opted for office.

Mr. Westervelt explained to Ms. Pace that there is an explanation, which Mr. Giacomo wouldn't be able to give her, but during review he believes he can get her questions answered.

Mr. Midget stated that he lives in the subject area and he is very sensitive to the type of development that is occurring in that area. His main concern is to increase rooftops because then business would be viable if there are people there. The way the Urban Renewal Plan has been approved by the City Council in 1996, they opted to designate the subject site as commercial/office. Unless

this is changed, then the interested parties would have to come to the Planning Commission meetings every time a new proposal comes in that would be commercial or office. A PUD could be an avenue to provide some type of protection for the neighborhood.

Mr. Westervelt suggested that the interested parties visit with their new City Councilor and express their concerns. The TDA Plan reflects the past City Councilor's wishes and it is irresponsible. He encouraged the interested parties to get with the new City Councilors and try to get the designation changed. The TDA should be doing things to protect the value of the other lots and it seems to be working at cross purposes. There was a funeral home approved on Harvard, but there was a tremendous difference because it was an old church facility that was already being utilized in a very similar way. The neighborhood was already established with orientations set and patterns already in place. The funeral home on Harvard was submitted with a PUD and it was a good fit. He commented that he is not sure that even with a PUD, in this redeveloping area that is so obviously residential, he can be supportive, but he would wait until June 5 to review it.

Mr. Carnes stated that he agrees with Mr. Westervelt's comments. He commented that he was not aware that there was a stigma to have a funeral home close to residential. This would be going backwards when the neighborhood is trying to go forward to build up.

TMAPC Action; 7 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford "absent") to **CONTINUE** Z-6856 to June 5, 2002 at 1:30 p.m.

TMAPC Comments:

Mr. Harmon thanked the residents of the subject area for their participation. He commented that they presented their case very effectively.

* * * * *

Mr. Westervelt out at 3:00 p.m.

APPLICATION NO.: PUD-589-3

MINOR AMENDMENT

Applicant: William L. Eagleton

(PD-6) (CD-9)

Location: 4028 South Xanthus Avenue

Staff Recommendation:

PUD-589 consists of seven single-family lots on 2.9 acres located on the north side of East 41st Street approximately 1500 feet west of South Lewis Avenue. The required yard for new construction abutting the private street right-of-way is

20 feet. Garages fronting the private street right-of-way must be set back 25 feet. As can be seen on the attached survey, the dwelling constructed at 4028 South Xanthus Avenue (Lot 2, Block 1, Essex) has the east wall of the garage set back 19.7 feet from the private street right-of-way.

The applicant is requesting a minor amendment to change the minimum required yard for newly-constructed garages abutting the private street right-of-way from 25 feet to 19.7 feet.

Staff feels because of the angle of the garage opening and the layout of the drive, as depicted on the survey, sufficient off-street parking will be provided. Therefore, staff recommends **APPROVAL** of the request per the attached site plan.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, TMAPC voted 6-0-0 (Bayles, Carnes, Harmon, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford, Westervelt "absent") to **APPROVE** the minor amendment for PUD-589-3 as recommended by staff.

* * * * *

Mr. Westervelt in at 3:02 p.m.

Mr. Midget out at 3:02 p.m.

OTHER BUSINESS:

APPLICATION NO.: PUD-360-A

DETAIL SITE PLAN

Applicant: V.M. Pilard

(PD-18) (CD-8)

Location: 7723 East 91st Street South

Staff Recommendation:

The applicant is requesting approval of a detail site plan for a new retail strip center. The proposed Uses are in conformance with PUD 360-A, Development Area 2-A-2, and Tract "A" Development Standards.

The site plan as submitted meets all other development standards, including provision of a 40-foot landscaped buffer strip and six-foot screening fence along the west boundary of the PUD, a 40-foot paving setback and 60-foot building setback from the west property line, and a 40-foot setback from the north property line.

As noted on the site plan, the proposed retail strip center will not have its own bulk trash container, but will utilize that of the existing adjacent building (Stein Mart). Lighting plans show a pole height of 15 feet, maximum height permitted by the Development Standards for sites within the west 200 feet of the PUD. Of concern, however, is the close placement of trees to some of the light poles. Staff recommends that the developer reconfigure tree placement so as not to endanger tree health.

Staff recommends **APPROVAL** of PUD-360-A Detail Site Plan as submitted. Concerns regarding proximity of trees to light poles will be addressed during the landscape plan review process.

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; 6 members present:

On **MOTION** of **HORNER**, TMAPC voted 6-0-0 (Bayles, Carnes, Harmon, Horner, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford, Midget "absent") to **APPROVE** the detail site plan for PUD-360-A as recommended by staff.

Consider adopting new fee schedule for processing Subdivision Plats.

Staff Recommendation:

Mrs. Fernandez stated that the proposed fees are the most reasonable and closest to the actual costs for subdivision processing. A review of fees for the subdivision process based upon existing fees and fee schedules of cities with populations similar to Tulsa were considered for the following proposals. The TMAPC reviewed the proposed fees during a worksession on March 27, 2002.

The following are the recommended revised/proposed fees:

Preliminary Plat	\$850.00 plus \$5.00 per acre
Final Plat	\$650.00 plus \$5.00 per acre
Preliminary Corridor, PUD Plat	\$1200.00 plus \$5.00 per acre

Final Corridor, PUD Plat	\$900.00 plus \$5.00 per acre
Minor Subdivision Plat	\$650.00
Sketch Plat	\$250.00
Plat Waiver	\$250.00

(All fees proposed include base fees and any additional fees per acre are proposed per acre or fraction thereof.)

Staff recommends **APPROVAL** of the proposed fees.

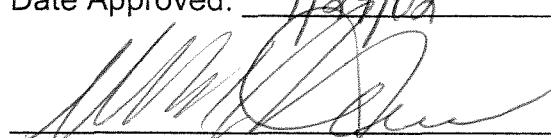
TMAPC Comments:

Mr. Harmon stated that the proposed fees are the amounts discussed during the worksession and the fees look appropriate.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, TMAPC voted 6-0-0 (Bayles, Carnes, Harmon, Horner, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Hill, Jackson, Ledford, Midget "absent") to **APPROVE** the new fee schedule for processing subdivision plats as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 3:04 p.m.

Date Approved: 4/24/02

 Chairman

ATTEST: Mary E. Lipp
 Secretary