

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2328

Wednesday, November 20, 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	Dunlap	Romig, Legal
Carnes	Horner	Fernandez	
Coutant		Huntsinger	
Harmon		Matthews	
Hill		Stump	
Jackson			
Ledford			
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 18, 2002 at 8:20 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:

Worksession Report:

Mr. Harmon reported that there would be a worksession immediately following today's meeting.

Director's Report:

Mr. Stump reported that there are two zoning cases on the City Council agenda for Thursday, November 21, 2002.

ITEMS TO BE CONTINUED:

PRELIMINARY PLAT:

Tulsa Recreation Center for Physically Limited – IM/RM-3/BOA-19437

Location: 815 South Utica Avenue

Staff Recommendation:

Staff has requested a continuance to December 18, 2002.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HILL**, TMAPC voted 7-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner, Midget "absent") to **CONTINUE** the preliminary plat for Tulsa Recreation Center for Physically Limited to December 18, 2002 at 1:30 p.m.

Application No.: PUD-608-A

MAJOR AMENDMENT

Applicant: Charles Norman

(PD-18) (CD-8)

Location: Southeast corner East 81st Street and South Sheridan Road

Staff Recommendation:

Applicant has requested a continued to December 4, 2002.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HILL**, TMAPC voted 7-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner, Midget "absent") to **CONTINUE** the major amendment for PUD-608-A to December 4, 2002, at 1:30 p.m.

Mr. Midget in at 1:35 p.m.

SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19445 Keith Lindenberg (1783) (RS-2) (PD 18) (CD 2)

Location: 8710 South College Place

Staff Recommendation:

The applicant desires to split off part of Tract B and attach it to Tract A. Both resulting tracts meet the RS-S bulk and area requirements. A waiver of the Subdivision Regulations is being requested because both tracts would have more than three side lot lines.

The Technical Advisory Committee had no concerns regarding this lot-split. Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split.

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 **HILL**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** of the waiver of Subdivision Regulations and of the lot-split for L-19445 as recommended by staff.

FINAL PLAT:

Arrowhead Ridge – PUD 586-A-1, CO Z-5888-SP-2 (1884) (PD 18 C) (CD 8)

Location: Northeast corner of Mingo Valley Expressway and East 91st Street
South

Staff Recommendation:

This plat consists of three lots in one block with one reserve area on 21 acres. The property will be used for a heart hospital.

All release letters have been received for this final plat. Staff recommends **APPROVAL** of the final plat.

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 **MIDGET**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the final plat for Arrowhead Ridge as recommended by staff.

Ms. Coutant announced that she would be abstaining from the final plat for Storage Station Amended.

Storage Station Amended – PUD 513 (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 will be used for mini-storage and office types of uses.

All release letters have been received for this final plat. Staff recommends **APPROVAL** of the final plat.

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 7-0-1 (Carnes, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; Coutant "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the final plat for Storage Station Amended as recommended by staff.

Git-N-Go 101 Sheridan – PUD 431B (2783) (PD 26) (CD 8)
Location: South of 101st Street, South Norwood Avenue East

Staff Recommendation:

This plat consists of one lot in one block on .89 acres. The property will be used for commercial use.

All release letters have been received for this final plat. Staff recommends **APPROVAL** of the final plat.

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 **MIDGET**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the final plat for Git-N-Go 101 Sheridan as recommended by staff.

Mr. Ledford announced that he would be abstaining from the preliminary plat for Northwest Passage.

PRELIMINARY PLAT:

Northwest Passage – PUD 624 (2202) (PD 11) (CD 1)

Location: North of Apache, between Gilcrease Drive and Osage Drive

Staff Recommendation:

This plat consists of 150 lots, blocks undefined, on 57.5 acres.

The following issues were discussed October 17, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3, RM-1, CS and AG with PUD-624 overlay zoning. A minor amendment to the PUD was approved on September 25, 2002 and is attached for review of the adopted standards.
2. **Streets/access:** Traffic Engineering needs to review the collector street system further, especially as related to an east/west collector street tying into Gilcrease Museum Road. The four-legged intersection should be redesigned to eliminate it as being an unsafe design. Show the statutory easement on the section line. Use standard language in covenants for Limits of No Access. Street names need to be checked with house numbering.

(Planning and engineering staff met with the consulting engineer for the project on November 12, 2002 and agree to a new plan layout which will be available at the November 20, 2002 meeting.)

3. **Sewer:** City sewer will be used.

4. **Water:** Rural Water District # 1 will supply water.
5. **Storm Drainage:** N/A
6. **Utilities:** N/A
7. **Other:** N/A

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

Waivers of Subdivision Regulations:

1. A waiver to the Major Street and Highway Plan for collector streets is needed.

Special Conditions:

1. Street design must meet with Traffic Engineering approval. The preliminary plat should be resubmitted if the street pattern is redesigned significantly.

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 topography 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.

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 7-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Midget, Westervelt "aye"; no "nays"; Ledford "abstaining"; Bayles, Dick, Horner "absent") to recommend **APPROVAL** of the preliminary plat for Northwest Passage and the waiver of Major Street and Highway Plan for collector streets, subject to special conditions and standard conditions, subject to a plan being submitted to indicate where the sidewalks would be located and where they are connected, as recommended by staff.

Lakeside Apartments – PUD 664 (RS) (PD 12) (County)

Location: 9377 North Cincinnati

Staff Recommendation:

This plat consists of one lot, one block, on 5.19 acres.

The following issues were discussed on November 7, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 664 (RS) AG and proposes a one lot, one block, residential multifamily subdivision on 5.19 acres.
2. **Streets/access:** Access should be shown as the standard 40-foot access. Right-of-way to be dedicated by this plat needs to be shown. Property lines need to be shown more clearly. Open space should be shown.
3. **Sewer:** The covenants need to show Sperry maintaining the system.
4. **Water:** The covenants need to show Sperry maintaining the system.
5. **Storm Drainage:** Covenants must have standard language for storm sewer. Plans need to show drainage as approved by the County Engineer.

6. **Utilities: AEP/PSO:** More easements are necessary.
7. **Other:** The project abuts the Osage Trail and the proposed plat may include access to the trail as an amenity for the residents. The applicant will work with trail planners on this issue.

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. The County Engineer will approve of wording in the covenants concerning drainage, sewer and water systems.

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 topography 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.

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 **MIDGET**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to recommend **APPROVAL** of the preliminary plat for Lakeside Apartments, subject to the special condition that the County Engineer will approve wording in the covenants concerning drainage, sewer and water systems and standard conditions as recommended by staff.

Palazzo II – PUD 669 (2894) (PD 17) (CD 6)

Location: North side of 51st Street, west of 145th East Avenue

Staff Recommendation:

This plat consists of one lot, one block, on 10.8 acres.

The following issues were discussed November 7, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned under PUD 669 (RM-1) for residential apartment uses.
2. **Streets:** Building lines must be shown in accordance with the PUD. The concept plan needs to be cleaned up and clarified. All details per the Subdivision Regulations need to be provided on the plat. A 17.5-foot perimeter easement should be shown.
3. **Sewer:** Sewer is available along 51st Street with a six-inch service line. This will not access the existing manhole.
4. **Water:** The concept plan needs to be clarified with bearings.
5. **Storm Drainage:** A PFPI will be necessary. Show floodplain clearly. Storm sewer easements will be necessary.

6. **Utilities: AEP/PSO:** Show building numbers and square footages. More easements are needed. Legal descriptions must be clear and by metes and bounds.
7. **Other:** N/A

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. The concerns of the Public Works Department staff must be taken care of to their satisfaction.

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 topography 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.

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 **MIDGET**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to recommend **APPROVAL** of the preliminary plat for Palazzo II, subject to the special condition that the concerns of the Public Works Department staff must be taken care of to their satisfaction, subject to standard conditions as recommended by staff.

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Eagle Rock – PUD 653 (1073) (PD 20) (County)

Location: North of 141st Street South and west of South Sheridan Road

Staff Recommendation:

This plat consists of 56 lots, seven blocks, on 82.86 acres.

The following issues were discussed on November 7, 2002 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned under PUD 653 (RS). A sketch plat was previously sent to TAC in July of 2001. All lots must have a minimum of 30 feet of frontage on a public road. If the development is to be done in phases, the phases of development need to be defined. Covenants need to be clarified and reference this plat only. The City of Jenks had expressed concern about the proximity of the Kimberly Clark facility to this residential development. The plant location will be noted on the face of the plat.

Applicant: The development will only be in one phase so references to phases will be deleted. There is no problem noting the existing Kimberly Clark facility on the plat (the applicant is aware that Jenks was concerned about this).

2. **Streets/access:** The PUD number needs to be on the face of the plat. Limits of Access need to be shown. Access points should not be larger than the streets they connect. A cul-de-sac is recommended on the east stub street. Blocks should be shown more clearly. The streets need to be clarified as to whether they are public or private streets and shown accordingly on the plat and in the covenants. There needs to be a waiver for the length of the cul-de-sac.
3. **Sewer:** N/A. Bixby will supply sewer.
4. **Water:** N/A. Bixby will supply sewer.
5. **Storm Drainage:** Drainage must be taken to the south of 141st Street. Access to existing pipes in the area must be shown on the plan and approved by the County Engineer.
6. **Utilities: ONG:** Wording in the covenants for private streets (if they are determined to be private) is needed, and ONG, AEP/PSO and cable need to be included in the standard language.
7. **Other:** N/A

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

Waivers of Subdivision Regulations:

1. A waiver for the length of the cul-de-sac is necessary.

Special Conditions:

1. Drainage plans must be approved by the County Engineer.
2. Streets must be shown as public or private and have the appropriate reserve designation on the face of the plat or the appropriate language in the covenants for the plat.

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 topography 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.

TMAPC Comments:

Mr. Harmon asked Mrs. Fernandez how much longer the proposed cul-de-sac was than the standard cul-de-sac. In response, Mrs. Fernandez stated that the standard cul-de-sac is 500 feet and the proposal is 1,234 feet. Mrs. Fernandez stated that the Traffic Engineer from the City and the Assistant County Engineer were involved in the discussion regarding the proposed cul-de-sac and believe this is the only way to proceed.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that he handled the PUD development on the subject property and it has significant terrain, which has no other potential for streets. He explained that since the sketch plat was presented a private road has been installed to provide emergency access and the lots would be served by the cul-de-sac. The private road meets the requirement of the Fire Department for a second point of access.

Mr. Norman stated that the subject subdivision is located in an attractive location, particularly the lots that are located on the high ridge.

TMAPC Comments:

Ms. Hill asked Mr. Norman if the subject property is higher than usual. In response, Mr. Norman stated that the subject property is in two phases and there is a large bluff, and the lots in that area are on the high ground. The road is at an angle in order to access the other lots and that is the cul-de-sac in question.

Ms. Hill asked if the large lots are closer to the river and at a lower elevation. In response, Mr. Norman stated that they are lower than the bluff and closer to the river, but they are not within or near the floodplain.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the preliminary plat and waiver of Subdivision Regulations for the length of the cul-de-sac for Eagle Rock, subject to special conditions that the streets must be shown as public or private and have the appropriate reserve designation on the face of the plat or the appropriate language in the covenants for the plat and drainage plans must be approved by the County Engineer and subject to standard conditions as recommended by staff.

PLAT WAIVER:

CZ-255/CBOA-1691- (2191) (PD 23) (County)

Location: 14111 West 41st Street South

Staff Recommendation:

The platting requirement was triggered by rezoning case CZ -255 and CBOA 1691.

Staff provides the following information from TAC at their November 7, 2002 meeting:

ZONING:

TMAPC Staff: the property is in an existing platted subdivision, Bowles' Acres.

STREETS:

Forty-First Street is a primary arterial in this area.

SEWER:

Public Works, Wastewater: No comments

WATER:

Public Works, Water: No comments

STORM DRAIN:

Public Works, Stormwater: No drainage concerns.

FIRE:

Public Works, Fire: No comments

UTILITIES:

Franchise Utilities: No comments.

Staff can recommend **APPROVAL** of the plat waiver requested because the property is located within an existing plat, proper right-of-way has been dedicated, and the County Engineer is in agreement with the requested 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 propertie X or street R/W?	X	
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
- 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

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the plat waiver for CZ-255/CBOA-1691 as requested because the property is located within an existing plat, proper right-of-way has been dedicated, and the County Engineer is in agreement with the requested plat waiver as recommended by staff.

PUBLIC HEARING TO CONSIDER AMENDING THE MAJOR STREET AND HIGHWAY PLAN MAP, A PART OF THE COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA

RESOLUTION NO.: 2328:847

**A RESOLUTION AMENDING
THE MAJOR STREET AND HIGHWAY PLAN,
A PART OF THE COMPREHENSIVE PLAN
FOR THE TULSA METROPOLITAN AREA**

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 28th day of February, 1968 this Commission, by Resolution No. 696:289, did adopt the Tulsa Metropolitan Major Street and Highway Plan as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, a Public Hearing was held on the 20th day of November, 2002, and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to modify its previously adopted Tulsa Metropolitan Major Street and Highway Plan within the City of Tulsa and the unincorporated area of Tulsa County by 1) removing 145th West Avenue from 41st Street South to 56th Street South; 2) changing 97th West Avenue from 41st Street South to 51st Street South to a residential collector street; 3) changing 81st West Avenue from US-412 to Old North Road to a primary arterial street; 4) changing Wekiwa Road from Wilson to 129th West Avenue to a secondary arterial street; 5) changing the Pogue Airport access road to a secondary arterial street; 6) designating 177th West Avenue from Shell Creek Road to SH-51 as a primary arterial street.

NOW, THEREFORE, BE IT RESOLVED by the TMAPC, that the amendments to the Tulsa Metropolitan Major Street and Highway Plan Map and Text, as above set out, be and are hereby adopted as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Ms. Matthews stated that the proposal has been approved and recommended for approval by the Transportation Policy Committee and the Planning Commission reviewed these proposals during a previous worksession. The Planning Commission recommended approval during their worksession.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HILL**, TMAPC voted 8-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner "absent") to recommend **ADOPTION** of Resolution 2328:847 amending the Major Street and Highway Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area as recommended by staff.

ZONING PUBLIC HEARING

Mr. Westervelt announced that he would be abstaining from PUD-202-D.
Mr. Westervelt out at 1:55 p.m.

Application No.: PUD-202-D

MAJOR AMENDMENT

Applicant: Stephen A. Schuller

(PD-18) (CD-7)

Location: 7645 East 63rd Street South

Staff Recommendation:

The applicant "Zebco" (W.C. Bradley/Zebco Holdings, Inc.) is a manufacturer of fishing rods and reels and related products, which is headquartered in Tulsa. The purpose of this application is to enable the applicant to relocate its offices into one of the office buildings located in the "Triad Center" office complex (in PUD-202), at 7645 East 63rd Street. The applicant would occupy two to three floors of the office building.

The subject property is within Development Area H, consisting of more than 20 acres, with a maximum building floor area of 445,000 permitted by the PUD's development standards adopted in 1977. Development Area H includes both the

Triad Center and the Southbridge East Office Park adjacent to the intersection of 61st Street and Memorial Drive. Development Area H has been developed primarily for office uses, presently comprising in general about 343,200 square feet of floor area, with an additional 14,400 square feet of floor area having been developed for commercial uses.

The office building situated upon the subject property is a six-story brick and glass building, with an aggregate floor area of 158,814 square feet. Adjacent to the office building, immediately to the north of the building, is a retention pond.

Within Development Area H and to the east of the subject property is another six-story office building and farther to the east are additional office buildings (in the Southbridge East Office Park) and commercial businesses (in several shopping centers on the east side of Memorial Drive). To the north, and within Development Area H, are restaurants and a convenience store. To the south of the subject property, on the other side of 63rd Street, are additional office buildings situated within Development Area I of the PUD, and to the west of the subject property, on the other side of 76th East Avenue, is a tennis and racquetball club which is outside the boundaries of the PUD.

The permitted uses in Development Area H are limited to uses permitted by right in the CS - Shopping Center Zoning District with building height, parking and setbacks similarly governed by the Zoning Code's provisions under the CS zoning district and appropriate Use Unit classifications, subject to a building height limitation of two stories within the western 400 feet of the PUD.

The underlying zoning district classifications within PUD-202 are OM - Office Medium Intensity; CS - Shopping Center and RS-3 - Residential Single-Family zoning districts. As an accessory to the applicant principal office use of the property, the applicant is proposing certain uses classified as Use Unit 15 - Other Trades and Services; comprising its research and development operations, consisting of the fabrication and testing of prototypes and exemplars of fishing rods and reels and similar, related products. It is proposed that some testing of rods and reels would be conducted outdoors, on and around the detention facility adjacent to the office building. The same uses have previously been presented to the Board of Adjustment Case No. 19230 on November 13, 2001, for the applicant's proposed offices and R&D operations within and upon another property situated in a CS district and the BOA concurred with the classification of such uses as Use Unit 15 - Other Trades and Services, and approved a special exception for such uses in the CS district.

In addition, as further accessory to the applicant's principal office use of the property, a storage building would be constructed, erected and maintained upon a portion of the property described in Attachment 2 (but only within Lot 3 of the Triad Center). It is proposed that the storage building be compatible in appearance to the buildings and other improvements within the PUD. It is proposed that one boat, a boat trailer, and a motor vehicle belonging to the applicant be stored within such building.

The applicant is proposing that as an accessory to the applicant's principal office use contains uses classified as Use Unit 15 – Other Trades and Services be permitted not to exceed 10% of the applicant's office area. It is also proposed that testing of rods and reels be conducted outdoors, on and around the detention facility adjacent to the office building and that a storage building be permitted that would store a boat, boat trailer and motor vehicle belonging to the applicant.

Staff does support the request to permit limited Use Unit 15 uses as an accessory use to the applicant's principal use and also limited use of the detention facility for the testing of rods and reels. Staff does not support the request for the construction of a storage facility or the use of the subject tract for the storage of boats, trailers and motor vehicles.

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-202-D 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-202-D 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:

Permitted Uses:

Those uses permitted by right in a CS district, and the fabrication and testing of prototypes and exemplars of fishing rods and reels and similar related products as included in Use Unit 15 as an accessory use to the principal office use.

Maximum Building Floor Area of Use Unit 15 Uses:

Five ~~Ten~~ percent of the actual floor area of the principal office use.

Outdoor Testing of Rods and Reels:

There shall be no outdoor testing along the north boundary of the detention facility.

Detention Area:

No fence, wall planting, building or other obstruction may be placed or maintained within the detention area without the written approval of the City of Tulsa.

Except as above modified, the development standards established pursuant to the initial approval of PUD-202 shall remain applicable.

Applicant's Comments:

Stephen Schuller, 100 West Fifth, Suite 500, Tulsa, Oklahoma 74103; representing Zebco, stated that his client would like to relocate their offices to one of the offices located in the Triad Center. Mr. Schuller described the subject property, surrounding properties and permitted uses in Development Area H. He explained that Zebco maintains its executive offices in Tulsa. As an accessory to Zebco's principal office use of the subject property, certain other uses would be conducted that area classified as Use Unit 15, Other Trades and Services. These comprise research and development operations (R & D), which consists of fabrication and testing of prototypes and exemplars of the fishing rods and reels that are manufactured and similar related products. Use Unit 15 uses are permitted by special exception in the CS zoning district. Mr. Schuller presented examples of the products manufactured by Zebco.

Mr. Schuller explained that the R & D Department constantly designs and fabricates new models or improvements on existing models. Most are made from plastic, some from metal, and have numerous small parts that are assembled and then tested. The equipment used to make the prototypes and exemplars are lathes, drills, etc. He indicated that there are other small machines to fabricate the exemplars and prototypes, which are used once very two weeks. There are one to two employees, at any time, working on these

prototypes. He explained that some of the prototypes are made of plastic and some are painted. The prototypes are painted in a box that has numerous fans and filters, which is used probably three to four times a week.

Mr. Schuller stated that the other function of the R & D Department is the testing to make sure that these products are durable, reliable and safe. Zebco has robotic devices to put the rods and reels through a variety of tests on a 24-7 basis. Mr. Schuller described the many tests that the R & D Department utilizes to test their equipment. He indicated that five to ten percent of the total office space is devoted to the R & D operations. Zebco plans to occupy about fifteen percent of their office leased space.

Mr. Schuller stated that the uses mentioned are classified by the City Zoning Official as Use Unit 15 uses, Incidental Fabricating and Processing associated with a variety of businesses. Zebco is not a manufacturing operation, there are no assembly lines and the rods and reels are not being produced in any kind of large-scale basis. These items are not sold because they are prototypes. He stated that there is no scientific research or development being conducted. He indicated that 80 to 90 percent of the use would be for offices.

Mr. Schuller stated that Zebco ran extensive tests to evaluate the noise level in and around the equipment used by the R & D Department and found that all of the noise levels are well below the threshold or limits that the Federal Occupational Health & Safety Administrative would require any action be taken. The maximum noise levels associated with the equipment were something between a ringing telephone and hairdryer. There is a compressor that powers the equipment, but it would be kept in separate quarters and isolated. The level of emissions from the paint box were a concern and the air that travels through the box and outside is filtered at several different levels and the air that ultimately comes out of the box is vented outside with a level of emissions that are classified by DEQ as de minimus. There are no federal requirements, no permits required and no compliance or corrective action necessary. All testing of the rods and reels and the machines for fabricating are all conducted indoors. However, Zebco does conduct testing of rods and reels outdoors and the attraction of the Triad Center is that it has a pond next to the building that Zebco would have access to. The testing is for casting and reeling to make sure it works as it was designed. Zebco would maintain an appropriate distance from Joe's Crab Shack Restaurant, parking areas and buildings within the vicinity of the pond. Zebco concurs with the staff's recommendation that there be no testing along the north boundary of the retention pond. He stated that his client concurs that no fence, wall planting, building or other obstructions be placed or maintained within the retention area without the City's written approval.

Mr. Schuller stated that the only problem he has with the staff recommendation is that the R & D operations be limited to testing. His client needs the ability to fabricate the prototypes and then test them onsite. This is a small part of the

operations, but it is integral to Zebco's business of making and selling rods and reels. He indicated that his client is withdrawing the portion of the application requesting the storage building for the boat and automobile.

TMAPC Comments:

Ms. Hill asked if the filtering system for the painting box is noisy. In response, Mr. Schuller stated that it does have a fan in the paint box, but he didn't find it noisy and it seems to be the same level of noise that a ringing telephone or hairdryer would make.

Mr. Ledford asked Mr. Schuller how much space would be occupied by Zebco. In response, Mr. Schuller stated that there is 158,000 SF and his client plans to occupy two floors and part of the first floor, which is where the R & D Department would be located.

Mr. Harmon stated that the Triad Center is a nice office space and in his opinion the paint booth and fabrication is not in agreement with what this park was designed for. In response, Mr. Schuller stated that the fabricating is not the type that has a lot of noise and dust generated. Mr. Schuller commented that he doesn't believe the fabricating would be more objectionable than something that has some type of equipment, i.e., dental drills, medical equipment, etc.

Mr. Harmon stated that any time there is plastic injection, which this would be, whether one heats up enough products for one item or one hundred items, it would still have the same problem with any contaminants. Marty Burke, Zebco, Industrial Designer, stated that he designs esthetics and there is no plastic injection molding done. Mr. Burke explained that the computer generates the designs three-dimensionally and then a C & C mill would mill the part out from solid wood or plastic. Mr. Burke indicated that he probably builds one prototype per week and they are not built for the engineering group, but for the marketing group.

Mr. Harmon stated that a C & C milling center is not what is usually found in Class-A office space. In response, Mr. Burke stated that the C & C milling center would be located in the R & D Department. In response, Mr. Harmon stated that it should be located in an industrial-zoned area.

Mr. Schuller stated that staff is recommending that the R & D operation be limited to five percent of the office space that Zebco would be leasing. His client would like to have about 15 percent of the office space for the R & D operation, which would be located on the first floor.

Mr. Midget asked Mr. Schuller if the R & D Department would be the same intensity as an artist's office. In response, Mr. Schuller stated that it would be less intense. Mr. Schuller explained that when paint is mixed it is made in small quantities (1/8 of a pint).

In response to Mr. Schuller, Mr. Harmon stated that even though they use moldings they would still need to have equipment to heat the plastic up until it melts and that is no different from what an industrial plant would use. In response, Mr. Schuller stated that an industrial plant would do this on a larger scale and generate more heat. Mr. Schuller further stated that there isn't that much heat generated for small parts and it wouldn't be any more heat than a copier generates. Mr. Harmon stated that he doesn't think you can melt plastic in a Xerox copier.

There were no interested parties wishing to speak.

Mr. Midget asked if staff if they would agree with the fifteen percent of office space for the R & D Department. In response, Mr. Stump stated that staff wouldn't recommend approving over ten percent because there may be a notice problem. Mr. Stump explained that the applicant didn't request more than ten percent. In response, Mr. Schuller asked if the ten percent request was included in the notice. In response, Mr. Stump stated that if someone came to the INCOG office and read the applicant's proposal, then they would see the request for five to ten percent. Mr. Stump stated that the five to ten percent would be of Zebco's space and not the entire building.

Mr. Schuller stated that Zebco is proposing to lease 2.5 feet of floor space and a portion of the first floor would be for the R & D Department, which he calculates at most 15 percent of the entire space that Zebco would be leasing. Mr. Stump stated that staff finds the use to be Use Unit 22, Scientific Research and Development, which it is not allowed in the CS district and staff can't recommend approval of the fabrication portion of the activity. Mr. Stump further stated that because the applicant requested five to ten percent of their area to be used for this activity, staff wouldn't recommend approval of more than ten percent. In response, Mr. Schuller stated that he didn't actually request five to ten percent, but merely indicated that currently that is what his client is using in the existing space. Mr. Schuller explained that he is requesting today for a maximum of fifteen percent because it is more realistic of what Zebco's intentions are and what they hope to use in the subject space. Mr. Schuller stated that he has spoken at length with the City's Zoning Official, Kurt Ackermann, and described these various activities and he is quite firm, in his understanding, that this would be a Use Unit 15 and not a scientific research.

Mr. Midget stated that in order to prevent any notice issues, he is hoping that if the Planning Commission decides to approve this application, then ten percent would be the maximum and he hopes Mr. Schuller would be in agreement with this. In response, Mr. Schuller stated that if the Planning Commission is inclined to approve this application and limit Zebco to ten percent, then his client would go with that, and if he finds that it is eleven or twelve percent he would have to seek additional relief.

Mr. Harmon stated that he doesn't believe that an office park should have a C & C lathe and milling equipment in it. To allow fabrication or the use of milling machines and molding plastic in an office complex is not in keeping with what was intended.

Mr. Midget stated that he can appreciate what Commissioner Harmon is saying, but he doesn't get the impression that it would be a full-scale process. He commented that he views this more as an artist/design office. American Airlines owns the building and they are comfortable with this proposal.

Mr. Harmon asked Mr. Stump what Use Unit 15 would allow. In response, Mr. Stump stated that the only thing the applicant is proposing within Use Unit 15 is the testing of the fishing rods and reels and related products. Mr. Stump further stated that the applicant is saying that within Use Unit 15, fabrication of prototypes and fishing rods and reels and related products are allowed. The only thing the Board of Adjustment has done to officially classify these activities is to say that "the testing of fishing rods and reels by Zebco is a Use Unit 15. Staff doesn't have any definitive classification for the fabrication end of this application and it has not been addressed by the Board of Adjustment. Staff did not receive an official determination from the Zoning Officer and the other types of activities in Use Unit 15 are Trade Establishments, which include incidental fabricating processing installation and repair (heating and air conditioning, fence contractors, glass contractors, general merchandise not elsewhere classified, carpeting, ice distribution, etc.)

Mr. Midget asked if the Planning Commission could limit this to the type of fabrication and testing that Zebco is concerned with. Mr. Stump explained that if the fabrication is not in fact classified within Use Unit 15, then the Planning Commission can't approve that activity if it is classified as something like scientific research and development, because it is not allowed by right or exception in the CS district. Mr. Stump stated that if the Planning Commission feels that the proposal is within Use Unit 15, then the Planning Commission could recommend approval of the PUD to include the fabrication.

Mr. Romig stated that under Scientific Research and Development it talks about the facilities and if the Planning Commission finds that what the applicant is proposing would be more suitable on a large landscaped lot, then it would be a Use Unit 22. Use Unit 15 does allow small incidental fabrication, including plastic materials, and if the Planning Commission finds that the proposal is something that is of a smaller scale that goes along with a trade establishment and the fabrication is incidental, then it would be Use Unit 15.

Mr. Midget asked if Use Unit 15 is allowed in the CS district. In response, Mr. Stump stated that it is allowed by special exception.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget "aye"; no "nays"; Westervelt "abstaining"; Bayles, Dick, Horner "absent") to recommend **APPROVAL** of the major amendment for PUD-202-D, subject to staff recommendation and allowing testing and fabrication.

(WORDS DELETED ARE SHOWN AS STRIKEOUT; WORDS ADDED OR SUBSTITUTED ARE UNDERLINED.)

Legal Description for PUD-202-D:

Lot 3, Block 1, and the following described part of Reserve "A:" Starting at the most westerly Northwest corner of said Reserve "A," said point also being the most westerly Southwest corner of Lot 4 in Block 1, Triad Center, thence North 89°54'55" East along the northerly line of Reserve "A" for 328.34' to the Point of Beginning of said tract of land; thence North 00°05'05" West for 55.22'; thence South 86°33'33" East along the Northerly line of Reserve "A" for 111.73'; thence South 45°05'05" East for 11.34'; thence North 89°54'55" East for 90.40'; thence South 45°05'05" East along the Easterly line of Reserve "A" for 124.57'; thence South 23°13'47" West for 93.15'; thence South 44°54'55" West for 72.42'; thence North 63°47'42" West for 129.32'; thence South 89°54'55" West for 94.00'; thence North 00°05'05" West for 127.23' to the Point of Beginning of said tract of land, all in TRIAD CENTER, a Subdivision in the N/2 of the NE/4 of Section-2, T-18-N, R-13-E, in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof, and located in the northeast corner of East 63rd Place South and South 76th East Avenue, Tulsa, Oklahoma, **From OM/CS/RS-3/PUD-202 (Office Moderate Intensity District/Commercial Shopping Center District/Residential Single-family High Density District/Planned Unit Development) To OM/CS/RS-3/PUD-202-D (Office Moderate Intensity District/Commercial Shopping Center District/Residential Single-family High Density District/Planned Unit Development [PUD-202-D]).**

Application No.: PUD-598-3

MINOR AMENDMENT

Applicant: William Eagleton, IV

(PD-6) (CD-9)

Location: 4754 South Atlanta Avenue

Staff Recommendation:

The applicant is requesting a minor amendment to permit a six-foot high (measured from the owner's side of the wall) privacy wall to extend ten feet into a required front yard. The existing standard states that fences or walls that project into or enclose a required front yard shall not exceed a height of four feet.

PUD-598 consists of three lots on 1.30 acres located approximately 750 feet east of South Lewis Avenue, on the south side of East 47th Place. The subject tract is the southernmost lot in the subdivision.

In February 2002, the Planning Commission approved a minor amendment (PUD-598-2) on the subject tract to permit a portion of a new residence to be constructed five feet into the required 20-foot front yard. In September, 2001, the Planning Commission approved a minor amendment to change a portion of the required front yard from 20 feet to twelve feet, ten inches for the construction of a new residence on a lot that abuts the subject tract on the north.

Staff cannot support a new method of measuring the height of a wall (i.e., from the owner's side), but if the height is measured from the ground level of the neighbor's lot, and does not exceed six feet, staff can recommend **APPROVAL** of the minor amendment per the submitted site plan.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Bayles, Dick, Horner, Westervelt "absent") to **APPROVE** the minor amendment for PUD-598-3, subject to the height being measured from the ground level of the neighbor's lot, and does not exceed six feet, as recommended by staff.

Mr. Westervelt in at 2:35 p.m.

OTHER BUSINESS:

Application No.: PUD-657

DETAIL SITE PLAN

Applicant: David Buck

(PD-18) (CD-8)

Location: 4601 East 81st Street South

Staff Recommendation:

The applicant is requesting approval of a detail site plan for a building remodel to accommodate a new use, the Oklahoma Blood Institute. The proposed use is in conformance with PUD-657-1 Development Standards.

Per Minor Amendment PUD-657-1, prior to issuance of an occupancy permit, a detail site plan and landscape plan must be approved by TMAPC. The existing building, per the minor amendment, is not subject to PUD-657 building design limitations, and therefore, as submitted meets requirements. Furthermore, the Minor Amendment allows existing landscaping to be considered as meeting requirements of the landscape chapter of the Tulsa Zoning Code. However, a five-foot landscape strip and six-foot screening fence are required on the north boundary of the PUD and are provided per the plans submitted. Trash, mechanical and equipment areas, per the plans submitted, are screened as required. No gravel parking areas are indicated on the site plan nor allowed in a recommendation for approval.

Parking lot lighting and building mounted lighting on the north facing elevation must meet current requirements of the Zoning Code. Noncompliant lighting must be removed, and if replaced, meet PUD and zoning code requirements.

Staff recommends **APPROVAL** of PUD-657 contingent upon removal of existing noncompliant parking lot lighting and approval of a detail lighting plan.

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

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HILL**, TMAPC voted 7-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Ledford, Midget "aye"; no "nays"; Westervelt "abstaining"; Bayles, Dick, Horner "absent") to **APPROVE** the detail site plan for PUD-657, subject to removal of existing noncompliant parking lot lighting and approval of a detail lighting plan as recommended by staff.

Mr. Harmon turned the meeting over to 1st Chair Brandon Jackson.
Mr. Harmon out at 2:39 p.m.

ZONING PUBLIC HEARING (Cont.)

Application No.: Z-6875

CS/SR/AG to IL

Applicant: Bradley Beasley

(PD-17) (CD-6)

Location: Southwest corner of East Admiral Place and South 161st East Avenue

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6823 July 2001: All concurred in approval of a request to rezone a 2.04-acre tract located on the north side of East Admiral Place and west of South 161st East Avenue from RS-3 to IL for the continuation of a parking and storage area for an automobile auction.

Z-6587/PUD-560 June 1997: A request to rezone a 12.5-acre tract located on the south side of Admiral Place, west of 161st East Avenue, south and west of the subject property, from AG to IL and PUD for light industrial development was approved subject to conditions.

Z-6585/PUD-556 February 1997: A request to rezone a 4.5-acre tract located on the south side of Admiral Place and west of 161st East Avenue, south and west of the subject property, from SR to CS or IL. Approval was granted for IL zoning to a depth of 350' fronting East Admiral Place with the balance of the tract to remain as SR zoning.

Z-6332 October 1991: All concurred in approval of a request to rezone the 1.9-acre tract abutting the subject tract on the east from RS-3 to IL.

Z-6297 April 1991: All concurred in approval of a request to rezone a 2.5-acre tract located west of the northwest corner of East Admiral Place and South 161st East Avenue and east of the subject tract, from RS-3 to IL.

Z-6007 December 1984: All concurred in approval of a request to rezone a 1.4-acre tract abutting the subject tract on the west from RS-3 to IL.

Z-5887 December 1983: A request to rezone a 20-acre tract located west of the southwest corner of East Admiral Place and South 161st East Avenue from IR and AG to IL. All concurred in approval of CS on the east 350' x 350' tract located on the southwest corner of East Admiral Place and South 161st East

Avenue, IL on the western portion fronting East Admiral to a depth of 350' and SR on the balance.

Z-5567 June 1981: All concurred in approval of a request to rezone a ten-acre tract located north of the northeast corner of East Admiral Place and South 145th East Avenue from RS-3 to IL.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is gently sloping, non-wooded, paved, fenced and lighted. It is currently a vehicle storage area for an auto auction business. It is zoned AG, SR and CS.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
East Admiral Place	Secondary arterial street	100'	2 lanes (adjacent to this site)
South 161 st East Avenue	Secondary arterial street	100'	2 lanes

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The site is abutted on the north by offices and stored vehicles, apparently for the auto auction, zoned IL; to the east by vacant land, zoned IL; to the southeast by a church, zoned RS-3; to the west by a mini-storage and truck parking facility, zoned IL; and to the south by heavily wooded and vacant land, zoned SR and AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Medium Intensity-Industrial Land Use. According to the Zoning Matrix, the requested IL zoning is in accord with the Plan Map.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, existing surrounding uses and trends in the area, staff can support the requested rezoning and recommends **APPROVAL** of IL zoning for Z-6875.

Applicant's Comments:

Brad Beasley, 100 West 5th Street, Suite 800, Tulsa, Oklahoma 74103, stated that the subject property was sold to a new owner approximately one year ago, Odessa (Auto Auction). The existing auto auction has been operating on the subject property for approximately 18 years and last summer the new owner received a zoning violation notice.

Mr. Beasley stated that he didn't realize until today's meeting that there was any opposition. He explained that he had a brief opportunity to meet with some of the opponents from the Rose Dew Addition and they expressed their opposition to this application. Mr. Beasley requested a continuance for 30 days in order to allow his clients to meet with the residents in the subject area and address their concerns.

Interested Parties:

Johnny Charles, 16429 East 1st Street, Tulsa, Oklahoma 74108, stated that he wouldn't mind the existing auction becoming legal at its present condition, but he wouldn't want to see them expand farther south. He would prefer the south portion remain AG.

TMAPC Comments:

Mr. Westervelt explained that the only issue today is whether to continue this application. He advised Mr. Charles that he could submit a letter stating his opposition if he is unable to attend the January 8th meeting.

Ms. Hill stated that she would like to encourage the residents to organize and meet with Mr. Beasley and his clients in order to work out the issues.

TMAPC Action; 7 members present:

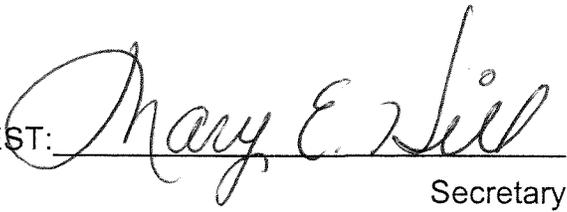
On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, , Hill, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner, Harmon "absent") to **CONTINUE** Z-6875 to January 8, 2003, at 1:30 p.m.

There being no further business, the Chairman declared the meeting adjourned at 2:45 p.m.

Date Approved: 12/18/02



Chairman

ATTEST: 

Secretary