

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2384

Wednesday, July 21, 2004, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

| Members Present | Members Absent | Staff Present | Others Present |
|------------------------|-----------------------|----------------------|-----------------------|
| Bayles | Horner | Alberty | Romig, Legal |
| Carnes | Ledford | Butler | |
| Coutant | Midget | Fernandez | |
| Harmon | Westervelt | Matthews | |
| Hill | | | |
| Jackson | | | |
| Miller | | | |

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, July 16, 2004 at 10:29 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, 1st Vice Chair Jackson called the meeting to order at 1:37 p.m.

REPORTS:

Director's Report:

Mr. Alberty reported on the June 2004 TMAPC receipts. He pointed out that the receipts are even with last years figures. The totals are an increase over last year by 6% average. The County's totals were increased by 5% and the City's revenues were increased by 7%.

Mr. Alberty reported on the City Council agenda items.

SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19709 – Richard Harris (3816)
4522 East 85th Street

(PD-18) (CD-8)

STAFF RECOMMENDATION:

The existing driveway for Lot 11 encroaches on Lot 12, and the existing fence between the two properties encroaches upon Lot 11. The two property owners desire to swap a two-foot strip of land along the common boundary line. Both resulting tracts meet the RS bulk and area requirements. A waiver of the Subdivision Regulations is being requested because both resulting 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 the lot-split.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to recommend **APPROVAL** of the waiver of Subdivision Regulations and the lot-split for L-19709 per staff recommendation.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- L-19589 – Bob Knight** (9405) (PD 17) (CD 6)
12728 East 7th Street
- L-19663 – Terence Haynes** (9316) (PD 4) (CD 4)
4720 East 21st Street
- L-19689 – John Folks** (9431) (PD 18) (CD 5)
10306 East 52nd Street
- L-19693 – Sack & Associates, Inc.** (9431) (PD 18) (CD 6)
5710 South Garnett Road
- L-19707 – Dixon Auto Glass, Inc.** (9201) (PD 3) (CD 1)
48 North Peoria

There were no interested parties wishing to speak.

TMAPC Action; 7-0-0 members present:

On **MOTION** of **HILL**, the TMAPC voted **7-0-0** (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget Westervelt "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

FINAL PLAT:

Estates of Waterstone – PUD-681 (8333) (PD-26) (CD-8)
West of Delaware at 115th Street South

STAFF RECOMMENDATION:

This plat consists of 17 lots in two blocks on 14.9 acres.

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; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the final plat for Estates of Waterstone per staff recommendation.

Trinity Creek – (9426) (PD-17) (CD-6)
Northeast corner of East 51st Street South and South 161st Avenue

STAFF RECOMMENDATION:

This plat consists of 157 lots in nine blocks on 54 acres.

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; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the final plat for Trinity Creek Addition per staff recommendation.

PRELIMINARY PLAT:

Glendale Acres II – (7226)

(PD-21)
(County)

North of West 171st Street, West of Elwood Avenue

STAFF RECOMMENDATION:

This plat consists of 32 lots, four blocks on 40 acres.

Mrs. Fernandez stated that this plat was discussed at the Technical Advisory Committee (TAC) June 17, 2004 and July 1, 2004. The subject property is currently zoned AG with RS zoning pending. The lots need to meet the zoning district requirements and the limits of no access need to be shown along the traffic circle, which is featured in this particular plat. Aerobic systems are proposed and Creek County Water District 2 will be used for its water source. There will be some drainage easements required and a few additional easements for ONG and KAMP will be required. The access is found to be sufficient.

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

Special Conditions:

The concerns of the County Engineer must be taken care of to his 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 therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas

wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

- 20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
- 21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
- 22. All other Subdivision Regulations shall be met prior to release of final plat.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the preliminary plat, subject to special conditions and standard conditions per staff recommendation.

Riverside Market II Amended – (8320)

(PD 18) (CD 2)

East of Lewis Avenue, North of East 101st Street South

STAFF RECOMMENDATION:

Mrs. Fernandez stated that staff recommends a continuance of this plat due to being continued at the TAC level.

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 **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **CONTINUE** to August 4, 2004 at 1:30 p.m.

CHANGE OF ACCESS ON RECORDED PLAT:

Lot 2, Block 1, Amended Plat of Block 1, Rosewood Center (PD 5) (CD 6)
(946)

East of South Mingo Road and South of East Admiral Place

STAFF RECOMMENDATION:

This application is made to allow a change of access along East Admiral Place. The proposal is to add a 40-foot limited access and shift existing access on East Admiral Place.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

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 HILL, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the change of access on recorded plat for Lot 2, Block 1, Amended Plat of Block 1, Rosewood Center per staff recommendation.

PLAT WAIVER:

Z-6936 – CBD - (9201) (PD 1) (CD 4)

808 East 3rd

STAFF RECOMMENDATION:

The platting requirement is triggered by Z-6936 which rezones the site from IM to CBD zoning.

Staff recommends **APPROVAL** of the plat waiver because of the existing structures, and the existing platting property in the downtown area.

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 right-of-way? X

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

- | | YES | NO |
|---|-----|----|
| 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.? | | |
| 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.? | | |
| 11. Are mutual access easements needed to assure adequate access to the site? | | X |
| 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? | | X |

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.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the plat waiver for Z-6936 per staff recommendation.

ZONING PUBLIC HEARING

Application No.: PUD-600-A-1

MINOR AMENDMENT

Applicant: Danny Mitchell

(PD-18) (CD-8)

Location: 9202 South Toledo

STAFF RECOMMENDATION:

Staff recommends a continuance to August 18, 2004. This subject PUD would require a Board of Adjustment variance and cannot be reviewed at this time.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **CONTINUE** the minor amendment for PUD-600-A-1 to August 18, 2004 at 1:30 p.m.

Mr. Alberty informed 1st Chairman Jackson that the applicant for PUD-230-6 would like to request a continuance and there is an interested party present as well. He suggested that the Plan Commission take this item out of order.

Ms. Coutant announced that she would be abstaining from the following item:

Application No.: PUD-230-6

MINOR AMENDMENT

Applicant: Don Rowland

(PD-17) (CD-5)

Location: North of 41st Street South, east side of 103rd East Avenue

APPLICANT'S COMMENTS:

Gregg Carter, Breisch and Associates, representing Don Rowland, stated that he is requesting a continuance due to his client having a scheduling conflict.

TMAPC COMMENTS:

Mr. Jackson asked Mr. Carter what date he would like to have this application continued to. In response, Mr. Carter stated that the August 4, 2004 meeting would be ample time.

Mr. Harmon asked Mr. Carter if he planned to rework the application. In response, Mr. Carter stated that the application would remain as it has been submitted. However, the applicant and one his subcontractors could not be present today.

Mr. Romig asked Mr. Carter if he was represented by counsel on this matter. In response, Mr. Carter answered affirmatively. In response, Mr. Romig asked if the counselor would be present at the next meeting. Mr. Romig stated that he understands that Mr. Coutant is representing this application and he cannot be available on August 4th and the Planning Commission may want to continue this to the August 18th meeting. In response, Mr. Carter stated that August 18th would be sufficient.

Ms. Coutant asked Mr. Carter if the date would be convenient for him or perhaps Mr. Kevin Coutant would like to have a partner represent this case and be heard on August 4th. In response, Mr. Carter stated that he doesn't see anything wrong with the August 18th date.

INTERESTED PARTIES:

Shannon Beeler, 3947 South 103rd East Avenue, Tulsa, Oklahoma 74145, stated that she isn't sure she can come back on the 18th of August, but if not, she will send a representative.

TMAPC Action; 7 members present:

On **MOTION** of **BAYLES**, TMAPC voted 6-0-1 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **CONTINUE** the minor amendment for PUD-230-6 to August 18, 2004 at 1:30 p.m.

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Application No.: Z-6949

RM-1 to IL

Applicant: Billy E. Lay

(PD-2) (CD-1)

Location: 1110, 1115, 1118 East Independence

STAFF RECOMMENDATION:

Ms. Matthews stated that the subject application is for three lots east of the southeast corner of Independence and North Northfolk. This is located in the Crutchfield area, which is a mixed-use area. The existing zoning is RM-1, which was a blanket-zoned neighborhood a long time ago in the anticipation of transition. There is some transition happening today and the applicant is proposing to rezone the subject property to IL. The applicant has improved the property and it is an existing use. Staff recommends **APPROVAL** for the IL zoning for Z-6949.

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 HILL, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to recommend **APPROVAL** of IL zoning for Z-6949 per staff recommendation.

Legal Description for Z-6949:

Frisco Addition, Block 1, Lots 19, 20, 21, 22, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located 1110, 1116, 1118 East Independence, Tulsa, Oklahoma, **From RM-1 (Residential Multifamily Low Density District) To IL (Industrial Light District).**

Application No.: PUD-550-A

MAJOR AMENDMENT

Applicant: Charles Norman

(PD-5) (CD-5)

Location: I-44 Service Road east of South 87th East Avenue

STAFF RECOMMENDATION:

PUD-550 with three development areas was approved in 1996. Development Area A, containing 8.1 acres, abuts East 21st Street. Development Area B

contains 28 acres and has been developed as a regional post office processing and distribution center.

Development Area C, containing 23.3 acres, is south of the postal facility between South 87th East Avenue and South 91st East Avenue and abuts the I-44 service road on the south.

Development Area C permits uses permitted as a matter of right in the IL district except within the west 250 feet of Development Area C. Use Units 17 and 25 uses are only permitted after approval of a minor amendment finding those uses appropriate for the site.

The applicant has contracted to purchase a parcel at the southwest corner of Development Area C containing 1.77 acres for development as a hotel/motel. The site abuts on the west multifamily dwelling units that front on South 87th East Avenue.

Hotels and motels are not permitted in the IL district as a matter of right but may be approved as a special exception.

The purposes of the proposed major amendment to PUD-550 are:

1. to identify the site for the proposed hotel/motel use as Development Area C-1.
2. to request approval of the use of the 1.77 acre site for hotel/motel uses only under Use Unit 19; and
3. to establish specific development area standards for the hotel use.

Access to Development Area C-1 will only be from the I-44 service road or from Development Area C to the east. No access will be permitted to South 87th East Avenue, except emergency access if required by the Fire Department for the hotel use.

Drainage from the hotel site will be to the east as proposed in PUD-550.

The proposed development standards for Development Area C-1 are designed to establish an acceptable separation from the multifamily dwellings to the west.

The hotel concept illustration is attached as Exhibit A.

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-550-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-550-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:

DEVELOPMENT AREA C-1

NET LAND AREA: 1.775 Acres

PERMITTED USES:

Uses permitted as a matter of right in the IL district, except within the west 250 feet of the development area Use Unit 17 and 25 uses are only permitted after approval of the minor amendment finding the use appropriate for the site under the development standards for Development Area C and Use Unit 19 a hotel/motel use only under the development standards for Development Area C-1.

HOTEL/MOTEL USE DEVELOPMENT STANDARDS

MAXIMUM BUILDING FLOOR AREA; 50,000 SF

MAXIMUM BUILDING HEIGHT: 52 FT

MINIMUM BUILDING SETBACKS:

From the west boundary of Development Area C-1 65 FT

From the north boundary of Development Area C-1 40 FT

From the east boundary of Development Area C-1 40 FT

Form the southeast boundary of Development Area C-1 50 FT

MINIMUM SETBACK FOR PARKING SPACES AND ACCESS DRIVES

From the west boundary of Development Area C-1 5 FT

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM LANDSCAPED AREA: 10%

SIGNAGE:

One ground sign along the I-44 frontage which does not exceed 25 feet in height or 120 square feet of display surface area. Such ground sign shall be a minimum of 60 feet from the west boundary of Development Area C-1.

Wall signs shall be permitted only on the south and east walls of a building not to exceed 2.0 square feet of display surface area per lineal foot of building wall to which attached. The length of the wall sign shall not exceed 75% of the building wall to which attached.

Flashing signs, ~~changeable copy signs~~, running light and twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

LIGHTING:

Light standards within the west 65 feet and within the west 210 feet of the north 100 feet of Development Area C-1 shall not exceed 12 feet in height. Light standards within the remainder of Development Area C-1 shall not exceed 25 feet in height. 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 R district to the west of the development area.

SCREENING:

A solid screening fence or wall six feet in height shall be constructed along the west and south internal boundaries of Development Area C-1.

ACCESS:

Access to Development Area C-1 shall only be from the I-44 service road or from Development Area C. No access shall be permitted to South 87th East Avenue, except emergency access, if required.

TRASH, MECHANICAL AND EQUIPMENT AREAS:

All trash, mechanical and equipment areas which are within 250 feet of a residential area shall be screened from public view by persons standing at ground level in the residential area. No bulk trash containers shall be located within 65 feet of the west boundaries of Development Area C-1.

3. All other conditions of PUD-550 as amended shall apply unless modified above.

Ms. Matthews stated that this is a major amendment to PUD-550. This is to allow a hotel/motel use in an existing PUD. Staff recommends **APPROVAL** subject to the meeting the conditions and purposes of the proposed major amendment, which are to identify the site, request the approval of the use of the 1.77 acre site for hotel/motel uses only under Use Unit 19 and to establish specific development standards for the hotel use.

Ms. Matthews stated the following conditions, one of the conditions being that the only access be through the I-44 service road and not through the residential roads to the north and west.

Mr. Alberty stated that there are two zoning maps on the subject application. One map depicts the zoning that appeared when the application was filed; however, it is in error. The original zoning application from 1996 had been mapped incorrectly and therefore the second map is correct. The frontage is zoned CS, IL on the interior portion, except for the west 440 feet that remained RS-3. These corrections have been made to the maps.

APPLICANT'S COMMENTS:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103. stated that this application is an amendment to the major PUD that was established about six years ago, which resulted in the construction of the postal facility in Development Area B immediately to the north of 23-acre tract that is identified as Development Area C. Under the present PUD the property before the Planning Commission today is permitted for any light industrial uses permitted as a matter of right in the IL district. Hotels and motels are permitted as a matter of right by special exception and it was necessary to apply for a major amendment requesting the approval of this hotel/motel use only, pursuant to the development standards that have been recommended by staff. He indicated that he is in agreement with the standards except for one item under signage. He stated that his client would like to have a changeable copy signs in order to display time, temperature and room rates. The sign allowed on the subject property is relatively small in display surface area and he would return with a signage site plan for review. He requested that the Planning Commission approve the staff recommendation with the modification to the signage standard.

INTERESTED PARTIES:

Lon Rumble, 8533 East 24th Place, Tulsa, Oklahoma, stated that this application would not be good for the homeowners in the vicinity.

TMAPC COMMENTS:

Mr. Jackson asked Mr. Rumble where he lived and how close he would be to the proposed application. In response, Mr. Rumble stated that he lives at 8533 at the end of the block and a few houses down is 87th Street, which is where the vacant field is located, then the apartment complex where the signs are posted stating that there would be a hotel/motel established in the subject area. It is too close to residential.

Mr. Jackson asked staff for the current zoning on the subject tract. In response, Mr. Alberty stated that the subject property has three different zonings, CS, IL and RS-3. The motel is proposed in the RS-3 area; however, it is approved under PUD-550 for industrial uses. The applicant explained that motel use is not a use by right, but it is permitted by exception. In response, Mr. Jackson asked Mr. Alberty to explain to Mr. Rumble what IL could allow.

Mr. Alberty stated that the IL zoning would allow any of the uses that are permitted such as light manufacturing, wholesaling, warehouses, etc. Mr. Alberty stated that there is a substantial setback for this development and there will be a landscaped area immediately on the east side of 87th East Avenue and it will not allow access onto East 87th Avenue. The parking would also be set back a substantial amount. All of the traffic will be forced down to the service road. There will be a screening fence that would be erected at a minimum of six feet in height.

Mr. Rumble asked how far the hotel would be from 87th Street. In response, Mr. Alberty stated that he estimates it would be over 200 feet from 87th Street.

Mr. Rumble asked if the frontage road would remain two-lane or become a one-way street. In response, Mr. Alberty stated that he could not answer that question. Mr. Alberty explained that it currently allows two-way traffic and that is controlled by the Oklahoma Department of Transportation (ODOT). Mr. Alberty stated that he would assume that since ODOT recently permitted access off of I-244 onto the service road that they will maintain a two-way lane for sometime in the future.

Mr. Rumble stated that the two-lane traffic is dangerous, but on the other hand, it would be difficult for him to get onto I-44 if it becomes one-way. Mr. Rumble thanked the Planning Commission for listening to him.

Mr. Jackson stated that the motel/hotel use is the one of the least intense uses that could have been allowed by right. It could have been a manufacturer or a

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the minor amendment for PUD-587-9 per staff recommendation.

Application No.: Z-5722-SP-17/PUD-405 CORRIDOR SITE PLAN

Applicant: Matt Cooper/Tulsa Surgical Arts (PD-18) (CD-8)

Location: Southeast corner of East 91st Street South and South 73rd East Avenue

STAFF RECOMMENDATION:

The applicant is requesting a corridor site plan/PUD detail site plan to permit the expansion of an existing medical office building. The existing building is located on Lot 1 and the proposed addition would extend into Lot 2. This application was previously reviewed by TMAPC and approved on March 3, 2004. Since that time, complications regarding use of the mutual access between Lot 2 and the adjacent lot, Lot 3 (Celebrity Attractions), required revisions to the TMAPC approved site plan.

The current site plan is in compliance with setbacks, maximum lot coverage and building floor area permitted, parking and landscape requirements. The proposed dumpster must be removed from the overland drainage easement and building floor area and calculations per use must be added to the face of the site plan.

Staff recommends **APPROVAL** of Z-5722-SP-17/PUD-405 contingent upon removal of the dumpster from the overland drainage easement and inclusion of total building floor area and calculations per use on the face of the site plan.

Use of the overland drainage easement for parking is subject to approval of Public Works.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner,

Ledford, Midget, Westervelt "absent") to **APPROVE** the corridor site plan for Z-5722-SP-17/PUD-405 subject to removal of the dumpster from the overland drainage easement and inclusion of total building floor area and calculations per use on the face of the site plan as recommended by staff.

Application No.: PUD-538-7

MINOR AMENDMENT

Applicant: Eric Sack

(PD-16) (CD-8)

Location: 9941 South Yale Avenue

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the sign setback from the north boundary from 100 feet to 50 feet and increase the height of the sign from five feet to seven feet.

The PUD conditions were established prior to the detail site plan. The sign is a monument-style sign and will be placed on the south side of the main entry. The 50-foot setback from the north property line is sufficient to not be visible from the adjacent residential property. The major portion of the sign complies with the five-foot height; only the ornamentation exceeds the five-foot height requirement.

Since both, requests are minor in nature and will not substantially alter the character of the development; the staff recommends **APPROVAL** of the request.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the minor amendment for PUD-538-7 per staff recommendation.

wholesaler with trucks coming in and out. He believes that a hotel with a nice façade, screening and landscaping would do more justice to the subject area than light industrial uses.

REBUTTAL:

Mr. Norman stated that there will be no access from the subject tract to 87th East Avenue, unless it would be a crash gate required by the Fire Department during the platting process. The apartments are immediately west of the subject property, then duplexes and after that there are single-family homes that are located in a neighborhood that is in very good condition to the north and to the west. There are no windows in the apartments that face to the east, which would be in the direction of the motel. Mr. Norman submitted photographs (Exhibit A-1).

Mr. Norman concluded that this particular use represents a good transition and probably considerably better than IL uses that could be allowed by right. The proposed motel is under 110 rooms and there will not be a restaurant located within it, nor any other type of facility.

Mr. Alberty stated that staff can agree to the modification regarding the changeable sign as requested by Mr. Norman.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to recommend **APPROVAL** of the major amendment for PUD-550-A per staff recommendation as modified by the Plan Commission. (Language deleted is indicated with a strikethrough and language added is indicated with underlining.)

Legal Description for PUD-550-A:

A TRACT OF LAND THAT IS PART OF VACATED "INDIAN ACRES", AN ADDITION TO THE CITY OF TULSA, LOCATED IN THE N/2 OF SECTION 13, T-19-N, R-13-E, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: "BEGINNING AT A POINT" THAT IS THE SOUTHEAST CORNER OF LOT 10 IN BLOCK 11 OF SAID "INDIAN ACRES", SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 26TH STREET SOUTH; THENCE N 00°07'00" W ALONG THE EASTERLY LINE OF LOTS 10, 11, 12 AND 13 OF SAID BLOCK 11 FOR 312.50' TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE DUE WEST ALONG THE NORTHERLY LINE OF LOT 13 FOR 132.50' TO A POINT THAT IS THE NORTHWEST CORNER OF SAID LOT 13, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 87TH EAST AVENUE; THENCE N 00°07'00" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 100.50'; THENCE DUE EAST AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 13 FOR 300.00';

THENCE S 00°07'00" E AND PARALLEL WITH THE EASTERLY LINE OF SAID BLOCK 11 FOR 255.50' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 44; THENCE ALONG SAID RIGHT-OF-WAY LINE AS FOLLOWS: DUE WEST FOR 5.00'; THENCE S 00°07'00" E FOR 69.94'; THENCE S 48°53'55" W FOR 133.19' TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 10 IN BLOCK 11 OF "INDIAN ACRES"; THENCE DUE WEST ALONG SAID EASTERLY EXTENSION AND LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 44 FOR 61.96' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, and located at I-44 service road east of South 87th East Avenue, Tulsa, Oklahoma, **FROM IL/PUD (Industrial Low Intensity District/Planned Unit Development [PUD-550]) TO IL/PUD (Industrial Low Intensity District/Planned Unit Development [PUD-550-A])**.

Application No.: PUD-587-9

MINOR AMENDMENT

Applicant: Dough Huber

(PD-18) (CD-8)

Location: West of southwest corner 81st Street and Yale Avenue

STAFF RECOMMENDATION:

The applicant is proposing to increase the maximum building height on Tract 1b of Lot 2, Development Area A. The existing standard is one story, not to exceed 25 feet in height. The request is for two stories not to exceed 50 feet. A 9,000 square foot medical office building is being proposed on the subject tract.

The subject tract is abutted on the west by a drainage facility; on the north by Tract 1a of Lot 2, which has been approved for a three-story bank, and to the south is a three-story assisted living center; and on the east by an existing Walgreen's and a bank now under construction.

Staff finds that the request is minor in nature and does not substantially alter the character of the development. Due to the 40-foot limitation on the bank to the north, staff feels the height should be limited to the 42-foot height indicated on the proposed building elevation. Therefore, staff recommends **APPROVAL** of the request to increase the maximum building height on Tract 1b of Lot 2, Development Area A to two stories not to exceed 42 feet in height.

Applicant was not present.

There were no interested parties wishing to speak.

OTHER BUSINESS:

Application No.: PUD-355-C

DETAIL SITE PLAN

Applicant: Doug Huber

(PD-18) (CD-8)

Location: Northwest corner of 91st Street and South Yale

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new office building. The proposed use, Use Unit 11, Offices, Studios and Support Services, is in conformance with development standards.

The proposed site is in compliance with minimum setback and landscape requirements, and is within maximum permitted building floor area and height permitted. Proposed parking is in compliance with development standards and the Zoning Code, and is aligned in accordance with current parking layout of adjacent sites. No parking lot lighting is proposed.

Staff recommends **APPROVAL** of PUD-355-C detail site plan as proposed.

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

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** detail site plan for PUD-355-C per staff recommendation.

Application No.: PUD-397-B

DETAIL SITE PLAN

Applicant: Brad McMains

(PD-18) (CD-7)

Location: 9024 East 62nd Place

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a parking lot. The proposed use, Use Unit 10, Off-Street Parking Areas, is in conformance with development standards.

The proposed parking lot is to serve as overflow for the office building located on adjacent Lots 2 and 3, Block 2. Access to the parking lot will be from an access drive to Lot 3, located 5 feet west of the property line in common with Lot 4. No direct access to the parking lot will be provided from East 62nd Street South or South 90th East Place.

The proposed site is in compliance with minimum setbacks and landscape requirements. Lighting will be provided by fixtures mounted on 15' high poles. Calculations per the Kennebunkport Formula must be provided to verify compliance with PUD standards and the Zoning Code. A scale must also be included on the face of the site plan.

Staff recommends **APPROVAL** of PUD-397-B detail site plan contingent upon approval of a complete lighting plan in compliance with PUD standards and the Zoning Code; and inclusion of the appropriate scale on the face of the site plan.

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

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HILL**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the detail site plan for PUD-397-B, subject to approval of a complete lighting plan in compliance with PUD standards and the Zoning Code; and inclusion of the appropriate scale on the face of the site plan per staff recommendation.

Application No.: PUD-600-A

DETAIL SITE PLAN

Applicant: Box Master Builders

(PD-18-B) (CD-8)

Location: 9201 South Toledo

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new office building. The proposed use, Use Unit 11, Offices, Studios and Support Services, is in conformance with development standards.

No development has yet occurred on Lot 5, Block 2, adjacent to the north. Reserve A, regulatory floodplain, is on the site's south boundary. The site plan complies with maximum floor area and height permitted and complies with building setbacks and parking requirements. Proposed landscaping is in compliance with PUD standards and the Zoning Code. No parking lot lighting is proposed. The trash dumpster will be screened and will meet the minimum 100-foot setback requirement from the east property line.

Staff recommends **APPROVAL** of PUD-600-A detail site plan as proposed.

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

Use of the overland drainage easement for parking is subject to approval of Public Works.

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 **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the detail site plan for PUD-600-A per staff recommendation.

Application No.: PUD-179-C

REFUND

Applicant: Sisemore, Weisz & Associates (PD-18) (CD-7)

Location: East of northeast corner of South Memorial Drive and 73rd

STAFF RECOMMENDATION:

An application was filed on June 22, 2004, requesting approval of a site plan to PUD-179-C. Staff has determined the amendment was minor in nature, which would only require a minor revision.

Staff recommends a refund of \$175.00, a portion of the fee of \$200.00, be refunded.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Jackson, Miller "aye"; no "nays"; none "abstaining"; Horner, Ledford, Midget, Westervelt "absent") to **APPROVE** the refund of \$175 for PUD-179-C per staff recommendation.

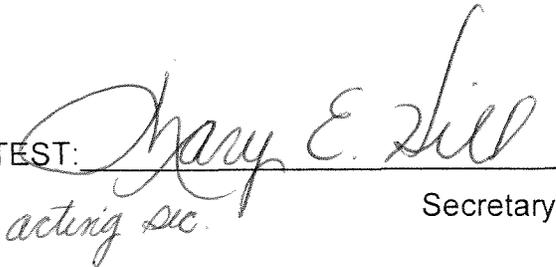
There being no further business, the Chair declared the meeting adjourned at 2:17 p.m.

Date Approved:

8.18.04


Chairman

ATTEST:


acting sec. Secretary