

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2569

Tuesday, January 5, 2010, 4:00 p.m.

City Council Chambers

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Cantrell	Carnes	Alberty	Boulden, Legal
Dix	McArtor	Fernandez	Steele, Sr. Eng.
Leighty	Midget	Huntsinger	
Liotta		Matthews	
Marshall		Sansone	
Shivel			
Walker			
Wright			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, December 28, 2009 at 11:39 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 Cantrell called the meeting to order at 4:00 p.m.

REPORTS:

Comprehensive Plan Report:

Martha Schultz, City of Tulsa Planner, reported on the draft Comprehensive Plan. Ms. Schultz reported on the upcoming events and deadlines. She reminded the Planning Commissioners that the draft is online.

Director's Report:

Mr. Alberty reported on the TMAPC receipts for the month of November 2009. He indicated that the numbers are still down from this time in 2008.

Mr. Alberty reported that staff has been working with the Consultant team and have completed the review of land use plans, which were done on a parcel-by-parcel basis. He stated that staff is suggesting that town hall meetings be held in each district and we hope to announce that soon.

TMAPC COMMENTS:

Mr. Leighty asked Mr. Alberty if staff has received any feedback from citizens regarding the change in the meeting time to 4:00 p.m. In response, Mr. Alberty stated that he hasn't received any comments, but staff has to continually remind the public that the new meeting dates are the first Tuesday of each month at 4:00 p.m. and the 3rd Wednesday of each month at 1:30 p.m. and that is the new schedule, at least through this fiscal year.

Minutes:

Approval of the minutes of December 2, 2009, Meeting No. 2567

On **MOTION** of **LEIGHTY**, the TMAPC voted 8-0-0 (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the minutes of the meeting of December 2, 2009, Meeting No. 2567.

CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

- 2. **LC-220** – B.R. Hutson, Inc. (0331)Lot-Combination (PD 3) (CD 1)
Northeast Corner of North Wheeling Avenue and East Haskell Place, 801 N. Xanthus
- 3. **LC-221** – Dale Evans (9408)Lot-Combination (PD 17) (CD 3)
Southeast Corner of South 117th East Avenue and East 14th Place, 1437 South 117th East Avenue
- 4. **LC-222** – Dean Solberg (8321)Lot-Combination (PD 4) (CD 4)
West of the Southwest corner of East 91st Street South and Yale Avenue
- 5. **LC-223** – Bobby Smith (9018)Lot-Combination (County)
Northeast corner of South 265th West Avenue and West 28th Street South, 26451 West 28th Street South
- 6. **LC-224** – Rebecca Carr (2307)Lot-Combination (County)
East of the Northeast corner of North Utica Avenue and East 168th Street North, 1707 East 168th Street North
(See related item LS-20174)

CONSENT AGENDA (cont'd.)

7. **LC-225** – Paul Boullion (9319) Lot-Combination (PD 6) (CD 9)
North of the Northwest corner of East 41st Street and South Utica Avenue, 3926 South Utica Avenue and 4004 South Utica Avenue
8. **LC-226** – Tim Terral (0431) Lot-Combination (PD 16) (CD 6)
Northeast of the Northeast corner of North Mingo Road and East Archer Street, 10530 East Latimer Street and 1107 North 105th East Avenue
9. **LS-20351** – Tim Terral (0431) Lot-Split (PD 16) (CD 6)
Northeast of the Northeast corner of North Mingo Road and East Archer Street, 10530 East Latimer Street and 1107 North 105th East Avenue
10. **LS-20174** – Rebecca Carr (2307) Rescind (County)
East of the Northeast corner of North Utica Avenue and East 168th Street North, 1707 East 168th Street North
(See related item LC-224)
11. **PUD-678-3 – T J Enterprises, LLC** (PD-26) (CD-8)
Northwest of the northwest corner of 101st Street South and South Memorial Drive (Minor Amendment to reduce the required front setback from 20 feet to 17 feet on Lot 5, Block 3.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the required front setback from 20' to 17' on Lot 5, Block 3 – Audubon Village. The request is for a 9 square foot (SF) section of the house (see Exhibit A).

With a 45-foot pipeline easement in addition to a 15-foot utility easement in the rear yard the house is required to be constructed 60' from the rear property line. As a result of the aforementioned combined with the oddly shaped front lot line due to the cul-de-sac, staff views the request as minor in nature and can support the request.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-678-3.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

CONSENT AGENDA (cont'd.)

12. **PUD-709-5 – Robert R. David** (PD-26) (CD-8)

Northeast of the northeast corner of 118th Street South and South Delaware Road (Minor Amendment to reduce the required front setback from 30 feet to 24.8 feet on Lot 2, Block 1.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the required front setback from 30' to 24.8' on Lot 2, Block 1 – Sequoya Hill II only. The amendment request is to reflect as-built conditions as surveyed in the field and reflected on attached Exhibit A.

The encroachment shown on Exhibit A is approximately 79 square feet of the attached garage and is viewed by staff as a negligible request, having no impact on any surrounding properties.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-709-5 for the portion of the house that is encroaching at this time only.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

13. **PUD-754 – Steve Wright – Stonegate Estates** (PD-26) (CD-8)

West of the southwest corner of 106th Street South and South Yale Avenue (Detail Site Plan for a perimeter wall, entry gates and an entry feature.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a perimeter wall, entry gates and an entry feature.

The submitted site plan meets all applicable structure height and setback requirements. The plan has received sign-off approvals from the City of Tulsa Fire Marshall, as well as, City of Tulsa Traffic Engineering as required by the PUD.

Staff recommends **APPROVAL** of the detail site plan for PUD-754.

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

CONSENT AGENDA (cont'd.)

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget none "absent") to **APPROVE** the consent agenda Items 2 through 13 per staff recommendation.

Ms. Cantrell read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARING

14. **NGP Business Complex –** (8323) Preliminary Plat (PD 26) (CD 8)
North of the Northwest corner of East 101st Street South and South Memorial Drive

STAFF RECOMMENDATION:

This plat consists of six lots, one block, on 4.908 acres.

The following issues were discussed December 17, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 773. All PUD conditions must be shown in the covenants. Make sure landscape buffer is shown and proper building line setbacks are used.
2. **Streets:** Access has not been provided for lots, 2, 3, and 5. Call out all mutual access easements with dimensions. For the mutual access easement to the north provide document number or book and page number.
3. **Sewer:** Since most of your proposed sanitary sewer pipe will be under paving, you will be required to use all DIP (ductile iron pipe) for your mainline extension.

PUBLIC HEARING (cont'd)

4. **Water:** Add standard restrictive waterline easement language to the covenants.
5. **Storm Drainage:** Reserve A contains utility easements, drainage easements, and a stormwater detention easement. Please show and label each easement type and its boundaries. Include a width for the drainage easement along the west portion of the property. A drainage easement, by its standard covenant language, covers overland drainage and storm sewers, but it may not overlap a utility easement with other utilities in it. An overland drainage easement is required for the drainage in the existing public swale that is conveyed from east to west along and north of the south boundary of Lot 6. The utility easement that is unevenly split between Lots 5 and 6, contains a storm sewer only, and must be a storm sewer easement. Use City of Tulsa standard language, instead of the combined languages used in Section I D "Drainage Easement", "Overland Drainage Easement" and "Reserve A – Stormwater Detention Easement" each have their own standard language. Add the end of the "roof drain requirements", "All paved areas receiving roof drainage must be designed to convey that roof drainage to the on-site public storm drainage system." Add contours to this plan. Show and label all required easements and buildings, and all features shown on the plan.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** AEP needs additional easements.
7. **Other: Fire:** No comment.

GIS: Add the e-mail address for the surveyor/engineer. Add missing subdivision names and boundaries to the location map and correct misspelled subdivision names. Add bearing from the easterly line of Section 23. Submit a subdivision control data form. Correct plat name on sheet 2 of 3 and sheet 3 of 3. Please remove contours, etc. from face of plat and put on conceptual plan. Add 11-foot perimeter easement along south line of Lot 6. *(This requirement may not be necessary per explanation provided at TAC meeting by consulting engineer about existing easements on abutting property.)* Show 30-foot landscaping and screening easement on west boundary line as required by the PUD.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and 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 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.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-0-1** (Cantrell, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; Dix "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the preliminary plat per staff recommendation, subject to special conditions and standard conditions.

15. **Sooner Mini Storage Extended** – (9121) Minor Subdivision Plat County
North of the Northwest corner of West 41st Street South and South 129th
West Avenue

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 1.38 acres.

The following issues were discussed December 17, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned OL. Board of Adjustment cases 2041 and 2348 allowed use and variances. A release letter from the fire department providing service is required.
2. **Streets:** Sidewalk language required in covenants.
3. **Sewer:** No comment. Sapulpa will serve.
4. **Water:** No comment. Tulsa County Rural Water District # 1 will serve.
5. **Storm Drainage:** Add the words "parking lot" to the labels for the stormwater detention easement. Suggest Section I H be revised for parking lot detention maintenance. Roof drainage covenants should be added to convey all roof drainage to the parking lot detention facility. Please label the outlet for the parking lot stormwater detention facility.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.

7. **Other: Fire:** Contact Sand Springs Fire Department for their comments on this project. Fire hydrants would be required to be added to meet the International Fire Code.

GIS: Submit subdivision control data form.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below. Release letters have been received.

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 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.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the minor subdivision plat for Sooner Mini-Storage Extended per staff recommendation, subject to special conditions and standard conditions.

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16. **LS-20350** – David W. Phillips (9206) Lot-Split/Waiver of 50' (County)
ROW
West of the southwest corner 65th West Avenue and West Edison Street,
6540 West Edison Street

STAFF RECOMMENDATION:

The proposal is to split a five-acre tract ± into two parcels. Both proposed tracts meet the RS bulk and area requirements; however, both tracts are located on West Edison Street. The Major Street and Highway Plan (MSHP) reflects Edison as a secondary arterial running along section line (Tulsa/Osage County line), which would require 50' of right-of-way be given to Tulsa County on the north side of both tracts. However, Tulsa County engineering has stated that because of the current route of Edison turning south and connecting with Cameron to follow the Old North Road, and due to the terrain, it is very unlikely that Edison would ever be built along the section line in this area. Therefore a waiver of the Subdivision Regulations to provide the 50' right-of-way from the section line is requested.

Lot-Split #LS-19632 was granted a similar waiver on West Edison Street in 2004 (shown on attached case map).

Staff believes this lot-split would not have an adverse affect on the surrounding properties and recommends **APPROVAL** of the waiver of *Subdivision Regulations* and of the lot-split as long as 30' right-of-way is dedicated per the recommendation of the County Engineer.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split as long as 30' right-of-way is dedicated per the recommendation of the County Engineer, per staff recommendation.

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Ms. Cantrell recused herself and left the meeting room at 4:16 p.m.

Mr. Shivel, 1st Vice Chair, conducted the meeting.

17. **Z-7147 – Shamrock Partners, LLC/Darby Equipment Company** **RS-3 to IL**
North of northwest corner East 29th Street North and North Toledo Avenue (PD-2) (CD-3)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-20808 December 9, 2008: The Board of Adjustment approved a Variance of the setback requirement for a parking area not in an R district, but within 50 ft. of an R district from the centerline of an abutting street (Section 1302.B), subject to parking and driving surfaces being paved asphalt or concrete; per plan as shown on page 2.6 of the agenda; finding the nearest house, whether occupied or not, is at least 100 ft. away; that the zoning is probably reflective of the historic use, as opposed to a neighborhood that is being sustained; the topography is uneven and reason to grant a variance in this case; finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land; that such extraordinary or exceptional conditions or circumstances do

not apply generally to other property in the same use district; on property located at 2940 North Toledo Avenue and abutting north and west of subject property.

BOA-20816 December 9, 2008: The Board of Adjustment approved a Special Exception to allow an indoor sand blasting operation (Use Unit 26) in an IL district, per applicant exhibit C2.0, submitted at the hearing, on property located at 2940 North Toledo Avenue and abutting north and west of subject property.

BOA-18185 September 1998: The Board of Adjustment approved a special exception to allow a night club in an IL-zoned district, subject to the landscaping and parking requirements being met on property located on the northwest corner of East Apache Street and North Yale Avenue.

Z-6638 July 1998: A request to rezone a two-acre tract located north and west of the northwest corner of East Apache and North Toledo Avenue from RS-3 to IH. All concurred in denial of IH and approved IL zoning.

Z-6616 March 1998: All concurred in approval of a request for rezoning a 4.5+ acre tract of land from RS-3 to IL for industrial use located on the north and south side of East 27th Street North and west of North Toledo Avenue.

Z-5932 July 1984: All concurred in denial of a request for rezoning a tract of land from RS-3/CH to IH but did approve IL zoning on property located north of northeast corner of North Toledo Avenue and East Apache Street.

Z-5548 July 1981: All concurred in approval of a request for rezoning a tract of land from AG to IL on property located north of northwest corner of North Toledo Avenue and East Apache Street and abutting north and west of subject property.

Z-5500 May 1981: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located north of northwest corner of North Toledo Avenue and East Apache Street.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.5+ acres in size and is located north of northwest corner of East 29th Street and North Toledo Avenue. The property appears to be vacant single-family residential buildings zoned RS-3.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Toledo Avenue	N/A	N/A	2

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the west by vacant, wooded land, zoned IL; on the north by a trucking firm and outdoor storage, zoned IL; on the south by a trucking firm and mixed outdoor storage, zoned RS-3; and on the east by two trucking firms, zoned IL.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 2 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being part of Special District – Industrial 3.-. According to the Zoning Matrix, the requested IL zoning **may be found** in accord with the Plan by virtue of its being within an Industrial Special District.

STAFF RECOMMENDATION:

This is clearly an industrial and related use area. Adjacent to the trucking uses on the east are the former strip coal mines and apparently the trucking use to the south was once the site of a waste dump. The two former single-family residential uses on the subject property are boarded up and dilapidated. Staff recommends **APPROVAL** of IL zoning for Z-7147.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-0-0** (Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Cantrell, Carnes, McArtor, Midget "absent") to recommend **APPROVAL** of the IL zoning for Z-7147 per staff recommendation.

Legal Description for Z-7147:

All that PRT N/2 S 440 SE NW SE lying HWY R/W Sec 21 20 13, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Ms. Cantrell in at 4:17 p.m.

18. **PUD-197-A – Sisemore Weisz & Associates, Inc./Oklahoma Methodist Manor/Crestwood** RM-2/PUD-197 to RM-2/PUD-197-A

West of southwest corner of East 31st Street and South Toledo Avenue (Major Amendment proposing development of a five story independent living center and to add five lots to the PUD to be used for parking, landscaping, screening and a gated entry on East 31st Place.) (PD-6) (CD-7)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 12600 dated September 21, 1972 and 17485 dated May 2, 1991 and 14108 dated April 27, 1978, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7121 January 2009: All concurred in approval of a request for rezoning a .28+ acre tract of land from PK to OM for office on property located south of southwest corner of East 31st Street and South Louisville Avenue.

Z-6838 October 2001: All concurred in approval of a request for rezoning a .23+ acre tract of land from RS-3 to OL for business offices on property located west of southwest corner of East 31st Street and South Pittsburg Avenue.

Z-6825 September 2001: All concurred in approval of a request for rezoning a 5+ acre tract of land from RS-3 to PK for parking on property located south of southwest corner of East 31st Street and South Louisville Avenue.

Z-6393 March 1993: All concurred in approval of a request to rezone a lot from RS-3 to OL for office use, on property located east of the northeast corner of East 31st Street and South Louisville Avenue.

Z-6303 December 1990: All concurred in approval of a request to rezone a tract of land from RS-3 to OL on property located east of southeast corner of East 31st Street and South New Haven Avenue and a part of the subject property.

Z-6227 January 1989: All concurred in approval of a request to rezone a 1.3-acre tract located on the southeast corner of East 31st Street South and South Louisville Avenue directly east of the subject tract from RS-3 to OL on the north 150' and PK zoning on the south tract that fronts the subject property.

PUD-345 January 1984: All concurred in approval of a proposed Planned Unit Development a 3.1+ acre tract of land for office use including the Tulsa Teacher's Credit Union, on property located west of the southwest corner of East 31st Street and South New Haven Avenue.

PUD-197 April 1978: All concurred in approval of a proposed Planned Unit Development on a 40+ acre tract of land for a retirement complex that was in a CDP-48 (Community Development Plan) on property located on the southwest corner of East 31st Street and South Pittsburg Avenue and the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 41.65+ acres in size and is located west of southwest corner of East 31st Street and South Toledo Avenue. The property has been developed in phases and is zoned RM-2/PUD-197.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 31 st Street South	Secondary Arterial	100'	4

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by Conway Park, zoned RS-3; on the north by 31st Street and then Exposition Gardens, zoned OL; on the south by Walter Foster Addition, zoned RS-3; and on the west by Dartmoor Addition Sub. B 1-2 and 7 – 8 Albert Pike Sub., zoned OL and RS-3 and Virginia Terrace Addition Resubdivision B 9 & 10 and 15 – 16 Albert Pike Sub., zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 6 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being low to medium intensity – no specific land use with the frontage along 31st Street within a linear development area. The original zoning for this area was approved via the Board of Adjustment in the 1950's, then modified by the Community Development Program in the 1960's and early 1970's and ultimately was approved as PUD-197 in 1978. At that time the TMAPC found the existing RM-2 zoning to be in accord with the Plan as adopted in 1976.

STAFF RECOMMENDATION:

PUD-197 is a 41.65 acre (1,814,274 SF) site located west of the southwest corner of 31st Street South and Yale Avenue. The tract is the site of the Oklahoma Methodist Manor (OMM) senior living/retirement community.

The underlying zoning for PUD-197 is approximately 40 acres of RM-2 – Residential Multi-Family Medium Density District zoning. Major amendment PUD-197-A proposes development of a five (5) story independent living center within the RM-2 zoned portion of the site and to add five (5) lots west of OMM from the Dartmoor Addition to the PUD. The lots in Dartmoor Addition will be

used for parking; landscaping, screening and a gated entry on East 31st Place (see Exhibit B). The entire PUD will be re-platted via the minor subdivision platting process.

Two of the Dartmoor Addition lots are zoned OL – Office Low Intensity District and three are zoned RS-3 – Residential Single-Family High Density District. No zoning change is necessary for the proposed major amendment.

The proposed expansion is shown on Exhibit B. In addition to the proposed five (5) story independent living center, the proposal includes a kitchen and dining facility, wellness center and memory support center for the treatment and care of Alzheimer's patients.

A conceptual building elevation of the 5-story building is attached as Exhibit B-1. To provide a buffer from the residential neighborhood to the west, all of the windows in the most westerly wall of the building will be in the stairwell. Further, the building will be setback a minimum of 100 feet from the original boundary of the PUD.

The proposal also includes the use of East 31st Place by the residents of OMM through a gated entry. The concept elevation of the west entry gate from East 31st Place is attached as Exhibit B-2. In addition to extensive landscaping, the west entry will be constructed as a loop, which will provide a turn around for emergency vehicles. Gated entry use will be limited to OMM residents and would preserve East 31st Place South as a dead-end residential street with reduced traffic. Please refer to the attached executive summary of the traffic report performed for the proposed expansion.

The proposed expansion will also require modifications to the storm water channel running through the eastern portion of the campus. It will incorporate enclosing part of the stream within concrete box storm sewers underneath a parking lot, together with landscaping and pedestrian improvements along the reconfigured drainage channel and detention pond area of the project. Compensatory storage will be provided for all of the development that takes place within the flood plain along such stream.

After several site visits and thorough review of the proposal staff can support this request. Staff finds the expansion and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-197-A 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-197-A subject to the following conditions:

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

GROSS LAND AREA: 41.65013 Acres/ 1,814,274 SF

(Includes existing OMM site and Lots 7, 8, 15 & 16, Block 1, Dartmoor Addition, and Lot 8, Block 2, Dartmoor Addition located west of the existing OMM site).

PERMITTED USES: Use Unit 2, Area-Wide Special Exception Uses but limited to Nursing Home and Elderly Care Residential Treatment Center; Use Unit 4, Public Protection & Utility Facilities but limited to, Antenna and Supporting Structures; Use Unit 5, Community Services and Similar Uses but limited to, Adult Day Care, Community Center, Cultural Facility, NEC and Place of Worship; Use Unit 6, Single-Family Dwelling; Use Unit 7, Duplex Dwelling; Use Unit 7a., Townhouse Dwelling; Use Unit 8, Multi-Family Dwelling and Similar Uses but limited to Apartment, Assisted Living Facility, Elderly/Retirement Housing, Life Care Retirement Center and Multi-Family Dwelling; Use Unit 10, Off-Street Parking Areas; Use Unit 11, Offices, Studios and Support Services, and uses customarily accessory to the permitted principal uses.

MAXIMUM MULTIFAMILY DWELLING UNITS: 200

MAXIMUM SINGLE-FAMILY DWELLING UNITS (Attached or Detached): 120

MAXIMUM RESIDENTIAL/CARE FACILITIES: 600,000 SF

MINIMUM LANDSCAPED OPEN SPACE: 20% of net land area

MINIMUM BUILDING SETBACKS:

From the North boundary (centerline of E. 31st St. S.) of the PUD: 80 FT

From the East boundary of the PUD: 20 FT

From the most Southerly boundary (centerline of E. 33rd St. S.) of the PUD: 35 FT

From the northerly R/W limits of E. 31st Pl. S.: 30 FT

From the West boundary of the PUD:

Structures 35' and less: 20 feet from original PUD boundary

5-story structure: 100' from original PUD boundary

MAXIMUM BUILDING HEIGHT*:

Multi-level Independent Living Center:	5-stories
<u>Existing Central Residence Building</u>	<u>4 stories</u>
All other structures:	35'

**Architectural elements may exceed the maximum building height with detail site plan approval. Wall signs may be placed on, but not above, architectural elements with approval of detail sign plan.*

TRASH, MECHANICAL AND EQUIPMENT AREAS: All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility provider), including building mounted shall be screened from public view in such a manner that the areas cannot be seen by person standing at ground level.

SCREENING: A six-foot opaque masonry-style screening fence shall be constructed along the full length of the westerly and southerly boundaries of the proposed covered surfaced parking lot and the gated entry area, except for the gate, within the northwest portion of the PUD. Additionally, a six-foot opaque masonry-style screening fence will be constructed along most of the westerly and all of the southerly boundaries of Lot 8, Block 2, Dartmoor Addition. Such screening fence shall connect to and resemble the existing masonry fence (in color, style and construction materials and methods) which presently exists along the westerly boundary of the Oklahoma Methodist Manor site.

LIGHTING: All site lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 16 feet in height if within 100 feet of an existing off-site residential area, and no light standard shall exceed 30 feet in any other area of the PUD. Light producing elements and reflectors shall not be visible to a person standing at ground level in adjacent "R" districts. Compliance with these standards shall be verified by application of the Kennebunkport Formula or submission of a photometric plan. Consideration of topography shall be included in the calculations.

OFF-STREET PARKING: As required by the applicable Use Unit of the Tulsa Zoning Code.

SIGNS: Two (2) identification signs may be erected along the East 31st St. South frontage. Such signs shall not exceed 20 feet in height and 150 square feet of display surface area.

One (1) identification sign may be erected along the East 31st Place South frontage. Such sign shall not exceed eight feet in height and 32 square feet of display surface area.

Wall signs shall not exceed one square foot of display area per lineal foot of wall to which the sign is affixed. No wall signs are permitted on the west side of the 5-story structure.

ACCESS TO/FROM 31st PLACE:

Access to 31st Place shall be electronically controlled and will be limited to residents of Oklahoma Methodist Manor. Entry and exit via 31st Place by employees, vendors, visitors and any party other than residents of OMM is strictly prohibited.

PEDESTRIAN ACCESS AND CIRCULATION: Sidewalks shall be provided along East 31st Street South and sidewalks and pedestrian walkways throughout the OMM campus shall provide pedestrian access to the buildings within the project. Sidewalks and walkways which cross vehicular aisles or driveways within the OMM campus will be distinguished by continuous raised crossing or using contrasting paving material and/or high contrast striping.

OTHER BULK AND AREA REQUIREMENTS: As established within the RM-2 District.

3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan for the proposal, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan, prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
5. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

6. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.
9. No building permit shall be issued until the requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.

TAC Comments:

General: No comments.

Water: If additional fire hydrants are required; then, a looped water main extension line will be required; inside a 20' restrictive water line easements.

Fire: Provide fire hydrants along the access road to the east of the new buildings per the International Fire Code Section C105. The average fire hydrant spacing shall be 450' with a maximum of 225' distance from any point on a street or road frontage to a fire hydrant per the International Fire Code Table C105.1.

The fire department connection shall be located within 100' of a fire hydrant to supply the standpipe per NFPA 14 Section 6.4.5.4.

Stormwater: Improvements to the East Branch Joe Creek Regulatory Floodplain will require the submittal of a City of Tulsa Regulatory Map Amendment. Improvements can have no backwater impact for any storm up to and including the 0.2% (500 year) storm on 31st Street or areas to the north.

Wastewater: All existing sanitary sewer pipe located within the proposed construction area must be video inspected, and must be brought up to current City of Tulsa standards prior to issue of building permits. Any existing PVC or VCP pipe that will be under paved driving surfaces, as a result of construction,

must be replaced with Ductile Iron Pipe under the IDP process. The proposed covered parking over the existing sanitary sewer line must be high enough to allow a backhoe to access the sewer line for maintenance of the line. Plans for both the covered parking, and the proposed GEO field, must be approved by Engineering Wastewater Design prior to issue of permits. All development must have access to a sanitary sewer main for service.

Transportation: Provide document number for Pittsburgh Ave vacation.

Sidewalk along 31st street appears to be inside the property line and must be placed in a sidewalk easement. Call out ROW available along 31st St. with Plat # or Book and Page #.

INCOG Transportation:

- **MSHP:** E. 31st Street is a designated secondary arterial.
- **LRTP:** E. 31st St. S., between S. Yale Avenue and S. Harvard Avenue, existing 4 lanes. Per TMAPC subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- **TMP:** No comments
- **Transit:** Currently, Tulsa Transit operates an existing route at this location. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

GIS: No comments.

Street Addressing: No comments.

TMAPC COMMENTS:

Mr. Leighty asked what is currently on the subject lots. In response, Mr. Sansone stated that there are some older residential structures on the subject lots. Mr. Leighty asked if the applicant owns the five lots. In response, Mr. Sansone stated that he believes that they do own the lots and are assembling the property. Mr. Leighty asked staff if there are photographs of the existing homes. Mr. Sansone displayed the aerial photograph of the subject area.

Ms. Cantrell asked why they need the access onto 31st Place since there is frontage on 31st Street. Mr. Sansone stated that he understands that there are several residents who still drive and would like to avoid making a left-hand turn without a signal. If the residents are allowed to access 31st Place they can access the signaled intersection at 31st Street and New Haven and make a left-turn onto 31st Street.

Ms. Cantrell asked why the standard language about the flashing signs was left out of the staff recommendation. Mr. Sansone stated that the PUD Chapter in the Zoning Code allows flashing signs in PUDs as long as it complies with Section 1221.C.2 of the Zoning Code. In many of the PUDs where office uses have boundary lines in common with residential districts, it has been a policy to put that language in the PUD in an effort to make the applicant come back to amend the PUD if they intend to seek a flashing sign. Mr. Sansone stated that

staff can add the language if the Planning Commission would like to make it a condition of the PUD. If the applicant does try to have a marquee or flashing sign on the subject property he would have to seek relief from the Board of Adjustment in order to decrease the required distance from a residential district.

Mr. Marshall asked Mr. Sansone if he would agree that most of the time the Planning Commission doesn't allow access through a residential neighborhood into a commercial project, which he considers this to be. Mr. Sansone stated that this has been done before and this is not the primary access into the facility. This is a residential campus and residential setting with limited access to the proposed access point. Only the residents of the subject property would be allowed to use the subject access.

Mr. Marshall stated that the traffic report has a lot of good points in it that the Planning Commission could have really used before arriving at the meeting today. Mr. Marshall commented that this expansion will increase the traffic. Mr. Sansone stated that the Traffic Engineer who performed the study is present and could discuss the report. Mr. Sansone further stated that he doesn't believe that there will be that great of an impact on traffic. Staff requested that the executive summary be provided prior to the agenda packets being mailed and unfortunately it didn't arrive until after the packets had been mailed. The timeliness of receiving the report will have to be answered by the applicant. Mr. Sansone stated that he believes the report arrived at the INCOG office December 23rd and it was sent to a staff member who was on vacation. Mr. Sansone explained that staff met with the Traffic Engineer and the applicant and discussed the extensive traffic report that was 80 pages. During that meeting the request was made to have an executive summary for the Planning Commission and unfortunately it wasn't received in time for the agenda packet mailing.

Mr. Marshall asked if anyone has signed up to speak on this application. In response, Ms. Cantrell and Ms. Matthews stated that no one has signed up to speak on this application. Mr. Sansone stated that he understands that the applicant has done extensive work with the residential property owners to the west and had several meetings with them. The applicant indicated that he also went door to door to discuss the project with as many people as possible.

Mr. Leighty asked if the reason for the request is to accommodate the new construction or serve the whole community. Mr. Sansone stated that the major amendment is required because of the acquisition of the lots to the west, as well as some relaxation of setback, building height, etc. The applicant may also exceed the 15% floor area increase and that is why this is a major amendment. Mr. Leighty asked if the proposed access would encourage everybody who is currently living there to start using it as a way to get out. He asked what the traffic count is currently before construction starts. Mr. Sansone stated that there are data available and the applicant can speak to that.

In response to Ms. Cantrell, Mr. Sansone stated that he didn't attend neighborhood meetings, but he did perform two site visits and met with the applicant and the Traffic Engineer.

In response to Mr. Shivel, Mr. Sansone stated that the 80 vehicles predicted to use the access would include the expansion and the existing campus.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he treated this under the Brookside model by sending a letter to all of the neighbors on 31st Place and held a meeting at the Manor to discuss the plans. Prior to the meeting his client went door to door to provide information. Mr. Reynolds cited the various meetings held with the neighbors of the subject property. He indicated that many of the people in the subject area have had a family member as resident at the Manor or have known someone working at the Manor. Mr. Reynolds explained that in addition to the Zoning Code that requires notice be given properties within a 300-foot radius, he gave a notice to those within a quarter mile. This is a fifty-million dollar building and he wanted to make sure that everyone was aware of the proposal.

Mr. Reynolds cited the history of Oklahoma Methodist Manor and that it has been in existence for over 50 years. Today the Manor has a full-time staff of 164 employees and a part-time staff of 140 employees. The Manor provides a continuum of care of independent living, assisted living and skilled nursing care on a 24-hour basis for approximately 300 people. The average age exceeds 80 and residents have to be 62 years of age to live at the Manor. Many of the residents come from the subject zip code or one of the five zip codes surrounding it. The Manor has had a continual waiting list for individual independent living units and has seen a demand in the memory support services, which need to be met.

Mr. Reynolds stated that the PUD amendment is not needed for the proposed access point. The purpose for the PUD amendment is to add the additional lots and increase the height limit to five stories. The proposed access point had been discussed for several years and since the PUD was being amended for the additional lots with an increase in height, it made sense to propose the access point at the same time. The proposed access point is due to the age of the drivers and trying to prevent left-hand turns without a signal. The manor doesn't create enough traffic on its own to warrant a traffic signal.

Mr. Reynolds stated that his clients hired Mr. Eshelman, Traffic Engineering Consultants, to study the traffic and possible impact. There are 121 vehicular trips on 31st Place with no traffic from the Manor. The Manor currently has 800 people come and 800 people leave every day. With the expansion it is expected that the Manor would have 950 people come and 950 people leave every day. These are not high traffic numbers and the Manor is a low traffic generator. Mr.

Eshelman projected that 80 vehicles would use the proposed access onto 31st Place, which would be residents only. The proposed access would not be used by freight, deliveries, employees, etc. It would be strictly for residents only who will have a garage door opener to operate the gates. Mr. Reynolds stated that the reason the Planning Commission didn't get this report on time is because he sent it to someone at INCOG via email and that staff member was on vacation. It was submitted timely, but unfortunately it didn't get to the right person. The traffic report shows that the proposed access will make 31st Place safer because it has a turnaround area for people who take the wrong turn down 31st Place. They will now have a safe place to turn around and go back out of 31st Place without having to use someone's driveway. There will be a security camera on the proposed access and anyone using the turnaround will also be caught on that camera, which some of the residents in the subject area liked that.

Mr. Reynolds pointed out that the Dartmoor Subdivision sits about 25 feet higher than where the five-story building will be located. The topography assists in the aesthetics of the building to the residents to the west. The proposed building will be over 150 feet from the nearest residential property. He explained that there is a very extensive landscape plan to buffer the western boundary. There is a masonry fence along the west boundary that will be continued along the remainder of the west boundary. Mr. Reynolds cited the various trees that will be planted for buffering and screening. Mr. Reynolds concluded that the PUD is very well thought-out and a good addition for a long-established and successful midtown retirement community, which provides protection to the abutting residential properties.

TMAPC COMMENTS:

Mr. Leighty asked Mr. Reynolds if he would be pursuing any signs along 31st Street showing the access on 31st Place. Mr. Reynolds stated that there would be nothing to invite anyone down 31st Place. The facility would like it to remain private. Mr. Leighty stated that he appreciates Mr. Reynolds's presentation and the Manor is a great asset and resource for the City of Tulsa. Mr. Leighty further stated that he is concerned about making sure that the residents along 31st Place are not adversely affected by the proposed access. Mr. Leighty asked Mr. Reynolds if he can say unequivocally that he has talked with people who live on 31st Place and there is no opposition to the proposed access. In response, Mr. Reynolds stated that he can say as far as he knows there is no opposition. He indicated that he has talked with three different people about it and one supported it, while one was undecided. This isn't like kids getting out of school and exiting a campus. Mr. Leighty asked if the employees would be able to use the access. In response, Mr. Reynolds stated that it is strictly for the residents. Mr. Reynolds explained that the Manor provides transportation for their residents if they do not feel like driving or are unable to drive. This is a low traffic generation facility. Mr. Reynolds stated that traffic is like water and it takes the easiest and simplest route, which is not stopping at the gate, hitting the garage door opener to open the gate and waiting for the gate to open, then stopping at

New Haven and turning right onto New Haven, then waiting for the light to turn green. However, for the residents who are not comfortable with turning left onto 31st Street, this is the route they will take if they need to make a left-hand turn. Mr. Reynolds stated that he doesn't expect very many of the residents who use the access to come back to the facility that way because it would be easier to come back through 31st Street and the main entrance.

In response to Mr. Dix, Mr. Reynolds stated that the gate will not be automatic. The gate requires the resident hitting their garage door opener to get in and out of the access. This is how the facility would control the employees and service trucks from using the access. Mr. Reynolds explained that all of the services are located on the east side of the Manor and those vehicles enter on the east end and none will go through the neighborhood.

Ms. Cantrell asked Mr. Reynolds if he would agree if the Planning Commission made it a condition that the proposed entrance and exit would be controlled and only residents would have access to that entrance and exit. Mr. Reynolds stated that he would accept that condition.

Ms. Cantrell asked Mr. Reynolds about the trips measured for the 16 houses along 31st Place, which is a dead-end street. Mr. Reynolds stated that it was measured by a traffic meter and for a single-family residential house, the average number of trips in national studies is ten. The Manor owns three of the lots and this proposal has reduced the traffic by 30 trips a day.

Ms. Cantrell asked Mr. Reynolds if he would agree to include the typical language about no flashing or moving signs. Mr. Reynolds stated that he would agree to that language.

Ms. Cantrell asked how many people attended the meetings held by the Manor. In response, Mr. Reynolds stated that at the first meeting there were three families present and at the next meeting there were nine families present. He commented that the discussion was good and there were good comments made. Ms. Cantrell stated that she appreciates when that extra step is done and it makes the Planning Commissioners' lives easier.

Mr. Reynolds requested that the staff recommendation be amended to include the existing four-story building on page 18.6. Mr. Sansone indicated his agreement to the amendment.

Mr. Marshall stated that it sounds like a good project and he can support it. He is upset that the Planning Commission didn't get the traffic impact study until meeting time, which would have answered a lot of his questions.

There were no interested parties wishing to speak.

Ms. Wright moved to approve the major amendment per staff recommendation.

Ms. Cantrell asked Ms. Wright if she would accept the changes presented by the applicant for page 18.6 of the staff recommendation and the condition that the gate have controlled access for both exit and entrance provided only to the residents and that the standard language for no flashing, scrolling signs being permitted.

Ms. Wright agreed to the amendments to the motion.

Mr. Leighty seconded.

TMAPC Action; 8 members present:

On amended **MOTION** of **WRIGHT**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to recommend **APPROVAL** of the major amendment for PUD-197-A per staff recommendation and as amended by applicant to include the existing four-story building in the staff recommendation; subject to the proposed access gate having controlled access for both exit and entrance and that it be provided only to the residents of the facility; and subject to the standard language regarding the prohibition of flashing signs to be included in the staff recommendation. (Language with a strike-through has been deleted and language with an underline has been added.)

Legal Description for PUD-197-A:

A TRACT OF LAND THAT IS ALL OF THE AMENDED PLAT OF METHODIST MANOR, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING A RE-SUBDIVISION OF ALL OF METHODIST MANOR, AND ALL OF LOTS 7, 8, 15 AND 16, BLOCK 1, AND ALL OF LOT 8, BLOCK 2, DARTMOOR ADDITION, BEING A SUBDIVISION OF BLOCKS 1, 2, 7, AND 8, ALBERT PIKE SUBDIVISION, AND PART OF SOUTH PITTSBURG AVENUE LYING WESTERLY OF AND ADJACENT TO THE AMENDED PLAT OF METHODIST MANOR AND EASTERLY OF DARTMOOR ADDITION, AND ALL THAT PART OF EAST 31ST PLACE SOUTH LYING NORTHERLY OF AND ADJACENT TO LOT 8, BLOCK 2, AND SOUTHERLY OF AND ADJACENT TO LOT 16, BLOCK 1, DARTMOOR ADDITION, AND ALSO A PART OF THE NW/4 NE/4 AND PART OF THE NE/4 NW/4 OF SECTION 21, T-19-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS THE NORTHEAST CORNER OF SAID NW/4 OF THE NE/4; THENCE SOUTH 01°31'53" EAST ALONG THE EASTERLY LINE OF SAID NW/4 OF THE NE/4 FOR 50' TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1, THE AMENDED PLAT OF METHODIST MANOR; THENCE CONTINUING SOUTH 01°31'53" EAST ALONG THE EASTERLY LINE OF SAID LOT 1 FOR FIELD

MEASURED DISTANCE OF 1240.02' (PLAT DISTANCE OF 1240.21') TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE CONTINUING SOUTH 01°31'53" EAST ALONG A SOUTHERLY EXTENSION OF SAID EASTERLY LINE AND ALONG SAID EASTERLY LINE OF THE NW/4 OF THE NE/4 FOR 30' TO THE SOUTHEAST CORNER OF SAID NW/4 OF THE NE/4; THENCE SOUTH 88°38'24" WEST ALONG THE SOUTHERLY LINE OF SAID NW/4 OF THE NE/4 FOR 1319.20' TO THE SOUTHWEST CORNER OF SAID NW/4 OF THE NE/4; THENCE NORTH 01°29'22" WEST ALONG THE WESTERLY LINE OF SAID NW/4 OF THE NE/4 AND ALONG A WESTERLY LINE OF SAID LOT 1 FOR 630.11' TO A WESTERLY CORNER OF SAID LOT 1; THENCE CONTINUING NORTH 01°29'22" WEST ALONG SAID WESTERLY LINE OF THE NW/4 OF THE NE/4 AND ALONG THE CENTERLINE OF SOUTH PITTSBURG AVENUE FOR 195' TO A POINT ON AN EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 8, BLOCK 2 DARTMOOR ADDITION; THENCE SOUTH 88°33'38" WEST ALONG SAID EASTERLY EXTENSION AND ALONG THE SOUTHERLY LINE OF SAID LOT 8, BLOCK 2, DARTMOOR ADDITION FOR 101.50' TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 01°29'22" WEST ALONG THE WESTERLY LINE OF SAID LOT 8 AND ALONG A NORTHERLY EXTENSION THEREOF FOR 185' TO THE SOUTHEAST CORNER OF LOT SAID 15, BLOCK 1, DARTMOOR ADDITION; THENCE SOUTH 88°33'38" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 15, BLOCK 1 FOR 75' TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK 1; THENCE NORTH 01°29'22" WEST ALONG THE WESTERLY LINE OF SAID LOT 15 AND ALONG THE WESTERLY LINE OF SAID LOT 7, BLOCK 1, DARTMOOR ADDITION AND A NORTHERLY EXTENSION THEREOF FOR 310' TO A POINT ON THE NORTHERLY LINE OF SAID NE/4 OF THE NW/4; THENCE NORTH 88°33'38" EAST ALONG SAID NORTHERLY LINE FOR 176.50' TO THE NORTHEAST CORNER OF SAID NE/4 OF THE NW/4; THENCE NORTH 88°38'38" EAST ALONG THE NORTHERLY LINE OF SAID NW/4 OF THE NE/4 FOR 1318.23' TO THE POB OF SAID TRACT OF LAND. SAID DESCRIBED TRACT CONTAINS 41.650 ACRES, MORE OR LESS.

OTHER BUSINESS:

19. **Election of TMAPC Officers**

Chairman, 1st Vice Chair, 2nd Vice Chair and Secretary

NOMINATING COMMITTEE’S RECOMMENDATION:

Chairman, Michelle Cantrell; 1st Vice Chair, John Shivel; 2nd Vice Chair, Philip Marshall; Secretary, Joshua Walker.

TMAPC COMMENTS:

Ms. Cantrell stated that Commissioner McArtor and Commissioner Midget were on the nominating committee but unfortunately are not present today. Commissioner McArtor did email the nominations to the Planning Commissioners. Ms. Cantrell offered to continued this to the January 20th meeting or if everyone is comfortable with the nominations to move forward.

TMAPC Action; 8 members present:

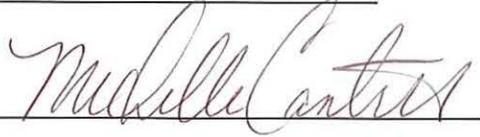
On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the nominations recommended by the Nominating Committee as follows: Chairman, Michelle Cantrell; 1st Vice Chair, John Shivel; 2nd Vice Chair, Philip Marshall; and Secretary, Joshua Walker.

Commissioners' Comments

None.

There being no further business, the Chair declared the meeting adjourned at 5:00 p.m.

Date Approved: 1-20-10



Chairman

ATTEST: 
Secretary

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