

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2592

Wednesday, December 15, 2010, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, December 9, 2010 at 3:45 p.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 1:37 p.m.

REPORTS:

Chairman's Report:

Ms. Cantrell passed out the slate for 2011 Officers and indicated that it would be voted on during the first meeting in January 2011.

Work Session Report:

Ms. Cantrell reported that a work session will be immediately following today's regular TMAPC meeting.

Director's Report:

Mr. Alberty reported on the TMAPC receipts for the month of November 2010. He indicated that this is the first month in this fiscal year that an increase has been shown over last year. The increase is primarily in the Board of Adjustment area and PUDs. Lot-splits and lot-combinations were down this month. The receipts are still about nine percent below 2009 Fiscal Year.

Mr. Alberty reported on the BOCC and City Council agendas.

Minutes:

Approval of the minutes of November 17, 2010 Meeting No. 2590

On **MOTION** of **LEIGHTY**, the TMAPC voted 8-0-0 (Cantrell, Carnes, Dix, Leighty, Liotta, Midget, Walker, Wright "aye"; no "nays"; none "abstaining"; Edwards, McArtor, Shivel "absent") to **APPROVE** the minutes of the meeting of November 17, 2010, Meeting No. 2590.

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.

1. **LS-20408**– Sisemore Weisz & Associates (8320) Lot-Split (CD-2)
North of the northeast corner of South Delaware Avenue and Riverside Parkway
2. **LS-20409**– White Surveying (9419) Lot-Split (Related to (CD-5)
LC-292)
East of the southeast corner of South Mingo Road and East 31st Street South
3. **LC-292**– White Surveying (9419) Lot-Combo (Related to (CD-5)
LS-20409)
East of the southeast corner of South Mingo Road and East 31st Street South
4. **LS-20410**– Sack & Associates (8211) Lot-Split (Related to (CD-2)
LC-293)
South of the southeast corner of West 71st Street South and South Olympia Avenue
5. **LC-293**– Sack & Associates (8211) Lot-Combo (Related (CD-2)
to LS-20410)
South of the southeast corner of West 71st Street South and South Olympia Avenue

Consent Agenda (cont'd)

8. Z-7008-SP-1q – Sack & Associates/Mark Capron/Tulsa Hills

CO

Southeast corner of the southeast corner of West 71st Street and Olympia Avenue (Corridor Minor Amendment) (CD-2)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to permit a lot-split and lot-combination requiring a reallocation of existing floor area. With the split and combination is the creation of a new "out-parcel". There is no request to increase the permitted floor area on any of the lots.

Specifically, the applicant is proposing to split 3,162 square feet (SF) from Lot 5, Block 2 and 38,583 SF from Lot 6, Block 2 and combine the parcels to create new Tract 6A as seen on Exhibit A. Ten thousand square feet (10,000 SF) of existing floor area will be allocated from Lot 6 to new Tract 6A with no change in permitted floor area for the overall development area or increase in floor-to-area ratio (FAR). There is no impact expected to adjacent properties as the newly created lot will be adjacent to Olympia Avenue. Floor area is being allocated as follows:

LOT	Lot Area	Existing Allocation	FAR
5	51,513 SF	9,500 SF	.18
6	508,290 SF	110,000 SF	.21
Total:	559,803 SF	119,500 SF	.21

LOT	Lot Area	New Allocation	FAR
5	48,351 SF	9,500 SF	.19
6	469,707 SF	100,000 SF	.21
Tract 6A	41,745 SF	10,000 SF	.23
Total:	559,803 SF	119,500 SF	.21

All three lots will remain under the .25 FAR approved for the development area. Staff contends the minor amendment does not represent a significant departure from the approved Corridor Site Plan and recommends **APPROVAL** of minor amendment Z-7008-SP-1q.

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

Consent Agenda (cont'd)

9. **PUD-636 – Russell McDaris/Case Development Serivces** **CO/PUD**

North of the northeast corner of West 81st Street South and South Union Avenue (Detail Site Plan for a gated entry to an apartment complex as required by PUD-636.) (CD-2)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a gated entry to an apartment complex as required by PUD-636.

The gated entry meets all applicable setback and height requirements for fences/walls/gates and has received approval of the City of Tulsa Fire Marshal and Traffic Engineer as required by PUD-636.

Staff recommends **APPROVAL** of the detail site plan for the gated entry for PUD-636/Tuscany Hills at Nickel Creek.

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

10. **AC-102 – HRAOK/Dwayne Wilkerson/QuikTrip** **(CD-4)**
1014 South Sheridan Road (Landscape Alternative Compliance)

STAFF RECOMMENDATION:

The applicant is requesting approval of an alternative compliance landscape plan for construction of a new QuikTrip® (QT) store. The proposed plan does not meet the technical requirements of Chapter 10 since parking spaces in front of the store are not within 50' of a landscaped area.

Referring to attached sheet L100, the parking spaces which are not within 50' of a required landscaped area are typical of most QT Stores, given the long, rectangular shape of the building in relationship to the square nature of their lots. To compensate, the applicant is proposing a 13.5-foot to approximately 28-foot wide green belt surrounding the perimeter of the site with five extra trees planted in the street yards. Planting beds are proposed for the south, southeast and northeast corners of the site. The landscape beds will be excessively planted with Crimson Pygmy Barberry and Needle Point Holly miniature evergreen trees.

While the proposed plan does not meet the technical requirements of Chapter 10 staff feels the plan is a vast improvement over existing conditions. Additionally, by providing the extensive green-belt area surrounding the site with extra trees

and planting beds, the proposed plan exceeds the technical requirements of Chapter 10. Therefore, staff recommends **APPROVAL** of alternative compliance landscape plan AC-102.

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, Carnes, Dix, Leighty, Liotta, Midget, Walker, Wright "aye"; no "nays"; none "abstaining"; Edwards, McArtor, Shivel "absent") to **APPROVE** the consent agenda Items 1 through 5 and 8 through 10 per staff recommendation.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

6. **PUD-513-C-1 – John Sanford/Wingate Hotel**

2854 East 51st Street South (Minor Amendment) (related (CD-9)
to Item 7.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to allow unoccupied architectural features up to 65 feet in height. Maximum building height permitted in PUD-513-C is 50 feet. There is no residentially used property adjacent to this PUD.

The actual building height of the hotel is 50 feet with the three unoccupied architectural features reaching a height of 59 feet above grade. The request to allow the features to reach 65 feet gives some flexibility considering the grading work that will be done on the site.

Section 208 of the Zoning Code permits unoccupied features to reach heights up to 20 feet above the height of the building. This includes chimneys, elevators, equipment penthouses, monitors, cooling towers and ventilators. Other building elements such as belfries, clock towers, cupolas, domes, flag poles and spires are allowed up to 150% of the building's height. These unoccupied features will be approximately nine feet over the height of the building and 18% over the building height.

Staff contends allowing the increase in the height of the architectural features will not substantially alter the development plan, the approved PUD standards, or the character of the development. Therefore staff recommends **APPROVAL** of minor amendment PUD-513-C-1 conditioned upon the installation of pedestrian crosswalk(s) connecting the 51st Street sidewalk to the front of the building.

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

TMAPC COMMENTS:

In response to Mr. Leighty, Mr. Sansone stated that the applicant would like the extra height request in case it is needed.

In response to Mr. Leighty, Mr. Sansone stated that any PUD that was approved prior to the adoption of the new comprehensive plan will not be required to be retroactive to the new plan.

Mr. Leighty expressed concerns about there not being an access from the hotel to the sidewalk on 51st Street, except to walk through the parking lot and across a landscaped median. Mr. Leighty suggested that there be a striped walkway or crosswalk. In response, Mr. Sansone stated that Ms. Cantrell approached him about this issue prior to the meeting and he has discussed it with the applicant who is in agreement to put some striping down at one or two intervals on the 51st Street frontage connecting the parking spaces. There is only one row of parking between the front of the building and the street, which is close to the Town Center designation of the new plan. Mr. Sansone reminded the Planning Commission that the PUD doesn't require the striped area and it would have to be on a volunteer basis. The applicant has indicated that the owner is in agreement to do the striping. Mr. Sansone stated that he doesn't believe the Planning Commission can make this a requirement without amending the PUD. Ms. Cantrell stated that this is a minor amendment in addition to the detail site plan and they could condition the minor amendment.

Applicant's Comments:

John Sanford, no address given, stated that there are other buildings along 51st Street that are higher than the requested height. The PUD does allow for other features to be above the 50 feet. He doesn't believe it is unreasonable to request the additional height. If the subject property weren't in a PUD, the additional height would be approved.

TMAPC COMMENTS:

Ms. Cantrell asked Mr. Sanford if he would be in agreement with the striping. In response, Mr. Sanford stated that he has discussed this with the owner and they are in agreement with the striping of a crosswalk.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-1-0** (Cantrell, Carnes, Dix, Leighty, Liotta, Midget, Walker "aye"; Wright "nay"; none "abstaining"; Edwards, McArtor, Shivel "absent") to **APPROVE** the minor amendment for PUD-513-C-1 per staff recommendation, subject to crosswalks being striped. (Language underlined has been added and language with a strike-through has been deleted.)

Related to Item 6:

7. PUD-513-C – John Sanford/Wingate Hotel

2854 East 51st Street South (Detail Site Plan) (related to (CD-9)
Item 6.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 45,190 square foot (SF), four-story hotel. The proposed uses, hotel and motel within Use Unit 19 – Hotel, Motel and Recreation Facilities, are a permitted use in PUD-513-C. Associated with this detail site plan review is minor amendment PUD-513-C-1, also appearing on the December 15th agenda of the TMAPC.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site will be provided from 51st Street. Parking is provided per the applicable Use Unit of the Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code. Landscaping will be provided per the PUD and landscape chapters of the Zoning Code. All site lighting, including building mounted, will be limited to 15-feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining properties in a manner that the light-producing element and/or reflector are not visible to a person standing at ground level at the perimeter of the PUD. A trash enclosure will be provided and sidewalks will be provided along 51st Street if not existing as required by PUD Development Standards and Subdivision Regulations.

Staff recommends **APPROVAL** of the detail site plan for PUD-513-C.

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

TMAPC Action; 8 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **7-1-0** (Cantrell, Carnes, Dix, Leighty, Liotta, Midget, Walker "aye"; Wright "nay"; none "abstaining"; Edwards, McArtor, Shivel "absent") to **APPROVE** the Detail Site Plan for PUD-513-C per staff recommendation, subject to crosswalks being striped, which will be reviewed by staff.

* * * * *

PUBLIC HEARING

11. Rockford Industrial Park – (0331) Minor Subdivision (CD 1)
Plat

1212 North Rockford, south of Pine Street and west of North Rockford Road (Continued from 12/7/2010 and 10/20/2010)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 19.48 acres.

The following issues were discussed September 16, 2010 and November 18, 2010 (revised), at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned IM (industrial medium) and IL (industrial light).
2. **Streets:** No comment.
3. **Sewer:** No comment.
4. **Water:** No comment.
5. **Storm Drainage:** The west edge of the Overland Drainage Easement should be extended to the west edge of the maintenance access easement, and the label and leaders for the 20 foot maintenance access easement should be removed. This just leaves an overland drainage easement which includes the required additional 20 feet for maintenance access.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Standard language is required for covenants. PSO needs easement issues resolved for existing lines on site.
7. **Other: Fire:** No comment.

GIS: Please make note on the face of the plat of any benchmarks and the size, location, description and identification of all monuments to be set or found in making the survey, shown to assure the re-establishment of any point or line of the survey. Submit a subdivision control data form.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. A sidewalk waiver is requested.

Special Conditions:

1. The concerns of the Public Works Department and Development Services 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.

Mrs. Fernandez stated that the applicant would like to waive the sidewalk requirement until part of the street is built. The applicant intends to build the sidewalk when the street is built and the City Departments are in agreement.

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 **CARNES**, TMAPC voted **8-0-0** (Cantrell, Carnes, Dix, Leighty, Liotta, Midget, Walker, Wright "aye"; no "nays"; none "abstaining"; Edwards, McArtor, Shivel "absent") to **APPROVE** the minor subdivision plat and sidewalk waiver for Rockford Industrial Park, subject to special conditions and standard conditions per staff recommendation.

OTHER BUSINESS:

None.

Commissioners' Comments

Ms. Cantrell stated that she handed out a letter in response to the City Council request for the study of Historic Preservation districts boundaries. Ms. Cantrell further stated that if the Planning Commission is in agreement with the letter she will forward it to the City Council.

TMAPC COMMENTS:

Ms. Wright stated that the issues haven't been studied, there was a hearing on some of the issues and the Commissioners haven't really studied the issue and what is involved. Ms. Wright further stated that the letter states that the Planning Commission has studied the issues, but they haven't. Ms. Cantrell stated that her intention was to report what has been done so far. Ms. Wright stated that she hopes that the letter doesn't state that this issue has been studied, because it hasn't. Ms. Cantrell stated that if anyone has issues with the wording or feels for some reason that the letter shouldn't be sent they should make that known.

Otherwise her intention is to send this letter to City Council. Mr. Leighty indicated that he is in agreement with the wording and Mr. Dix agreed.

There being no further business, the Chair declared the meeting adjourned at 2:03 p.m.

Date Approved:

1/5/11

Michelle Cantor

Chairman

ATTEST:

Joshua A. Wake

Secretary